

SHOW LOW CITY COUNCIL
Regular Meeting – Tuesday, March 7, 2023

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, March 7, 2023, at 7:00 p.m. 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. **CONSENT CALENDAR:**

- A. Consideration of Minutes of Show Low City Council meetings:
(1) Regular Meeting of February 21, 2023.

7. **NEW BUSINESS:**

- A. Consideration of Acceptance of Grant Funds from Arizona Department of Forestry and Fire Management for the Healthy Forest Initiative Grant and Authorization of Associated Budget Transfers. (Jay Brimhall)
- B. Consideration of Award of Construction Contract for Show Low Public Restrooms Americans with Disabilities Act Upgrades, City of Show Low Project No. FM-1922B. (Bill Kopp)
- C. Consideration of Resolution No. R2023-07 Approving and Authorizing Intergovernmental Agreement with Navajo County Regarding Funds from One Arizona Plan Opioid Settlement. (Anna Atencio)

8. **SUMMARY OF CURRENT EVENTS:**

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

9. **SCHEDULING OF MEETINGS:**

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

10. **EXECUTIVE SESSION.**

- A. Confidentiality Statement.
- B. Discussion or consultation with the attorney or attorneys of the public body for legal advice or to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation. Pursuant to A.R.S. Sections 38-431.03(A)(3) and 38-431.03(A)(4).
 - (1) Northeastern Arizona Community Resource Network, Inc. Lease Agreement.
- C. Discussion or consideration of records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law. Pursuant to A.R.S. Section 38-431.03(A)(2).
 - (1) Executive Session Minutes of January 17, 2023.

11. **POST EXECUTIVE SESSION.**

Consideration of any item on the Executive Session portion of this agenda, which the Council may wish to take action upon in Open Session.

- A. Consideration of Approval of the Minutes of the Executive Session of the Show Low City Council Held on January 17, 2023.

12. **ADJOURNMENT.**

SCHEDULED MEETINGS/EVENTS:

03/07/23 7:00 PM CITY COUNCIL – REGULAR MEETING

03/14/23	7:00 PM	P&Z COMMISSION – REGULAR MEETING
03/21/23	7:00 PM	CITY COUNCIL – REGULAR MEETING
03/28/23	7:00 PM	P&Z COMMISSION – REGULAR MEETING

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

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

Rachael Hall, City Clerk

I, Rachael Hall, do hereby certify that the foregoing notice was posted on Friday, March 3, 2023.

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MINUTES OF THE REGULAR MEETING OF THE SHOW LOW CITY COUNCIL HELD ON TUESDAY, FEBRUARY 21, 2023, AT 7:00 P.M. 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 Clark, Councilman Allsop, and Councilman Judd (arrived at 7:34 p.m.).

COUNCIL MEMBERS ABSENT: Councilman Hatch and Councilman Adams.

STAFF MEMBERS PRESENT: Morgan Brown, City Manager; Anna Atencio, City Attorney; Brad Provost, Police Chief; Greg Westover, Police Commander; Cameron Peterson, Public Information Officer; Stephanie McQuillan, Human Resources Manager; Kent McQuillan, Information Technology Specialist; Cari Bilbie, Accounting Manager; Shannon Adams, Grants Coordinator; Dispatcher Audriana Watson; Officer Joseph Hubbard; Officer James Barber; Officer Bernard Huser; Officer Elijah Toth; Sergeant Richard Rosales; Officer Ismael Naranjo; Officer Jessica Mikita; Dispatch Supervisor Maria Garvin; Dispatcher Dezerae Pease; Officer Joseph Raimo; Sergeant Justin Hart; Sergeant Ashley Ellsworth; Sergeant Troy Eberline; Kathy Clements, Assistant City Clerk; and Rachael Hall, City Clerk.

GUESTS: Ed and Kathy Muder, Eric Ashworth, Richard Wallace, Jill Stansberry, John and Betty Jarrett, Marchelle Haverland, Gordan Terracina, John Hannah, the Barber Family, Richard Bilbie, Riala Leech, Joey Leech, Gary Martinson, and others.

3. Invocation.

Councilman Clark gave the invocation.

4. Pledge of Allegiance.

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

5. **CALL TO THE PUBLIC:**

Any citizen desiring to speak on a matter that is within the jurisdiction of the City Council may do so at this time. Comments 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.

Gordan Terracina, 861 North 33rd Avenue, expressed his displeasure about a City snowplow driver driving down the wrong side of the road in his neighborhood. Mr. Terracina wanted to know what the snowplow policy was regarding snowplows driving against the flow of traffic. Mayor Leech said he believed the City policy regarding snowplows was that they moved with the flow of traffic and asked Mr. Brown to verify the policy. Mr. Brown said he would confirm what the policy stated.

6. **SPECIAL EVENTS:**

A. Public Safety Presentation.

Chief Provost said the Show Low Police Department was very fortunate to have the strong support of the community, Council, and administration that believed in setting high expectations and standards. Tonight, the department was here to celebrate its successes.

Chief Provost presented a Certificate of Lifesaving to Dispatcher Audriana Watson for initiating Emergency Medical Dispatch Protocols and directing a caller to begin CPR on a male experiencing cardiac arrest. Audriana guided the lifesaving efforts for over eight minutes and counted off over 1,000 chest compressions before rescue crews arrived. The Fire Medic and the patient's son credited Audriana's guidance for saving the man's life.

Chief Provost presented a Certificate of Lifesaving to Officer Joseph Hubbard for responding to a call regarding a female subject who was not breathing and had no pulse. Officer Hubbard determined the subject had overdosed and immediately administered NARCAN and took over CPR until Emergency Medical Services arrived. Officer Hubbard's appropriate assessment and rapid actions saved the woman's life.

Chief Provost presented a Certificate of Lifesaving to Officer James Barber, who responded to a call regarding an unconscious subject who was not breathing and had no pulse. Officer Barber quickly began CPR and continued until medical crews arrived. When medical took over, they observed that the man was breathing and had a pulse. One of Officer Barber's fellow officers stated, "with a doubt," Officer Barber saved the man's life.

Chief Provost presented Certificates of Commendation to Officer Bernard Huser and Officer Elijah Toth, who discovered a subject had an active warrant while making a traffic stop. The man became irate and said the officers would have to kill him because he was not going back to jail. Officers Huser and Toth attempted to de-escalate the situation, but the man became increasingly erratic and began moving and reaching around his vehicle. The officers deployed less lethal measures to safely remove the man from the vehicle and placed him in custody without injury. After securing the man, the officers found a large hunting knife on the vehicle's floorboard. Officers Huser and Toth showed great judgment with the action taken, as this event could have easily turned into a deadly force situation.

Chief Provost presented Certificates of Commendation to Sergeant Richard Rosales, Officer Elijah Toth, Officer Ismael Naranjo, Officer Jessica Mikita, Dispatch Supervisor Maria Garvin, and Dispatcher Dezerae Pease who, with planning and strong communication, executed a tactical response and deployed less than lethal force to safely deal with a subject who entered the lobby of the police station armed with a sword stating he was dealing with mental health issues.

Chief Provost presented a Certificate of Commendation to Officer Joseph Raimo, who was investigating a run-away juvenile case and found the juvenile and her 16-year-old sister returning home as he arrived. Officer Raimo escorted the girls into the home, where the 16-year-old began arguing with her grandmother and threatening to kill herself. The girl entered the kitchen and grabbed a large kitchen knife. Officer Raimo, recognizing the danger, followed the girl into the kitchen and was able to disarm her. Officer Raimo's rapid and decisive actions prevented a tragic outcome.

