



Sierra Vista City Council
Meeting Agenda
July 23, 2020

Call to Order: 5:00 p.m., City Hall Council Chambers, 1011 N. Coronado Drive, Sierra Vista, Arizona

Roll Call

Invocation - Sabra Albritton, President, Sierra Vista Women's Club

Pledge of Allegiance

Item 1 Acceptance of the Agenda

City Manager's Report: Upcoming Meetings, Bid Openings and Bid Awards

Public Hearing(s)

Item 2 Resolution 2020-045, Application for a Series 7 liquor license for Kevin Arnold Kramber on behalf of Delect Foods of Arizona LLC dba Pizza Hut #036994, 900 E Fry Boulevard, Sierra Vista, Arizona

Item 3 Resolution 2020-046, Application for a Series 6 liquor license for Kevin Arnold Kramber on behalf of 1949 Investments dba Rookies, 2239 E Fry Boulevard, Sierra Vista, Arizona

Item 4 Ordinance 2020-004, Proposed Development Code Text Amendments Section 151.22.011(E)(2), Property Development Standards for Manufactured Home Parks

Item 5 Resolution 2020-047, Adoption of the Final Budget for FY 2020-2021

New Business

Item 6 Approval of the City Council Regular Meeting Minutes of July 9, 2020

Item 7 Ordinance 2020-005, Acceptance of Big O Tires Annexation

Item 8 Resolution 2020-048, Court Consolidation Agreement with Cochise County

Call to the Public

Comments and Requests of the Council

Adjournment

June 17, 2020

MEMORANDUM TO: Honorable Mayor and City Council

THRU: Charles P. Potucek, City Manager

FROM: Jill Adams, City Clerk

SUBJECT: REQUEST FOR AGENDA ITEM PLACEMENT
Resolution 2020-045, Application for a Series 7 liquor license for Kevin Arnold Kramber on behalf of Delect Foods of Arizona LLC dba Pizza Hut #036994, 900 E Fry Boulevard, Sierra Vista, Arizona

RECOMMENDATION:

The City Manager recommends approval of this license.
The City Clerk recommends approval of this license.

INITIATED BY:

Mr. Kevin Arnold Kramber
Delect Foods of Arizona LLC dba Pizza Hut #036994
536 E Wagon Bluff Drive
Tucson, Arizona 85704

BACKGROUND:

The City received an application for an owner transfer, limited liability company Series 7 liquor license for Kevin Arnold Kramber on behalf of Delect Foods of Arizona LLC dba Pizza Hut #036994. The license is for the sale of beer and wine at 900 E Fry Boulevard, Sierra Vista, Arizona.

State law requires applicants to apply for a liquor license from the Arizona Department of Liquor License and Control and that the local municipality provide a recommendation of approval/denial. Also required is a notice of public hearing to be posted on the premises for 20 days prior to the public hearing.

The Police Department has performed a background investigation and has given its approval for this license. A public hearing notice was posted and to date, no responses, either in favor or against, have been received. The Council's decision concerning this liquor license application will be forwarded to the State Department of Liquor Licenses and Control, who will then issue the liquor license if no objections were received. If objections were received, that department will conduct a hearing regarding the license.

BUDGET APPROPRIATION:

Not applicable.

RESOLUTION 2020-045

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; REAFFIRMING SETTLED POLICY BY RECOMMENDING APPROVAL FOR AN OWNER TRANSFER, LIMITED LIABILITY COMPANY SERIES 7 LIQUOR LICENSE FOR KEVIN ARNOLD KRAMBER ON BEHALF OF DELECT FOODS OF ARIZONA LLC DBA PIZZA HUT; TO THE STATE DEPARTMENT OF LIQUOR LICENSES AND CONTROL; AND AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY OR THEIR DULY AUTHORIZED OFFICERS AND AGENTS TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

WHEREAS, an application for an owner transfer, limited liability company Series 7 liquor license for Kevin Arnold Kramber on behalf of Delect Foods of Arizona LLC dba Pizza Hut at 900 E Fry Boulevard, Sierra Vista, Arizona has been filed with the Arizona Department of Liquor Licenses and Control; and

WHEREAS, Arizona Revised Statutes §4-112 requires local municipalities to grant approval or disapproval of all liquor licenses being applied for within their jurisdiction; and

WHEREAS, the application has been posted on the premises of the business for twenty (20) days as required by State law; and

WHEREAS, it is the settled policy of the City Council that liquor licenses be recommended for approval if no objections are raised.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, AS FOLLOWS:

SECTION 1

The City Council reaffirms its settled policy on liquor licenses within City limits.

SECTION 2

The City Council of the City of Sierra Vista recommends approval of the application for an owner transfer, limited liability company Series 7 liquor license for Kevin Arnold Kramber on behalf of Delect Foods of Arizona LLC dba Pizza Hut, to the State Department of Liquor Licenses and Control.

SECTION 3

The City Manager, City Clerk, City Attorney, or their duly authorized officers and agents, are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this Resolution.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 23rd DAY OF JULY 2020.

Frederick W. Mueller
Mayor

Approved as to Form:

Attest:

Nathan J. Williams
City Attorney

Jill Adams
City Clerk

Prepared By:
Jill Adams, City Clerk

State of Arizona
Department of Liquor Licenses and Control

Created 06/24/2020 @ 03:01:59 PM

Local Governing Body Report

LICENSE

Number:	07020030	Type:	007 BEER AND WINE BAR
Name:	PIZZA HUT #036994		
State:	Pending		
Issue Date:		Expiration Date:	06/30/2020
Original Issue Date:	05/20/1975		
Location:	900 E FRY BOULEVARD SIERRA VISTA, AZ 85635 USA		
Mailing Address:	536 E WAGON BLUFF DRIVE TUCSON, AZ 85704 USA		
Phone:	(520)458-8900		
Alt. Phone:	(520)235-5684		
Email:	KKRAMBER75@GMAIL.COM		

Currently, this license has pending applications.

AGENT

Name:	KEVIN ARNOLD KRAMBER
Gender:	Male
Correspondence Address:	536 E WAGON BLUFF DRIVE TUCSON, AZ 85704 USA
Phone:	(520)235-5684
Alt. Phone:	
Email:	KKRAMBER75@GMAIL.COM

OWNER

Name:	DELECT FOODS OF ARIZONA LLC		
Contact Name:	KEVIN ARNOLD KRAMBER		
Type:	LIMITED LIABILITY COMPANY		
AZ CC File Number:	23057643	State of Incorporation:	TX
Incorporation Date:	02/10/2020		
Correspondence Address:	536 E WAGON BLUFF DRIVE TUCSON, AZ 85704 USA		
Phone:	(520)235-5684		
Alt. Phone:			
Email:	KKRAMBER75@GMAIL.COM		

Officers / Stockholders

Name:
KAMAL PREET SINGH

Title:
Managing
member/Stockholder

% Interest:
100.00

DELECT FOODS OF ARIZONA LLC - Managing member/Stockholder

Name: KAMAL PREET SINGH
Gender: Male
Correspondence Address: 536 E WAGON BLUFF DRIVE
TUCSON, AZ 85704
USA
Phone: (281)888-2439
Alt. Phone:
Email: KAMAL.SINGH@EMERGEINC.NET

APPLICATION INFORMATION

Application Number: 112113
Application Type: Owner Transfer
Created Date: ~~06/16/2020~~ 6-24-2020 Aizee

QUESTIONS & ANSWERS

007 Beer and Wine Bar

- 1) Are you applying for an Interim Permit (INP)?
Yes
A Document of type INTERIM PERMIT (INP) NOTARY PAGE is required.
- 4) Does the Business location address have a street address for a City or Town but is actually in the boundaries of another City, Town or Tribal Reservation?
No
- 13) Please provide name, address, and Distance of nearest school.
Leman Academy
1000 E. Wilcox Dr., Sierra Vista, AZ 85635
1,010 feet
- 14) Please provide name, address, and distance of nearest church.
Calvary Chapel
1155 E. Wilcox Dr., Sierra Vista, AZ 85635
1,004 feet
- 15) Are you one of the following? Please indicate below.
Property Tenant
Subtenant
Property Owner
Property Purchaser
Property Management Company
Property Tenant
- 16) Is there a penalty if lease is not fulfilled?
Yes
What is the penalty?
Landlord Lockout

- 17) What is the total money borrowed for the business not including the lease?
Please list lenders/people owed money for the business.
\$9,325,000.00
Wells Fargo Bank
1808 Aston Ave. #250, Carlsbad, CA 92008
- 18) Is there a drive through window on the premises?
No
- 19) If there is a patio please indicate contiguous or non-contiguous within 30 feet.
No
- 20) Is your licensed premises now closed due to construction, renovation or redesign or rebuild?
No
- 27) Total Price paid for Series 6 Bar, Series 7 Beer & Wine Bar or Series 9 Liquor Store (license only)
\$20,000.00

DOCUMENTS

DOCUMENT TYPE	FILE NAME	UPLOADED DATE
BILL OF SALE	Bill of Sale.pdf	06/16/2020
DIAGRAM/FLOOR PLAN	Floor Plan.pdf	06/16/2020
QUESTIONNAIRE	Kamal Q.pdf	06/16/2020
QUESTIONNAIRE	Kevin Q Attach ASF Passport.pdf	06/16/2020
INTERIM PERMIT (INP) NOTARY PAGE	Sect. 5.pdf	06/16/2020
ALIEN STATUS	Kevin Q Attach ASF Passport.pdf	06/16/2020
MISCELLANEOUS	Sect. 9.pdf	06/16/2020

State of Arizona
Department of Liquor Licenses and Control

Created 06/24/2020 @ 03:01:28 PM

Local Governing Body Report

LICENSE

Number:	INP020011736	Type:	INP INTERIM PERMIT
Name:	PIZZA HUT #036994		
State:	Active		
Issue Date:	06/24/2020	Expiration Date:	10/07/2020
Original Issue Date:	06/24/2020		
Location:	900 E FRY BOULEVARD SIERRA VISTA, AZ 85635 USA		
Mailing Address:	536 E WAGON BLUFF DRIVE TUCSON, AZ 85704 USA		
Phone:	(520)458-8900		
Alt. Phone:	(520)235-5684		
Email:	KKRAMBER75@GMAIL.COM		

AGENT

Name:	KEVIN ARNOLD KRAMBER
Gender:	Male
Correspondence Address:	536 E WAGON BLUFF DRIVE TUCSON, AZ 85704 USA
Phone:	(520)235-5684
Alt. Phone:	
Email:	KKRAMBER75@GMAIL.COM

OWNER

Name:	DELECT FOODS OF ARIZONA LLC		
Contact Name:	KEVIN ARNOLD KRAMBER		
Type:	LIMITED LIABILITY COMPANY		
AZ CC File Number:	23057643	State of Incorporation:	TX
Incorporation Date:	02/10/2020		
Correspondence Address:	536 E WAGON BLUFF DRIVE TUCSON, AZ 85704 USA		
Phone:	(520)235-5684		
Alt. Phone:			
Email:	KKRAMBER75@GMAIL.COM		

Officers / Stockholders

Name:	Title:	% Interest:
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DELECT FOODS OF ARIZONA LLC - Managing member/Stockholder

Name: KAMAL PREET SINGH
Gender: Male
Correspondence Address: 536 E WAGON BLUFF DRIVE
TUCSON, AZ 85704
USA
Phone: (281)888-2439
Alt. Phone:
Email: KAMAL.SINGH@EMERGEINC.NET

APPLICATION INFORMATION

Application Number: 112116
Application Type: New Application
Created Date: ~~06/16/2020~~ 6-24-2020 Aizee

QUESTIONS & ANSWERS

INP Interim Permit

- 1) Enter License Number currently at location 07020030 C. Laya
- 2) Is the license currently in use? yes
- 3) Will you please submit section 5, page 6, of the license application when you reach the upload page? No

AP

- 4) Does the Business location address have a street address for a City or Town but is actually in the boundaries of another City, Town or Tribal Reservation?
No
- 13) Please provide name, address, and Distance of nearest school.
Leman Academy
1000 E. Wilcox Dr., Sierra Vista, AZ 85635
1,010 feet
- 14) Please provide name, address, and distance of nearest church.
Calvary Chapel
1155 E. Wilcox Dr., Sierra Vista, AZ 85635
1,004 feet
- 15) Are you one of the following? Please indicate below.
Property Tenant
Subtenant
Property Owner
Property Purchaser
Property Management Company
Property Tenant
- 16) Is there a penalty if lease is not fulfilled?
Yes
What is the penalty?
Landlord Lockout
- 17) What is the total money borrowed for the business not including the lease?
Please list lenders/people owed money for the business.
\$9,325,000.00
Wells Fargo Bank
1808 Aston Ave. #250, Carlsbad, CA 92008
- 18) Is there a drive through window on the premises?
~~No~~ Yes AP
- 19) If there is a patio please indicate contiguous or non-contiguous within 30 feet.
No
- 20) Is your licensed premises now closed due to construction, renovation or redesign or rebuild?
No
- 27) Total Price paid for Series 6 Bar, Series 7 Beer & Wine Bar or Series 9 Liquor Store (license only)
\$20,000.00

20 JUL 23 11:14 AM '20

DOCUMENTS

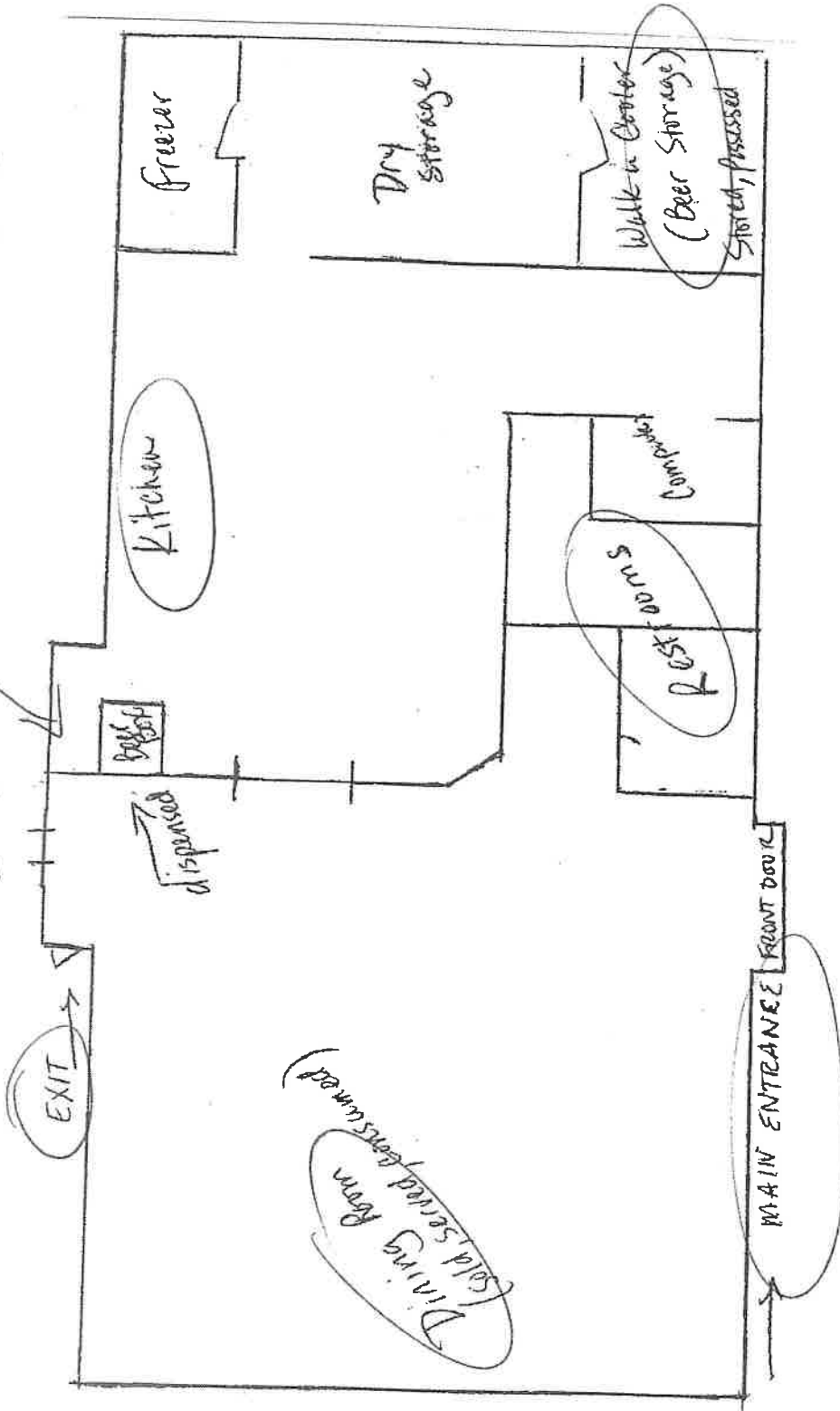
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ALIEN STATUS	Kevin Q Attach ASF Passport.pdf	06/16/2020
MISCELLANEOUS	Sect. 9.pdf	06/16/2020

AMENDMENT
#112113
Kramer, Kevin, Arnold
Pizzeria #036994

" DRIVE THRU
window "

WINE
STORAGE

3,945
SQ. FT.



20 JUL 23 11:41 AM '16

AMENDMENT

112113
Kramer, Kevin, Arnold
Pizza hut # 036994



Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

QUESTIONNAIRE
 A.R.S. § 4-202, 4-210
 Type or Print with **Black Ink**

The fees allowed by R19-1-102 will be charged for all dishonored checks. **PP current 6-14-19**

ATTENTION APPLICANT: This is a legally binding document. Please type or print in **black ink**. 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.

Attention local governments: Social security and birth date information is confidential. This information may be given to law enforcement agencies for background checks only.

QUESTIONNAIRE IS TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT AND MANAGER BEING DISCLOSED TO THE DEPARTMENT. EACH PERSON COMPLETING THIS FORM MUST SUBMIT A BLUE OR BLACK LINED FINGERPRINT CARD ALONG WITH A \$22 FEE. FINGERPRINTS MUST BE DONE BY A LAW ENFORCEMENT AGENCY OR BONA FIDE FINGERPRINT SERVICE. FOR AN ADDITIONAL \$13 FEE, FINGERPRINTS MAY BE DONE AT THE DEPARTMENT OF LIQUOR WHEN ACCOMPANIED BY A COMPLETED APPLICATION.