Chief Provost presented the 2022 Service Recognition award to Ed Muder for his years of service and support to the Show Low Police Department.

Chief Provost presented the 2022 Chief's Award to Retired Commander John Jarrett for his work creating and establishing the Navajo County Peace Officer Memorial.

Chief Provost presented the 2022 Special Recognition award to Deacon Richard Wallace on behalf of Porter Mountain Fellowship Church. The award recipient was chosen by the Show Low Police Department's line-level staff to recognize and show appreciation for all the support the Church had provided over the years to the officers, dispatchers, and other employees.

Chief Provost presented the 2022 Volunteer of the Year Award to Jill Stansberry on behalf of her husband, Chaplain Jim Stansberry, who couldn't attend. This award recipient was chosen by the Show Low Police Department's line-level staff to recognize and show appreciation for all the work Dr. Stansberry had done with the department in the chaplaincy role.

Chief Provost presented the 2022 Unit Citation to Patrol Sergeants Richard Rosales, Justin Hart, Ashley Ellsworth, and Troy Eberline for going above and beyond and for the extortionary work that they have done in overseeing the service delivery of the Show Low Police Department.

Chief Provost presented the 2022 Civilian of the Year Award to Kent McQuillan, Information Technology Specialist, for his work on information technology systems and radios. Mr. McQuillan's efforts fundamentally changed how staff worked in the field.

Chief Provost presented the 2022 Dispatcher of the Year Award to Audriana Watson for her high-performance ratings, feedback received from the community, and awards she received. She had also taken it upon herself to send a card on behalf of the City of Show Low to every agency in the county that had a fallen officer or firefighter to let them know the City was thinking of them.

Chief Provost presented the 2022 Officer of the Year Award to Elijah Toth.

The Council members commended law enforcement, dispatchers, civilian staff, and volunteers for their outstanding work.

Mayor Leech called for a short break at 7:25 p.m. The meeting reconvened at 7:30 p.m.

B. Presentation of Midyear Financial Report for Fiscal Year Ending June 30, 2023. (Cari Bilbie)

Ms. Bilbie said the benchmark for revenues and expenditures from July 1 through December 31 was 50%. She would review General Fund revenues and expenses, sales tax revenues, key revenues, and expenses compared to the budget, and then review debt service.

Ms. Bilbie said General Fund revenues were at 46.3% of the budget. The General Fund expenditures were at 21.6%. Grants revenue was relatively low at 1.0% because the City was waiting on reimbursements from several grants.

Ms. Bilbie said sales tax collections and franchise taxes were at 75.16%, up 26.83% compared to collections at the same time last year.

Ms. Bilbie said State Shared Revenues were at 49.9% and Highway User Revenue Funds were at 45.2%. The fines and forfeitures, which included all fines and fees collected by the court, were at 88.3% of the budget.

Ms. Bilbie said airport revenues, consisting of leases and fees, were at 67.6%, and the fuel, oil, and resale were at 79.6% of the budget.

Ms. Bilbie said utility fund revenues comprised water, wastewater, and sanitation. Water was at 49.2% of budgeted revenues, wastewater was at 27.5%, and sanitation was at 47.0%. The utility fund revenues were on track for the year. Due to the City's billing cycle, the numbers shown were based on five months rather than six months.

Ms. Bilbie said utility fund expenses for water and wastewater were at 29.7% and 37.4%, respectively, but were on track for the year.

Ms. Bilbie said there would be an increase in debt service for fiscal year 2023 due to the excise revenue obligation bonds for Highway User Revenue Funds and wastewater that Council previously approved.

Mayor Leech asked what was driving the 137% revenue number for the library. Ms. Bilbie said the library collected fees and donations from various events had exceeded revenue predictions.

Vice Mayor Kakavas asked if the library revenue included the library grants. Ms. Bilbie said most of the library's grant funds were reflected in the Grants section of the budget.

7. **CONSENT CALENDAR:**

- A. Consideration of Resolution No. R2023-04 Rescinding Resolution No. R2023-03 and Authorizing Submitting Application for Funding Under 2023 Rebuilding American Infrastructure with Sustainability and Equity Discretionary Grants Program to Complete Scott Ranch Road Bridge Project. (Shannon Adams)
- B. Consideration of Resolution No. R2023-05 Deeding a Portion of City Property to Don and Pauline Romero and Paul Cruz in Exchange for Abandoning Roadway Easement. (Morgan Brown)
- C. Consideration of Resolution No. R2023-06 Approving and Authorizing Intergovernmental Agreement with Maricopa County for Maricopa County Sheriff's Office Sworn Officer Training Academy. (Brad Provost)
- D. Consideration of Minutes of Show Low City Council meetings:

(1) Regular Meeting of February 7, 2023.

VICE MAYOR KAKAVAS MOVED TO APPROVE THE CONSENT CALENDAR AS PRESENTED; SECONDED BY COUNCILMAN CLARK; PASSED 5 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, AND COUNCIL MEMBERS ALLSOP, CLARK, AND JUDD VOTING IN FAVOR.

8. **NEW BUSINESS:**

- A. **PUBLIC HEARING** – Application Submitted by Eric Harold Ashworth and Tania Stephanie Mikus for #6, *Bar*, Liquor License on Behalf of One Eyed Jacks Sports Lounge for its Location at South 4481 White Mountain Road, Show Low, Arizona. (Rachael Hall)

Ms. Hall said Eric Harold Ashworth and Tania Stephanie Mikus, representing One Eyed Jacks Sports Lounge, submitted a “location transfer” application for a #6, *Bar*, Liquor License for its location at 4481 South White Mountain Road #2. The request would transfer the existing #6, *Bar* license from the current location, 480 West Deuce of Clubs in Show Low, to the new location. As required by state law, the property was posted, and no public input was received.

Ms. Hall said 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 would decide whether to approve or deny the application. If the City Council chose to recommend denial of the application, the motion must state the reasons for the denial.

Mayor Leech opened the matter for a public hearing.

There being no input, Mayor Leech closed the public hearing.

- B. Consideration of Application Submitted by Eric Harold Ashworth and Tania Stephanie Mikus for #6, *Bar*, Liquor License on Behalf of One Eyed Jacks Sports Lounge for its Location at 4481 South White Mountain Road, Show Low, Arizona. (Rachael Hall)

Councilman Allsop asked if the Show Low Police Department had any concerns regarding issuing a liquor license to One Eyed Jacks Sports Lounge. Chief Provosts said no, there were no concerns.

COUNCILMAN CLARK MOVED TO RECOMMEND APPROVAL TO THE STATE LIQUOR BOARD OF THE APPLICATION SUBMITTED BY ERIC

HAROLD ASHWORTH AND TANIA STEPHANIE MIKUS FOR #6, BAR, LIQUOR LICENSE ON BEHALF OF ONE EYED JACKS SPORTS LOUNGE FOR ITS LOCATION AT SOUTH 4481 WHITE MOUNTAIN ROAD, SHOW LOW, ARIZONA; SECONDED BY MAYOR LEECH; PASSED 5 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS AND COUNCIL MEMBERS ALLSOP, CLARK, AND JUDD VOTING IN FAVOR.

- C. **PUBLIC HEARING** – Application Submitted by Marchelle Eva May Haverland for #6, *Bar*, Liquor License on Behalf of Rocky's Cocktail Lounge for its Location at 480 West Deuce of Clubs, Show Low, Arizona. (Rachael Hall)

Ms. Hall said Marchelle Eva May Haverland, representing Rocky's Cocktail Lounge, submitted an application for a new #6, *Bar*, Liquor License for its location at 480 West Deuce of Clubs. This location previously had a #6, *Bar*, Liquor License, but the owner was new, and the former owners were transferring the #6, *Bar* Liquor License to their new location. As required by state law, the property was posted, and no public input was received.

Ms. Hall said Ms. Haverland also applied for an interim permit (valid for 105 days) to allow the sale of alcohol while the #6 application was being processed. The applicant would have to request a second interim permit if the application was not approved before the interim permit expires.

Ms. Hall said the Show Low Police Department conducted a background check on the applicant and found nothing amiss. The Department of Liquor Licenses and Control would conduct its own internal investigations and background checks. Based on the investigator's findings and the recommendation of the City Council, the State Liquor Board would decide whether to approve or deny the application. If the City Council chose to recommend denial of the application, the motion must state the reasons for the denial.

Mayor Leech opened the matter for a public hearing.

There being no input, Mayor Leech closed the public hearing.

- D. Consideration of Application Submitted by Marchelle Eva May Haverland for #6, *Bar*, Liquor License on Behalf of Rocky's Cocktail Lounge for its Location at 480 West Deuce of Clubs, Show Low, Arizona. (Rachael Hall)

Mayor Leech asked that since this was a request for a new liquor license if it would come back to Council for additional approval. Ms. Hall said no, as Ms. Haverland already received an interim license from the State Liquor

Board to sell alcohol because there was previously a #6 bar, liquor license at the location. The Council was considering the actual liquor license.

Councilman Clark asked about Ms. Haverland's experience operating a bar. Ms. Haverland said she had been a bartender on the mountain for the past 20 years and listed off her experience. Starting her own business was her dream, and she had been saving for the past 16 years to open her own establishment.

COUNCILMAN CLARK MOVED TO RECOMMEND APPROVAL TO THE STATE LIQUOR BOARD OF THE APPLICATION SUBMITTED BY MARCHELLE EVA MAY HAVERLAND FOR #6, BAR, LIQUOR LICENSE ON BEHALF OF ROCKY'S COCKTAIL LOUNGE FOR ITS LOCATION AT 480 WEST DEUCE OF CLUBS, SHOW LOW, ARIZONA; SECONDED BY COUNCILMAN JUDD; PASSED 5 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, AND COUNCIL MEMBERS ALLSOP, CLARK, AND JUDD VOTING IN FAVOR.

- E. **PUBLIC HEARING** – Application Submitted by Dana Gail Foster and Gary Arthur Martinson for #6, *Bar*, Liquor License on Behalf of Buffalo Bills Tavern & Museum for its Location at 400 North Clark Road, Show Low, Arizona. (Rachael Hall)

Ms. Hall said Dana Gail Foster and Gary Arthur Martinson, representing Buffalo Bills Tavern & Museum, submitted a "location transfer" application for a #6, *Bar*, Liquor License for its location at 400 North Clark Road. The request would transfer the existing #6, *Bar* license from the current location at AZ-260 and Bison Parkway in Show Low to the new location. As required by state law, the property was posted, and no public input was received.

Ms. Hall said the Show Low Police Department conducted a background check on the applicants and found nothing amiss. The Department of Liquor Licenses and Control would conduct its own internal investigations and background checks. Based on the investigator's findings and the recommendation of the City Council, the State Liquor Board would decide whether to approve or deny the application. If the City Council chose to recommend denial of the application, the motion must state the reasons for the denial.

Mayor Leech opened the matter for a public hearing.

There being no input, Mayor Leech closed the public hearing.

- F. Consideration of Application Submitted by Dana Gail Foster and Gary Arthur Martinson for #6, *Bar*, Liquor License on Behalf of Buffalo Bills

Tavern & Museum for its Location at 400 North Clark Road, Show Low, Arizona. (Rachael Hall)

COUNCILMAN CLARK MOVED TO RECOMMEND APPROVAL TO THE STATE LIQUOR BOARD OF THE APPLICATION SUBMITTED BY DANA GAIL FOSTER AND GARY ARTHUR MARTINSON FOR #6, BAR, LIQUOR LICENSE ON BEHALF OF BUFFALO BILLS TAVERN & MUSEUM FOR ITS LOCATION AT 400 NORTH CLARK ROAD, SHOW LOW, ARIZONA; SECONDED BY VICE MAYOR KAKAVAS; PASSED 5 TO 0 WITH MAYOR LEECH, VICE MAYOR KAKAVAS, AND COUNCIL MEMBERS ALLSOP, CLARK, AND JUDD VOTING IN FAVOR.

9. **SUMMARY OF CURRENT EVENTS:**

A. Council Members

Council members congratulated the Show Low High School girls' basketball team for making the quarter-finals and asked the community to support them in their bid to win the championship.

B. Mayor

Mayor Leech asked that with the winter storms the City was experiencing, the members of the community park their vehicles off the street so the City snowplows could clear the streets efficiently.

C. City Manager

Mr. Brown said the City was still accepting applications from citizens interested in serving on the Show Low Aviation Advisory Committee, Board of Adjustment, Parks and Recreation Advisory Committee, and the Planning and Zoning Commission. Applications were available at City Hall or on the City's website at showlowaz.gov. The City Clerk's office was accepting applications through March 3.

Mr. Brown said softball registration opened on February 1 for spring one-pitch coed softball, and the games would start mid to late March.

Mr. Brown said that regarding public works projects, the City's contractor completed the Citywide Paving and Sidewalk Connectivity project. The contractor started on services and was finishing work on the fire hydrants on the East Mills and Owens Waterline Replacement project. Work would start again in mid-March on the 5th and 6th Place Sewer Replacement project. Core samples were completed on the West McNeil Roadway Reconstruction project, and the contractor was waiting on the final report and weather before replacing the asphalt. Mr. Brown thanked

the citizens for their patience as these important projects were completed.

10. **SCHEDULING OF MEETINGS:**

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

None.

13. **ADJOURNMENT.**

There being no further business to be brought before the Council, **MAYOR LEECH ADJOURNED THE REGULAR MEETING OF THE SHOW LOW CITY COUNCIL OF FEBRUARY 21, 2023, AT 7:55 P.M.**

ATTEST:

APPROVED:

Rachael Hall, City Clerk

John Leech, Jr., Mayor

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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 February 21, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 20____.

(SEAL)

Rachael Hall, City Clerk

CITY OF SHOW LOW STAFF SUMMARY REPORT

AGENDA TITLE: Consideration of Acceptance of Grant Funds from Arizona Department of Forestry and Fire Management for the Healthy Forest Initiative Grant and Authorization of Associated Budget Transfers (Jay Brimhall)

RECOMMENDATION

I **MOVE** to accept grant funds for the Healthy Forest Initiative from Arizona Department of Forestry and Fire Management in the amount of \$182,000.00, with 20% of project costs (\$45,500.00) being paid by landowners, for a project total of \$227,500.00 and authorize the associated budget transfers.

BACKGROUND

In the Spring of 2022, the Arizona Department of Forestry and Fire Management (DFFM) solicited proposals from Arizona municipal and county government agencies to promote forest health for fire prevention, critical infrastructure protection, and forest and watershed restoration through the reduction of hazardous vegetation.