Liquor license#: 112113

1. Check the Appropriate Box →

<input type="checkbox"/> Controlling Person	<input checked="" type="checkbox"/> Agent	<input type="checkbox"/> Premises Manager <small>(complete all questions except #12)</small>
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2. Name: Kramber Kevin Arnold Birth Date: [REDACTED]
Last First Middle (NOT a public record)

3. Social Security #: [REDACTED] Driver License #: [REDACTED] State: Arizona

4. Place of birth: Buffalo MN USA Height: 6'03" Weight: 235 Eyes: Blu Hair: Bro
City State COUNTRY (not county)

5. Name of current/most recent spouse: Kramber Michele Rene Birth Date: [REDACTED]
Last First Middle (NOT a public record)

6. Are you a bona fide resident of Arizona? Yes No If yes, what is your date of residency: 1976

7. Daytime telephone number: 520.235.5684 E-mail address: kkramber75@gmail.com

8. Business Name: PIZZA HUT # 036994 Business Phone: 520.458.8900

9. Business Location Address: 900 E. FLY BLVD. SIERRA VISTA AZ COCHISE 85635
Street (do not use PO Box) City State County Zip

10. List your employment or type of business during the past five (5) years. If unemployed, retired, or student, list residence address.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYERS NAME OR NAME OF BUSINESS <small>(Street Address, City, State & Zip)</small>
01/2009	CURRENT	Real Estate Salesperson	Town West Realty, Inc., 3002 N. Campbell Ave. #200, Tucson, AZ 85719
05/2009	Current	Co-Owner	AZLiquorTraining.Com, LLC, 536 E. Wagon Bluff Dr., Tucson, AZ 85704
03/2008	Current	Owner/Consultant	DBL K Liquor Consulting, LLC, 536 E. Wagon Bluff Dr., Tucson, AZ 85704

(ATTACH ADDITIONAL SHEET IF NECESSARY)

20 JUN 24 10:14 AM '19

11. Provide your residence address information for the last five (5) years: A.R.S. §4-202(D)

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address
11/1995	CURRENT	536 E. Wagon Bluff Dr., Tucson, AZ 85704

(ATTACH ADDITIONAL SHEET IF NECESSARY)

12. As a Controlling Person or Agent, will you be physically present and operating the licensed premises?
If you answered YES, then answer #13 below. If NO, skip to #14. Yes No
13. Have you attended a DLLC approved Basic & Management Liquor Law Training Course within the past 3 years? Yes No
14. Have you been cited, arrested, indicted, convicted, or summoned into court for violation of ANY criminal law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past five (5) years? Yes No
15. Are there ANY administrative law citations, compliance actions or consents, criminal arrests, indictments or summonses pending against you? (Do not include civil traffic tickets.) A.R.S. §4-202,4-210 Yes No
16. Has anyone EVER obtained a judgement against you the subject of which involved fraud or misrepresentation? Yes No
17. Have you had a liquor application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) Yes No
18. 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 five years? A.R.S. §4-202(D) Yes No

If you answered "YES" to any Question 14 through 18 YOU MUST attach a signed statement.
Give complete details including dates, agencies involved and dispositions.

CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED

NOTARY

I (Print Full Name) Kevin Arnold Kramber hereby declare that I am the Agent/ Controlling Person / Premises Manager filing this application. I have read this document and verify the contents and all statements are true, correct and complete, to the best of my knowledge.

Signature: [Handwritten Signature]

State of Arizona County of Pima

The foregoing instrument was acknowledged before me this

My Commission Expires on: 06/05/2020
Date

5th Day of February, 2020
Day Month Year



Jesus Enrique Ornelas
Notary Public
Pima County, Arizona
My Comm. Expires 6-5-2020

[Handwritten Signature]
Signature of Notary

The Licensee has authorized the person named on this questionnaire to act as manager for the above License.

PRINT NAME: _____ SIGNATURE: _____

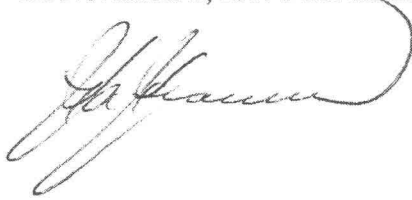
QUESTIONNAIRE CONTINUED

KEVIN ARNOLD KRAMBER

Questions 14:

On Thursday October 26, 2017 I was served with a lawsuit which involved Zuffa, LLC versus Manuel Cordova, et al. It is Civil Action Number 4:17-CV-00495-BPV United States District Court in Arizona. The subject of the lawsuit involves the alleged illegal broadcasting of a July 29, 2017 UFC fight at my client's licensed premises, The Neighborhood, LLC, DBA "Neighborhood", Pima County Liquor License Number 06100149. I am the Agent on behalf of the Licensee and as Agent I have been included in the lawsuit.

On November 3, 2017 I was dismissed without prejudice from the lawsuit.



20 JUN 24 11:41 AM '24



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

**ARIZONA STATEMENT OF CITIZENSHIP
OR ALIEN STATUS FOR STATE PUBLIC BENEFITS**

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

INDIVIDUAL OWNER/AGENT NAME (Print or type) Kevin Arnold Kramber

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 Buffalo State (or equivalent) Minnesota Country or Territory USA

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

2) Name of document: US Passport
Go to Section IV.

If you answered **No**, you must complete Section III and IV.

SECTION III – ALIEN STATUS DECLARATION

To be completed by 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.

Otherwise Lawfully Present

- 14. 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. § 1621(a).

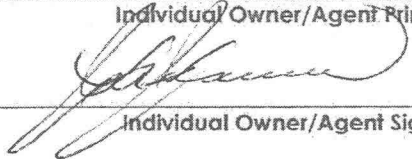
SECTION IV - DECLARATION

All applicants must complete this section.

I declare under penalty of perjury under the laws of the state of Arizona that the answers and evidence I have given are true and correct to the best of my knowledge.

Kevin Arnold Kramber

Individual Owner/Agent Printed Name


Individual Owner/Agent Signature

02/04/2020

Today's Date

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 January 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.

We the People

Of the United States.

In Order to form a more perfect Union,
establish Justice, insure domestic Tranquility,
provide for the common defence,
promote the general Welfare, and secure
the Blessings of Liberty to ourselves and
our Posterity, do ordain and establish this
Constitution for the United States of America.



SIGNATURE OF BEARER / SIGNATURE DU TITULAIRE / FIRMA DEL TITULAR

PASSPORT
PASSEPORT
PASAPORTE

UNITED STATES OF AMERICA

Type / Type / Tipo / Code / Code / Código / Passport No. / No. du Passeport / No. de Pasaporte

P USA

Surname / Nom / Apellidos

KRAMBER

Given Names / Prénoms / Nombres

KEVIN ARNOLD

Nationality / Nationalité / Nacionalidad

UNITED STATES OF AMERICA

Date of birth / Date de naissance / Fecha de nacimiento

Place of birth / Lieu de naissance / Lugar de nacimiento

MINNESOTA, U.S.A.

Sex / Sexe / Sexo

M

Date of issue / Date de délivrance / Fecha de expedición

14 Dec 2018

Authority / Autorité / Autoridad

United States

Date of expiration / Date d'expiration / Fecha de caducidad

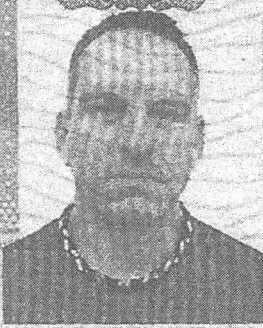
13 Dec 2028

Department of State

Endorsements / Mentions Spéciales / Anotaciones

SEE PAGE 51

USA



20 JUN 24 09:11:01 PM '24



Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

804-892

QUESTIONNAIRE
 A.R.S. § 4-202, 4-210
 Type or Print with **Black Ink**

The fees allowed by R19-1-102 will be charged for all dishonored checks.

ATTENTION APPLICANT: This is a legally binding document. Please type or print in **black ink**. 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.

Attention local governments: Social security and birth date information is confidential. This information may be given to law enforcement agencies for background checks only.

QUESTIONNAIRE IS TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT AND MANAGER BEING DISCLOSED TO THE DEPARTMENT. EACH PERSON COMPLETING THIS FORM MUST SUBMIT A BLUE OR BLACK LINED FINGERPRINT CARD ALONG WITH A \$22 FEE. FINGERPRINTS MUST BE DONE BY A LAW ENFORCEMENT AGENCY OR BONA FIDE FINGERPRINT SERVICE. FOR AN ADDITIONAL \$13 FEE, FINGERPRINTS MAY BE DONE AT THE DEPARTMENT OF LIQUOR WHEN ACCOMPANIED BY A COMPLETED APPLICATION.

Liquor License#: 112113

1. Check the Appropriate Box →

<input checked="" type="checkbox"/> Controlling Person	<input type="checkbox"/> Agent	<input type="checkbox"/> Premises Manager (complete all questions except #12)
--	--------------------------------	--

2. Name: Singh Kamal PREET Birth Date: [REDACTED]
Last First Middle (NOT a public record)

3. Social Security #: [REDACTED] Driver License #: [REDACTED] State: Texas

4. Place of birth: Khara Punjab India Height: 6'01" Weight: 160 Eyes: BLK Hair: BLK
City State COUNTRY (not county)

5. Name of current/most recent spouse: Mehra Sonali N/A Birth Date: [REDACTED]
Last First Middle (NOT a public record)

6. Are you a bona fide resident of Arizona? Yes No If yes, what is your date of residency: N/A

7. Daytime telephone number: 281.888.2439 E-mail address: kamal.singh@emergeinc.net

8. Business Name: PIZZA HUT #036994 Business Phone: 520/458 8900

9. Business Location Address: 900 E. FAY BLVD SIERRA VISTA AZ COCHISE 85635
Street (do not use PO Box) City State County Zip

10. List your employment or type of business during the past five (5) years. If unemployed, retired, or student, list residence address.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYERS NAME OR NAME OF BUSINESS (Street Address, City, State & Zip)
11/2019	CURRENT	President	Delect Foods of AZ, LLC, 10101 Southwets Freeway #100, Houston, TX 77074
08/2017	Current	President	Delect Foods, Inc., 10101 Southwets Freeway #100, Houston, TX 77074
02/2015	Current	President	Taci Investments, LLC, 10101 Southwets Freeway #100, Houston, TX 77074

(ATTACH ADDITIONAL SHEET IF NECESSARY)

11. Provide your residence address information for the last five (5) years: A.R.S. §4-202(D)

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address
04/2018	CURRENT	10331 Joshua Creek Ct., Cypress, TX 77433
04/2011	04/2018	11707 Lismore Lake Dr., Cypress, TX 77429

(ATTACH ADDITIONAL SHEET IF NECESSARY)

12. As a Controlling Person or Agent, will you be physically present and operating the licensed premises?
If you answered YES, then answer #13 below. If NO, skip to #14. Yes No
13. Have you attended a DLLC approved Basic & Management Liquor Law Training Course within the past 3 years? Yes No
N/A
14. Have you been cited, arrested, indicted, convicted, or summoned into court for violation of ANY criminal law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past five (5) years? Yes No
15. Are there ANY administrative law citations, compliance actions or consents, criminal arrests, indictments or summonses pending against you? (Do not include civil traffic tickets.) A.R.S. §4-202, 4-210 Yes No
16. Has anyone EVER obtained a judgement against you the subject of which involved fraud or misrepresentation? Yes No
17. Have you had a liquor application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) Yes No
18. 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 five years? A.R.S. §4-202(D) Yes No

If you answered "YES" to any Question 14 through 18 YOU MUST attach a signed statement.
Give complete details including dates, agencies involved and dispositions.
CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED

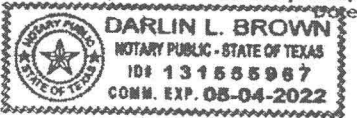
NOTARY

I (Print Full Name) KAMAL PREET SINGH hereby declare that I am the Agent/ Controlling Person / Premises Manager filing this application. I have read this document and verify the contents and all statements are true, correct and complete, to the best of my knowledge.

Signature: [Handwritten Signature] State of Texas County of HARRIS

The foregoing instrument was acknowledged before me this 13th Day of FEBRUARY, 2020

My Commission Expires on: 05/04/2022



DARLIN L. BROWN
NOTARY PUBLIC - STATE OF TEXAS
ID# 131655967
COMM. EXP. 05-04-2022

[Handwritten Signature]
Signature of Notary

The Licensee has authorized the person named on this questionnaire to act as manager for the above License.

PRINT NAME: _____ SIGNATURE: _____

BILL OF SALE

FOR VALUABLE CONSIDERATION of Ten Dollars (\$10.00) along with other valuable consideration Pizza Hut of Arizona, Inc., an Arizona Corporation, as Seller, hereby grants, bargains, sells and transfers to Delect Foods of Arizona, LLC, as Buyer, to have and to hold forever, Arizona State Series 7 Liquor License # 07020030.

FURTHERMORE, Seller warrants it is the lawful owner of the License, that it has the right, to sell/transfer the License and that the License is free and clear of all claims and liens whatsoever. Seller further agrees to warrant and defend the same against the lawful claims and demands of all persons whomsoever.

DATED this 10th day of MARCH 2020.

SELLER: Pizza Hut of Arizona, Inc.

Walter Brent Kyte

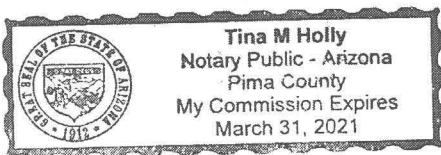
By: Walter Brent Kyte

Its: Director

20 JUN 24 09:16: PM '24

STATE OF ARIZONA)
 : ss.
COUNTY OF PIMA)

The foregoing instrument was acknowledged before me this 10th day of MARCH 2020, by Walter Brent Kyte.



Tina M. Holly

Notary Public

My Commission Expires: 3/31/21

July 17, 2020

MEMORANDUM TO: Honorable Mayor and City Council
THRU: Charles P. Potucek, City Manager
FROM: Jill Adams, City Clerk
SUBJECT: REQUEST FOR AGENDA ITEM PLACEMENT
Resolution 2020-046, Application for a Series 6 liquor license for
Kevin Arnold Kramber on behalf of 1949 Investments dba
Rookies, 2239 E Fry Boulevard, Sierra Vista, Arizona

RECOMMENDATION:

The City Manager recommends approval of this license.
The City Clerk recommends approval of this license.

INITIATED BY:

Mr. Kevin Arnold Kramber
1949 Investments Inc. dba Rookies
536 E Wagon Bluff Drive
Tucson, Arizona 85704

BACKGROUND:

The City received an application for an owner transfer, corporation, Series 6 liquor license for Kevin Arnold Kramber on behalf of 1949 Investments Inc. dba Rookies. The license is for the sale of spirituous liquors, primarily by individual portions, to be consumed on the premises and in the original container for consumption on or off the premises at 2239 E Fry Boulevard, Sierra Vista, Arizona.

State law on liquor licenses requires the applicant to apply for a liquor license from the Arizona Department of Liquor License and Control. That department then sends a copy of the liquor license application to the municipality for their approval. A notice of public hearing must be posted on the premises for 20 days prior to the public hearing. A public hearing notice was posted and to date, no responses, either in favor or against, have been received. The Police Department has performed a background investigation and has given its approval for this license.

The Council's decision concerning this liquor license application will be forwarded to the State Department of Liquor Licenses and Control, who will then issue the liquor license if no objections were received. If objections were received, that department will conduct a hearing regarding the license.

BUDGET APPROPRIATION:

Not applicable.

RESOLUTION 2020-046

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; REAFFIRMING SETTLED POLICY BY RECOMMENDING APPROVAL FOR AN OWNER TRANSFER OF A SERIES 6 LIQUOR LICENSE FOR KEVIN ARNOLD KRAMBER ON BEHALF OF 1949 INVESTMENTS INC. DBA ROOKIES; TO THE STATE DEPARTMENT OF LIQUOR LICENSES AND CONTROL; AND AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY OR THEIR DULY AUTHORIZED OFFICERS AND AGENTS TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

WHEREAS, an application for an owner transfer of a Series 6 Liquor License for Kevin Arnold Kramber on behalf of 1949 Investments Inc. dba Rookies; and

WHEREAS, Arizona Revised Statutes §4-112 requires local municipalities to grant approval or disapproval of all liquor licenses being applied for within their jurisdiction; and

WHEREAS, the application has been posted on the premises of the business for twenty (20) days as required by State law; and

WHEREAS, it is the settled policy of the City Council that liquor licenses be recommended for approval if no objections are raised.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, AS FOLLOWS:

SECTION 1

The City Council reaffirms its settled policy on liquor licenses within City limits.

SECTION 2

The City Council of the City of Sierra Vista recommends approval of the application for an owner transfer of a Series 6 Liquor License for Kevin Arnold Kramber on behalf of 1949 Investments Inc. dba Rookies, to the State Department of Liquor Licenses and Control.

SECTION 3

The City Manager, City Clerk, City Attorney, or their duly authorized officers and agents, are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this Resolution.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 23RD DAY OF JULY 2020.

Frederick W. Mueller
Mayor

Approved as to Form:

Attest:

Nathan J. Williams
Assistant City Attorney

Jill Adams
City Clerk

Prepared By:
Jill Adams, City Clerk

State of Arizona
Department of Liquor Licenses and Control

Created 07/02/2020 @ 09:03:57 AM

Local Governing Body Report

LICENSE

Number:	06020079	Type:	006 BAR
Name:	ROOKIES		
State:	Pending		
Issue Date:		Expiration Date:	06/30/2020
Original Issue Date:	06/24/1986		
Location:	2239 E FRY BOULEVARD SIERRA VISTA, AZ 85635 USA		
Mailing Address:	536 E WAGON BLUFF DRIVE TUCSON, AZ 85704 USA		
Phone:	(520)458-8055		
Alt. Phone:	(520)235-5684		
Email:	KKRAMBER75@GMAIL.COM		

Currently, this license has pending applications.

AGENT

Name:	KEVIN ARNOLD KRAMBER		
Gender:	Male		
Correspondence Address:	536 E WAGON BLUFF DRIVE TUCSON, AZ 85704 USA		
Phone:	(520)235-5684		
Alt. Phone:			
Email:	KKRAMBER75@GMAIL.COM		

OWNER

Name:	1949 INVESTMENTS INC		
Contact Name:	KEVIN ARNOLD KRAMBER		
Type:	CORPORATION		
AZ CC File Number:	23088110	State of Incorporation:	AZ
Incorporation Date:	05/27/2020		
Correspondence Address:	536 W WAGON BLUFF DRIVE TUCSON, AZ 85704 USA		
Phone:	(520)235-5684		
Alt. Phone:			
Email:	KKRAMBER75@GMAIL.COM		

Officers / Stockholders

Name:	Title:	% Interest:
-------	--------	-------------

THOMAS GILBERT MARTY

President/Treasurer/STOCKH 100.00

OLDER

THOMAS MICHAEL WEST

Secretary

SHAWN MICHAEL FOX

Vice-President

1949 INVESTMENTS INC - Secretary

Name: THOMAS MICHAEL WEST
Gender: Male
Correspondence Address: 536 E WAGON BLUFF DRIVE
TUCSON, AZ 85704
USA
Phone: (360)601-4448
Alt. Phone:
Email: TMWESTFO@HOTMAIL.COM

1949 INVESTMENTS INC - Vice-President

Name: SHAWN MICHAEL FOX
Gender: Male
Correspondence Address: 536 E WAGON BLUFF DRIVE
TUCSON, AZ 85704
USA
Phone: (801)557-8320
Alt. Phone:
Email: SHAWN@POROCKPIA.COM

1949 INVESTMENTS INC - President/Treasurer/STOCKHOLDER

Name: THOMAS GILBERT MARTY
Gender: Male
Correspondence Address: 536 E WAGON BLUFF DRIVE
TUCSON, AZ 85704
USA
Phone: (907)830-8828
Alt. Phone:
Email: TOMMARTY2012@YAHOO.COM

APPLICATION INFORMATION

Application Number: 112389
Application Type: Owner Transfer
Created Date: ~~06/19/2020~~
07/02/2020 Aizee

QUESTIONS & ANSWERS

006 Bar

- 1) Are you applying for an Interim Permit (INP)?
Yes
A Document of type INTERIM PERMIT (INP) NOTARY PAGE is required.