Staff applied for and received funds from DFFM in the Fall of 2022 for five properties in Show Low that are densely wooded and in need of fuels reduction. The properties are City Park (public, City of Show Low), Menhennett (private, between Lowes and the Circle K along White Mountain Road west of Wal-Mart, east of Wal-Mart and Home Depot), White Mountain Vacation Village (private, east along White Mountain Road behind tractor supply), North Woolford Road property (private, behind the Speedway and Horne Used Automobile lot), and Bison Preserve (private, north of SR 260 between City Park and Bison Retreat). Maps for each property are attached.

Priority was given to roadway frontage acreage; however, staff expects more acreage covered than just frontage thinning due to economies of scale.

Staff asked property owners if they would be willing to participate in and financially support the City by contributing a 20% match for the fuel abatement of their properties. Each landowner agreed, including the City as one of the recipients.

Landowners will select the low bid from at least three contractors for the work and must pay their entire bill directly. The landowners will submit their paid invoices to the City, which will reimburse 80% of the landowners' paid bill. After which, the City will request reimbursement from DFFM for 80% of the total project costs.

Staff recommends accepting the grant funds for the Healthy Forest Initiative from Arizona Department of Forestry and Fire Management in the amount of \$182,000.00 and authorizing the associated budget transfers.

Attachments:
Maps of properties

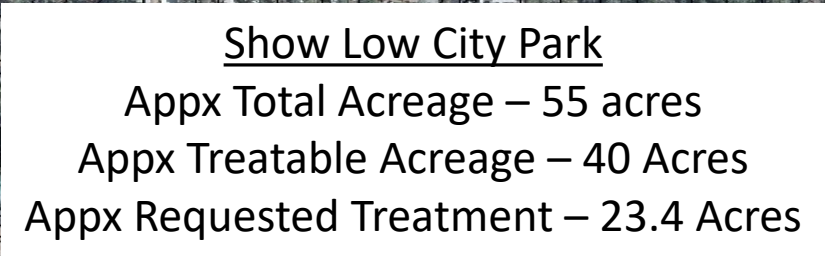
FISCAL IMPACT

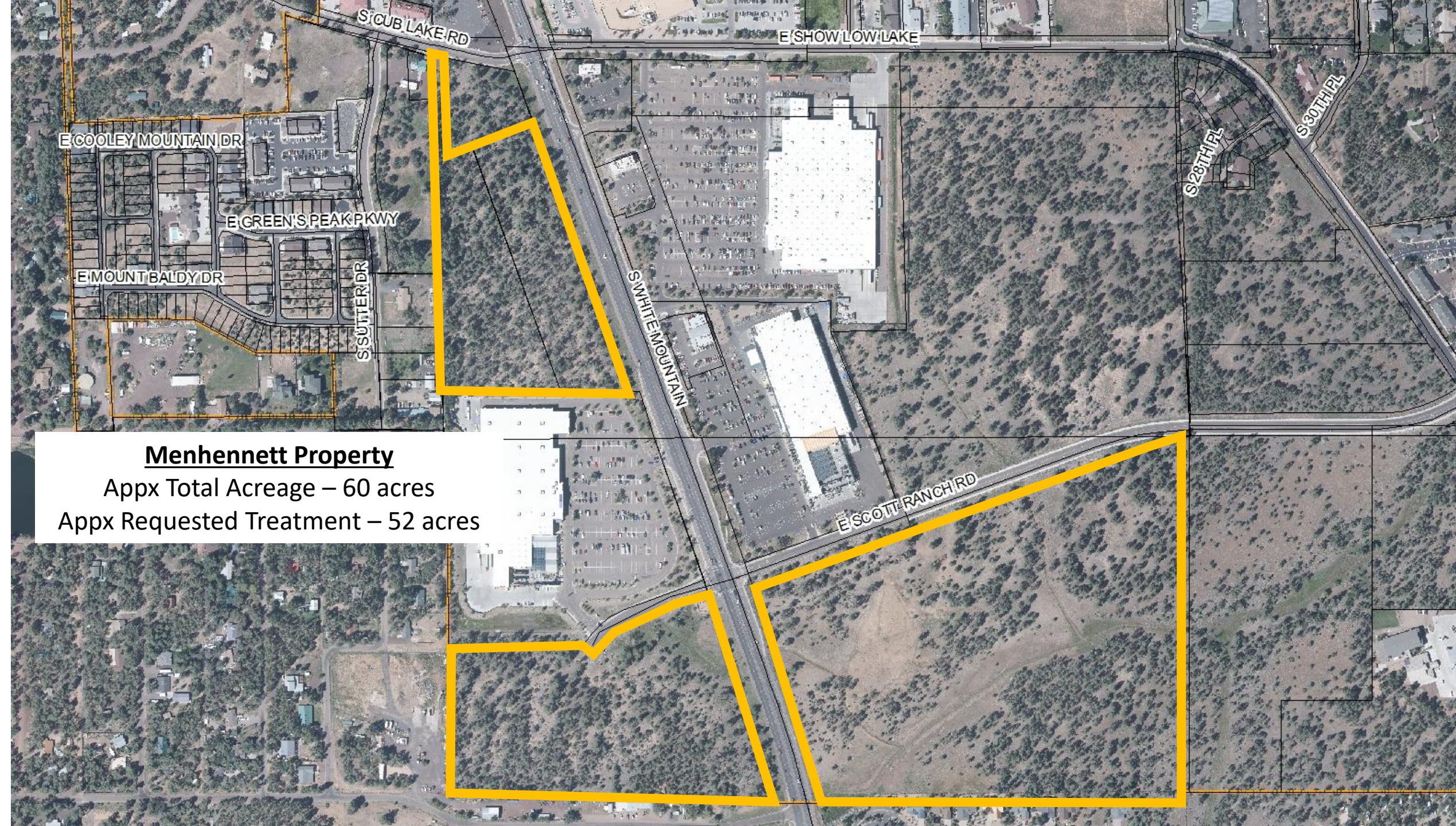
Anticipated cost: \$227,500

Funding source (account no.): Healthy Forest Initiative (22-445-495-7300-2365)

Description	Account	Approved Budget	Transfer	Amended Budget
Unanticipated Revenue/Grants	22-402-350-3903-0000	\$8,483,807	(227,500)	\$8,256,307
Healthy Forest Initiative Revenue	22-445-350-3904-2365	\$0	227,500	\$227,500
Unanticipated Expenditures/Grants	22-402-430-8150-0000	\$8,483,807	(227,500)	\$8,256,307
Healthy Forest Initiative Expenditures	22-445-495-7300-2365	\$0	227,500	\$227,500
Total		\$16,967,614		\$16,967,614