- 4) Does the Business location address have a street address for a City or Town but is actually in the boundaries of another City, Town or Tribal Reservation?
No
- 13) Please provide name, address, and Distance of nearest school.
Bella Vista Elementary
801 N. Lenzer Ave., Sierra Vista, AZ 85635
2,712 feet
- 14) Please provide name, address, and distance of nearest church.
Life In Christ Church
2300 Las Brisas Way, Sierra Vista, AZ 85635
2,307 feet
- 15) Are you one of the following? Please indicate below.
Property Tenant
Sub-tenant
Property Owner
Property Purchaser
Property Management Company
Property Tenant
- 16) Is there a penalty if lease is not fulfilled?
Yes
What is the penalty?
Loss of \$4500 security deposit and landlord lockout
- 17) What is the total money borrowed for the business not including the lease?
Please list lenders/people owed money for the business.
None-Capital Contributions
- 18) Is there a drive through window on the premises?
No
- 19) If there is a patio please indicate contiguous or non-contiguous within 30 feet.
None
- 20) Is your licensed premises now closed due to construction, renovation or redesign or rebuild?
No
- 27) Total Price paid for Series 6 Bar, Series 7 Beer & Wine Bar or Series 9 Liquor Store (license only)
\$30,000.00

DOCUMENTS

DOCUMENT TYPE	FILE NAME	UPLOADED DATE
BILL OF SALE	Bill Of Sale .pdf	06/19/2020
DIAGRAM/FLOOR PLAN	Floor Plan.pdf	06/19/2020
QUESTIONNAIRE	Fox Q & Attach.pdf	06/19/2020
ALIEN STATUS	Kramber Q Attach ASF Passport.pdf	06/19/2020
QUESTIONNAIRE	Kramber Q Attach ASF Passport.pdf	06/19/2020
QUESTIONNAIRE	Marty Q Attach Training Certs.pdf	06/19/2020
INTERIM PERMIT (INP) NOTARY PAGE	Sect. 5.pdf	06/19/2020
MISCELLANEOUS	Sect. 9.pdf	06/19/2020
QUESTIONNAIRE	West Q.pdf	06/19/2020

State of Arizona
Department of Liquor Licenses and Control

Created 07/02/2020 @ 09:17:35 AM

Local Governing Body Report

LICENSE

Number:	INP020011778	Type:	INP INTERIM PERMIT
Name:	ROOKIES		
State:	Active		
Issue Date:	07/02/2020	Expiration Date:	10/15/2020
Original Issue Date:	07/02/2020		
Location:	2239 E FRY BOULEVARD SIERRA VISTA, AZ 85635 USA		
Mailing Address:	536 E WAGON BLUFF DRIVE TUCSON, AZ 85704 USA		
Phone:	(520)458-8055		
Alt. Phone:	(520)235-5684		
Email:	KKRAMBER75@GMAIL.COM		

AGENT

Name:	KEVIN ARNOLD KRAMBER
Gender:	Male
Correspondence Address:	536 E WAGON BLUFF DRIVE TUCSON, AZ 85704 USA
Phone:	(520)235-5684
Alt. Phone:	
Email:	KKRAMBER75@GMAIL.COM

OWNER

Name:	1949 INVESTMENTS INC		
Contact Name:	KEVIN ARNOLD KRAMBER		
Type:	CORPORATION		
AZ CC File Number:	23088110	State of Incorporation:	AZ
Incorporation Date:	05/27/2020		
Correspondence Address:	536 W WAGON BLUFF DRIVE TUCSON, AZ 85704 USA		
Phone:	(520)235-5684		
Alt. Phone:			
Email:	KKRAMBER75@GMAIL.COM		

Officers / Stockholders

Name:	Title:	% Interest:
-------	--------	-------------

THOMAS GILBERT MARTY

President/Treasurer/STOCKH 100.00

OLDER

THOMAS MICHAEL WEST

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SHAWN MICHAEL FOX

Vice-President

1949 INVESTMENTS INC - Secretary

Name: THOMAS MICHAEL WEST
Gender: Male
Correspondence Address: 536 E WAGON BLUFF DRIVE
TUCSON, AZ 85704
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Phone: (360)601-4448
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Phone: (801)557-8320
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1949 INVESTMENTS INC - President/Treasurer/STOCKHOLDER

Name: THOMAS GILBERT MARTY
Gender: Male
Correspondence Address: 536 E WAGON BLUFF DRIVE
TUCSON, AZ 85704
USA
Phone: (907)830-8828
Alt. Phone:
Email: TOMMARTY2012@YAHOO.COM

APPLICATION INFORMATION

Application Number: 112392
Application Type: New Application
Created Date: 06/19/2020
07/02/2020

QUESTIONS & ANSWERS

INP Interim Permit

- 1) Enter License Number currently at location KR
06020079
- 2) Is the license currently in use? yes KR
- 3) Will you please submit section 5, page 6, of the license application when you reach the upload page?
yes KR

SECTION 5 Interim Permit

If you intend to operate business while the application is pending, you will need an interim permit pursuant to A.R.S.§4-203.01. For approval of an interim permit:

- There **must** be a valid license of the same series issued to the current location you are applying for, **OR**
- A Hotel/Motel license is being replaced with a restaurant license pursuant to A.R.S.§4-203.01 (A)

1. Enter license number currently at the location: 06020079

2. Is the license currently in use? Yes No If no, how long has it been out of use? n/a

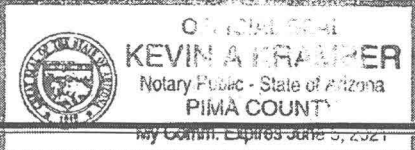
NOTARY

I (Print Full Name) CHIRAKUMAR R. PATEL hereby declare that I am the Agent, Current Owner, or Controlling Person on the stated license and location.

Signature: [Signature] State of Arizona County of Pima

The foregoing instrument was acknowledged before me this 27th Day of May, 2020

My Commission Expires on: 06/05/2021 Date



[Signature]
Signature of Notary

SECTION 6 Background Check

EACH PERSON LISTED MUST SUBMIT A QUESTIONNAIRE, FINGERPRINT CARD, AND \$22 PROCESSING FEE PER CARD.

1. If the applicant is an entity, and not an individual, answer questions 1a-b.
- a) Date Incorporated/Organized: _____ State where Incorporated/Organized: _____
- b) AZ Corporation or AZ L.L.C. File No: _____ Date authorized to do business in AZ: _____
2. List any individual or entity that owns a beneficial interest of 10% or more and/or controls the applicant or licensee. If the applicant is owned by another entity, attach an organizational chart showing the ownership structure. Attach additional sheets as needed. Disclose all controlling persons and members, shareholders or general partners who own a beneficial interest of 10% or more of the applicant or licensee.

Last	First	Middle	Title	%Owned	Mailing Address	City	State	Zip

(Attach additional sheet if necessary)

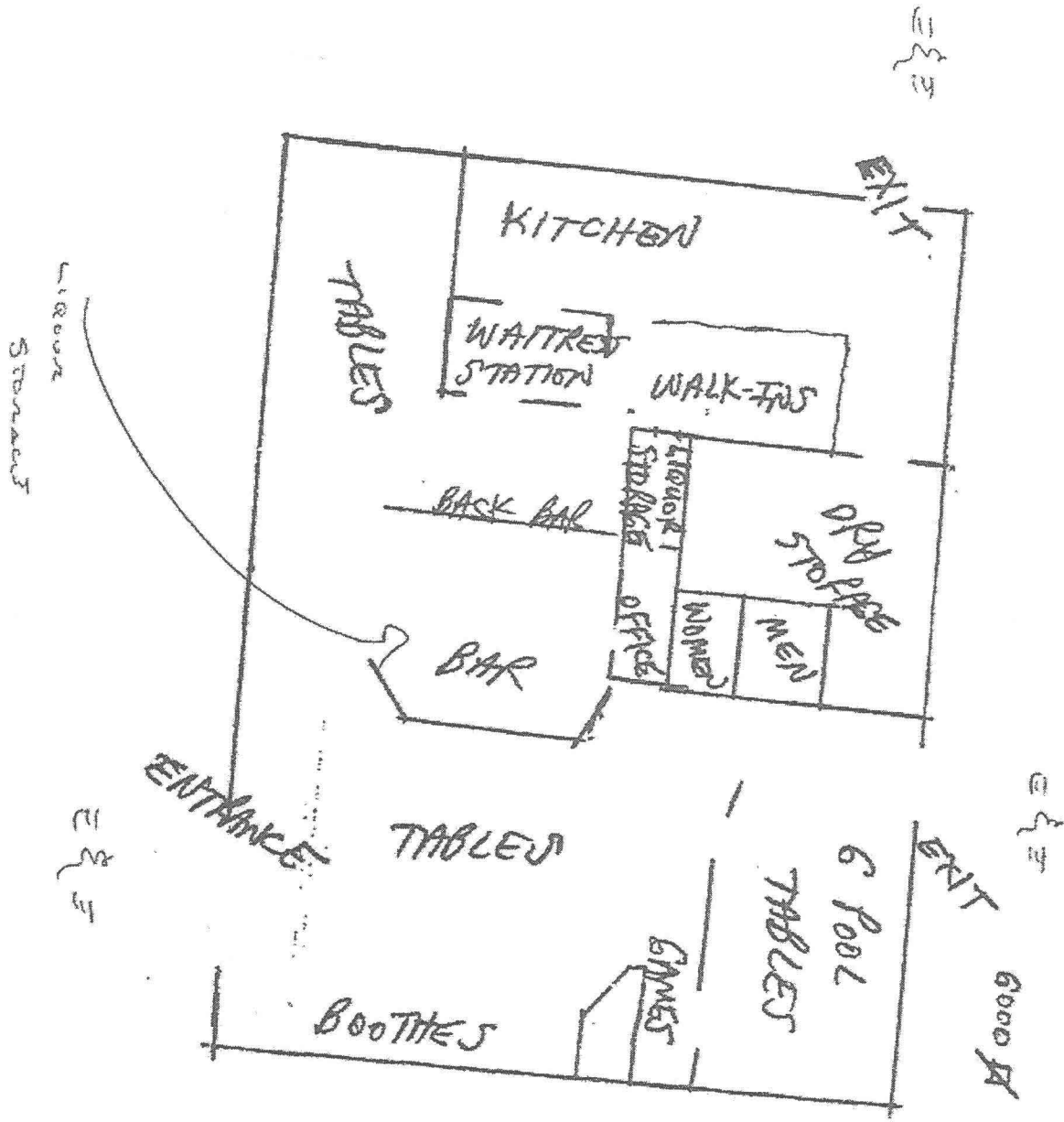
SECTION 7 Probate, Receiver, Bankruptcy Trustee, Assignment, or Divorce Decree of an existing liquor license A.R.S.§4-204

EACH PERSON LISTED MUST SUBMIT A QUESTIONNAIRE, FINGERPRINT CARD, AND \$22 PROCESSING FEE PER CARD.

1. Current Licensee's Name: _____
(Exactly as it appears on the license) Last First Middle
2. Assignee's Name: _____
Last First Middle
3. License Number: _____

ATTACH A COPY OF THE DOCUMENT THAT SPECIFICALLY ASSIGNS THE LIQUOR LICENSE TO THE ASSIGNEE.

20 JUL 2 11:47 AM '20



6,000 sq ft (AP) 41650000

20 JUL 2 11 49 AM '95



Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

QUESTIONNAIRE
 A.R.S. § 4-202, 4-210
 Type or Print with Black Ink

The fees allowed by R19-1-102 will be charged for all dishonored checks.

FPCurrent 6-14-19

ATTENTION APPLICANT: This is a legally binding document. Please type or print in black ink. 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.

Attention local governments: Social security and birth date information is confidential. This information may be given to law enforcement agencies for background checks only.

QUESTIONNAIRE IS TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT AND MANAGER BEING DISCLOSED TO THE DEPARTMENT. EACH PERSON COMPLETING THIS FORM MUST SUBMIT A BLUE OR BLACK LINED FINGERPRINT CARD ALONG WITH A \$22 FEE. FINGERPRINTS MUST BE DONE BY A LAW ENFORCEMENT AGENCY OR BONA FIDE FINGERPRINT SERVICE. FOR AN ADDITIONAL \$13 FEE, FINGERPRINTS MAY BE DONE AT THE DEPARTMENT OF LIQUOR WHEN ACCOMPANIED BY A COMPLETED APPLICATION.

Liquor License#: 112389/06020079

1. Check the Appropriate Box →

<input type="checkbox"/> Controlling Person	<input checked="" type="checkbox"/> Agent	<input type="checkbox"/> Premises Manager (complete all questions except #12)
---	---	--

2. Name: Kramber Kevin Arnold Birth Date: [REDACTED]
Last First Middle (NOT a public record)

3. Social Security #: [REDACTED] Driver License #: [REDACTED] State: Arizona

4. Place of birth: Buffalo MN USA Height: 6'03" Weight: 235 Eyes: Blu Hair: Bro
City State COUNTRY (not county)

5. Name of current/most recent spouse: Kramber Michele Rene Birth Date: [REDACTED]
Last First Middle (NOT a public record)

6. Are you a bona fide resident of Arizona? Yes No If yes, what is your date of residency: 1976

7. Daytime telephone number: 520.235.5684 E-mail address: kkramber75@gmail.com

8. Business Name: ROOKIES Business Phone: 520/458/8055

9. Business Location Address: 2239 E. FAY BLVD. SIERRA VISTA AZ COCHISE 85635
Street (do not use PO Box) City State County Zip

10. List your employment or type of business during the past five (5) years. If unemployed, retired, or student, list residence address.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYERS NAME OR NAME OF BUSINESS (Street Address, City, State & Zip)
01/2009	CURRENT	Real Estate Salesperson	Town West Realty, Inc., 3002 N. Campbell Ave. #200, Tucson, AZ 85719
05/2009	Current	Co-Owner	AZLiquorTraining.Com, LLC, 536 E. Wagon Bluff Dr., Tucson, AZ 85704
03/2008	Current	Owner/Consultant	DBL K Liquor Consulting, LLC, 536 E. Wagon Bluff Dr., Tucson, AZ 85704

(ATTACH ADDITIONAL SHEET IF NECESSARY)

20 JUL 2 11:47 AM '19

11. Provide your residence address information for the last five (5) years: A.R.S. §4-202(D)

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address
11/1995	CURRENT	536 E. Wagon Bluff Dr., Tucson, AZ 85704

(ATTACH ADDITIONAL SHEET IF NECESSARY)

12. As a Controlling Person or Agent, will you be physically present and operating the licensed premises?
If you answered YES, then answer #13 below. If NO, skip to #14. Yes No
13. Have you attended a DLLC approved Basic & Management Liquor Law Training Course within the past 3 years? Yes No
14. Have you been cited, arrested, indicted, convicted, or summoned into court for violation of ANY criminal law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past five (5) years? Yes No
15. Are there ANY administrative law citations, compliance actions or consents, criminal arrests, indictments or summonses pending against you? (Do not include civil traffic tickets.) A.R.S. §4-202,4-210 Yes No
16. Has anyone EVER obtained a judgement against you the subject of which involved fraud or misrepresentation? Yes No
17. Have you had a liquor application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) Yes No
18. 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 five years? A.R.S. §4-202(D) Yes No

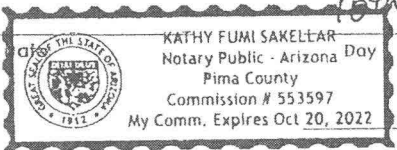
If you answered "YES" to any Question 14 through 18 **YOU MUST** attach a signed statement.
Give complete details including dates, agencies involved and dispositions.
CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED

NOTARY

I (Print Full Name) Kevin Arnold Kramber hereby declare that I am the Agent/ Controlling Person / Premises Manager filing this application. I have read this document and verify the contents and all statements are true, correct and complete, to the best of my knowledge.

Signature: *[Signature]* State of Arizona County of Pima
The foregoing instrument was acknowledged before me this

My Commission Expires on: _____ Day of 10th June, 2020
Month Year



Signature of Notary *[Signature]*

The licensee has authorized the person named on this questionnaire to act as manager for the above License.

PRINT NAME: _____ SIGNATURE: _____

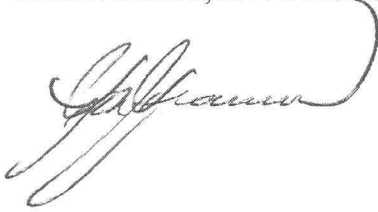
QUESTIONNAIRE CONTINUED

KEVIN ARNOLD KRAMBER

Questions 14:

On Thursday October 26, 2017 I was served with a lawsuit which involved Zuffa, LLC versus Manuel Cordova, et al. It is Civil Action Number 4:17-CV-00495-BPV United States District Court in Arizona. The subject of the lawsuit involves the alleged illegal broadcasting of a July 29, 2017 UFC fight at my client's licensed premises, The Neighborhood, LLC, DBA "Neighborhood", Pima County Liquor License Number 06100149. I am the Agent on behalf of the Licensee and as Agent I have been included in the lawsuit.

On November 3, 2017 I was dismissed without prejudice from the lawsuit.



20 JUL 2 11:47 AM '15



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

**ARIZONA STATEMENT OF CITIZENSHIP
OR ALIEN STATUS FOR STATE PUBLIC BENEFITS**

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

INDIVIDUAL OWNER/AGENT NAME (Print or type) Kevin Arnold Kramber

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 Buffalo State (or equivalent) Minnesota Country or Territory USA

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

2) Name of document: US Passport
Go to Section IV.

If you answered **No**, you must complete Section III and IV.

SECTION III – ALIEN STATUS DECLARATION

To be completed by 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.

Otherwise Lawfully Present

- 14. 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. § 1621(a).

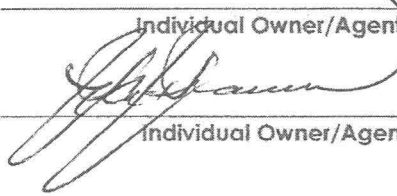
SECTION IV - DECLARATION

All applicants must complete this section.