T:Packets-Council/2023/030723/DFMM_HFI_Grant

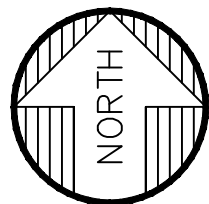




Menhennett Property

Appx Total Acreage – 60 acres

Appx Requested Treatment – 52 acres



NOT TO SCALE

AREA WITHIN BOUNDARY
59.6 ACRES±

ELLSWORTH RD

FAWN BROOK DR

WHITE MOUNTAIN RD

EXIST VACATION VILLAGE DR

EXISTING WOODFIELD
DEVELOPMENT

EXISTING WHITE MOUNTAIN VACATION
VILLAGE DEVELOPMENT

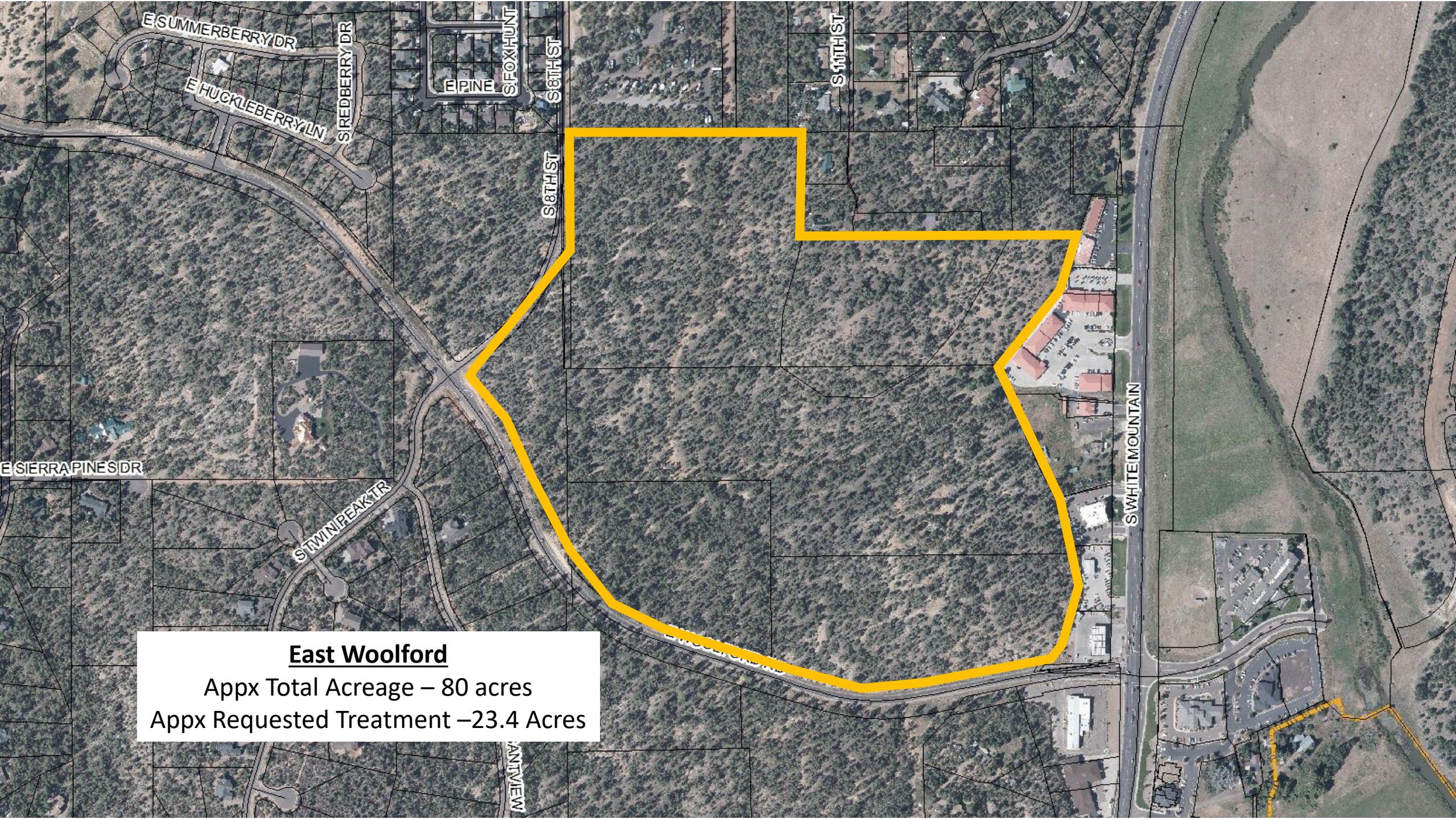
EXISTING MOUNTAIN
LODGES DEVELOPMENT

EXISTING WHITE MOUNTAIN VACATION
VILLAGE DEVELOPMENT

ELLSWORTH RD

EXISTING WHITE MOUNTAIN VACATION
VILLAGE DEVELOPMENT

CLIENT: IKD		NO.		DESCRIPTION		DATE	
DRAWN BY: ZWB							
DESIGNER: ZWB							
REVIEWER: GJJ							
PROJECT #: 36805						REVISIONS	
IRONSIDE ENGINEERING & DEVELOPMENT P.O. BOX 1358 SHOW LOW, AZ 85902 (928) 532 - 0860							
EXHIBIT							
A Portion Of The WHITE MOUNTAIN VACATION VILLAGE PUD City of Show Low, AZ							
PROPOSED FOREST FUEL MITIGATION BOUNDARY							
SHEET EXH							
01 OF 01							



East Woolford

Appx Total Acreage – 80 acres

Appx Requested Treatment –23.4 Acres

Bison Preserve
Appx Total Acreage – 58 acres
Appx Requested Treatment – 23.4 Acres

Appx Total Acreage – 58 acres

Appx Requested Treatment – 23.4 Acres

CITY OF SHOW LOW STAFF SUMMARY REPORT

AGENDA TITLE: Consideration of Award of Construction Contract for Show Low Public Restroom Americans with Disabilities Act Upgrades, City of Show Low Project No. FM-1922B (Bill Kopp)

RECOMMENDATION

I **MOVE** to award the construction contract for Show Low Public Restroom Americans with Disabilities Act Upgrades Project No. FM-1922B, to LD&B, LLC, in an amount not to exceed \$255,000.00.

BACKGROUND

The City of Show Low applied for and was awarded a Community Development Block Grant program grant to rebuild public restrooms to meet Americans with Disabilities Act (ADA) requirements.

This project includes remodeling three public restrooms to comply with the Americans with Disabilities Act (ADA). The restrooms are located at the “Senior” and “Ponderosa” ballfields at Show Low City Park and in the City Gym at 760 East McNeil. Each restroom has separate men’s and women’s facilities. The improvements include new stainless-steel plumbing fixtures, partitions, wallboard, paint, re-finishing concrete floors, lighting, doors, windows, paper and soap product dispensers, and other necessary appurtenances. The scope includes the necessary demolition and disposal of generated waste materials. The project also includes connections to existing power, water, and sewer services. In-slab plumbing will be reconfigured in some areas. Schematic plans were provided in the bid packet for each facility. These plans were prepared for the purpose of illustrating the general layout, materials, and dimensions. The selected contractor will be responsible for preparing permittable plans for the construction.

A request for proposals was advertised per statutory requirements, and only one bid was received. The proposal was evaluated based on cost, value, and experience. A schedule of values for each of the three restrooms was also required as a part of the contractor’s proposal.

<u>Contractor</u>	<u>Total Bid</u>
LD&B, LLC	\$255,000.00

Staff recommends awarding the construction contract for Show Low Public Restroom Americans with Disabilities Act Upgrades Project No. FM-1922B, to LD&B, LLC, in an amount not to exceed \$255,000.00.

Attachments:
Bid Proposal

FISCAL IMPACT

Anticipated cost: \$255,000.00

Funding source (account no.): City Park Restroom Remodel – CDBG (22-610-495-7310-2339/6102339)

LD#B, LLC.