I declare under penalty of perjury under the laws of the state of Arizona that the answers and evidence I have given are true and correct to the best of my knowledge.

Kevin Arnold Kramber

Individual Owner/Agent Printed Name


Individual Owner/Agent Signature

JUNE 12, 2020

Today's Date

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 January 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.

We the People

*Of the United States,
in Order to form a more perfect Union,
establish Justice, insure domestic Tranquility,
provide for the common defence,
promote the general Welfare, and secure
the Blessings of Liberty to ourselves and
our Posterity, do ordain and establish this
Constitution for the United States of America.*



SIGNATURE OF BEARER / SIGNATURE DU TITULAIRE / FIRMA DEL TITULAR

PASSPORT
PASSEPORT
PASAPORTE

UNITED STATES OF AMERICA

Type / Type / Tipo: P Code / Code / Código: USA Passport No. / No du Passeport / No de Pasaporte: [REDACTED]



Surname / Nom / Apellidos

KRAMBER

Given Names / Prénoms / Nombres

KEVIN ARNOLD

Nationality / Nationalité / Nacionalidad

UNITED STATES OF AMERICA

Date of birth / Date de naissance / Fecha de nacimiento

[REDACTED]

Place of birth / Lieu de naissance / Lugar de nacimiento

MINNESOTA, U.S.A.

Date of issue / Date de délivrance / Fecha de expedición

14 Dec 2018

Date of expiration / Date d'expiration / Fecha de caducidad

13 Dec 2028

Endorsements / Mentions Spéciales / Anotaciones

SEE PAGE 51

Sex / Sexe / Sexo

M

Authority / Autorité / Autoridad

United States

Department of State

USA

20 JUL 2 09:14 AM '25



Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

QUESTIONNAIRE
 A.R.S. §4-202, 4-210
 Type or Print with **Black Ink**

The fees allowed by R19-1-102 will be charged for all dishonored checks. **804.894**

ATTENTION APPLICANT: This is a legally binding document. Please type or print in **black ink**. 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.

Attention local governments: Social security and birth date information is confidential. This information may be given to law enforcement agencies for background checks only.

QUESTIONNAIRE IS TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT AND MANAGER BEING DISCLOSED TO THE DEPARTMENT. EACH PERSON COMPLETING THIS FORM MUST SUBMIT A BLUE OR BLACK LINED FINGERPRINT CARD ALONG WITH A \$22 FEE. FINGERPRINTS MUST BE DONE BY A LAW ENFORCEMENT AGENCY OR BONA FIDE FINGERPRINT SERVICE. FOR AN ADDITIONAL \$13 FEE, FINGERPRINTS MAY BE DONE AT THE DEPARTMENT OF LIQUOR WHEN ACCOMPANIED BY A COMPLETED APPLICATION.

Liquor License#: 060200 f9/112389

1. Check the Appropriate Box →

<input checked="" type="checkbox"/> Controlling Person	<input type="checkbox"/> Agent	<input type="checkbox"/> Premises Manager (complete all questions except #12)
--	--------------------------------	--

2. Name: MARTY THOMAS AUBERT Birth Date: [REDACTED]
Last First Middle (NOT a public record)

3. Social Security #: [REDACTED] Driver License #: [REDACTED] State: ARIZONA

4. Place of birth: DUBUQUE IOWA USA Height: 5'09" Weight: 225 Eyes: BRO Hair: GRY
City State COUNTRY (not county)

5. Name of current/most recent spouse: MARTY PATRICIA LOUISE Birth Date: [REDACTED]
Last First Middle (NOT a public record)

6. Are you a bona fide resident of Arizona? Yes No If yes, what is your date of residency: 05/2020

7. Daytime telephone number: (907) 830-8828 E-mail address: TOMMARTY2012@YAHOO.COM

8. Business Name: ROOKIES Business Phone: 520/458/8055

9. Business Location Address: 2239 E. FRY BLVD. SIERRA VISTA AZ COCHISE 85635
Street (do not use PO Box) City State County Zip

10. List your employment or type of business during the past five (5) years. If unemployed, retired, or student, list residence address.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYERS NAME OR NAME OF BUSINESS (Street Address, City, State & Zip)
07/2019	CURRENT	RETIRED	13300 NE 41 ST ST. VANCOUVER, WA 98682
11/2017	07/2019	WEDDING INSPECTOR	WCF CONSTRUCTION 2500 N. BIG SPRING ST. MIDLAND, TX 79701
05/2017	11/2017	UNEMPLOYED	13300 NE 41 ST ST. VANCOUVER, WA 98682
01/2017	05/2017	WEDDING INSPECTOR	AS2C ENERGY SERVICES 3700 C. ST. ANCHORAGE, AK 99503
04/2016	01/2017	QUALITY CONTROL	SAULSBURY IND. 2951 INTERSTATE 20 SERVICE RD.

(ATTACH ADDITIONAL SHEET IF NECESSARY) 01-352 TX 79701

20 JUL 2 Lic. Lic. #925

11. Provide your residence address information for the last five (5) years: A.R.S. §4-202(D)

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address
06/2020	CURRENT	2239 E. FLY BLVD, SIERRA VISTA, AZ 85635
01/2010	06/2020	13300 NE 41ST ST. VANCOUVER, WA 98682

(ATTACH ADDITIONAL SHEET IF NECESSARY)

12. As a Controlling Person or Agent, will you be physically present and operating the licensed premises? Yes No
If you answered YES, then answer #13 below. If NO, skip to #14.
13. Have you attended a DLLC approved Basic & Management Liquor Law Training Course within the past 3 years? Yes No
14. Have you been cited, arrested, indicted, convicted, or summoned into court for violation of ANY criminal law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past five (5) years? Yes No
15. Are there ANY administrative law citations, compliance actions or consents, criminal arrests, indictments or summonses pending against you? (Do not include civil traffic tickets.) A.R.S. §4-202, 4-210 Yes No
16. Has anyone EVER obtained a judgement against you the subject of which involved fraud or misrepresentation? Yes No
17. Have you had a liquor application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) Yes No
18. 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 five years? A.R.S. §4-202(D) Yes No

If you answered "YES" to any Question 14 through 18 YOU MUST attach a signed statement.
Give complete details including dates, agencies involved and dispositions.
CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED

NOTARY

I (Print Full Name) THOMAS GILBERT MARTY hereby declare that I am the Agent/ Controlling Person / Premises Manager filing this application. I have read this document and verify the contents and all statements are true, correct and complete, to the best of my knowledge.

Signature: [Signature] State of ARIZONA County of PIMA

The foregoing instrument was acknowledged before me this 27TH Day of MAY 2020

My Commission Expires on: 06/05/2021 Date

[Signature]
Signature of Notary

NOTARY SEAL
ELVIA KRAMBER
Notary Public - State of Arizona
PIMA COUNTY
Expires June 5, 2021

The licensee has authorized the person named on this questionnaire to act as manager for the above License.

PRINT NAME: _____ SIGNATURE: _____

ROTONDAIRE CONT.

Thomas ALBERT MARTY

#10.

<u>From</u>	<u>To</u>	<u>POSITION</u>	<u>NAME/ADDRESS</u>
09/2013	04/2016	QUALITY ASSURANCE	BES ENG. 303 W. WALL ST. MIDLAND, TX 79701

John [Signature]

20 JUL 2 11 47 AM '98

Certificate # _____

<input checked="" type="checkbox"/>	On-sale
<input type="checkbox"/>	Off-sale
<input type="checkbox"/>	On- and off-sale

**Certificate of Completion
For
Title 4 BASIC Liquor Law Training**

A Certificate of Completion must be on a form provided by the Arizona Department of Liquor. Certificates are completed by a state-approved training provider and, when issued, the Certificate is signed by the course participant.

The State requires BASIC Title 4 training only as a prerequisite for MANAGEMENT Title 4 training or as a result of a liquor law violation. Persons required to have BASIC Title 4 training are listed at the base of this Certificate. Licensees sometimes require BASIC Title 4 Training a condition of employment.

A replacement Certificate of Completion for Title 4 training must be available through the training provider for two years after the training completion date.

Student Information

Thomas Gilbert Mart

Full Name (please print)

Thomas Gilbert Mart

Signature

JUNE 11, 2020

Training Completion Date

JUNE 11, 2023

Certificate Expiration Date
(three years from completion date)

Training Provider Information

AZLiquorTraining.com

Company Name

536 East Wagon Bluff Drive Tucson, AZ 85704

Mailing Address

(520) 235-5684

Daytime Contact Phone Number

20 JUL 2 11:41 AM '20

I, **KEVIN A. KRAMBER**, certify that the above named individual did successfully complete
Instructor Name (please print)

Title 4 BASIC Training in accordance with A.R.S. §4-112(G)(2) and Arizona Administrative Code (A.A.C.)R19-1-103 using training course content and materials approved by the Arizona Department of Liquor Licenses and Control. I understand that misuse of this Certificate of Completion can result in the revocation of State-approval for the Title 4 Training Provider named in this section as provided by A.A.C. R19-1-103(E) and (F).

Kevin A. Kramber

Instructor Signature

11 / 06 / 2020

Day Mo Year

Persons required to complete BASIC & MANAGEMENT Title 4 training: 1) owner(s) actively involved in the daily business operations of a liquor-licensed business of a series listed below
2) licensees, agents and managers actively involved in the daily business operations of a liquor-licensed business of a series listed below

- | | | | |
|----------------------------------|----------------------------------|--------------------------|--------------------------------------|
| In-state Microbrewery (series 3) | Government (series 5) | Bar (series 6) | Beer & Wine Bar (series 7) |
| Conveyance (series 8) | Liquor Store (series 9) | Private Club (series 14) | Hotel/Motel w/restaurant (series 11) |
| Restaurant (series 12) | In-state Farm Winery (series 13) | | Beer & Wine Store (series 10) |

Liquor license applications (initial and renewal) are not complete until valid Certificates of Completion for all required persons have been submitted to the Department of Liquor.

The questionnaire (which designates a manager to a location) and the agent change form (which assigns a new agent to active liquor licenses) are not complete until valid Certificates of Completion for all required persons have been submitted to the Department of Liquor.

Certificate # _____

Certificate of Completion For Title 4 **MANAGEMENT** Liquor Law Training

A Certificate of Completion must be on a form provided by the Arizona Department of Liquor. Certificates are completed by a state-approved training provider and, when issued, the Certificate is signed by the course participant.

Basic Title 4 training is a prerequisite for MANAGEMENT Title 4 training. A valid Certificate of Completion for BASIC Title 4 training must be on file at the Department of Liquor and satisfactory completion of a State-approved BASIC Title 4 course must be verified by the training provider prior to issuing a Certificate of Completion for MANAGEMENT Title 4 training.

A replacement Certificate of Completion for Title 4 training must be available through the training provider for two years after the training completion date.

Student Information

Thomas Gilbert Marty
Full Name (please print)

Thomas Gilbert Marty
Signature

JUNE 11, 2020
Training Completion Date

JUNE 11, 2023
Certificate Expiration Date
(three years from completion date)

Training Provider Information

AZLiquorTraining.com
Company Name

536 East Wagon Bluff Drive Tucson, AZ 85704
Mailing Address

(520) 235-5684
Daytime Contact Phone Number

I, KEVIN A. KRAMBER, certify that the above named individual did successfully complete
Instructor Name (please print)

Title 4 MANAGEMENT Training in accordance with A.R.S. §4-112(G)(2) and Arizona Administrative Code (A.A.C.)R19-1-103 using training course content and materials approved by the Arizona Department of Liquor Licenses and Control. I understand that misuse of this Certificate of Completion can result in the revocation of State-approval for the Title 4 Training Provider named in this section as provided by A.A.C. R19-1-103(E) and (F).

[Signature]
Instructor Signature

11 / 06 / 2020
Day Mo Year

Persons required to complete BASIC & MANAGEMENT Title 4 training: 1) owner(s) actively involved in the daily business operations of a liquor-licensed business of a series listed below
2) licensees, agents and managers actively involved in the daily business operations of a liquor-licensed business of a series listed below

- | | | | |
|----------------------------------|----------------------------------|--------------------------|--------------------------------------|
| In-state Microbrewery (series 3) | Government (series 5) | Bar (series 6) | Beer & Wine Bar (series 7) |
| Conveyance (series 8) | Liquor Store (series 9) | Private Club (series 14) | Hotel/Motel w/restaurant (series 11) |
| Restaurant (series 12) | In-state Farm Winery (series 13) | | Beer & Wine Store (series 10) |

Liquor license applications (initial and renewal) are not complete until valid Certificates of Completion for all required persons have been submitted to the Department of Liquor.

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20 JUL 2 11:41 AM 905



Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

QUESTIONNAIRE
 A.R.S. §4-202, 4-210
 Type or Print with Black Ink

The fees allowed by R19-1-102 will be charged for all dishonored checks. 804.894

ATTENTION APPLICANT: This is a legally binding document. Please type or print in **black ink**. 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.

Attention local governments: Social security and birth date information is confidential. This information may be given to law enforcement agencies for background checks only.

QUESTIONNAIRE IS TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT AND MANAGER BEING DISCLOSED TO THE DEPARTMENT. EACH PERSON COMPLETING THIS FORM MUST SUBMIT A **BLUE OR BLACK LINED FINGERPRINT CARD** ALONG WITH A \$22 FEE. FINGERPRINTS MUST BE DONE BY A LAW ENFORCEMENT AGENCY OR BONA FIDE FINGERPRINT SERVICE. FOR AN ADDITIONAL \$13 FEE, FINGERPRINTS MAY BE DONE AT THE DEPARTMENT OF LIQUOR WHEN ACCOMPANIED BY A COMPLETED APPLICATION.

Liquor License#: 06020079/112389

1. Check the Appropriate Box →

Controlling Person Agent Premises Manager
 (complete all questions except #12)

2. Name: Fox Shawn Michael Birth Date: [REDACTED]
Last First Middle (NOT a public record)

3. Social Security #: [REDACTED] Driver License #: [REDACTED] State: UTAH

4. Place of birth: Portland OR USA Height: 5'09" Weight: 190 Eyes: Blue Hair: Brown
City State COUNTRY (not county)

5. Name of current/most recent spouse: Fox Repsi Shanee Birth Date: [REDACTED]
Last First Middle (NOT a public record)

6. Are you a bona fide resident of Arizona? Yes No If yes, what is your date of residency: N/A

7. Daytime telephone number: 801-557-8320 E-mail address: SHAWN@PORTUCKP.I.A.COM

8. Business Name: ROOKIES Business Phone: 520/458/8055

9. Business Location Address: 2239 E. FAY BLVD. SIERRA VISTA AZ COCHISE 85635
Street (do not use PO Box) City State County Zip

10. List your employment or type of business during the past five (5) years. If unemployed, retired, or student, list residence address.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYERS NAME OR NAME OF BUSINESS (Street Address, City, State & Zip)
05/2020	CURRENT	Driver	Door Dash Driver 545 W. 3900 S. SALT LAKE CITY, UT 84123
03/2020	05/2020	Driver	Dominos 2025 CASCADE AVE. #102 HOOD RIVER, OR 97031
06/2019	10/2019	Driver	Marlo's PIZZA 2542 W. 12600 S. RIVINGTON, UT 84065
01/2019	03/2020	Driver	UBER 8425 S. PIPER LN. SANDY, UT 84093
04/2017	01/2019	Driver	Dominos 153 E. 4340 S. MURRAY, UT 84107

(ATTACH ADDITIONAL SHEET IF NECESSARY)

20 JUL 2 11:19 AM '18

11. Provide your residence address information for the last five (5) years: A.R.S. §4-202(D)

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address
10/2019	CURRENT	545 W. 3900 S. SALT LAKE CITY, UT 84123
08/2018	10/2019	8725 S. PIPER LANE SANDY, UT 84093
09/2017	08/2018	7400 S. STATE ST. MIDVALE, UT 84047
10/2016	09/2017	3994 S. HOWICK ST. MIDCREEK, UT 84107
05/2015	10/2016	8725 S. PIPER LANE SANDY, UT 84093

(ATTACH ADDITIONAL SHEET IF NECESSARY)

12. As a Controlling Person or Agent, will you be physically present and operating the licensed premises?
If you answered YES, then answer #13 below. If NO, skip to #14. Yes No
13. Have you attended a DLLC approved Basic & Management Liquor Law Training Course within the past 3 years?
N/A Yes No
14. Have you been cited, arrested, indicted, convicted, or summoned into court for violation of ANY criminal law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past five (5) years?
 Yes No
15. Are there ANY administrative law citations, compliance actions or consents, criminal arrests, indictments or summonses pending against you? (Do not include civil traffic tickets.) A.R.S. §4-202, 4-210
 Yes No
16. Has anyone EVER obtained a judgement against you the subject of which involved fraud or misrepresentation?
 Yes No
17. Have you had a liquor application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D)
 Yes No
18. 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 five years? A.R.S. §4-202(D)
 Yes No

If you answered "YES" to any Question 14 through 18 YOU MUST attach a signed statement. Give complete details including dates, agencies involved and dispositions.
CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED

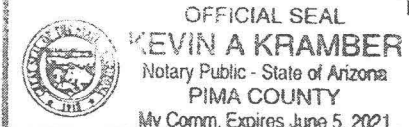
NOTARY

I (Print Full Name) Shawn Michael Fox hereby declare that I am the Agent/ Controlling Person / Premises Manager filing this application. I have read this document and verify the contents and all statements are true, correct and complete, to the best of my knowledge.

Signature: [Signature] State of Arizona County of Pima

The foregoing instrument was acknowledged before me this 29th Day of May, 2020

My Commission Expires on: 06/05/2021 Date



OFFICIAL SEAL
KEVIN A KRAMBER
Notary Public - State of Arizona
PIMA COUNTY
My Comm. Expires June 5, 2021

[Signature]
Signature of Notary

The Licensee has authorized the person named on this questionnaire to act as manager for the above License.

PRINT NAME: _____ SIGNATURE: _____

QUESTIONNAIRE CONT.

SHAWN MICHAEL FOX

10.

<u>From</u>	<u>To</u>	<u>POSITION</u>	<u>NAME / ADDRESS</u>
08/2016	04/2017	DRIVER	UBER 8725 S. PIPER LN. SANDY, UT 84093
10/2015	08/2016	DRIVER	Dominio's 153 E. 43rd S. MURRAY, UT 84107
04/2015	10/2015	PORTER	COURTYARD MARRIOTT 4843 W. DOUGLAS CORRIHAN WAY SALT LAKE CITY, UT 84116

[Handwritten signature]

20 JUL 2 11P. LIC. # 905



Arizona Department of Liquor Licenses and Control
 800 W Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

QUESTIONNAIRE
 A.R.S. § 4-202, 4-210
 Type or Print with **Black Ink**

804.894

The fees allowed by R19-1-102 will be charged for all dishonored checks.