\$255,000

PO Box 269 Show Low AZ 85902

Letner Design & Build

www.ld-b.com

Show Low Public Restroom Remodel

Project # FM-1922B

Cover Sheet

Table of Contents:

1. Copy of award letter from Arizona Department of Housing for the Show Low Senior Center Kitchen Project
2. Schedule of Values for Ponderosa Field
3. Schedule of Values for Senior League Field
4. Schedule of Values for the City Campus Building
5. Copy of the Pre-Bid Sign in Sheet
6. Copy of the Project Specifications and Contract information
7. HUD Information was not printed for this submittal, we are aware that this is in fact a HUD project. (saving some paper)

LD#B, LLC.

PO Box 269 Show Low AZ 85902

Letner Design & Build

www.ld-b.com

Show Low Public Restroom Remodel

Project # FM-1922B

Ponderosa Field Restroom

City of Show Low

March 2, 2023

Below is a list of items INCLUDED in this Proposal based on the plans and specification provided the City of Show Low including the sign in sheet.

• Provide complete set of Stamped Construction Docs	\$5,500.00
• Demo Existing	\$1,000.00
• Cut Concrete Floor for Plumbing and Pour Back	\$1,500.00
• New electrical fixtures and switches	\$4,500.00
• Complete Plumbing including Fixtures	\$13,000.00
• Complete Interior Paint	\$1,600.00
• Complete Drywall	\$700.00
• Complete H/C Bathroom Stalls and Accessories	\$2,800.00
• Adult Changing Stations	\$6,500.00
• FRP Panels on all walls to the ceiling	\$3,500.00
• Final Cleaning and Dumpsters	\$2,200.00
• Provide all necessary equipment and tools and consumables.	\$3,500.00
• Overhead and General Conditions	\$11,000.00
• Performance Bonds	\$4,000.00
• Sales Tax	\$3,000.00

The Not to Exceed Estimate Total is: \$64,300.00

This Proposal is assuming that all work will be performed in a continuous manner. Any deviations from the above estimate will result in a Change Order per mutual agreement between both parties.

Note: this is not a contract document and is for bid purposes only.

LD&B, LLC.

PO Box 269 Show Low AZ 85902

Letner Design & Build

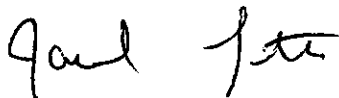
www.ld-b.com

Below is a list of items NOT INCLUDED in this proposal:

- HVAC System to remain
- Underground utilities, drains or other items to be moved, relocated, or re positioned
- Landscaping
- Building Furniture or equipment
- Building Permits or Impact Fees
- Course of Construction Insurance

If you have any questions, please feel free to contact me at any time.

Respectfully,



Jacob Letner

LD&B, LLC.

PO Box 269 Show Low AZ 85902

Letner Design & Build

www.ld-b.com

Show Low Public Restroom Remodel

Project # FM-1922B

City Campus Building

City of Show Low

March 2, 2023

Below is a list of items INCLUDED in this Proposal based on the plans and specification provided the City of Show Low including the sign in sheet.

• Provide complete set of Stamped Construction Docs	\$5,500.00
• Demo Existing	\$1,000.00
• Cut Concrete Floor for Plumbing and Pour Back	\$3,500.00
• New electrical fixtures and switches, move fire alarm	\$3,500.00
• Complete Plumbing including Fixtures	\$32,000.00
• Complete Interior Paint	\$2,500.00
• Complete Drywall	\$700.00
• Complete H/C Bathroom Stalls and Accessories	\$5,500.00
• Adult Changing Stations	\$6,500.00
• FRP Panels on all walls to the ceiling	\$6,500.00
• Flooring per drawings provided	\$4,800.00
• Final Cleaning and Dumpsters	\$4,200.00
• Provide all necessary equipment and tools and consumables.	\$3,500.00
• Overhead and General Conditions	\$20,000.00
• Performance Bonds	\$6,000.00
• Sales Tax	\$4,000.00

The Not to Exceed Estimate Total is: \$108,700.00

This Proposal is assuming that all work will be performed in a continuous manner. Any deviations from the above estimate will result in a Change Order per mutual agreement between both parties.

Note: this is not a contract document and is for bid purposes only.

LD&B, LLC.

PO Box 269 Show Low AZ 85902

Letner Design & Build

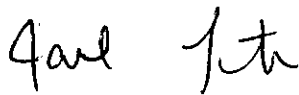
www.ld-b.com

Below is a list of items NOT INCLUDED in this proposal:

- HVAC System to remain
- Underground utilities, drains or other items to be moved, relocated, or re positioned
- Landscaping
- Building Furniture or equipment
- Building Permits or Impact Fees
- Course of Construction Insurance

If you have any questions, please feel free to contact me at any time.

Respectfully,



Jacob Letner

LD&B, LLC.

PO Box 269 Show Low AZ 85902

Letner Design & Build

www.ld-b.com

Show Low Public Restroom Remodel

Project # FM-1922B

Senior Field Restroom

City of Show Low

March 2, 2023

Below is a list of items INCLUDED in this Proposal based on the plans and specification provided the City of Show Low including the sign in sheet.

• Provide complete set of Stamped Construction Docs	\$5,500.00
• Demo Existing	\$1,000.00
• Cut Concrete Floor for Plumbing and Pour Back	\$1,500.00
• New electrical fixtures and switches, move fire alarm	\$4,500.00
• Complete Plumbing including Fixtures	\$20,000.00
• Complete Interior Paint	\$1,600.00
• Complete Drywall	\$700.00
• Complete H/C Bathroom Stalls and Accessories	\$4,500.00
• Adult Changing Stations	\$6,500.00
• FRP Panels on all walls to the ceiling	\$4,500.00
• Final Cleaning and Dumpsters	\$4,200.00
• Provide all necessary equipment and tools and consumables.	\$3,500.00
• Overhead and General Conditions	\$15,000.00
• Performance Bonds	\$6,000.00
• Sales Tax	\$3,000.00

The Not to Exceed Estimate Total is: \$82,000.00

This Proposal is assuming that all work will be performed in a continuous manner. Any deviations from the above estimate will result in a Change Order per mutual agreement between both parties.

Note: this is not a contract document and is for bid purposes only.

LD&B, LLC.

PO Box 269 Show Low AZ 85902

Letner Design & Build

www.ld-b.com

Below is a list of items NOT INCLUDED in this proposal:

- HVAC System to remain
- Underground utilities, drains or other items to be moved, relocated, or re positioned
- Landscaping
- Building Furniture or equipment
- Building Permits or Impact Fees
- Course of Construction Insurance

If you have any questions, please feel free to contact me at any time.

Respectfully,



Jacob Letner

CITY OF SHOW LOW STAFF SUMMARY REPORT

AGENDA TITLE: Consideration of Resolution No. R2023-07 Approving and Authorizing Intergovernmental Agreement with Navajo County Regarding Funds from One Arizona Plan Opioid Settlement (Anna Atencio)

RECOMMENDATION

I **MOVE** to adopt Resolution No. R2023-07 approving and authorizing an Intergovernmental Agreement by and between Navajo County and the cities and towns of Holbrook, Winslow, Snowflake, Taylor, Pinetop-Lakeside, and Show Low regarding the distribution of funds of the One Arizona Opioid Settlement.

BACKGROUND

The people of the State of Arizona, including Show Low, have been harmed by the opioid epidemic caused by entities within the Pharmaceutical Supply Chain. The State of Arizona and certain other participating local governments have joined in litigation seeking to hold the pharmaceutical supply chain participants accountable for the damage they caused.

In 2020, the State, including Show Low, entered into the One Arizona Opioid Settlement Memorandum of Understanding (“MOU”) to jointly approach settlement negotiations with the pharmaceutical supply chain participants.

The MOU creates a plan for distributing certain settlement proceeds between the State, Counties, and Municipalities throughout the State of Arizona that have or may come from ongoing multi-state litigation in the federal courts related to the ongoing opioid crisis. The MOU provides detailed information about how the “One Arizona Plan” settlement proceeds may be utilized. The MOU provides detailed reporting requirements for documenting how settlement monies are utilized once received by the recipient jurisdictions and to monitor compliance.

The MOU allows for coordination and cooperation between Navajo County and the municipalities located therein in determining how the resources received as a result of the One Arizona Plan may best be utilized to benefit the residents of the County and municipalities to remediate the impact of opioids in their respective regions.

The Cities of Show Low, Holbrook, Winslow, and the Towns of Snowflake, Taylor, Pinetop-Lakeside, and Navajo County seek to act jointly and cooperatively consistent with their independent authority to create the Navajo County Opioid Settlement Steering Committee that will coordinate with the Navajo County Public Health Services District in identifying priorities and projects to remediate the opioid crisis throughout Navajo County on non-tribal lands, as set forth in the Intergovernmental Agreement for the Use of Opioid Settlement Proceeds Pursuant to the One Arizona Plan.

Staff believes the mutual coordination and cooperation regarding the use of opioid settlement proceeds is in the best interests of the citizens of Show Low and desires to centralize reporting requirements to relieve the City reporting separately to the County Health Department.

Staff recommends approving and authorizing the Intergovernmental Agreement for the Use of Opioid Settlement Proceeds Pursuant to the One Arizona Plan.

Attachments:

Resolution No. R2023-07

Intergovernmental Agreement

T:\packets\030723\ResR2023-07

CITY OF SHOW LOW RESOLUTION NO. R2023-07

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SHOW LOW, ARIZONA, APPROVING AND AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE CITY OF SHOW LOW AND NAVAJO COUNTY, THE CITIES OF WINSLOW AND HOLBROOK, AND THE TOWNS OF SNOWFLAKE, TAYLOR, AND PINETOP-LAKESIDE FOR THE USE OF OPIOID SETTLEMENT PROCEEDS PURSUANT TO THE ONE ARIZONA PLAN

RECITALS:

WHEREAS, in approximately October 2020, the City of Show Low, along with the cities of Winslow, and Holbrook, the towns of Snowflake, Taylor, and Pinetop-Lakeside, and Navajo County joined as parties to a certain Memorandum of Understanding between the State of Arizona, each of the fifteen Arizona counties, and all of the State's municipalities which created the "One Arizona Plan"; and

WHEREAS, the referenced Memorandum of Understanding creates a plan for the distribution of certain settlement proceeds between the State, Counties, and Municipalities throughout the State of Arizona that have or may come from ongoing multi-state litigation in the federal courts related to the ongoing opioid crisis; and

WHEREAS, the Memorandum of Understanding provides detailed information about how the settlement proceeds that come from the "One Arizona Plan" may be utilized by the State, Counties, and Municipalities throughout the State of Arizona; and

WHEREAS, the Memorandum of Understanding provides detailed reporting requirements for documenting how settlement monies are utilized once received by the various recipient jurisdictions and to monitor compliance; and

WHEREAS, the Memorandum of Understanding allows for coordination and cooperation between Navajo County and the municipalities located therein in determining how the resources received as a result of the "One Arizona Plan" may best be utilized to benefit the residents of the County and municipalities to remediate the impact of opioids in their respective regions; and

WHEREAS, the Memorandum of Understanding provides that the various county health departments throughout the State are charged with reporting requirements as to how the County and municipalities utilize settlement proceeds within the County; and

WHEREAS, the City of Show Low believes an Intergovernmental Agreement for the mutual coordination and cooperation regarding the use of opioid settlement proceeds is in the best interests of the citizens of Show Low and further desires to centralize reporting requirements to relieve the City reporting separately to the County Health Department; and

WHEREAS, the City of Show Low and the respective agencies are authorized pursuant to A.R.S. §11-952(A) and A.R.S. §9-240 to enter into this agreement.

ENACTMENTS:

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Show Low, Arizona, hereby authorize the City of Show Low to enter into an Intergovernmental Agreement by and between the cities of Show Low, Winslow, and Holbrook, the towns of Snowflake, Taylor, and Pinetop-Lakeside, and Navajo County to act jointly and cooperatively consistent with their independent authority to create the Navajo County Opioid Settlement Steering Committee that will coordinate with the Navajo County Public Health Services District in identifying priorities and projects to remediate the opioid crisis throughout Navajo County on non-tribal lands.

BE IT FURTHER RESOLVED authorizing the Mayor to sign said Agreement.

PASSED AND ADOPTED this 7th day of March, 2023, 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

**INTERGOVERNMENTAL AGREEMENT FOR THE USE OF
OPIOID SETTLEMENT PROCEEDS PURSUANT TO THE ONE ARIZONA PLAN**

THIS AGREEMENT is made and entered into on the effective date set forth below by and between Navajo County, a political subdivision of the State of Arizona (the “County”), and the CITY OF WINSLOW, a municipal corporation of the State of Arizona, the TOWN OF PINETOP-LAKESIDE, a municipal corporation of the State of Arizona, the CITY OF HOLBROOK, a municipal corporation of the State of Arizona, the CITY OF SHOW LOW, a municipal corporation of the State of Arizona, the TOWN OF SNOWFLAKE, a municipal corporation of the State of Arizona, and the TOWN OF TAYLOR, a municipal corporation of the State of Arizona (all hereinafter collectively referred to as the “Principals” or “Parties” or individually as “Principal” or “Party”).

RECITALS

WHEREAS, each of the parties hereto are also parties to that certain Memorandum of Understanding (MOU) between the State of Arizona, each of the fifteen Arizona counties, and all of the State’s municipalities which created the “One Arizona Plan” (attached hereto and incorporated herein as “Exhibit A”); and

WHEREAS, the referenced MOU creates a plan for the distribution of certain settlement proceeds between the State, Counties, and Municipalities throughout the State of Arizona that have or may come from ongoing multi-state litigation in the federal courts related to the ongoing opioid crisis; and

WHEREAS, the tribally controlled areas within Navajo County are separately negotiating a settlement with opioid manufacturers, distributors and retailers that meet the specific needs of tribal governments, and

WHEREAS, the MOU provides detailed information about how the settlement proceeds that come from the “One Arizona Plan” may be utilized by the State, Counties and Municipalities throughout the State of Arizona; and

WHEREAS, the MOU provides detailed reporting requirements for documenting how settlement monies are utilized once received by the various recipient jurisdictions and to monitor compliance, and

WHEREAS, the MOU allows for coordination and cooperation between Navajo County and the municipalities located therein in determining how the resources received as a result of the One Arizona Plan may best be utilized to benefit the residents of the County and municipalities to remediate the impact of opioids in their respective regions; and

WHEREAS, the MOU provides that the various county health departments throughout the State are charged with reporting requirements as to how settlement proceeds are utilized by the County and municipalities within the County, and

WHEREAS, the parties to this Agreement believe the mutual coordination and cooperation regarding the use of opioid settlement proceeds is in the best interests of the citizens of the County and municipalities and further desire to centralize reporting requirements so as to relieve the municipalities of reporting separately to the County Health Department, and

WHEREAS, the governmental entities that are parties to this Agreement have authority to enter into the Agreement pursuant to A.R.S. § 11-952(A) and 9-240,

NOW THEREFORE, the Parties to this Agreement hereby resolve to act jointly and cooperatively consistent with their independent authority to create the Navajo County Opioid Settlement Steering Committee that will coordinate with the Navajo County Public Health Services District in identifying priorities and projects to remediate the opioid crisis throughout Navajo County on non-tribal lands.