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Liquor License#: 06020079/112389

1. Check the Appropriate Box →

Controlling Person Agent Premises Manager
 (complete all questions except #12)

2. Name: WEST THOMAS MICHAEL Birth Date: [REDACTED]
Last First Middle (NOT a public record)

3. Social Security #: [REDACTED] Driver License #: [REDACTED] State: WA

4. Place of birth: VANCOUVER WA USA Height: 6'0" Weight: 300 Eyes: BRO Hair: BRO
City State COUNTRY (not county)

5. Name of current/most recent spouse: N/A - SINGLE Birth Date: N/A
Last First Middle (NOT a public record)

6. Are you a bona fide resident of Arizona? Yes No If yes, what is your date of residency: N/A

7. Daytime telephone number: (360) 601-4448 E-mail address: TWESTFO@hotmail.com

8. Business Name: ROOKIES Business Phone: 520/458/8055

9. Business Location Address: 2239 E. FAT BUD. SIENNA VISTA AZ COCHISE 85635
Street (do not use PO Box) City State County Zip

10. List your employment or type of business during the past five (5) years. If unemployed, retired, or student, list residence address.

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYER'S NAME OR NAME OF BUSINESS (Street Address, City, State & Zip)
02/2007	CURRENT	OWNER	XPRESS LEGAL SUPPORT, LLC 2114 MAIN ST. #100 Box 406 VANCOUVER, WA 98660

(ATTACH ADDITIONAL SHEET IF NECESSARY)

20 JUL 2 14:11 PM '08

11. Provide your residence address information for the last five (5) years: A.R.S. §4-202(D)

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address
06/1994	CURRENT	904 K ST. WASHOUAC, WA 98671

(ATTACH ADDITIONAL SHEET IF NECESSARY)

12. As a Controlling Person or Agent, will you be physically present and operating the licensed premises?
If you answered YES, then answer #13 below. If NO, skip to #14. Yes No
13. Have you attended a DLLC approved Basic & Management Liquor Law Training Course within the past 3 years? Yes No
N/A
14. Have you been cited, arrested, indicted, convicted, or summoned into court for violation of ANY criminal law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past five (5) years? Yes No
15. Are there ANY administrative law citations, compliance actions or consents, criminal arrests, indictments or summonses pending against you? (Do not include civil traffic tickets.) A.R.S. §4-202, 4-210 Yes No
16. Has anyone EVER obtained a judgement against you the subject of which involved fraud or misrepresentation? Yes No
17. Have you had a liquor application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) Yes No
18. 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 five years? A.R.S. §4-202(D) Yes No

If you answered "YES" to any Question 14 through 18 YOU MUST attach a signed statement. Give complete details including dates, agencies involved and dispositions.
CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED

NOTARY

I (Print Full Name) Thomas Michael West hereby declare that I am the Agent/ Controlling Person / Premises Manager filing this application. I have read this document and verify the contents and all statements are true, correct and complete, to the best of my knowledge.

Signature: Tom West

State of WASHINGTON County of CLARK
The foregoing instrument was acknowledged before me this

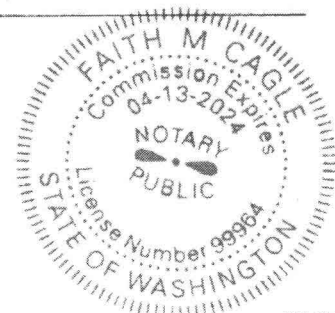
My Commission Expires on: 4/13/2024
Date

1st Day of JUNE, 2020
Day Month Year

[Signature]
Signature of Notary

The Licensee has authorized the person named on this questionnaire to act as manager for the above License.

PRINT NAME: _____ SIGNATURE: _____



BILL OF SALE
(Series 6 Liquor License)

Date: June 19, 2020

For consideration of Ten Dollars, and other valuable consideration, I or we

SELLER(S): Shree Ganesh Enterprises, Inc., an Arizona corporation

BUYER(S): 1949 Investments Inc., an Arizona corporation

Address and Location under which the company is currently operating in accordance with the regulations and requirements of the Arizona State Liquor License and Control Department: **Rookies Arizona's Original Sports Grill, 2239 E. Fry Boulevard, Sierra Vista, AZ 85635**

State: Arizona
County: Cochise

Series 6 Liquor License Sold: Liquor License Number 06020079

License Number:	06020079	Status:	Active
Business Name:	ROOKIES		
Location Address	2239 E FRY Boulevard		
	SIERRA VISTA	Arizona	85635
County	Cochise	Bus. Phone	520-458-8055
Licensee/Agent/Tel:	PATEL, CHIRAGKUMAR	520-458-8055	
Owner:	SHREE GANESH ENTERPRISES INC	Exp Date:	06/30/2020
Issue Date:	06/24/1986	Status Date:	06/14/2019

20 JUL 2 11:41 AM '20

For valuable consideration, receipt of which is acknowledged by Seller, Seller sells and conveys to Buyer the Liquor License Sold, to have and to hold the Liquor License Sold to Buyer and the heirs, executors, administrators and assigns of Buyer forever, and Seller and the heirs, executors, administrators and assigns of Seller warrant to defend the sale of the Liquor License Sold unto Buyer and the heirs, executors, administrators and assigns of Buyer, against all and every person whomsoever lawfully claiming or to claim the same.

THIS SIGNATURE PAGE AND NOTARY CERTIFICATE IS TO BE ATTACHED TO THE BILL OF SALE

Date of Document: June 19, 2020/ Consisting of 2 pages
Parties to Document:
[Shree Ganesh Enterprises, Inc.]
[1949 Investments Inc., an Arizona corporation]

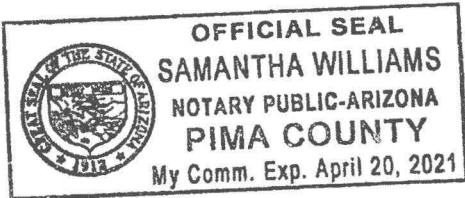
Shree Ganesh Enterprises, Inc., an Arizona corporation

[Handwritten signature of Chiragkumar R. Patel]

By: Chiragkumar R. Patel
Its: President

State of Arizona }
 } ss.
County of Cochise }

The foregoing instrument was acknowledged before me this 19th day of June, 2020 by Chiragkumar R. Patel as the President of Shree Ganesh Enterprises, Inc., an Arizona corporation.



[Handwritten signature of Samantha Williams]

NOTARY PUBLIC
My commission expires: 4-20-21

Accepted and Approved:

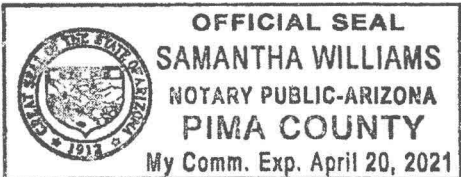
1949 Investments Inc., an Arizona corporation

[Handwritten signature of Thomas Gilbert Marty]

By: Thomas Gilbert Marty
Its: President

State of Arizona }
 } ss.
County of Cochise }

The foregoing instrument was acknowledged before me this 19th day of June, 2020 by Thomas Gilbert Marty as President of 1949 Investments Inc., an Arizona corporation.



[Handwritten signature of Samantha Williams]

NOTARY PUBLIC
My commission expires: 4-20-21

July 23, 2020

MEMO TO: Honorable Mayor and City Council

THROUGH: Charles P. Potucek, City Manager
Victoria Yarbrough, Assistant City Manager

FROM: Matt McLachlan, AICP Community Development Director
Jeff Pregler, AICP, Senior Planner

SUBJECT: REQUEST FOR AGENDA ITEM PLACEMENT
ORDINANCE 2020-004
Adoption of Proposed Development Code Text Amendments-
Section 151.22.11.(E)(2)
Manufactured Home Park Development Standards

REQUESTED ACTION:

Approval and adoption of proposed Development Code text amendments as shown in Exhibit A.

RECOMMENDATION:

The City Manager recommends approval.
The Director of Community Development recommends approval.
The Planning & Zoning Commission recommended unanimous approval, 6-0.

APPLICANT:

City of Sierra Vista

30-DAY PUBLIC COMMENT PERIOD

The typical process for approving text amendments is to approve the language by reference through a Resolution. By approving an amendment by reference, the City does not need to publish the amendments in the newspaper, but rather retain a copy for public review for 30-days. Hence, a 30-day public comment period. Following the 30-day public comment period, the Mayor and City Council would then approve an Ordinance which grants final approval of the code amendments. The advantage of approving by reference is that the City does not need to pay publication costs to publish the amendment in the newspaper. In this situation, since the proposed amendment is only changing two numbers, the publication costs will be minimal. Therefore, staff is requesting that the amendment be approved by Ordinance and that they be published in the newspaper which does not require an additional 30-day public comment period.

The public hearing notice provided a link to the proposed amendments on the City website on June 21. The public has had an opportunity to review and comment on the amendments since this date. The City has not received any public comments relating to the proposed code amendments.

BACKGROUND:

There has been a recent trend in installing larger manufactured homes within existing manufactured home parks. Most recently, the City Council approved a Development Agreement on January 23, 2020 to provide some relief and flexibility to the building setbacks in the Mountain View Manufactured Home Park to ensure the units were compliant with the setbacks. Rather than continue to use Development Agreements for future projects, it is preferred that the code be amended to ensure all parks are compliant with the property development standards as stated in the Development Code. The setbacks changes will also allow for the redevelopment of many of the manufactured home parks intending to upgrade the property. The Building Code requires a minimum 10-foot separation between buildings without additional fire rated protection. These amendments would meet this requirement. The Fire Marshal has indicated support for the code amendments provided additional fire mitigation measures, as necessary, are included as a condition of a building permit.

ANALYSIS

Section 151.22.011.(E)(2) Manufactured Home Park Development Standards

The City is proposing to reduce the minimum front and rear yard building setbacks for the park spaces within manufactured home parks from 10 feet to five feet. The existing side yard setback is currently five feet, therefore all setbacks in the park spaces will be a minimum of five feet. The proposed setback reductions will create flexibility in manufactured home placement and will allow for the larger units to be placed on the park spaces. The City's parking regulations require a minimum of two on-site parking spaces which will still need to be maintained on the property despite the reduced setbacks. The amendments will allow for manufactured homes to comply with all the property development standards and is consistent with the setbacks included within the Development Agreement.

PLANNING & ZONING COMMISSION

The Commission heard this item on July 7, 2020 and voted unanimously to recommend the amendments to the Mayor and City Council.

Attachments:

Resolution

Exhibit A, Proposed Text Amendments

ORDINANCE 2020-004

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; ADOPTING AMENDMENTS TO THE DEVELOPMENT CODE, REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY. NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, AS FOLLOWS:

WHEREAS, the City of Sierra Vista is proposing Development Code text amendments to the following: Section 151.22.011.(E)(2), Property Development Standards for Manufactured Home Parks; and

WHEREAS, the City Manager, and Director of Community Development recommend that the amendments to the Development Code, as shown on Exhibit A, be adopted; and

WHEREAS, the Planning & Zoning Commission recommended unanimous approval of the amendments as shown in Exhibit A; and

WHEREAS, as required by Article 151.31 of the Development Code, the Mayor and City Council held a public hearing on the amendments after proper notice had been given; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1

That the Development Code text amendments, as shown in Exhibit A, are hereby adopted.

SECTION 2

All other ordinances and parts of ordinances in conflict with the provisions of this provision are hereby repealed.

SECTION 3

Should any section, clause or provision of this Ordinance be declared by the courts to be invalid, such invalidity shall not affect other provisions which can be given effect without the invalid provision, and to this end, the provisions of this Ordinance are declared to be severable.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 23RD DAY OF JULY 2020.

FREDERICK W. MUELLER
Mayor

APPROVED AS TO FORM:

ATTEST:

NATHAN WILLIAMS
City Attorney

JILL ADAMS
City Clerk

PREPARED BY:
Jeff Pregler, AICP
Senior Planner

EXHIBIT A

Section 151.22.011 MHR - Manufactured Home Residence

E. Property Development Standards

2. Manufactured Home Park

- (a) Minimum Area. Two Acres.
- (b) Maximum Site Density. Ten dwellings per acre.
- (c) Number. No more than one manufactured home or recreational vehicle shall be placed on each space.
- (d) Maximum Building Height. 28 feet.
- (e) Required Yards
 - (1) Minimum front yard - ~~510~~ feet from the space line.
 - (2) Minimum rear yard - ~~5Ten~~ feet from space line.
 - (3) Minimum side yard - 5 feet from space line.
- (f) Minimum Private Street Standards. See Section [151.08.004](#).
- (g) Skirting. All manufactured homes shall install skirting in accordance with the Arizona Department of Housing, Manufactured Home Division, and the most recently adopted building codes. Skirting shall be maintained to its original installed condition.
- (h) Identification. Each space shall be identified with a permanent and clearly marked identifying marker indicating the space number.

July 15, 2020

MEMORANDUM TO: Honorable Mayor and City Council

THRU: Charles P. Potucek, City Manager
Victoria Yarbrough, Assistant City Manager

FROM: David Felix, Chief Finance Director
Jen Osburn, Interim Budget Officer

SUBJECT: REQUEST FOR AGENDA ITEM PLACEMENT
RESOLUTION 2020-047, Adoption of the Final Budget for
FY 2020/2021.

BACKGROUND

State budget law requires a public hearing prior to adoption of the Final FY 2020/2021 budget as well as a meeting at least seven (7) days afterward to set the annual property tax levy, scheduled to be voted on August 13, 2020. The final budget of \$86,748,629 remains unchanged from the tentative budget approved June 25, 2020.

The Council will meet on Thursday, August 13, 2020 at 5:00 p.m. to set the FY 2020/2021 primary property tax levy. The tax rate will equal \$0.1106 per \$100 of assessed valuation. The overall property tax revenue estimate at this rate equals \$372,034.

With passage of this resolution, the Final budget book will be developed and made available online by early October, as well as the Library and front desk of City Hall for any member of the public to review. An overview of the final budget, including the state budget schedules, will be posted on the City's website following its passage.

RESOLUTION 2020-047

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; ADOPTING THE FY 2020/2021 OPERATING BUDGET; HOLDING A PUBLIC HEARING FOR TAXPAYERS ON THE ESTIMATED EXPENDITURES AND REVENUES FOR FISCAL YEAR 2020/2021; GIVING NOTICE OF THE COUNCIL MEETING TO MAKE FY 2020/2021 TAX LEVIES; AND AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY OR THEIR DULY AUTHORIZED OFFICERS AND AGENTS TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

WHEREAS, pursuant to the provisions of Arizona Revised Statutes, Title 42, the Mayor and Council have completed review of the estimated amounts required to meet public expenses for the ensuing Fiscal Year 2020/2021; and

WHEREAS, the Mayor and Council have likewise completed review of the amount to be raised by taxation upon real and personal property within the City of Sierra Vista; and

WHEREAS, following due public notice, the Mayor and Council have met on this 23rd day of July 2020, at which meeting any taxpayer was privileged to appear and be heard in favor of or against any of the estimated expenditures; and

WHEREAS, publication has been duly made, and required by law of said estimates and allocations together with a notice that the Mayor and Council would meet on the 13th day of August 2020, for the purpose of making tax levies as set forth in said estimates; and

WHEREAS, the sums to be raised by primary taxation, as specified in the statements and schedules attached hereto, do not in the aggregate amount exceed the maximum allowed pursuant to Arizona Revised Statutes, Title 42, Section 13301.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, AS FOLLOWS:

SECTION 1

That the estimated expenditures and revenues allocations hereinafter set forth in the attached statements and schedules be, and hereby are, adopted as the Operating Budget for the City of Sierra Vista, Cochise County, Arizona, for the Fiscal Year 2020/2021.

SECTION 2

That the public notice, publication and public hearing, as required by Law have been duly made and notice that the City Council shall meet for the purpose of making tax levies on the 13th day of August, 2020, at 5:00 p.m. at Sierra Vista City Hall, 1011 N. Coronado Drive, Sierra Vista, Arizona, be, and hereby is, authorized and directed.

SECTION 3

That the monies from any budgeted fund may be used for any of these adopted appropriations, except monies specifically restricted by State law or by City ordinance or resolution, and the transfer of any sums between funds which are more than \$10,000 shall be made upon approval by the City Manager and Council, be, and hereby are, approved and authorized.

SECTION 4

The City Manager, City Clerk, City Attorney, or their duly authorized officers and agents are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this Resolution.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 23rd DAY OF JULY 2020.

Frederick W. Mueller, II
Mayor

ATTEST:

APPROVED AS TO FORM:

Jill Adams
City Clerk

Nathan Williams
City Attorney

PREPARED BY:
Jen Osburn, Interim Budget Officer

OFFICIAL BUDGET FORMS

CITY OF SIERRA VISTA

Fiscal Year 2021

CITY OF SIERRA VISTA
Summary Schedule of Estimated Revenues and Expenditures/Expenses
Fiscal Year 2021

Fiscal Year	S c h	FUNDS								
		General Fund	Special Revenue Fund	Debt Service Fund	Capital Projects Fund	Permanent Fund	Enterprise Funds Available	Internal Service Funds	Total All Funds	
2020	Adopted/Adjusted Budgeted Expenditures/Expenses*	E 1	39,375,859	18,550,512	3,471,300	13,905,595	0	10,506,008	4,559,500	90,368,774
2020	Actual Expenditures/Expenses**	E 2	32,651,232	8,238,369	2,535,206	12,710,058	0	6,425,688	3,015,389	65,575,942
2021	Fund Balance/Net Position at July 1***			2,335,829		3,421,416		1,918,316	25,000	7,700,561
2021	Primary Property Tax Levy	B 4	372,034							372,034
2021	Secondary Property Tax Levy	B 5								0
2021	Estimated Revenues Other than Property Taxes	C 6	38,545,002	21,502,575	0	4,654,880	0	8,278,077	4,534,500	77,515,034
2021	Other Financing Sources	D 7	0	99,000	0	0	0	1,062,000	0	1,161,000
2021	Other Financing (Uses)	D 8	0	0	0	0	0	0	0	0
2021	Interfund Transfers In	D 9	1,720,862	598,697	3,925,794	0	0	0	0	6,245,353
2021	Interfund Transfers (Out)	D 10	194,057	0	0	6,051,296	0	0	0	6,245,353
2021	Reduction for Amounts Not Available:									
LESS:	Amounts for Future Debt Retirement:									0
	Future Capital Projects									0
	Maintained Fund Balance for Financial Stability									0
										0
										0
2021	Total Financial Resources Available		40,443,841	24,536,101	3,925,794	2,025,000	0	11,258,393	4,559,500	86,748,629
2021	Budgeted Expenditures/Expenses	E 13	40,443,841	24,536,101	3,925,794	2,025,000	0	11,258,393	4,559,500	86,748,629

EXPENDITURE LIMITATION COMPARISON

- 1 Budgeted expenditures/expenses
- 2 Add/subtract: estimated net reconciling items
- 3 Budgeted expenditures/expenses adjusted for reconciling items
- 4 Less: estimated exclusions
- 5 Amount subject to the expenditure limitation
- 6 EEC expenditure limitation

	2020	2021
1	\$ 90,368,774	\$ 86,748,629
2		
3	90,368,774	86,748,629
4		
5	\$ 90,368,774	\$ 86,748,629
6	\$	\$

The city/town does not levy property taxes and does not have special assessment districts for which property taxes are levied. Therefore, Schedule B has been omitted.

* Includes Expenditure/Expense Adjustments Approved in the current year from Schedule E.

** Includes actual amounts as of the date the proposed budget was prepared, adjusted for estimated activity for the remainder of the fiscal year.

*** Amounts on this line represent Fund Balance/Net Position amounts except for amounts not in spendable form (e.g., prepaids and inventories) or legally or contractually required to be maintained intact (e.g., principal of a permanent fund).

CITY OF SIERRA VISTA
Tax Levy and Tax Rate Information
Fiscal Year 2021

	2020	2021
1. Maximum allowable primary property tax levy. A.R.S. §42-17051(A)	\$ <u>585,115</u>	\$ <u>604,109</u>
2. Amount received from primary property taxation in the current year in excess of the sum of that year's maximum allowable primary property tax levy. A.R.S. §42-17102(A)(18)	\$ _____	
3. Property tax levy amounts		
A. Primary property taxes	\$ <u>368,260</u>	\$ <u>372,034</u>
B. Secondary property taxes		
C. Total property tax levy amounts	\$ <u>368,260</u>	\$ <u>372,034</u>
4. Property taxes collected*		
A. Primary property taxes		
(1) Current year's levy	\$ <u>346,351</u>	
(2) Prior years' levies		
(3) Total primary property taxes	\$ <u>346,351</u>	
B. Secondary property taxes		
(1) Current year's levy	\$ _____	
(2) Prior years' levies	\$ _____	
(3) Total secondary property taxes	\$ _____	
C. Total property taxes collected	\$ <u>346,351</u>	
5. Property tax rates		
A. City/Town tax rate		
(1) Primary property tax rate	<u>0.1124</u>	<u>0.1106</u>
(2) Secondary property tax rate	<u> </u>	<u> </u>
(3) Total city/town tax rate	<u>0.1124</u>	<u>0.1106</u>
B. Special assessment district tax rates		
Secondary property tax rates - As of the date the proposed budget was prepared, the city/town was operating <u>zero</u> special assessment districts for which secondary property taxes are levied. For information pertaining to these special assessment districts and their tax rates, please contact the city/town.		

* Includes actual property taxes collected as of the date the proposed budget was prepared, plus estimated property tax collections for the remainder of the fiscal year.

CITY OF SIERRA VISTA
Revenues Other Than Property Taxes
Fiscal Year 2021

SOURCE OF REVENUES	ESTIMATED REVENUES 2020	ACTUAL REVENUES* 2020	ESTIMATED REVENUES 2021
GENERAL FUND			
Local taxes			
Transaction Privilege Tax	\$ 15,439,593	\$ 13,739,135	\$ 15,439,593
Licenses and permits			
Franchise Fees	1,350,000	1,378,749	1,400,000
Business Licenses	145,000	141,051	145,000
Animal Control Permits	35,000	34,371	35,000
Right of Way Permits	20,000	18,119	20,000
Building Permits	275,000	320,096	275,000
Intergovernmental			
Grants	353,488	41,649	3,054,840
Local Government Payments	1,014,452	884,463	1,053,193
State Shared Sales Tax	4,419,343	4,199,630	3,902,096
State Shared Vehicle License Tax	2,250,000	2,028,387	2,150,000
Urban Revenue Sharing	5,566,139	5,744,149	6,151,732
Charges for services			
General Government	116,000	89,796	95,760
Public Safety	2,090,000	2,167,086	2,120,000
Public Works	1,432,880	1,018,131	1,376,500
Leisure & Library	1,253,691	694,969	679,872
Community Development	25,000	13,046	28,500
Fines and forfeits			
Library	18,000	10,863	18,000
Interest on investments			
Investment Income	20,000	44,906	20,000
In-lieu property taxes			
Contributions			
Voluntary contributions	41,500	1,570	42,000
Miscellaneous			
Misc. Revenue	341,253	190,080	467,916
Sale of Fixed Assets	70,000	22,810	70,000
Total General Fund	\$ 36,276,339	\$ 32,783,056	\$ 38,545,002

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

CITY OF SIERRA VISTA
Revenues Other Than Property Taxes
Fiscal Year 2021

SOURCE OF REVENUES	ESTIMATED REVENUES 2020	ACTUAL REVENUES* 2020	ESTIMATED REVENUES 2021
SPECIAL REVENUE FUNDS	revenue	actuals	2,021
Highway User Revenue			
State Shared Revenue	\$ 3,872,802	\$ 3,762,405	\$ 3,475,000
Grants	3,718,755	85,995	956,398
Local Government Payments	15,000	126,059	3,247,540
Investment Income		1,286	
Misc.	10,000	26,280	
	\$ 7,616,557	\$ 4,002,025	\$ 7,678,938
Local Transportation Assistance			
Grants	\$ 1,003,529	\$ 464,900	\$ 1,395,466
Fares	114,000	59,140	100,000
Lease Revenue	19,200	20,210	19,200
Misc.	1,000	274	1,000
Sale of Fixed Assets		10,403	
	\$ 1,137,729	\$ 554,927	\$ 1,515,666
Police Special Revenue			
Police Special Revenue	\$ 125,000	\$ 52,256	\$ 125,000
	\$ 125,000	\$ 52,256	\$ 125,000
Grants			
Grants	\$ 3,170,971	\$ 238,801	\$ 6,329,465
	\$ 3,170,971	\$ 238,801	\$ 6,329,465
Tourism			
Tourism	\$	\$	\$
	\$	\$	\$
Airport			
Grants	\$ 82,500	\$	\$ 1,098,595
Fuel Sales	685,000	969,134	685,000
Lease Revenue	211,000	200,613	190,000
Misc.	5,000	1,617	
	\$ 983,500	\$ 1,171,364	\$ 1,973,595
Judicial Enhancement			
Fines	\$ 100	\$ 5	\$ 10
	\$ 100	\$ 5	\$ 10
Donations			
Contributions	\$ 21,335	\$ 130,631	\$ 21,335
	\$ 21,335	\$ 130,631	\$ 21,335
Park Development			
Development Impact Fees	\$	\$	\$ 150,000
	\$	\$	\$ 150,000
Library Development			
Development Impact Fees	\$	\$	\$
	\$	\$	\$
Police Development			
Development Impact Fees	\$	\$	\$ 45,000
	\$	\$	\$ 45,000
Infrastructure Development			
Development Impact Fees	\$	\$	\$ 150,000
	\$	\$	\$ 150,000
Fire Development			
Development Impact Fees	\$	\$	\$ 45,000
	\$	\$	\$ 45,000
SEACOM			
SEACOM	\$ 2,469,372	\$ 1,015,848	\$ 2,633,965
	\$ 2,469,372	\$ 1,015,848	\$ 2,633,965
Metropolitan Planning Organization			
Grants	\$ 546,508	\$ 114,554	\$ 775,007

CITY OF SIERRA VISTA
Revenues Other Than Property Taxes
Fiscal Year 2021

SOURCE OF REVENUES	ESTIMATED REVENUES 2020	ACTUAL REVENUES* 2020	ESTIMATED REVENUES 2021
Local Government Payments	107,312	22,929	59,594
	\$ <u>653,820</u>	\$ <u>137,483</u>	\$ <u>834,601</u>
Total Special Revenue Funds	\$ <u>16,178,384</u>	\$ <u>7,303,340</u>	\$ <u>21,502,575</u>

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

CITY OF SIERRA VISTA
Revenues Other Than Property Taxes
Fiscal Year 2021

SOURCE OF REVENUES	ESTIMATED REVENUES 2020	ACTUAL REVENUES* 2020	ESTIMATED REVENUES 2021
DEBT SERVICE FUNDS			
N/A	\$ _____	\$ _____	\$ _____
	\$ _____	\$ _____	\$ _____
Total Debt Service Funds	\$ _____	\$ _____	\$ _____
CAPITAL PROJECTS FUNDS			
Transaction Privilege Tax	\$ 4,154,880	\$ 3,695,612	\$ 4,154,880
Misc.	500,000		500,000
Federal Grants	177,488	154,872	
	\$ 4,832,368	\$ 3,850,484	\$ 4,654,880
Total Capital Projects Funds	\$ 4,832,368	\$ 3,850,484	\$ 4,654,880

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

CITY OF SIERRA VISTA
Revenues Other Than Property Taxes
Fiscal Year 2021

SOURCE OF REVENUES	ESTIMATED REVENUES 2020	ACTUAL REVENUES* 2020	ESTIMATED REVENUES 2021
PERMANENT FUNDS			
N/A	\$ _____	\$ _____	\$ _____
	\$ _____	\$ _____	\$ _____
Total Permanent Funds	\$ _____	\$ _____	\$ _____
ENTERPRISE FUNDS			
Sewer			
Charges for Service	\$ 3,735,493	\$ 3,772,544	\$ 3,734,493
Grants	_____	_____	_____
Capital Contributions	500,000	_____	175,000
Misc.	100,000	103,207	100,000
	\$ 4,335,493	\$ 3,875,751	\$ 4,009,493
Refuse			
Charges for Service	\$ 4,005,776	\$ 4,321,234	\$ 4,263,584
Interest	_____	_____	_____
Misc.	5,000	10,659	5,000
	\$ 4,010,776	\$ 4,331,893	\$ 4,268,584
Total Enterprise Funds	\$ 8,346,269	\$ 8,207,644	\$ 8,278,077

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

CITY OF SIERRA VISTA
Revenues Other Than Property Taxes
Fiscal Year 2021

SOURCE OF REVENUES	ESTIMATED REVENUES 2020	ACTUAL REVENUES* 2020	ESTIMATED REVENUES 2021
INTERNAL SERVICE FUNDS			
Health & Accident			
Premiums	\$ 4,409,500	\$ 2,325,742	\$ 4,409,500
Interest	25,000	50,343	25,000
Misc.		147,383	
	\$ 4,434,500	\$ 2,523,468	\$ 4,434,500
Self Insured Retention			
Misc.	\$ 100,000	\$ 15,954	\$ 100,000
	\$ 100,000	\$ 15,954	\$ 100,000
Total Internal Service Funds	\$ 4,534,500	\$ 2,539,422	\$ 4,534,500
TOTAL ALL FUNDS	<u>\$ 70,167,860</u>	<u>\$ 54,683,946</u>	<u>\$ 77,515,034</u>

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

CITY OF SIERRA VISTA
Other Financing Sources/(Uses) and Interfund Transfers
Fiscal Year 2021

FUND	OTHER FINANCING 2021		INTERFUND TRANSFERS 2021	
	SOURCES	(USES)	IN	(OUT)
GENERAL FUND				
Notes Payable	\$	\$	\$	\$
Interfund Transfers			1,720,862	194,057
Total General Fund	\$	\$	\$ 1,720,862	\$ 194,057
SPECIAL REVENUE FUNDS				
HURF	\$ 99,000	\$	\$	\$
LTAF			108,000	
Grants			6,057	
Airport				
Park Development			404,640	
Library Development				
Police Development			15,000	
Infrastructure Development			50,000	
Fire Development			15,000	
Police Special Revenue				
Metropolitan Planning Organization				
Total Special Revenue Funds	\$ 99,000	\$	\$ 598,697	\$
DEBT SERVICE FUNDS				
SVMPC I&R	\$	\$	\$ 3,925,794	\$
Total Debt Service Funds	\$	\$	\$ 3,925,794	\$
CAPITAL PROJECTS FUNDS				
Capital Improvements	\$	\$	\$	\$ 6,051,296
Total Capital Projects Funds	\$	\$	\$	\$ 6,051,296
PERMANENT FUNDS				
N/A	\$	\$	\$	\$
Total Permanent Funds	\$	\$	\$	\$
ENTERPRISE FUNDS				
Sewer	\$ 468,000	\$	\$	\$
Refuse	594,000			
Total Enterprise Funds	\$ 1,062,000	\$	\$	\$
INTERNAL SERVICE FUNDS				
Unemployment	\$	\$	\$	\$
Total Internal Service Funds	\$	\$	\$	\$
TOTAL ALL FUNDS	\$ 1,161,000	\$	\$ 6,245,353	\$ 6,245,353

CITY OF SIERRA VISTA
Expenditures/Expenses by Fund
Fiscal Year 2021

FUND/DEPARTMENT	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2020	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2020	ACTUAL EXPENDITURES/ EXPENSES* 2020	BUDGETED EXPENDITURES/ EXPENSES 2021
GENERAL FUND				
City Council	\$ 104,403	\$	\$ 92,521	\$ 103,959
Administrative Services	2,944,783		2,448,612	3,447,200
City Manager	2,596,849		2,186,931	2,576,605
Legal	306,171		273,809	316,559
General Government	834,007		659,011	822,631
Police	11,828,157		9,760,060	13,054,499
Fire	9,202,140		6,981,015	7,836,469
Public Works	5,551,048		5,409,720	5,661,633
Leisure & Library Services	4,787,525		3,776,759	5,427,354
Community Development	938,898		780,915	915,052
Debt	281,878		281,879	281,880
Total General Fund	\$ 39,375,859	\$	\$ 32,651,232	\$ 40,443,841
SPECIAL REVENUE FUNDS				
HURF	\$ 8,316,557	\$	\$ 3,769,441	\$ 9,197,970
LTAf	1,691,331		1,051,947	1,623,666
Police Special Revenue	319,500		101,051	319,500
Grants	3,188,093		326,487	6,344,851
Tourism				
Judicial Enhancement	300			300
Airport	1,166,919		898,053	2,799,865
Donations	617,990		194,531	654,753
Park Development	126,630		126,630	126,630
Library Development				
Police Development				
Infrastructure Development				
Fire Development				
SEACOM	2,469,372		1,570,187	2,633,965
Metropolitan Planning Org	653,820		200,042	834,601
Total Special Revenue Funds	\$ 18,550,512	\$	\$ 8,238,369	\$ 24,536,101
DEBT SERVICE FUNDS				
SVMPC I&R	\$ 3,471,300	\$	\$ 2,535,206	\$ 3,925,794
Total Debt Service Funds	\$ 3,471,300	\$	\$ 2,535,206	\$ 3,925,794
CAPITAL PROJECTS FUNDS				
Capital Improvements	\$ 13,905,595	\$	\$ 12,710,058	\$ 2,025,000
Total Capital Projects Funds	\$ 13,905,595	\$	\$ 12,710,058	\$ 2,025,000
PERMANENT FUNDS				
	\$	\$	\$	\$
Total Permanent Funds	\$	\$	\$	\$
ENTERPRISE FUNDS				
Sewer	\$ 5,562,712	\$	\$ 2,771,740	\$ 5,820,765
Refuse	4,943,296		3,653,948	5,437,628
Total Enterprise Funds	\$ 10,506,008	\$	\$ 6,425,688	\$ 11,258,393
INTERNAL SERVICE FUNDS				
Health & Accident	\$ 4,434,500	\$	\$ 2,984,668	\$ 4,434,500
Unemployment	25,000		1,685	25,000
Self Insured Retention	100,000		29,036	100,000
Total Internal Service Funds	\$ 4,559,500	\$	\$ 3,015,389	\$ 4,559,500
TOTAL ALL FUNDS	\$ 90,368,774	\$	\$ 65,575,942	\$ 86,748,629

* Includes actual expenditures/expenses recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated expenditures/expenses for the remainder of the fiscal year.

**CITY OF SIERRA VISTA
Expenditures/Expenses by Department
Fiscal Year 2021**

**ADOPTED
BUDGETED
EXPENDITURES/
EXPENSES**

**EXPENDITURE/
EXPENSE
ADJUSTMENTS
APPROVED**

**ACTUAL
EXPENDITURES/
EXPENSES***

**BUDGETED
EXPENDITURES/
EXPENSES**

DEPARTMENT/FUND	2020	2020	2020	2021
City Council				
General Fund	\$ 104,403	\$	\$ 92,521	\$ 103,959
Sewer	13,050		13,050	12,996
Refuse	13,050		13,050	12,996
Donations	13,035		16,826	13,035
Department Total	\$ 143,538	\$	\$ 135,447	\$ 142,986
Administrative Services				
General Fund	\$ 2,944,783	\$	\$ 2,448,612	\$ 3,447,200
Capital Improvements				
Sewer	406,691		406,691	369,701
Refuse	424,445		424,445	383,958
HURF	44,259		44,259	
Department Total	\$ 3,820,178	\$	\$ 3,324,007	\$ 4,200,859
City Manager				
General Fund	\$ 2,596,849	\$	\$ 2,186,931	\$ 2,576,605
Donations	545			545
Grants	415,140		38,465	547,325
Tourism				
Sewer	341,103		341,103	337,324
Refuse	311,264		311,264	308,380
Department Total	\$ 3,664,901	\$	\$ 2,877,763	\$ 3,770,179
Legal				
General Fund	\$ 306,171	\$	\$ 273,809	\$ 316,559
Judicial Enhancement	300			300
Department Total	\$ 306,471	\$	\$ 273,809	\$ 316,859
General Government				
General Fund	\$ 834,007	\$	\$ 659,011	\$ 822,631
HURF	55,600		55,600	54,842
Sewer	111,201		111,201	109,684
Refuse	111,201		111,201	109,684
Health & Accident	4,434,500		2,984,668	4,434,500
Unemployment	25,000		1,685	25,000
Self Insured Retention	100,000		29,036	100,000
Department Total	\$ 5,671,509	\$	\$ 3,952,402	\$ 5,656,341
Police				
General Fund	\$ 11,828,157	\$	\$ 9,760,060	\$ 13,054,499
Police Special Revenue	319,500		101,051	319,500
Capital Improvements Fund				
Grants	35,829		14,381	65,329
Donations	387,865		112,671	362,131
Police Development Fee				
Department Total	\$ 12,571,351	\$	\$ 9,988,163	\$ 13,801,459
Fire				
General Fund	\$ 9,202,140	\$	\$ 6,981,015	\$ 7,836,469
Grants	1,042,553		14,608	582,000
Donations	5,150		1,077	5,150
Fire Development Fee				
Department Total	\$ 10,249,843	\$	\$ 6,996,700	\$ 8,423,619

Public Works

General Fund	\$ 5,551,048	\$	\$ 5,409,720	5,661,633
HURF	8,136,791		3,589,675	9,063,220
LTAF	1,691,331		1,051,947	1,623,666
Grants				4,000,000
Airport	1,091,572		822,707	2,724,518
Capital Improvements	3,141,071		1,169,325	525,000
Sewer	3,740,796		1,773,296	3,918,192
Refuse	3,781,389		2,771,481	4,320,663
Donations			187	
Park Development				
Infrastructure Development				
Metropolitan Planning Org	653,820		200,042	834,601
Department Total	\$ 27,787,818	\$	\$ 16,788,380	\$ 32,671,493

Leisure & Library

General Fund	\$ 4,787,525	\$	\$ 3,776,759	\$ 5,427,354
Grants	1,536,466		141,325	981,300
Capital Improvements	10,514,524		11,540,733	1,500,000
SVMPC Construction				
Donations	203,310		61,857	265,807
Library Development				
Department Total	\$ 17,041,825	\$	\$ 15,520,674	\$ 8,174,461

Community Development

General Fund	\$ 938,898	\$	\$ 780,915	\$ 915,052
Grants	158,105		117,708	168,897
Capital Improvements Fund				
Donations	8,085		1,913	8,085
Department Total	\$ 1,105,088	\$	\$ 900,536	\$ 1,092,034

Debt

General Fund	\$ 281,878	\$	\$ 281,879	\$ 281,880
HURF	79,907		79,907	79,908
Airport	75,347		75,346	75,347
Park Development	126,630		126,630	126,630
SVMPC I&R	3,471,300		2,535,206	3,925,794
Capital Improvements	250,000			
Sewer	949,871		126,399	1,072,868
Refuse	301,947		22,507	301,947
Department Total	\$ 5,536,880	\$	\$ 3,247,874	\$ 5,864,374

SEACOM

Department Total	\$ 2,469,372	\$	\$ 1,570,187	\$ 2,633,965
Department Total	\$ 90,368,774	\$	\$ 65,575,942	\$ 86,748,629

CITY OF SIERRA VISTA
Full-Time Employees and Personnel Compensation
Fiscal Year 2021

FUND	Full-Time Equivalent (FTE) 2021	Employee Salaries and Hourly Costs 2021	Retirement Costs 2021	Healthcare Costs 2021	Other Benefit Costs 2021	Total Estimated Personnel Compensation 2021
GENERAL FUND	319	\$ 18,193,426	\$ 6,557,228	\$ 2,978,811	\$ 1,884,615	\$ 29,614,080
SPECIAL REVENUE FUNDS						
HURF	18	\$ 1,084,276	\$ 87,079	\$ 139,787	\$ 110,744	\$ 1,421,886
LTAF	10	481,226	50,773	91,879	61,063	684,941
Airport	2	55,025	4,237	8,578	5,178	73,018
Metropolitan Planning Org	1	114,093	9,605	7,346	8,888	139,932
Total Special Revenue Funds	31	\$ 1,734,620	\$ 151,694	\$ 247,590	\$ 185,873	\$ 2,319,777
DEBT SERVICE FUNDS						
N/A		\$	\$	\$	\$	\$
Total Debt Service Funds		\$	\$	\$	\$	\$
CAPITAL PROJECTS FUNDS						
N/A		\$	\$	\$	\$	\$
Total Capital Projects Funds		\$	\$	\$	\$	\$
PERMANENT FUNDS						
N/A		\$	\$	\$	\$	\$
Total Permanent Funds		\$	\$	\$	\$	\$
ENTERPRISE FUNDS						
Sewer	12	\$ 1,366,275	\$ 63,296	\$ 90,266	\$ 65,431	\$ 1,585,268
Refuse	17	1,436,597	81,270	119,294	87,416	1,724,577
Total Enterprise Funds	29	\$ 2,802,872	\$ 144,566	\$ 209,560	\$ 152,847	\$ 3,309,845
INTERNAL SERVICE FUND						
N/A		\$	\$	\$	\$	\$
Total Internal Service Fund		\$	\$	\$	\$	\$
TOTAL ALL FUNDS	379	\$ 22,730,918	\$ 6,853,488	\$ 3,435,961	\$ 2,223,335	\$ 35,243,702



Sierra Vista City Council
Meeting Minutes
July 9, 2020

Mayor Mueller called the July 9, 2020 City Council Meeting to order at 5:00 p.m., Council Chambers, City Hall, 1011 N. Coronado Drive, Sierra Vista, AZ

Roll Call:

Mayor Rick Mueller – present
Mayor Pro Tem Rachel Gray – present
Council Member William Benning – present
Council Member Gwen Calhoun – present
Council Member Sarah Pacheco – absent
Council Member Carolyn Umphrey - present
Council Member Kristine Wolfe – present

Others Present:

Chuck Potucek, City Manager
Victoria Yarbrough, Assistant City Manager
Adam Thrasher, Police Chief
Matt McLachlan, Community Development Director
Blake Fisher, Planner
Nathan Williams, City Attorney
Jill Adams, City Clerk

Invocation - Pastor Randy Youngblood Thunder Mountain Church, conducted the invocation.

Pledge of Allegiance – Council Member Umphrey led the Pledge of Allegiance.

Item 1 Acceptance of the Agenda

Council Member Benning moved that the Agenda for the Regular City Council Meeting of July 9, 2020 be approved as written. Mayor Pro Tem Gray seconded the motion. The motion passed by a 5/0 vote of Mayor Mueller, Mayor Pro Tem Gray, Council Members Benning, Umphrey, Wolfe, and Calhoun.

City Manager's Report: Mr. Potucek announced that the next scheduled City Council Work Session will be held on July 14, 2020 at 3:00 p.m. in Council Chambers that will feature a presentation by Police Chief Thrasher on the Police Department's procedures with possible discussion by Council. The next regularly scheduled work session will be held on July 21, 2020 at 3:00 p.m. in Council Chambers followed by the next regularly scheduled Council Meeting on July 23, 2020 at 5:00 p.m. in Council Chambers. Quotes are due July 9, 2020 for the Rothery Center Survey for the land acquisition and the school land acquisition contract has been signed for the purchase price of \$981,000, the appraised value. Lastly, he reported that during the last Council Work Session, the audio-visual system stopped working and the process for a new one

has been expedited. The contract has been awarded for a cost of \$113,846 that was in the budget.

Mayor Pro Tem Gray asked on the projected closing date on the Rothery Center property. Mr. Potucek stated that there is no date yet because all the paperwork has not yet been processed, but he imagines that once the survey is done, it should be done by next month.

Item 2 Consent Agenda

Item 2.1 Approval of the City Council Regular Meeting Minutes of June 25, 2020

Item 2.2 Approval of the City Council Special Meeting Minutes of June 26, 2020

Item 2.3 Resolution 2020-041, Acceptance of a revised Ingress/Egress/Utility Easement, Plaza De Colibri Subdivision

Item 2.4 Resolution 2020-042, Pre-annexation Agreements for Parcel 106-71-201, 316 N 2nd Street and Parcel 106-71-200B, 314 N 2nd Street

Item 2.5 Resolution 2020-043, Pre-annexation Agreements for Parcel 106-70-097, 113 N 5th Street and Parcel 106-70-116A, 125 N 5th Street

Council Member Wolfe moved that the Consent Agenda consisting of the City Council Regular Meeting Minutes of June 25, 2020, City Council Special Meeting Minutes of June 26, 2020, Resolution 2020-041, acceptance of a revised Ingress/Egress/Utility Easement, Plaza De Colibri Subdivision, Resolution 2020-042, Pre-annexation Agreements for Parcel 106-71-201, 316 N 2nd Street and Parcel 106-71-200B, 314 N 2nd Street, and Resolution 2020-043, Pre-annexation Agreements for Parcel 106-70-097, 113 N 5th Street and Parcel 106-70-116A, 125 N 5th Street, be approved. Council Member Benning seconded the motion. The motion passed by a 5/0 vote of Mayor Mueller, Mayor Pro Tem Gray, Council Members Benning, Umphrey, Wolfe, and Calhoun.

Public Hearing(s)

Item 3 Resolution 2020-044, Approval of Big O Tires Annexation

Mayor Pro Tem Gray moved that Resolution 2020-044, authorizing staff to proceed with the collecting of signatures for the annexation of the subject property, Big O Tires annexation, be approved. Council Member Benning seconded the motion.

Mr. Fisher stated that on September 12, 2019, the City did a pre-annexation agreement with Big O Tires in exchange for the construction and financing of additional access off Avenida Cochise. The decision was in line in line with ongoing annexation policy, which targets County enclaves like Big O Tires. During the completion of the driveway access, staff proceeded with the filing of a blank petition for annexation with the Cochise County Recorder on June 12, 2020. The decision to proceed with the signing of the blank petition may be decided by City Council, which, if approved, can be done upon the end of the 30-day filing period after July 12, 2020.

If annexed, the property zoning would change from the County's General Business designation to the City's General Commercial zoning and the property owners would then contribute property tax, sales tax, and license fee revenues to the City. Service costs i.e. police service should be minimal as this is a single parcel already surrounded by City right of way and there are no more proposed infrastructure improvements.

The motion passed by a 5/0 vote of Mayor Mueller, Mayor Pro Tem Gray, Council Members Benning, Umphrey, Wolfe, and Calhoun.

Call to the Public

Mayor stated that he received an email from Ms. Crandle, who has asked that her comments be placed into the record. There was no objection by Council.

Taylor Benning thanked Council and Mayor for everything they do for the City, and wished a Happy Birthday to Councilman Benning, the greatest father, and Council Member. She also wished an early Happy Birthday to Council Member Wolfe.

The following people voiced their support for the Sierra Vista Police Department, requested that they be allowed to maintain the tools that they need, shared their experiences/news, police transformation/de-escalation training and stereotypes: Kale Kiyabu, Richard Prew, and Jacqueline Moran.

Donna O'Daniel read quotes from a newspaper article and voiced her resentment at Council Member Wolfe for mischaracterizing her and leading others to believe that she does not care about the death of George Floyd. She asked for a public apology and a correction to be written in the Herald Newspaper. Lastly, she spoke about George Floyd's death, rioting and civilian police review boards.

Steven Odle and Ann Ghent relayed their personal experiences and voiced their opposition to the Executive Order mandating masks to be worn.

Michael De Carlo voiced his appreciation to everyone who came forth to speak, talked about accountability and praised Council Member Wolfe for requesting numbers from the County regarding the Court Services.

Comments and Requests of the Council

Council Member Umphrey wished Council Member Benning a Happy Birthday, thanked everyone that came out to speak to Council, and offered condolences to Rob Hinderer's family, who will be greatly missed.

Council Member Benning wished Council Member Wolfe and Council Member Pacheco's husband a Happy Birthday, reported on the meeting of the Sierra Vista Unified School District No. 68, where the land sale was approved, a win-win for both the City and the School District. He congratulated the candidates for the upcoming City Council Elections, Mayor Pro Tem Gray, Angelica Landry, and Mathew Haupt. He thanked everyone that came out to speak to Council, reported on his personal experience regarding the Black Lives Matter March and the protest that took place at City Hall on a Sunday. He noted that he listens to everyone and apologized for his angry comments about social media during the last Council Meeting. Lastly, he stated that personal agendas should not change Sierra Vista - communication needs to take place as well as listening to each other.

Council Member Wolfe offered condolences to Rob Hinderer's family. She stated that she was misquoted and has been asked for an apology; therefore, she apologized because she has not been clear in what she has been trying to say. She stated that she finds it offensive that people

do not care that people are dying due to police brutality nor they care about one man's life. Lastly, she stated that black lives matter.

Council Member Calhoun stated that those that spoke before her have said everything that she would have said and therefore, she had nothing to add.

Mayor Pro Tem Gray had nothing to report.

Mayor Mueller thanked everyone for coming out and exercising their right to address Council and Council needs to listen/hear from people. He noted that some of the decisions are extremely difficult and they will be difficult until such a time as there is a vaccine for the virus. Everyone must struggle through this together and listen and care for each other. He announced that heat warnings are forthcoming about the next several days and encouraged people to pace themselves, stay indoors and if they are outside, to drink water, "if you are thirsty, you are already a quart low."

Adjournment

Mayor Mueller adjourned the July 9, 2020 meeting of the Sierra Vista City Council at 6:00 p.m.

Frederick W. Mueller, Mayor

Minutes prepared by:

Attest:

Maria G. Marsh, Deputy Clerk

Jill Adams, City Clerk

July 23, 2020

MEMORANDUM TO: Honorable Mayor and City Council

THROUGH: Charles P. Potucek, City Manager
Victoria Yarbrough, Assistant City Manager
Matt McLachlan, AICP, C.D. Director

FROM: Blake Fisher, Planner I

SUBJECT: Big O Tires Annexation -
Ordinance 2020-005, Annexation Acceptance

RECOMMENDATION:

The Director of Community Development recommends approval.
The City Manager recommends approval.
The Assistant City Manager recommends approval.

INITIATED BY:

Cochise Roadworks LLC
1988 S Highway 92
Sierra Vista, AZ 85635

BACKGROUND:

In 2008, the City Council adopted an annexation policy and map to guide future decisions on changes to the City's corporate boundary. The goal of the policy is "to provide for an effective distribution of City services and the incorporation of quality, urban development standards. Further, a priority of the policy is the long-term elimination of the County Enclave areas."

As depicted on the Long Term Annexation Map, the City's annexation policy established "proactive annexation areas" and "other annexation areas". The proactive annexation areas are those areas that the City will actively pursue annexation. They are characterized as "undeveloped land" and "county enclave areas". These areas provide the greatest strategic benefit to the City, such as economic benefits and connectivity to existing City areas, which allows for the logical extension of City services.

On September 12th, 2019, the City of Sierra Vista agreed to construct and finance a driveway access located within the Avenida Cochise right-of-way for Big O Tires (located at 1988 S Highway 92, APN # 105-16-013). The driveway was to provide access from the subject property to Avenida Cochise. In return, the owner, Cochise Roadworks LLC, agreed to sign a pre-annexation agreement for the property. This decision was in line with ongoing annexation policy, which targets County Enclaves like Big O Tires.

Noting the completion of the driveway access, staff proceeded with the filing of a blank petition with the Cochise County Recorder's Office on June 12th. The decision to proceed with the signing of the blank petition was approved by City Council on July 9th.

Utilizing the signature ascertained from the pre-annexation agreement, the blank petition is now technically signed and ready for acceptance into ordinance. If the annexation is accepted, and recorded with the Cochise County Recorder's Office, a 30-day challenge period will begin. Following this challenge period, the annexation will officially take effect.

PROPERTY INFORMATION:

The background information being provided for this annexation is for the property in its current condition.

Existing Land Use Plan

Land Use Map 2 of the VISTA 2030 identifies this property as Commercial.

Existing zoning and its equivalent in the City

Cochise County currently has the property zoned as GB (General Business). The equivalent City zone is GC (General Commercial).

Existing Traffic Plan

The property's original sole access point was from Highway 92 (a principal arterial road) via the property to the north. An additional access was constructed off of Avenida Cochise (a minor arterial road).

Existing Surface Water Plan

The property does not contain or is adjacent to a flood hazard zone. Drainage is directed to a rip-rap basin along the edge of the parking lot.

Existing Parks Plan

The closest park to this location is the County Club Park located at 2396 Cherry Hills Drive. Numerous multiuse paths are within walking distance of, but not directly adjacent to, this location.

Existing Sewer Plan

There is a 12-inch sewer line to the south on Avenida Cochise.

Are there any agreements or outstanding issues with the county concerning the property?

No.

Are there any agreements made with the city regarding the property?

There is a pre-annexation agreement that was granted in exchange for financial and labor support with the construction of an Avenida Cochise-based access to the property.

FISCAL IMPACT ANALYSIS

This property will add property tax, sales tax, and license fee revenues to the City however, this will also add service costs (i.e. police services). Service costs

should be minimal as this is a single parcel already surrounded by City right of way and there are no more proposed infrastructure improvements. Estimates have shown revenue from annexation are expected to exceed initial investment costs of constructing the driveway access.

Annexing properties in the enclave areas is in line with the current Annexation Policy.

ORDINANCE 2020-005

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARTICLE 7, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO, BY ANNEXING THERETO CERTAIN TERRITORY CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF SIERRA VISTA, ARIZONA; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY. NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1

All that certain real property situated in the northern half of Section 12, Township 22 South, Range 20 East, of the Gila and Salt River Base and Meridian, Cochise County, Arizona, more particularly described as follows in Exhibit A, which contains approximately 0.94 acres (more or less), be and hereby is, annexed to the City of Sierra Vista, Arizona, and that the present corporate limits be and the same hereby are, extended and increased to include the described property included in Exhibit A.

SECTION 2

That the property described in Exhibit A shall be zoned to the City's zoning district that is the closest density to the County's zoning; the subject parcel currently zoned GB will have a zoning designation of General Commercial (GC). This designation shall be shown on the official Zoning Map as such until the property is rezoned.

SECTION 3

That a copy of this Ordinance, together with an accurate map of the territory hereby annexed to the City of Sierra Vista, certified by the Mayor of the City, be filed and recorded in the office of the County Recorder of Cochise County, Arizona.

SECTION 4

All other ordinances or parts of ordinances in conflict with this Ordinance, to the extent of such conflict and no further, are hereby repealed.

SECTION 5

Should any section, clause, or provision of this Ordinance be declared by the Courts to be invalid, such invalidity shall not affect other provisions, which can be given effect without the invalid provisions, to this end, the provisions of this Ordinance are declared to be severable.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 23RD DAY OF JULY 2020.

FREDERICK W. MUELLER
Mayor

Approved As To Form:

Attest:

NATHAN WILLIAMS
City Attorney

JILL ADAMS
City Clerk

Prepared By: Blake Fisher, Planner I

**LEGAL DESCRIPTION FOR CITY OF SIERRA VISTA
ANNEXATION BOUNDARY OF COMMERCIAL PROPERTY
1988 SOUTH HWY 92 (APN 105-16-013)
SIERRA VISTA, ARIZONA**

EXHIBIT A

PARCEL I:

That portion of the Northeast quarter of Section 12, Township 22 South, Range 20 East of the Gila and Salt River Base and Meridian, Cochise County, Arizona, more particularly described as follows:

COMMENCING at the East quarter corner of said Section 12 as monumented by a 2-inch brass cap marked LS 8208;

THENCE due West along the mid-section line of said Section 12, a distance of 100.00 feet to a point on the Westerly right of way line of State Highway 92 and the TRUE POINT OF BEGINNING;

THENCE due West along said mid-section line, a distance of 250.00 feet;

THENCE North 00 degrees 01 minutes 06 seconds West, a distance of 440.00 feet;

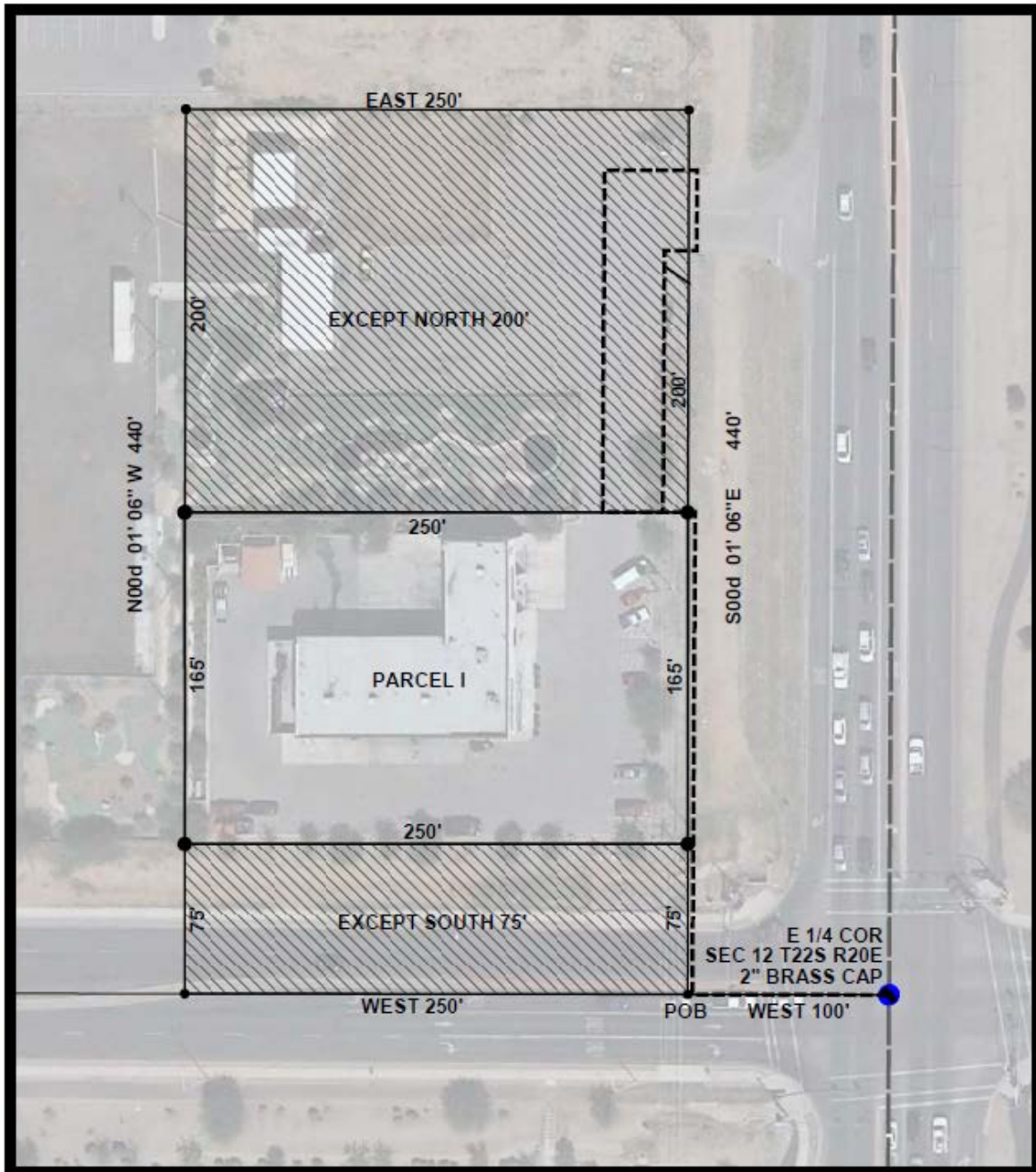
THENCE due East, a distance of 250.00 feet to a point on the Westerly right of way line of State Highway 92;

THENCE South 00 degrees 01 minutes 06 seconds East, a distance of 440.00 feet along said Westerly right of way line parallel to and 100.00 feet distance West from the Easterly section line of said Section 12 to the TRUE POINT OF BEGINNING;

EXCEPT the North 200.00 feet thereof;

AND EXCEPT the South 75 feet more particularly described in that certain document recorded July 1, 1998, Instrument no. 9807-19549;

AND ALSO EXCEPT an undivided one-half interest in and to all mineral, oil and gas rights as reserved in Deed recorded in Docket 943 at Pages 20, 24, and 28, records of Cochise County, Arizona.



105-16-013
Big "O" Tire
Annexation

This map is a product of the
City of Sierra Vista GIS



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This document is a graphic representation only of best available sources.
City of Sierra Vista assumes no responsibility for any errors.

July 15, 2020

Memorandum To: Mayor and City Council Members
Through: Charles P. Potucek, City Manager
From: Victoria Yarbrough, Assistant City Manager
Subject: REQUEST FOR AGENDA ITEM PLACEMENT
RESOLUTION 2020-048
Court Consolidation Agreement with Cochise
County

RECOMMENDATION:

The City Manager recommends approval.
The Assistant City Manager recommends approval.

BACKGROUND:

The City has had a successful partnership with Cochise County since 1990 to provide the operation of a consolidated court. Through IGAs, both elected bodies have given the County jurisdiction to hear all cases of the City Municipal Court within Justice Court Precinct #5, which serves Sierra Vista. The agreements specified that the County would serve as the City's municipal court in exchange for the County being the designated recipient of all fines and charges associated with citations issued within the community plus an additional \$99,500.

In 2010, the City and County approved an amendment to the agreement to permit incorporation of a municipal photo citation program as part of the City's traffic enforcement process into the financial arrangement for the court. This action amended the agreement through June 30, 2016 and adjusted the language to allow for an offset to the City's financial contribution for photo citation contracting expenses, which then ended due to the voter referendum of 2014.

In 2015, county administration revised the methodology for determining a community's fair share contribution toward the operation of a shared court. This methodology was applied until 2019.

The county determined that this methodology was applied inconsistently throughout consolidated court agreements in other communities. The last amendment to the agreement extended the consolidated court agreement for one year, until June 30, 2020, to give the county and other communities time to work together to develop a fair methodology to apply consistently to all communities with consolidated court agreements. The research and discussions are still in process, and so the proposed agreement extends for another year until June 30, 2021.

However, the proposed agreement replaces the previous agreement. Judge Conlogue reviewed the previous agreement and proposed changes to streamline it, namely by

stating that the municipal court is merged into and consolidated with the Sierra Vista Justice Court, Precinct Five, which shall then provide the services of a municipal court. References to the Sierra Vista Magistrate Court, and City Magistrate, are thereby removed as redundant. All other terms remain the same.

FINANCIAL IMPACT:

The City included \$161,000 in the FY2020-2021 fiscal year budget for court consolidation costs, split into \$100,000 for courts costs, plus \$61,000 for a part-time magistrate pro tem.

RESOLUTION 2020-0048

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; APPROVING AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH COCHISE COUNTY FOR COURT CONSOLIDATION THROUGH JUNE 30, 2021; AND AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY OR THEIR DULY AUTHORIZED OFFICERS AND AGENTS TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

WHEREAS, the City of Sierra Vista and Cochise County entered into an Intergovernmental Agreement for court/jail services originally in 1990, extended most recently in 2019; and

WHEREAS, that IGA expired on June 30, 2019, and the County desired time to develop a new methodology for determining a community's contribution toward the consolidated court that could be applicable to all such arrangements in Cochise County; and

WHEREAS, the City Council approved a one-year extension in June 2019; but additional time is needed to determine an appropriate methodology to apply to all court agreements within the county; and

WHEREAS, the consolidation of the City's municipal court with the Cochise County Justice Court has proven to be beneficial to both parties as well as area residents, and demonstrates a continued commitment to working in partnership to provide efficient and effective service to our residents; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, AS FOLLOWS:

SECTION 1

That the City Council policy of authorizing intergovernmental agreements for the common benefits of its citizens be, and hereby is, affirmed.

SECTION 2

The City of Sierra Vista hereby adopts the Intergovernmental Agreement regarding a consolidated court with Cochise County until June 30, 2021, under the terms and conditions specified in said IGA attached and made reference hereto.

SECTION 3

The City Manager, City Clerk, City Attorney, or their duly authorized officers and agents are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this Resolution.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 23rd DAY OF JULY 2020.

FREDERICK W. MUELLER
Mayor

ATTEST:

JILL ADAMS
City Clerk

APPROVED AS TO FORM:

NATHAN WILLIAMS
City Attorney

**COURT CONSOLIDATION AGREEMENT
BY AND BETWEEN
THE CITY OF SIERRA VISTA, ARIZONA
AND COCHISE COUNTY, ARIZONA**

THIS IS AN AGREEMENT, made and entered into by and between the County of Cochise, a body politic, [hereinafter "**COUNTY**"] and the City of Sierra Vista, a municipal corporation [hereinafter "**CITY**"] and is approved by the County Board of Supervisors, the City Mayor and Council, the Presiding Judge of the Superior Court in and for Cochise County, the Cochise County Attorney, and the Justice of the Peace for the Precinct of which the **CITY** is part, as authorized by the powers and authority granted by the laws of the State of Arizona.

RECITALS

WHEREAS, the **COUNTY** and the **CITY** are authorized to enter into this Intergovernmental Agreement pursuant to A.R.S. §11-951 *et seq.*

WHEREAS, the **CITY** enters this Agreement in lieu of establishing or maintaining a municipal court pursuant to A.R.S. §22-402(C).

WHEREAS, the **COUNTY** agrees to provide the services of a municipal court through the Sierra Vista Justice Court, Precinct Five as set forth in this Agreement.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

I. PURPOSE

The purpose of this Agreement is to define the duties of the Parties related to operation of the Consolidated Court.

II. LOCATION AND DESIGNATION

The municipal court is merged into and consolidated with the Sierra Vista Justice Court, Precinct Five. The Justice Court shall be located at 100 Colonia de Salud, Sierra Vista, AZ or other suitable location within the **CITY**. The Justice Court Identification Number shall be used for all purposes including any municipal court services performed under this Agreement.

The Sierra Vista Justice Court, Precinct Five, shall provide the services of a municipal court including exercising jurisdiction of all cases arising under the ordinances of the **CITY** pursuant to A.R.S. §11-402(C). The Justice Court shall assume all responsibilities and authority provided by A.R.S. Title 22, Chapter 4 which the **CITY** otherwise would have but for this Agreement.

III. DUTIES OF THE COUNTY

A. The COUNTY will operate the Justice Court and will also be responsible for the performance of the following related functions:

1. The prosecution and defense of all cases which arise during the existence of this Agreement which could have been filed in the **City** municipal court but for this Agreement.
2. Transportation and incarceration of defendants appearing before the Justice Court, except that the CITY's police department shall be responsible for initial transportation to a County jail facility upon arrest by the police department.
3. Service of process as required by law for parties appearing before the Justice Court as a result of citations or long form complaints.
4. Service of process as required by law for parties appearing before the Justice Court for all Orders of Protection, Injunctions Against Harassment and other civil matters.
5. Issuance of Search Warrants, Civil and Criminal Arrest Warrants as required or authorized by law or by Court rules for parties appearing before the Justice Court.

B. The COUNTY shall staff this Consolidated Court as it deems appropriate and shall have exclusive authority and control over the hiring, firing and supervision of all court staff. The County shall be responsible for the administration and management of all compensation, payroll and employee benefits of Justice Court judicial officers and court employees.

C. The Justice Court shall be responsible for the collection of fees, fines, surcharges, City Code administrative fees, and shall make disbursements as may be

required by law or rules and regulations of the State of Arizona and the Arizona Supreme Court.

D. Provide a quarterly report with caseload and revenue information. Annually, COUNTY shall provide a budget report for the Justice Court.

IV. DUTIES OF CITY

A. The CITY shall cause all cases which would otherwise be processed in the City municipal court to be referred to and filed with the Justice Court, which shall assume original jurisdiction over these matters.

B. The CITY understands and agrees that, in consideration of the COUNTY'S provision of municipal court services, the CITY shall be responsible for performance of the following related functions.

1. Initial transportation for incarceration of defendants appearing before the Justice Court as a result of citations or complaints issued by the City Police Department or an arrest made by the City Police Department.
2. Issuing, filing, and prosecuting all City Code violations. Prosecution of City Code violations will be done by the City Attorney's Office.

C. The CITY understands and agrees that, in consideration of the COUNTY'S provision of municipal court services, the COUNTY shall be entitled to any and all fines, fees or other similar revenues for civil or criminal misdemeanor cases arising within the boundaries of the Justice Court, after the effective date of this Agreement, which are within the jurisdiction of Justice Court Precinct, including those cases arising within the corporate limits of the CITY.

D. Subject to the COUNTY'S obligations contained herein, and specifically those outlined in Section III, subsection D, the CITY agrees to pay the COUNTY \$100,000 for municipal court services for FY2020-21, and \$61,000 to pay for a part-time pro tem, with no obligation on the part of the COUNTY to contribute any amounts towards paying for a pro tem. Said payment shall be payable quarterly, in advance, or payment may be made in one lump sum at the beginning of the fiscal year. A new calculation of appropriate reimbursement from the CITY to the COUNTY shall be completed by the end of this agreement. Said calculation shall be subject to approval of both the City Council and the County Board of Supervisors.

E. In addition to the foregoing, the presiding judge of the Cochise County Superior Court shall appoint a Pro Tem who shall be an attorney in good standing, duly licensed to practice law in the State of Arizona.

F. The County shall consult with the City on the process for selection of a new Justice of the Peace in the event the Board is required to appoint a new Justice of the Peace; provided, however, that the final selection shall be determined by the Board.

V. INDEMNIFICATION AND INSURANCE

A. COUNTY agrees to hold harmless CITY, its officers, employees and agents from all losses, suits, damages or costs of any kind, including reasonable attorney's fees, defense costs and expenses arising from COUNTY'S performance pursuant to this agreement. It is understood and agreed that the COUNTY may elect to self-insure against any or all of the risks enumerated in this section. The COUNTY shall provide the CITY with current insurance certificates or the evidence of coverage as appropriate.

B. The CITY agrees to hold harmless the COUNTY, its officers, employees and agents from all losses, suits, damages or costs of any kind, including reasonable attorney's fees, defense costs and expense arising from the CITY'S performance pursuant to this agreement. It is understood and agreed that the CITY may elect to self-insure against any or all of the risks enumerated in this section. The CITY shall provide the COUNTY with current insurance certificates or evidence of coverage as appropriate.

VI. TERM AND TERMINATION

A. The term of this Agreement shall begin on July 1, 2020 and shall continue through June 30, 2021.

B. Either party may terminate this Agreement upon written notice to the other party no less than 120 days prior to the end of a fiscal year.

C. This Agreement is subject to cancellation pursuant to A.R.S. § 38-511, the provisions of which are incorporated herewith by reference.

D. The parties do not anticipate any acquisition of joint property under this Agreement. In the event of termination of this Agreement, any property supplied by the CITY pursuant to this agreement shall be and remain the property of the CITY. Any property acquired through the use of Justice Court Enhancement Funds (JCEF) will be handled in accordance with JCEF policies and procedures. The parties agree to the transfer of ownership of digital recording equipment and any computers or other related

hardware and software supplied to the Magistrate Court by the Arizona Supreme Court to the COUNTY for utilization by the Consolidated Court for utilization by Consolidated Court personnel under terms of this Agreement, and to the return of said property to the CITY upon termination of this Agreement, unless the parties agree otherwise at that time. Any property owned or purchased by the COUNTY, which is used to provide services pursuant to this Agreement, shall be and remains property of the COUNTY.

VII. WAIVER

Waiver, or the failure of either party at any time to require performance by the other, of any provision herein, shall in no way affect the party's subsequent rights and obligations under that provision. Waiver by either party of any breach or any provision herein shall not be taken or held to be a waiver of any succeeding breach of such provision or waiver of such provision itself.

VIII. ENTIRE AGREEMENT

This written Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof, and shall supersede all previous proposals, negotiations, representations, commitments, writings, and agreements. It may not be released, discharged, changed or modified, except by an instrument in writing, signed by a duly authorized representative of each of the parties except as expressly provided otherwise in this Agreement.

IX. RIGHTS OF THE PARTIES ONLY

The terms of this Agreement are intended only to define the respective rights and obligations of the parties. Nothing expressed herein shall break any rights or duties in favor of any potential third-party beneficiary or other person, agency or organization.

X. NON-DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY

A. To the extent required by law, the parties shall comply with Title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act, and State Executive Order No. 75-5 which mandated that all persons, regardless of race, religion, handicap, color, age, sex, political affiliation or national origin shall have equal access to employment opportunities.

B. Both parties shall comply with (1) the Rehabilitation Act of 1973, as amended, which prohibits discrimination in the employment or advancement in employment of qualified persons because of physical or mental handicap; (2) all

applicable federal regulations regarding equal employment opportunity and relevant orders issued by the U.S. Secretary of Labor; and (3) all applicable provisions of the Americans Disabilities Act (Public Law 101336, 42 U.S.C. §§ 12101-12213) and all applicable Federal Regulations under the Act including 28 CFR Parts 35 & 36.

XI. APPROVAL OF THE PARTIES

Before the Agreement shall become effective and binding upon the parties, it must be approved by the COUNTY Board of Supervisors and the CITY Council. In the event that either party fails or refuses to approve this Agreement, it shall be null and void and of no effect whatsoever. Any party may sign this Agreement electronically, with the same force and effect as if signed with pen and ink.

IN WITNESS WHEREOF, the **COUNTY** has caused this instrument to be executed by Chairman of its Governing Board and attested to by the Clerk of said Board; and the **CITY** has caused this Agreement to be executed by its Mayor and Council and attested to by the Clerk of said Council on the dates set forth below.

APPROVED:

COUNTY OF COCHISE:

Thomas E. Borer, Chair Date
Board of Supervisors

ATTEST:

Kim Lemons, Clerk Date
Board of Supervisors

APPROVED:

SUPERIOR COURT IN AND FOR
THE COUNTY OF COCHISE

Hon. James Conlogue Date
Presiding Judge

COCHISE COUNTY ATTORNEY

APPROVED:

CITY OF SIERRA VISTA:

Frederick W. Mueller, Mayor Date
City of Sierra Vista

ATTEST:

Jill Adams, City Clerk Date
City of Sierra Vista

APPROVED:

JUSTICE COURT, PRECINCT #5
CITY MAGISTRATE

Hon. Patrick Call Date
JP/City Magistrate

Brian McIntyre Date
Cochise County Attorney

INTERGOVERNMENTAL AGREEMENT DETERMINATION

RE: Court Consolidation Agreement between the City of Sierra Vista and Cochise County

This Agreement has been reviewed pursuant to A.R.S. § 11-952 by the undersigned City Attorney who has determined that it is in appropriate form and is within the powers and authority granted to the City of Sierra Vista, Cochise County, Arizona.

APPROVED this ____ day of _____, 2020.

Nathan Williams
City Attorney

In accordance with A.R.S. § 11-952 this Agreement has been reviewed by the undersigned who has determined that this agreement is in appropriate form and within the powers and authority granted to the County of Cochise.

APPROVED this ____ day of _____, 2020.

Britt W. Hanson, Of Counsel
Cochise County Attorney