COVENANTS

1.) JOINT EXERCISE OF POWERS AND CREATION OF STEERING COMMITTEE

The parties hereto are jointly exercise their powers to create the Navajo County Opioid Settlement Steering Committee (hereafter “Committee”). The Committee will be charged with working with the Navajo County Public Health Services District and have responsibility for identifying and recommending projects that help to remediate the opioid crisis throughout the County in both municipal and non-municipal areas of the County consistent with the “One Arizona Plan.” The parties hereto understand that the ultimate responsibility for approving how settlement monies are spent lies with the governing board of the Navajo County Public Health Services District.

2.) COMMITTEE MEMBERSHIP

The Committee shall consist of the following voting members

- 1.) A representative from the City of Show Low to represent municipal interests throughout the County;
- 2.) A representative from the City of Winslow to represent municipal interests throughout the County;
- 3.) A representative of the Navajo County Sheriff’s Office;
- 4.) A representative of the Navajo County Attorney’s Office;
- 5.) The Director of the Navajo County Public Health Services District.

The Committee shall be chaired by the Director of the Navajo County Public Health Services District. A quorum of the Board shall be necessary to conduct business. While the Committee will seek to operate by consensus, a simple majority of a quorum will control on any matters requiring a vote.

3.) ADVISORY MEMBERS OF COMMITTEE

The voting members of the Committee will appoint three additional advisory members to the committee. Ideally, the advisory members will consist of one representative of a behavioral health agency in the northern part of Navajo County, one representative of a behavioral health agency in the southern part of Navajo County, and one representative from the Regional Behavioral Health Authority in Navajo County. The advisory members of the committee will advise the rest of the Committee as to evidence-based public health approaches to serving those suffering from opioid addiction. All advisory members have no authority to bind or act on behalf of any of the voting members of the committee or any parties to this MOU.

4.) GUIDING PRINCIPLES AND CORE ABATEMENT STRATEGIES

In addition to the guidance provided in the One Arizona Plan, the Committee shall be guided by the Guiding Principles and Core Abatement Strategies advocated by the John Hopkins Bloomberg School of Public Health. Those include:

1. Spend money to save lives.

Given the economic downturn, many states and localities will be tempted to use the dollars to fill holes in their budgets rather than expand needed programs. Jurisdictions should use the funds to supplement rather than replace existing spending.

2. Use evidence to guide spending.

At this point in the overdose epidemic, researchers and clinicians have built a substantial body of evidence demonstrating what works and what does not. States and localities should use this information to make funding decisions.

3. Invest in youth prevention.

States and localities should support children, youth, and families by making long-term investments in effective programs and strategies for community change.

4. Focus on racial equity.

States and localities should direct significant funds to communities affected by years of discriminatory policies and now experiencing substantial increases in overdoses.

5. Develop a fair and transparent process for deciding where to spend the funding.

This process should be guided by public health leaders with the active engagement of people and families with lived experience, clinicians, as well as other key groups.

5.) CORE ABATEMENT STRATEGIES

The Committee will strive to follow nine core abatement strategies recommended by the John Hopkins Bloomberg School of Public Health:

- A.) Broaden access to naloxone;
- B.) Increase use of medications to treat opioid use disorder;
- C.) Provide treatment and supports during pregnancy and the postpartum period;

- D.) The advisory members of the committee will advise the rest of the Committee as to evidence-based public health approaches to serving those suffering from opioid addiction and neonatal opioid withdrawal syndrome;
- E.) Fund warm hand-off programs and recovery services;
- F.) Improve treatment in jails and prisons;
- G.) Enrich prevention strategies;
- H.) Expand harm reduction programs;
- I.) Support data collection and research.

6.) TERM OF AGREEMENT

This Agreement shall continue in effect so long as the Parties hereto anticipate receiving settlement monies pursuant to the One Arizona Plan or so long as there are still settlement monies available to expend on opioid remediation, whichever period is longer. The Agreement may further be terminated as to any municipality that is a party hereto in the event it decides to accept responsibility for the expenditure of One Arizona Plan proceeds allocated to it pursuant to the Plan and also accepts responsibility for reporting its expenditures of said proceeds to the Navajo County Public Health Services District consistent with Plan requirements.

7.) EFFECTIVE DATE

This Agreement shall become effective on the date it has been approved by the governing body of each Principal and been signed by all the Principals.

- 8.) **CANCELLATION OF AGREEMENT:** This Agreement is subject to cancellation subject to the provisions of A.R.S. § 38-511.

- 9.) **ENTIRE AGREEMENT:** The Principals acknowledge to one another that the terms of this Agreement constitute the entire understanding and Agreement of the Principal and Subscriber organizations regarding the matter of the Agreement.

- 10.) **INTEGRATION:** Each Principal acknowledges and agrees that it has not relied upon any statements, representations, agreements or warranties, except as expressed in this Agreement, and that this Agreement constitutes the Principals' entire agreement with respect to the matters addressed in this document. All prior or contemporaneous agreements and understandings, oral or written, with respect to such matters are superseded and merged into this Agreement. This Agreement may be modified or amended only by written agreement signed by or for the Principals and any modification or amendment will become effective on the date so specified.

- 11.) **MODIFICATION:** This Agreement may be modified at any time upon the mutual written consent of all the then current principal organizations.

- 12.) **SEVERABILITY:** If a court of competent jurisdiction renders any provision of this Agreement (or any portion of a provision) to be invalid or otherwise unenforceable, that provision or portion of the provision will be severed and the remainder of this Agreement will continue in full force and effect as if the invalid provision or portion thereof were not part of this Agreement.
- 13.) **COUNTERPARTS:** This Agreement may be executed in several counterparts, each of which shall be an original, and all of which shall constitute but one and the same instrument.
- 14.) **INDEMNIFICATION:** Each Principal (as "Indemnitor") shall indemnify, defend, and hold harmless the other Principals (as "Indemnatee") from and against any and all claims, losses, liability, damages, costs, or expenses (including reasonable attorney's fees) (collectively referred to as "Claims") arising out of employment claims, bodily injury of any person (including death) or property damage, but only to the extent that such Claims are caused by the act, omission, negligence, misconduct, or other fault of the Indemnitor, its officers, officials, agents, employees, or volunteers. The obligations under this section shall survive termination of this Agreement. If a Claim or Claims becomes subject to this Indemnity section, the Principals that are parties to the Claim(s) shall expeditiously meet to discuss a common and mutual defense including proportional liability and payment of possible litigation expense and money damages.

THE REST OF THIS PAGE IS INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the undersigned authorized signatories of each Principal certify that the above Agreement has been approved by their governing board, town or city council, or Board of Supervisors at a duly called and noticed public meeting, and that each has the authority to sign the Agreement on behalf of the entity they represent, and that the Agreement has been reviewed by the legal counsel for each whom has approved the same as to form and content.

Chairman
Navajo County Board of Supervisors

Date:

City of Winslow

Date:

Town of Pinetop-Lakeside

Date:

City of Holbrook

Date:

Town of Taylor

Date:

Town of Snowflake

Date:

City of Show Low

Date: