



Sierra Vista City Council
Meeting Agenda
September 9, 2021

Call to Order

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

Roll Call

Invocation – Pastor Greg Rowles, God is Good Church

Pledge of Allegiance

Item 1 Acceptance of the Agenda

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

Item 2 Consent Agenda

Item 2.1 Discussion and Possible Action of the Regular City Council Meeting Minutes of August 12, 2021

Item 2.2 Discussion and Possible Action of Resolution 2021-058, Designating the City of Sierra Vista as the official Destination Marketing Organization (DMO) for the City of Sierra Vista

Public Hearing

Item 3 Discussion and Possible Action of Resolution 2021-059, application for a Location/Owner Transfer, Limited-Liability Company, Series 7 Liquor License for Cary Leroy Brown on behalf of BASH Enterprises LLC dba Urban Axe Yard

Item 4 Discussion and Possible Action of Resolution 2021-060, Declaration of Intent for the Increase of Sewer Connection Fees, and declaring a 30-day public record

New Business

Item 5 Discussion and Possible Action of Resolution 2021-061, Official Intent to be Reimbursed for Certain Capital Expenditures

Item 6 Discussion and Possible Action of Resolution 2021-062, Authorization for the City Manager to execute a Memorandum of Understanding with Bureau of Land Management, Fort Huachuca, and Cochise County concerning water and ecological conservation

Call to the Public

Comments and Requests of Council

Adjournment

For special needs and accommodations, please contact Jill Adams, City Clerk, 72 hours prior to the meeting or activity at (520) 458-3315 or through the Arizona Relay Service at 1-800-367-8939, or by simply dialing 7-1-1.

Sierra Vista City Council
Meeting Minutes
[August 12, 2021](#)

Mayor Mueller called the August 12, 2021, City Council Regular Meeting to order at 5:00 p.m., City Hall Council Chambers, 1011 N. Coronado Drive, Sierra Vista, Arizona.

Roll Call:

Mayor Rick Mueller – present
Mayor Pro Tem Rachel Gray – present
Council Member William Benning – present
Council Member Gregory Johnson - present
Council Member Angelica Landry – present
Council Member Mark Rodriguez - present
Council Member Carolyn Umphrey - present

Others Present:

Chuck Potucek, City Manager
Adam Thrasher, Police Chief
Brian Jones, Fire Chief
Emily Duchon, Library, Recreation and Cultural Services Manager
Matt McLachlan, Community Development Director
Sharon Flissar, Public Works Director
Jeff Pregler, Planner
Blake Fisher, Planner
David Felix, Chief Finance Officer
Jennifer Osburn, Budget Officer
Judy Hector, Communications and Marketing Manager
Jill Adams, City Clerk
Nathan J. Williams, City Attorney

Invocation – Reverend Greg Adolf, St. Andrews Catholic Church, led everyone present in prayer.

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

[Item 1](#) Acceptance of the Agenda

Council Member Johnson moved that the agenda for the Regular City Council Meeting of August 12, 2021, be approved. Council Member Benning seconded the motion. The motion unanimously carried, 7/0. Mayor Mueller, Mayor Pro Tem Gray and Council Members Benning, Landry, Johnson, Rodriguez, and Umphrey voting in favor.

City Manager's Report: Mr. Potucek reported that the RFP for the 100' aerial fire ladder truck was posted on July 25, 2021, with a due date of August 16, 2021; in progress is the North Garden Avenue/Fry Boulevard Improvements Phase I. Staff is working with the businesses to ensure that people can still make it into them and enjoy the services that they provide, and the project is still anticipated to be finished at the end of the year. Core Construction delivered their guaranteed maximum price on August 10, 2021 for the EMS Substation Design Build Project, which came in at \$2,972,364, slightly over, but the city is running a tight timeframe and the

project must get started by September. This project will start towards the end of August, 2021 with completion scheduled for late February 2022. He added that he received the year over year FY21 sales tax report, and the city is up 11 percent year over year, which is amazing given COVID. Lastly, her reported on the SEACOM JPA Board Meeting where staffing issues were discussed along with the review of the intergovernmental agreement with Cochise County and the Bylaws, which will come before Council for amendment in the future.

Item 2 Consent Agenda

[Item 2.1](#) Discussion and Possible Action of the Special City Council Meeting Minutes of July 20, 2021

[Item 2.2](#) Discussion and Possible Action of the Special City Council Meeting Minutes of July 26, 2021

Council Member Landry moved that the Consent Agenda consisting of the Special City Council Meeting Minutes of July 20, 2021, and July 26, 2021, be approved. Council Member Umphrey seconded the motion. The motion unanimously carried, 7/0. Mayor Mueller, Mayor Pro Tem Gray and Council Members Benning, Landry, Johnson, Rodriguez, and Umphrey voting in favor.

Public Hearing

[Item 3](#) Discussion and Possible Action of Resolution 2021-054, New License, Interim Permit, Limited Liability-type of ownership for a Series 12 Liquor License for Jung He Matranga on behalf of the Tasty Wok and Asian Market

Council Member Rodriguez moved that Resolution 2021-054, a new License, interim permit, limited liability-type of ownership for a series 12 liquor license for Jung He Matranga on behalf of the Tasty Wok and Asian Market, be approved. Council Member Benning seconded the motion.

Ms. Adams stated that this is an application for a new Series 12 Restaurant Liquor License for Jung Matranga for the Tasty Wok Restaurant and Asian Market. The posting of the public hearing has been on the facility for the required amount of time and no comments have been received from the public pro or con. The Police Department has done their required background check and has no objection to this license going forward. If approved, it will be returned to the State for final action and issuance.

The motion unanimously carried, 7/0. Mayor Mueller, Mayor Pro Tem Gray and Council Members Benning, Landry, Johnson, Rodriguez, and Umphrey voting in favor.

New Business

[Item 4](#) Discussion and Possible Action of Ordinance 2021-006, Fiscal Year 2021/2022 Property Tax Levy

Council Member Umphrey moved that Ordinance 2021-006, Fiscal Year 2021/2022 Property Tax Levy, be approved. Mayor Pro Tem Gray seconded the motion.

Ms. Osburn stated that this is the final step in the budgeting process. The ordinance before Council is for the approval of the primary property tax levy. The proposed rate at \$0.1108 per 100 dollars of assessed value. The tax levy rate and the total collection amount was provided by the Arizona Department of Revenue and public truth and taxation notices are not required for

the new proposed rate. There has not been any public comments nor questions regarding the levy.

Council Member Johnson clarified that the tax rate although it appears that it has gone up, people will be paying the same that they did last year.

The motion unanimously carried, 7/0. Mayor Mueller, Mayor Pro Tem Gray and Council Members Benning, Landry, Johnson, Rodriguez, and Umphrey voting in favor.

[Item 5](#) Discussion and Possible Action of Ordinance 2021-007, Amendment to City Code, Chapter 33, City Departments

Mayor Pro Tem Gray moved that Ordinance 2021-007, amendment to City Code, Chapter 33, City Departments, be approved. Council Member Benning seconded the motion.

Mr. Potucek stated that Chapter 33 of the City Code is a section that defines the specifics about the city departments that are authorized. This is largely an administrative cleanup item given that over the years changes occur in the departments, i.e., name of the department, i.e., the Fire Department to Fire and Medical Services, or consolidation/change the organization, i.e., Library and Parks and Leisure. This updates all this and makes it easier to make changes or not too many in the future.

The motion unanimously carried, 7/0. Mayor Mueller, Mayor Pro Tem Gray and Council Members Benning, Landry, Johnson, Rodriguez, and Umphrey voting in favor.

[Item 6](#) Discussion and Possible Action of Resolution 2021-055, Adoption of the Parks Master Plan

Council Member Benning moved that Resolution 2021-055, Parks Master Plan, be approved. Mayor Pro Tem Gray seconded the motion.

Mr. McLachlan stated that this is the final draft of the Parks and Recreation Master Plan that represents a year-long effort that involved extensive public input and collaboration with the city's stakeholders. He thanked everyone that took the time to participate and helped staff to arrive at a set of recommendations that they believe reflects the needs and priorities of the community.

The purpose of the Master Plan is to provide a guide in developing and maintaining the city's parks and recreation facilities over the next 12 years. The priorities in the Plan will be evaluated in connection with the annual Capital Improvement Program budget process, and to a large extent implementation will be driven by the continued success in leveraging partnerships and seizing upon grant opportunities that Ms. Wilson's team has built up an impressive track record in that regard. The department is transitioning from reactive to proactive maintenance and making investments that are going to lead to long term savings, which Mr. Mills was instrumental in helping to build the repair and replacement list by providing current cost estimates.

Mayor Mueller asked if savings is not just money, but also saving water, time, electricity, etc. Mr. McLachlan stated that he is correct, it is across the board efficiency improvements.

The Plan is not only designed to enhance the quality of life and sense of the community for current and future residents, but also to leverage sports tourism as an economic driver as

explained during the Spotlight Breakfast. Ms. Wilson's vision for seamlessly integrating Veterans Park and creating an indoor/outdoor campus environment that serves as a hub for the diverse array of recreational offerings that is provided to the community. Per the Mayor's suggestion, staff added a restroom facility to increase accessibility during major events to the capital's project list.

The public has had more than 60 days to review the complete document which was posted on the city's engage platform promoted through social media and other news outlets. The comments received are provided as an attachment to the department's memo, which were summarized on Tuesday, August 10, 2021.

Mr. McLachlan reiterated that the public involvement process that was gone through in the development of this Plan will continue as the city works through the implementation. The Master Plan provides the broad strokes, and the details will be filled out on a project-by-project basis in consultation with the area residents as the mayor mentioned as a standard operating procedure.

The Parks and Recreation Commission met in April and unanimously voted to recommend approval. Staff is recommending approval of the Plan, and if approved, it will cross off the Strategic Plan goal of staff developing a comprehensive Parks and Recreation Master Plan.

Mayor Mueller thanked staff and noted that it has been a long process with a lot of folks involved. He reminded everyone that it is FY2024 when the General Plan is reviewed, every 10 years, and once the public process is gone through to get public input from the public, there needs to be time to review this to make sure that all points are hit that will come up in the next General Plan. Mr. Potucek stated that this provides a guideline and identifies the improvements that are needed as well as the maintenance items that will greatly enhance the operation. It will probably not be in any order because there will be grant opportunities, i.e., the ones being looked at in FY2021-2022. There are targets of opportunities and as the city can knock things out and get other funding, the Plan will have to be updated and report on the progress to Council.

Mayor Pro Tem Gray thanked all city departments that worked on the Plan. She knows that it was a lot of hard working in putting it together, but it is a well thought out Plan that has looked at various issues, i.e., savings on water, electricity that are not necessarily tied to money. This is being good stewards of the resources.

Council Member Benning thanked Ms. Wilson, Mr. McLachlan, Mr. Fisher and the Parks and Recreation Commission. There were a lot of field trips out to the parks and different facilities to help put all the pieces together. This was a huge team effort in the community.

Council Member Landry stated that she enjoyed looking through the Parks Master Plan, seeing all the resources, analysis, feedback, all the different parks being broken down and recommendations of the maintenance. She gave a shout out to everyone who put it together and she looks forward to seeing things happen and making Sierra Vista better.

The motion unanimously carried, 7/0. Mayor Mueller, Mayor Pro Tem Gray and Council Members Benning, Landry, Johnson, Rodriguez, and Umphrey voting in favor.

[Item 7](#) Discussion and Possible Action of Resolution 2021-056, Development Code Amendments to: Section 151.02.004-Definitions; Section 151.06.008-Communications

Facilities; and Section 151.20.002- Architectural and Design Review Applicability, and Declaring a 30-day public comment period

Council Member Johnson moved that Resolution 2021-056, amendments to the Development Code Section 151.02.004, Definitions; Section 151.06.008, Communications Facilities; and Section 151.20.002, Architectural and Design Review Applicability, and declaring a 30-day public comment period, be approved. Council Member Umphrey seconded the motion.

Mr. Pregler stated that staff is recommending three separate Development Code amendments. The Community Development Department regularly reviews Code provisions and procedures to identify ways in which the city can improve efficiencies, clarify requirements, and help residents and business owners move through the review process more easily which is consistent with City Council Strategic Plan initiatives. The proposed text amendments will be consistent with these policies.

The first proposed amendment relates to the definition of building height and finished grade. The proposed definition of building height states, “the vertical distance to the highest point of the roof for a flat roof and to the average height between the eaves and ridge for gable, hip, and gambrel roofs measured from finished grade.” The current definition of building height is measured from lowest grade to the highest point of the building rather than average height. Therefore, the actual height of the building may exceed the defined building height.

The building height definition states that the buildings would be measured from finished grade. The proposed definition of finished grade as revised based on the comments from the work session will state, “the final elevation of the ground surface after alteration at the highest point adjoining the building structure.”

Mr. Pregler showed a diagram in terms of the changes to the Development Code. He explained that the current language measures building height from the lowest grade to the highest point of a building.

Mayor Mueller stated that there are still issues with the television system, screens and putting diagrams out to the public based on the recent hit by lightning.

Mr. Pregler showed the diagram again of the existing language for building height. The second diagram reflective of the new Code language, which is measured from the highest grade to the medium point between the ridge line and eave to the top of the ridge line. He added that the reasons for the amendments to this specific section are to provide building height flexibility and to be more consistent with the measurement of walls, fences, and signs which also use highest grade to determine overall height.

The next proposed amendment relates to communication facilities. Staff is recommending an amendment that would exempt essential communication facilities, for emergency, police, and medical service dispatch, located on public property, from the development requirements in the communication facilities section of the Code.

One example is where an exemption is necessary that relates to architectural standards. The Development Code currently requires all communication towers to use stealth design, which includes concealing attached antennas and prohibiting the use of lattice-type towers.

Communication towers used for cellular service are only using cell phone antenna arrays which can easily be concealed in a monopole or other stealth design. Emergency service towers require additional arrays, dishes, and antennas that cannot practically be concealed. Therefore, the lattice-type tower is more functional for emergency service towers. In addition, there are reduced maintenance costs and repair times with lattice towers as opposed to monopoles. An example would be that monopoles require the city to order a lift truck from Tucson causing delays in the repair work and ultimately delays to emergency responses. Repairs to lattice towers only require local personnel to climb the structure and make the necessary repairs. Finally, lattice structures are the industry standard for emergency service towers, as can be seen from the various Cochise County lattice towers used for emergency services.

The amendments would expedite the review and construction of emergency communication facilities, which ultimately allow for quicker response times and the city will make all attempts and efforts to meet all Development Code requirements where practicable.

The final amendment being proposed relates to the architecture and design review applicability. Although the architectural and design requirements are applicable to commercial, industrial, and apartment developments, the Code does not specify if these requirements are applicable to sheds or accessory buildings associated with these developments. To clarify this issue, staff is proposing Code amendments which would exempt certain accessory structures from meeting the architectural and design review criteria. Specifically, accessory structures that have a wall or walls that can be viewed from a public right-of-way, 30 linear feet or less, would be exempt from the architectural and design standards. Staff reviewed all the commercial and industrial sheds issued in the past six years and none had a wall which was greater than 30 linear feet.

The Planning and Zoning Commission heard the amendments on August 3, 2021 and unanimously recommended them to City Council. The city posted the Code amendments on the city's website, and to-date, the city has not received any public comments.

Mayor Pro Tem Gray stated that she is aware that Mr. McLachlan, Mr. Pregler, and the Planning and Zoning Commission are going through the Code and doing what Council asked them to do, which is to make them more simple, less ambiguous so that they are clearly defined. She further stated that she appreciates this and believes that this meets that goal.

The motion unanimously carried, 7/0. Mayor Mueller, Mayor Pro Tem Gray and Council Members Benning, Landry, Johnson, Rodriguez, and Umphrey voting in favor.

[Item 8](#) Discussion and Possible Action of Resolution 2021-057, Accepting a Grant from the Federal Aviation Administration (FAA) for the American Rescue Plan Act (ARPA) Funding

Council Member Landry moved that Resolution 2021-057, accepting a grant from the Federal Aviation Administration for the American Rescue Plan Act funding, be approved. Council Member Benning seconded the motion.

Ms. Flissar stated that this agenda item will accept a \$32,000 grant from the Federal Aviation Administration (FAA). The grant is the third in a series of federal grants intended to address the operational impacts of COVID-19 on airports. Fund can be used for operational and maintenance expenses or debt service payments but cannot be used for new construction. The terms are identical to previous COVID grants offered by the FAA and accepted by the city.

The motion unanimously carried, 7/0. Mayor Mueller, Mayor Pro Tem Gray and Council Members Benning, Landry, Johnson, Rodriguez, and Umphrey voting in favor.

Call to the Public – There was no response.

Comments and Requests of the Council

Council Member Benning thanked Father Greg for his blessing and stated that it is good to see people out doing things and going to more events. He announced that the Real Wishes Foundation's Dancing like the Stars will take place on Saturday, August 14, 2021 at 4:30 p.m. at the Thunder Mountain Activity Center on Fort Huachuca and the Sierra Vista Symphony's Men Who Cook event is on September 18, 2021 at 5:00 p.m. at the Columbia Hall.

Council Member Johnson stated that he had the honor of attending the memorial service for Nacho Valenzuela, who was truly Mr. Sierra Vista. He thanked him and noted that his contributions to the city will live forever. He announced that the Huachuca Area Republican Women (HARW) are hosting an art gala on September 10, 2021 at the Tandem Lounge in the Windemere Hotel. Tickets are available at We Frame It, Windemere, and Dillards. Admission is \$10 per person, and it is from 5:00 p.m. until 7:00 p.m. with hosted hors d'oeuvre, a cash bar and piano music by one of the famous musicians that always plays for the Forgach House. On September 11, 2021 the Warrior Healing Center and the Keepers of Liberty, an organization that teaches civics within the community, are hosting an event at Veterans' Memorial Park. The headliner will be Don McLean, famous for American Pie, the Gatlin Brothers, Keith Anderson, and Trey Taylor, youngest African American in Country Music History. Tickets are \$40 and can be purchased on cochisefreedomfest.com.

Mayor Mueller stated that the Warrior Healing Center does a lot to support veterans in the community and they work with veteran organizations. Council Member Johnson added that they have over 50 organizations within the Warrior Healing Center to help veterans.

Council Member Landry stated that everyone has noticed that there is work going on Fry Boulevard in the West End, but once it is finished it is going to be great; however, in the meantime, the businesses are still open and even if people must do a u turn, she encourages people to go and support them. She announced that on Saturday, August 14, 2021 at the Sierra Vista Mall, there is the Home and Business Expo at 10:00 a.m. where people can go out and meet various businesses and organizations, a Shred Athon where it is \$5 per banker's box, and some raffles.

Council Member Rodriguez thanked Fire Station 201 who came out at a very last-minute notice to fill up the dunk tank for the Rec and Roll and the IT Department for all their hard work in trying to get everyone back online. He announced the Medical Responder and Public Safety Hiring Fair on August 27, 2021 at the Sierra Vista Mall. Lastly, he encouraged people to purchase from the Buena High School Football Team one of their gold cards for \$20 to support the youth athletes.

Council Member Umphrey had nothing to report.

Mayor Pro Tem Gray thanked Father Greg for his invocation and the community for supporting the businesses located on the Fry Boulevard area where the construction is taking place.

Mayor Mueller announced that Bert Purcellio, pianist, will be playing at the concert at Veterans' Memorial Park taking place at 6:30 p.m. on August 12, 2021; the Tip a Cop at Vinny's to help support the Special Olympics is on Monday, August 16, 2021; the Veterans Resources Fair is on August 20, 2021 starting at 9:00 a.m. at the Sierra Vista Mall; the Miss Sierra Vista Pageant is on August 21, 2021 at 7:00 p.m. in the Kline Center at Buena High School. In closing, he thanked staff for a great Spotlight Breakfast, where they represented the city very well.

Adjournment

Mayor Mueller adjourned the August 12, 2021 meeting of the Sierra Vista City Council at 5:37 p.m.

Mayor Frederick W. Mueller

MINUTES PREPARED BY:

ATTEST:

Maria G. Marsh, Deputy Clerk

Jill Adams, City Clerk

August 18, 2021

MEMORANDUM TO: Honorable Mayor and City Council

THRU: Jill Adams, City Clerk
Charles P. Potucek, City Manager

FROM: Judy Hector, Marketing & Communications Manager

SUBJECT: REQUEST FOR AGENDA ITEM PLACEMENT
Resolution 2021-058, designating the City of Sierra Vista as the
official Destination Marketing Organization (DMO) for the City
of Sierra Vista

RECOMMENDATION:

The Marketing & Communications Manager recommends approval of this action.

The City Clerk recommends approval of this action.

The City Manager recommends approval of this action.

INITIATED BY:

Judy Hector, Marketing & Communications Manager

BACKGROUND:

The Arizona Office of Tourism (AOT) is requiring an affidavit attesting that the City of Sierra Vista, as a governmental unit, is the DMO for the Sierra Vista and is responsible for tourism promotion and marketing on a year-round basis. The affidavit requires an official action, such as a resolution, ordinance, or contract. The affidavit must be submitted to AOT in order to qualify the DMO as a participant in cooperative marketing, grant programs, publication, and promotional efforts executed by the state tourism office.

To qualify, the DMO must have a dedicated tourism marketing budget and a website/microsite and/or social media presence. The City of Sierra Vista meets these requirements.

The City of Sierra Vista has acted in the capacity of DMO for the City for more than 20 years.

BUDGET APPROPRIATION:

None.

RESOLUTION 2021-058

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; AFFIRMING THAT THE CITY OF SIERRA VISTA IS THE OFFICIAL DESTINATION MARKETING ORGANIZATION FOR SIERRA VISTA; 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 Arizona Office of Tourism requires a resolution that designates a not-for-profit organization or governmental unit as the responsible party for the tourism promotion and marketing of a destination on a year-round basis; and

WHEREAS, the City of Sierra Vista began pulling tourism marketing in-house in FY2020-2021 and has served in the capacity of the year-round tourism marketing organization for Sierra Vista for more than 20 years; and

WHEREAS, the official tourism marketing designee is eligible for cooperative marketing funds, grant funds, and promotional efforts made by the Arizona Office of Tourism; and

WHEREAS, the City of Sierra Vista applies for and utilizes these funds and services to support tourism marketing efforts; and

WHEREAS, no other not-for-profit or governmental organization provides year-round tourism marketing services for Sierra Vista or maintains an online presence specifically for marketing the city to tourists.

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 of the City of Sierra Vista recommends approval of the designation of the City of Sierra Vista as the official destination marketing organization for Sierra Vista.

SECTION 2

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 9TH DAY OF SEPTEMBER 2021.

Frederick W. Mueller
Mayor

Approved as to Form:

Attest:

Nathan J. Williams
City Attorney

Jill Adams
City Clerk

August 20, 2021

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 2021-059, Application for a Series 7 liquor license for
Cary Leroy Brown on behalf of Urban Axe Yard, 3758 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. Cary Leroy Brown
BASH Enterprises LLC
2664 Copper Sky Drive, Sierra Vista, Arizona 85635

BACKGROUND:

The City received an application for a location/owner transfer, Limited-liability company, Series 7 liquor license for Cary Leroy Brown on behalf of BASH Enterprises LLC dba Urban Axe Yard. The license is for a beer and wine bar at 3758 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 2021-059

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; REAFFIRMING SETTLED POLICY BY RECOMMENDING APPROVAL FOR A LOCATION/OWNER TRANSFER, LIMITED LIABILITY COMPANY SERIES 7 LIQUOR LICENSE FOR CARY LEROY BROWN ON BEHALF OF BASH ENTERPRISES LLC DBA URBAN AXE YARD; 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 a location/owner transfer, limited liability company Series 7 liquor license for Cary Leroy Brown on behalf of BASH Enterprises LLC dba Urban Axe Yard at 3758 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 a location/owner transfer, limited liability company Series 7 liquor license for Cary Leroy Brown on behalf of BASH Enterprises LLC dba Urban Axe Yard, 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 9TH DAY OF SEPTEMBER 2021.

Frederick W. Mueller
Mayor

Approved as to Form:

Attest:

Nathan J. Williams
City Attorney

Jill Adams
City Clerk

Prepared By:
Jill Adams, City Clerk

21 JUL 23 11:47:45 AM Lic. #1054

State of Arizona
Department of Liquor Licenses and Control

Created 07/23/2021 @ 10:47:45 AM

Local Governing Body Report

LICENSE

Number: 07020054 Type: 007 BEER AND WINE BAR
Name: URBAN AXE YARD
State: Pending
Issue Date: Expiration Date: 06/30/2022
Original Issue Date: 04/19/1984
Location: 3758 E FRY BOULEVARD
SIERRA VISTA, AZ 85635
USA
Mailing Address: 2664 COPPER SKY DRIVE
SIERRA VISTA, AZ 85635
USA
Phone: (520)221-5483
Alt. Phone: (719)331-9343
Email: URBANAXEYARD@GMAIL.COM

Currently, this license has pending applications.

AGENT

Name: CARY LEROY BROWN
Gender: Male
Correspondence Address: 2664 COPPER SKY DRIVE
SIERRA VISTA, AZ 85635
USA
Phone: (719)331-9343
Alt. Phone:
Email: URBANAXEYARD@GMAIL.COM

OWNER

Name: BASH ENTERPRISES LLC
Contact Name: CARY LEROY BROWN
Type: LIMITED LIABILITY COMPANY
AZ CC File Number: L22740907 State of Incorporation: AZ
Incorporation Date: 04/10/2018
Correspondence Address: 2664 COPPER SKY DRIVE
SIERRA VISTA, AZ 85635
USA
Phone: (719)331-9343
Alt. Phone:
Email: URBANAXEYARD@GMAIL.COM

Officers / Stockholders

Name:
VISHANT ASHWIN HIRANI
CARY LEROY BROWN

Title:
Member
Member

21 JUL 2011 10:54
% Interest
Lic. #M1054
50.00
50.00

BASH ENTERPRISES LLC - Member

Name: VISHANT ASHWIN HIRANI
Gender: Male
Correspondence Address: 2664 COPPER SKY DRIVE
SIERRA VISTA, AZ 85635
USA
Phone: (520)221-5482
Alt. Phone:
Email: HIRANIV@GMAIL.COM

BASH ENTERPRISES LLC - Member

Name: CARY LEROY BROWN
Gender: Male
Correspondence Address: 2664 COPPER SKY DRIVE
SIERRA VISTA, AZ 85635
USA
Phone: (719)331-9343
Alt. Phone:
Email: URBANAXEYARD@GMAIL.COM

APPLICATION INFORMATION

Application Number: 155738
Application Type: Location / Owner Transfer
Created Date: 07/23/2021

Cynthia Abing

QUESTIONS & ANSWERS

007 Beer and Wine Bar

- 1) Are you applying for an Interim Permit (INP)?
No
- 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
- 10) Provide name, address, and distance of nearest school and church. (If less than one (1) mile note footage)
SIERRA VISTA PUBLIC SCHOOL- 2112 FEET
3305 E FRY BLVD SIERRA VISTA AZ 85635

SIERRA VISTA COMMUNITY UNITED CHURCH- 2.2 MILES
240 N HWY 90 BYP SIERRA VISTA, AZ 85635
- 11) Are you one of the following? Please indicate below.
Property Tenant
Subtenant
Property Owner
Property Purchaser
Property Management Company
Property Tenant
- 12) Is there a penalty if lease is not fulfilled?
Yes
What is the penalty?
\$12,500.00
- 13) What is the total money borrowed for the business not including the lease?
Please list lenders/people owed money for the business.
TOTAL: \$143,000.00
ZIONS BANK DBA NATIONAL BANK OF ARIZONA (SBA LOAN): \$143,000.00
335 N WILMOT RD TUCSON, AZ 85711
- 14) Is there a drive through window on the premises?
No
- 15) If there is a patio please indicate contiguous or non-contiguous within 30 feet.
NONE
- 16) Is your licensed premises now closed due to construction, renovation or redesign or rebuild?
No
- 23) Total Price paid for Series 6 Bar, Series 7 Beer & Wine Bar or Series 9 Liquor Store (license only)
\$19,000.00

21 JUL 12 11:47 AM '08

AMENDMENT



- ACCESSIBLE SIGNAGE NOTES**
1. Material durable
 2. Dimensional: 8" wide x 8" high x 1/8" thick
 3. Upper corner tactile characters raised minimum 1/32" above background surface
 4. Include dynamic, international symbol of accessibility where appropriate
 5. Install on wall or both side of door approximately 9" from edge of door to center of sign
 6. Mounting height: 48" minimum/60" maximum to base line of the highest character

EMERGENCY PREPAREDNESS

EMERGENCY ELEMENT	PERMITTED/REQUIRED	ACTUAL
EMERGENCY EQUIPMENT (EYE WASH/SHOWER)	100	100
MINIMUM EGRESS WIDTH (DOORS)	54"	54"
MAXIMUM EXIT TRAVEL DISTANCE	200'	100'
MAXIMUM CORRIDOR WIDTH OF TRAVEL	75'	40'
MINIMUM CORRIDOR WIDTH	40"	40"
MINIMUM NUMBER OF EXITS	2	2
MINIMUM SEPARATION OF EXITS	50'	135'

LIFE SAFETY FEATURES LISTING

MARK	DESCRIPTION
1	ILLUMINATED EXIT SIGN
2	ILLUMINATED EXIT SIGN WITH EXTERIOR CIRCUMFERENCE LIMITS
3	EMERGENCY LIGHT FEATURE
4	EXIT LIGHT SIGNAGE
5	ACCESSIBLE SIGNAGE

1. DEVICES ARE EXISTING TO REMAIN UNLESS NOTED OTHERWISE
2. IN NEW DEVISE TO MATCH EXISTING

POWER LISTING

MARK	DESCRIPTION
1	EMERGENCY ELECTRICAL RECEPTACLE IN UNUSUAL LOCATIONS

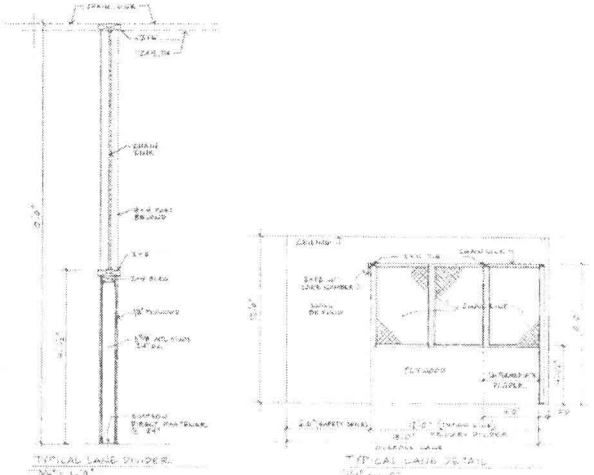
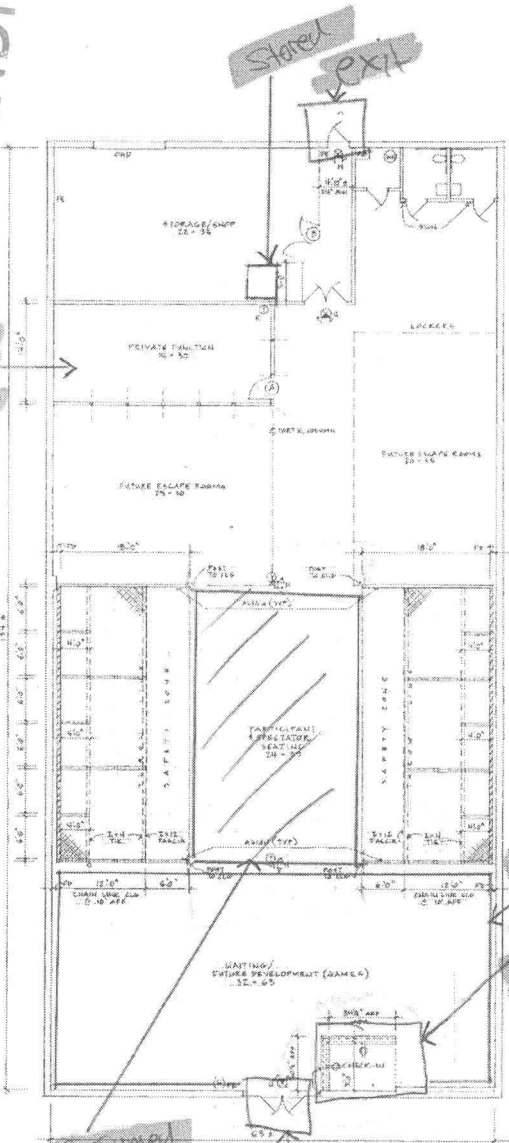
1. LABEL ELECTRICAL PANEL AS REQUIRED TO REFLECT CHANGES
2. NEW ELECTRICAL PANELS, DEVICES AND EQUIPMENT SHALL CONFORM TO THE REQUIREMENTS OF THE APPLICABLE REGULATORY CODES
3. NEW ELECTRICAL RECEPTACLES SHALL BE LOCATED 20" TO CENTERLINE ABOVE THE RECEPTION AREA'S ACCESSIBLE SURFACE
4. ALL NEW CIRCUITS SHALL BE 15 AMP AND 120V

HVAC LISTING

MARK	DESCRIPTION
1	THERMOSTAT

1. DEVICES ARE EXISTING TO REMAIN UNLESS NOTED OTHERWISE
2. ALL NEW DEVICES TO BE INSTALLED AS REQUIRED BY NEW PARTITION

Consumed Possession served



DOOR LISTING

MARK	DESCRIPTION
1	PRIVATE PARTITION
2	DOOR TO SOLID CORE PARTITION (PARTITION)
3	DOOR TO SOLID CORE PARTITION (PARTITION)
4	DOOR TO SOLID CORE PARTITION (PARTITION)
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50	DOOR TO SOLID CORE PARTITION (PARTITION)

1. DOORS WITHOUT "MARK" ARE EXISTING TO REMAIN
2. DOORS MUST BE LOCATED ON THE CORRECT SIDE OF PARTITION

WALL AND PARTITION LISTING

MARK	DESCRIPTION
1	EXISTING WALL PARTITION
2	NEW WALL PARTITION
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50	NEW WALL PARTITION

1. TYPICAL PARTITION FRAMEWORK IS 1 1/2" x 1 1/2" GALV. METAL STUDS @ 16" OC
2. EXISTING PARTITION FRAMEWORK IS 1 1/2" x 1 1/2" GALV. METAL STUDS @ 16" OC
3. MAXIMUM HEIGHT OF NEW PARTITIONS IS 10' 0" UNLESS OTHERWISE NOTED
4. PARTITIONS SHALL BE INSTALLED TO THE CORRECT SIDE OF THE PARTITION
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Possessed Consumed Possession served

Consumed Possession served

Office 0917

9028 SOFT

URBAN AXE WORLD
3758 EAST FRY BLVD
SIEGRA VISTA, ARIZONA



URBAN AXE WORLD
3758 EAST FRY BLVD
SIEGRA VISTA, ARIZONA

21 JUL 12 11:47 AM '08

NO.	DATE	DESCRIPTION
1	07/12/08	ISSUED FOR PERMIT
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URBAN AXE WORLD
3758 EAST FRY BLVD
SIEGRA VISTA, ARIZONA

6 Picnic table



- ACCESSIBLE SIGNAGE NOTES**
1. Material: acrylic
 2. Dimensions: 8" wide x 8" high x 1/16" thick
 3. Upper case tactile characters raised minimum 1/32" above background surface
 4. Include dynamic international symbol of accessibility where appropriate
 5. Install on wall at latch side of door approximately 9" from edge of door to center of sign
 6. Mounting height: 48" minimum/50" maximum to base line of the highest character

EGRESS ELEMENT	PERMITTED/REQUIRED	ACTUAL
DESIGN OCCUPANT LOAD 30 PERSONS/OCCUPANT	159	159
MINIMUM EGRESS WIDTH (DOORS)	44"	36"
MAXIMUM EXIT ACCESS TRAVEL DISTANCE	250'	107'
MAXIMUM COMMON PATH OF TRAVEL	75'	49'
MINIMUM CORRIDOR/WALKWAY WIDTH	44"	44"
MINIMUM NUMBER OF EXITS	2	2
MINIMUM SEPARATION OF EXITS	30'	135'

MARK	DESCRIPTION
Ⓢ	ILLUMINATED EXIT SIGN
Ⓢ	ILLUMINATED EXIT SIGN WITH INTERNAL EMERGENCY LIGHTS
Ⓢ	EMERGENCY LIGHT FIXTURE
FE	FIRE EXTINGUISHER
Ⓢ	ACCESSIBLE SIGNAGE

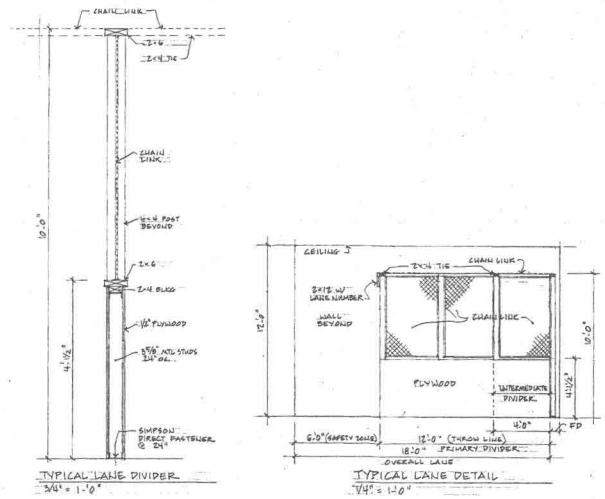
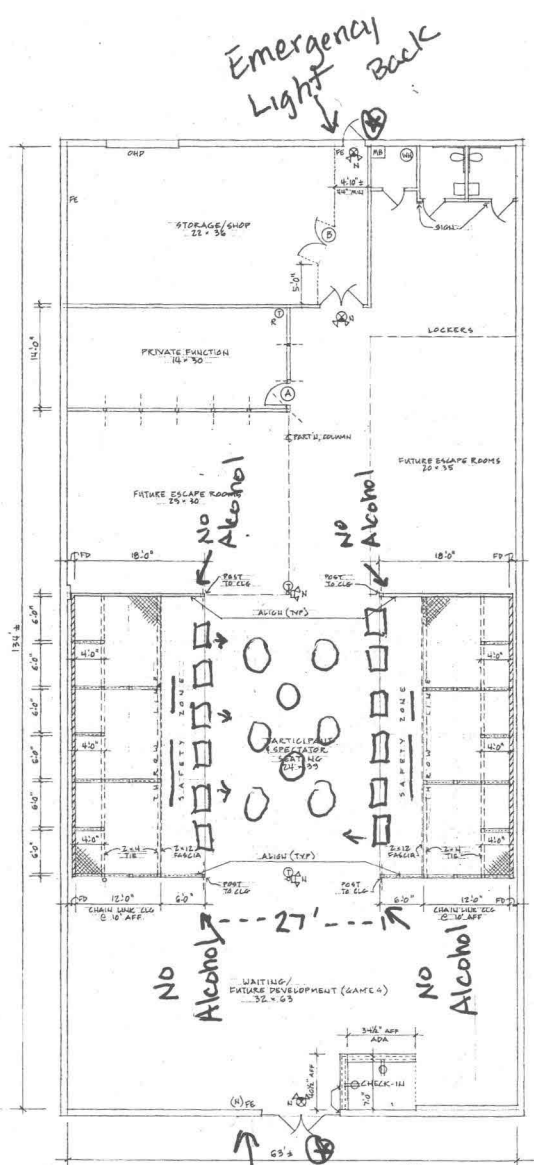
1. DEVICES ARE EXISTING TO REMAIN UNLESS NOTED OTHERWISE
2. NEW DEVICE TO MATCH EXISTING

MARK	DESCRIPTION
Ⓢ	DUPLEX ELECTRIC RECEPTACLE ON 120-VOLT CIRCUIT

1. LABEL ELECTRICAL PANEL AS REQUIRED TO REFLECT CHANGES
2. NEW ELECTRICAL FIXTURES, DEVICES AND EQUIPMENT SHALL CONFORM TO THE REQUIREMENTS OF THE UNDERWRITERS LABORATORIES (UL)
3. NEW ELECTRIC RECEPTACLES SHALL BE LOCATED 30" TO CENTERLINE ABOVE THE FINISH FLOOR UNLESS NOTED OTHERWISE
4. 20-AMP BRANCH CIRCUITS SHALL USE 12 AWG WIRE

MARK	DESCRIPTION
Ⓢ	THERMOSTAT

1. DEVICES ARE EXISTING TO REMAIN UNLESS NOTED OTHERWISE
2. RELOCATE EXISTING IF REQUIRED BY NEW PARTITION



MARK	DOOR LEGEND	DESCRIPTION
A	PRIVATE FUNCTION	4-0 X 7-0 SOLID CORE PAINT GRADE MARONITE HARDWARE LEVER PASSAGE SET, BUTT HINGES, DOOR BUMPER
B	STORAGE/SHOP	12-0 X 7-0 CHAIN LINE GATES HARDWARE FLUSH BOLTS, PULL, CEILING LOCK, BUTT HINGES

1. DOORS WITHOUT MARK ARE EXISTING TO REMAIN
2. DOORS MUST BE UNLOCKED IN THE DIRECTION OF EGRESS

MARK	WALL AND PARTITION LEGEND	DESCRIPTION
---	EXISTING WALL, PARTITION	
---	CHECK IN BOTH SIDES 1" #WS HEIGHT: 34-1/2" OR 40-1/2" AFF AS INDICATED WITH 1/2" THICK 1" OF WOOD PLASTIC LAMINATE TRANSLUCENT SURFACE	
---	AXE THROWING LINE TARGET WALL TARGET SIDE 1" FLYWOOD OPPOSITE SIDE NO FINISH HEIGHT: 32" AFF	
---	NOTE WALL SET 5" AWAY FROM TENANT DEMISING WALL TO AVOID IMPACT SOUND TRANSFER TO ADJACENT TENANTS	
---	AXE THROWING LINE SIDE WALL FLYWOOD AND CHAIN LINE HEIGHT: 32" AFF	
---	AXE THROWING/FUTURE ESCAPE ROOM SEPARATION ARE THROWING SIDE 1" FLYWOOD FUTURE ESCAPE ROOM SIDE 1" #WS HEIGHT: 32" AFF	
---	PRIVATE FUNCTION BOTH SIDES 1" #WS HEIGHT: 32" AFF WITH POSTS AT 36" OC TO CONTIGUOUS TRACK AT CEILING PROVIDE DIAGONAL BRACES ABOVE CEILING FROM TRACK TO STRUCTURE ABOVE	
---	STORAGE/SHOP CHAIN LINE BARBER TO DEFINE EXIT PASSAGEWAY	
---	END WALL SUPPORT POSTS TO TRACK AT CEILING PROVIDE DIAGONAL BRACES ABOVE CEILING FROM TRACK TO STRUCTURE ABOVE	
---	ALIGN NEW ELEMENT WITH EXISTING ELEMENT	
FD	FIELD DIMENSION	

1. TYPICAL PARTITION FRAMING 3/8" 12 GAUGE METAL STUDS 16" OC
2. EXISTING CEILING HEIGHT: 10' AFF
3. MAXIMUM HEIGHT OF NEW PARTITIONS IS AFF TO AVOID CONFLICTS WITH SPRINKLER HEAD AND LIGHT FIXTURES FUTURE DEVELOPMENT WILL INCLUDE PARTITIONS TO THE CEILING AND THE NECESSARY CHANGES TO SPRINKLER HEAD AND LIGHTING DIMENSIONS ARE TO THE FACE OF THE FINISHED PARTITION

Customer Entry
Emergency Light Front
No Alcohol Signage @ Front Door

RAYMOND KLUMBS ARCHITECT
11111 N. CENTRAL EXPRESSWAY SUITE 1100
571 North Frontage Road Peoria, AZ 85625
Phone (907) 856-3322
AZ 39006 N.M. 12228 IN 00000
OR 177000 TX 2467



URBAN AXE YARD
3758 EAST FRY BLVD
SIERRA VISTA, ARIZONA

REVISION	DATE	BY	CHK.

SCALE: 1/8" = 1'-0"
DATE: 5/2/2021
DWG. NO.: 3758 E FRY BLVD
SCOPE: PE WORK, PLUMB
SHEET: 1 OF 2
SHEET: A-1
PROJECT: URBAN AXE YARD

STATE OF ARIZONA
DEPARTMENT OF LIQUOR LICENSES
AND CONTROL
ALCOHOLIC BEVERAGE LICENSE

BW BAR
License 07020054

Issue Date: 7/9/2021

Expiration Date: 6/30/2022

Issued To:

MORGAN CASEY SALAS, Agent
UNLIT VAPOR SHOPPE LLC, Owner

Location:

UNLIT VAPOR SHOPPE
600 W 4TH STREET
BENSON, AZ 85602
USA



Mailing Address:

MORGAN CASEY SALAS
UNLIT VAPOR SHOPPE LLC
UNLIT VAPOR SHOPPE
600 W 4TH STREET
BENSON, AZ 85602
USA

EXP 6/30/2022



POST THIS LICENSE IN A CONSPICUOUS PLACE

21 JUL 23 49:14 AM '22

Bill of Sale of Personal Property

In consideration of Bash Enterprises LLC of 3758 E Fry Blvd Sierra Vista Arizona 85635 (the Purchaser) providing \$19,000 USD, which includes all sales taxes (the Purchase Price), the receipt, and sufficiency of which is hereby acknowledged, to Unlit Vapor Shoppe LLC by Amanda Salas of 600 W 4th St Benson, Arizona 85602 (the Seller), the Seller sells and delivers the property to the Purchaser.

Purchase Price: The Purchaser will pay the Purchase Price to the Seller by bank draft.

Property: The Seller will sell and deliver to the Purchaser the following personal property (the Property):

State of Arizona Series 7 Beer and Wine Liquor License # 07020054

Warranties: The Seller warrants that the Property is free of any liens and encumbrances and that the Seller is the legal owner of the Property. The Seller also warrants that the Seller has the full right and authority to sell and deliver the Property and that the Seller will defend the title of the Property against any and all claims and demands.

AMENDMENT

"As is" Condition: The Purchaser acknowledges that the Property is sold "as is". The Seller expressly disclaims any implied warranty as to fitness for particular purpose and any implied warranty as to merchantability. The Seller expressly disclaims any expressed or implied warranties.

Working Order: Any warranty as to the condition of the Property is expressly disclaimed by the Seller

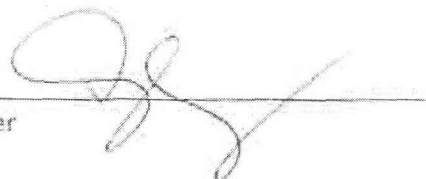
Manufacturer's Warranty: Any disclaimer of warranties by the Seller in this Bill of Sale will not in any way affect the terms of any applicable warranties from the manufacturer of the Property.

Liabilities: The Seller does not assume, nor does the Seller authorize any other person on the behalf of the Seller to assume, any liability in connection with the sale or delivery of the Property.

Inspection: The Purchaser accepts the Property in its existing condition given that the Purchaser has either inspected the Property or was given the opportunity to inspect the Property but chose to not inspect it.

Governing Law: This Bill of Sale will be construed in accordance with and governed by the laws of the State of Arizona.

Seller

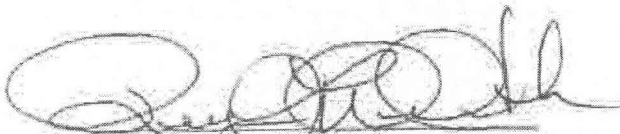


'21 JUL 23 11:47. Lic. #M1055

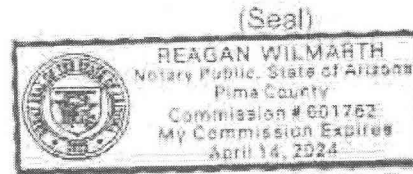
ARIZONA NOTARY ACKNOWLEDGEMENT

State of Arizona)
County of Pima)

Subscribed and sworn (or affirmed) before me this 8th day of July, 20 21
by Amanda Salas for Unit Vapor Shoppe (name of Seller).


Notary Public Signature

My Commission Expires: 4-14-24



21 JUL 23 11:47. Lic. #1055

Bill of Sale of Personal Property

In consideration of Bash Enterprises LLC of 3758 E Fry Blvd Sierra Vista Arizona 85635 (the Purchaser) providing \$19,000 USD, which includes all sales taxes (the Purchase Price), the receipt, and sufficiency of which is hereby acknowledged, to Morgan Salas of 600 W 4th St Benson, Arizona 85602 (the Seller), the Seller sells and delivers the property to the Purchaser.

Purchase Price: The Purchaser will pay the Purchase Price to the Seller by bank draft.

Property: The Seller will sell and deliver to the Purchaser the following personal property (the Property):

State of Arizona Series 7 Beer and Wine Liquor License # 07020054

Warranties: The Seller warrants that the Property is free of any liens and encumbrances and that the Seller is the legal owner of the Property. The Seller also warrants that the Seller has the full right and authority to sell and deliver the Property and that the Seller will defend the title of the Property against any and all claims and demands.

"As is" Condition: The Purchaser acknowledges that the Property is sold "as is". The Seller expressly disclaims any implied warranty as to fitness for particular purpose and any implied warranty as to merchantability. The Seller expressly disclaims any expressed or implied warranties.

Working Order: Any warranty as to the condition of the Property is expressly disclaimed by the Seller

Manufacturer's Warranty: Any disclaimer of warranties by the Seller in this Bill of Sale will not in any way affect the terms of any applicable warranties from the manufacturer of the Property.

Liabilities: The Seller does not assume, nor does the Seller authorize any other person on the behalf of the Seller to assume, any liability in connection with the sale or delivery of the Property.

Inspection: The Purchaser accepts the Property in its existing condition given that the Purchaser has either inspected the Property or was given the opportunity to inspect the Property but chose to not inspect it.

Governing Law: This Bill of Sale will be construed in accordance with and governed by the laws of the State of Arizona.



Purchaser



Seller

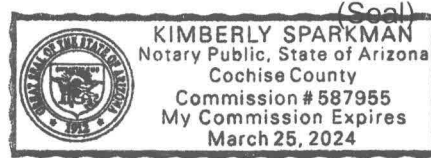
ARIZONA NOTARY ACKNOWLEDGEMENT

State of Arizona)
County of Cochise)

Subscribed and sworn (or affirmed) before me this 25th day of May, 20 21,
by Vishant Hirani (name of Purchaser).

Kimberly Sparkman
Notary Public Signature

My Commission Expires: 3/25/24



ARIZONA NOTARY ACKNOWLEDGEMENT

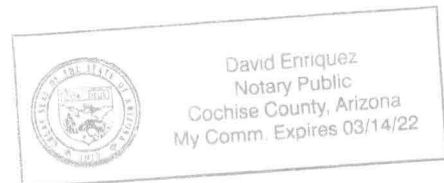
State of Arizona)
County of Cochise)

Subscribed and sworn (or affirmed) before me this 26th day of May, 20 21,
by Morgan Casey Salas (name of Seller).

[Signature]
Notary Public Signature

My Commission Expires: 3-14-2022

(Seal)



21 JUL 23 Lic. Lic. AM10:55

21 JUL 19 Lic. Lic. AM 9:06



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.

805-040

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#: 070800534 / 155738

1. Check the Appropriate Box →

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

2. Name: Brown Can Leroy Birth Date: ___/___/___
Last First Middle (NOT a public record)

3. Social Security #: _____ Driver License #: _____ State: _____

4. Place of birth: _____ Height: _____ Weight: _____ Eyes: _____ Hair: _____
City State COUNTRY (not county)

5. Name of current/most recent spouse: _____ Birth Date: ___/___/___
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: _____

7. Daytime telephone number: _____ E-mail address: Urbanaxeyard@gmail.com CA

8. Business Name: Urban Axe Yard Business Phone: ___/___/___

9. Business Location Address: 3758 A East Fry Boulevard, Sierra Vista, AZ, Cochise County, 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)
	CURRENT		

(ATTACH ADDITIONAL SHEET IF NECESSARY)



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

21 JUL 23 Lique. Lic. #10155

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.

805-040

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#: 07020054/#155738

1. Check the Appropriate Box →

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

2. Name: Brown Cary Leroy Birth Date: [REDACTED]
Last First Middle (NOT a public record)

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

4. Place of birth: Landstuhl, Germany Height: 5'10" Weight: 250 Eyes: Blue Hair: Blond
City State COUNTRY (not county)

5. Name of current/most recent spouse: Delos Santos Salvy Cabreros 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: Jan 77

7. Daytime telephone number: 719-331-9343 E-mail address: brown74b@gmail.com

8. Business Name: BASH Enterprise LLC Urban Axe Yard Business Phone: 520/221/5482

9. Business Location Address: 3758 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)
Oct/2020	CURRENT	Senior Systems Engineer	Vision IT 3308 Broadway #300 San Antonio, TX 78209
MAR/1992	OCT/2020	MSG/E-8	US ARMY 2133 Cushing St FT Huachuca, AZ 85613

(ATTACH ADDITIONAL SHEET IF NECESSARY)

11. Provide your residence address information for the last five (5) years: A.R.S. §4-202(D) *21 JUL 23 Liq. Lic. #M1055

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address		
DEC/2020	CURRENT	2173 Santa Fe Trail	Sierra Vista, AZ	85635
JUN/2018	DEC/2020	1630 Joseph Pl	Sierra Vista, AZ	85635
AUG/2017	JUN/2018	1525 Joseph Pl	Sierra Vista, AZ	85635
AUG/2016	AUG/2017	Yongsan, Korea	APO AP	96205
AUG/2014	AUG/2016	ET P 4649 Loma Del Sur Dr.	El Paso, TX	79934

(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

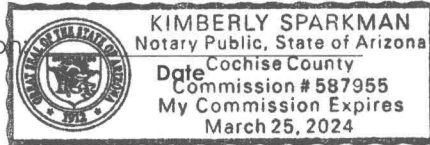
**If you answered "YES" to any Question 14 through 18 YOU MUST attach a signed statement.
Give complete details including dates, agencies involved and dispositions.
CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED**

NOTARY

I (Print Full Name) Cary L. Brown 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: Cary L. Brown State of Arizona County of Cochise

My Commission Expires on



The foregoing instrument was acknowledged before me this 25th Day of May, 2021

Kimberly Sparkman
Signature of Notary

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

PRINT NAME: Cary L. Brown SIGNATURE: Cary L. Brown



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

21 JUL 23 147. Lic. #1055

**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)

Cary Lynn Brown

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 Landstuhl State (or equivalent) _____ Country or Territory Germany

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

2) Name of document: AZ Driver License
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

'21 JUL 23 11:47. LIC. AM1055

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.

Cary Brown

Individual Owner/Agent Printed Name

Cary Z Brown

Individual Owner/Agent Signature

25 May 2021

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:

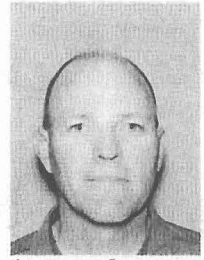
1. An Arizona driver license issued after 1996 or an Arizona non-operating identification card.
2. A driver license issued by a state that verifies lawful presence in the United States.
3. A birth certificate or delayed birth certificate showing birth in one of the 50 states, the District of Columbia, 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.

'21 JUL 29 Lic. Lic. AM1055

CLASS: D-Operator
 ENDORSEMENTS: None
 RESTRICTIONS: B-Corrective Lens Must Be Worn
 Rev 02/14/2014
 You Must Report a Change of Address Within 10 Days
 20279AZ0033672480301

7/17/21: Verified residence address is 2173 Santa Fee Trail Sierra Vista, AZ 85835. (A)

Arizona DRIVER LICENSE USA








9 CLASS D
 9a END NONE
 12 REST B
 1 BROWN
 2 CARY LEROY
 8 1630 JOSEPH PL
 SIERRA VISTA, AZ 856352158
 4b EXP 09/19/2027 4a ISS 10/05/2020
 15 SEX M 18 EYES BLU
 16 HGT 5'-10" 19 HAIR BLN
 17 WGT 225 lb
VETERAN

Cary J Brown

5 DD 01330006AB010805

'21 JUL 23 149. Lic. AM1055

UNITED STATES UNIFORMED SERVICES			
			U.S. ARMY RETIRED
RANK / PAY GRADE 1SG / E8		EXPIRATION DATE 2038JUN30	
SIGNATURE <i>Cary L Brown</i>		DD ID NUMBER [REDACTED]	
BROWN, CARY LEROY			
IDENTIFICATION CARD			

DATE OF BIRTH [REDACTED]	BENEFITS NUMBER 006099532-00			
				
DATE OF ISSUE 2020NOV01	MEDICAL DIRECT: YES	CIVILIAN YES	EFF DATE 2020NOV01	EXP DATE 2038JUN30
				

DD FORM 2 (RETIRED)

OCT 93

PROPERTY OF US GOVERNMENT

OUSDP(F&R) OCT 2005

SOCIAL SECURITY



THIS NUMBER HAS BEEN ESTABLISHED FOR

CARY LEROY
BROWN

Cary L Brown

SIGNATURE

05/16/2019



21 JUL 23 Lic. Lic. AM1056

21 JUL 19 Lic. Lic. AM 9 06



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

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805-090

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Liquor License#: 670200534 / #155738

1. Check the Appropriate Box

Form with checkboxes: [X] Controlling Person, [] Agent, [] Premises Manager (complete all questions except #12)

2. Name: Hirani, Vishant Ashwin Birth Date: / / (NOT a public record)

3. Social Security #: Driver License #: State:

4. Place of birth: City State COUNTRY (not county) Height: Weight: Eyes: Hair:

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

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

7. Daytime telephone number: E-mail address:

8. Business Name: Business Phone: / /

AMENDMENT

9. Business Location Address: 3758 A East Fry Boulevard, Sierra Vista, AZ, Cochise County, 85635

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

Table with 4 columns: FROM Month/Year, TO Month/Year, DESCRIBE POSITION OR BUSINESS, EMPLOYERS NAME OR NAME OF BUSINESS (Street Address, City, State & Zip)

(ATTACH ADDITIONAL SHEET IF NECESSARY)



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

21 JUL 23 11:47 AM 1056

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.

805-840

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.

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Liquor License#: 07020054 / # 155738

1. Check the Appropriate Box →

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

Hirani

Vishant

Ashwin AP

2. Name: _____ Birth Date: _____ (NOT a public record)

3. Social Security #: _____ Driver License #: _____ State: Arizona

4. Place of birth: London, United Kingdom Height: 5'10" Weight: 170 Eyes: Brown Hair: Bald

5. Name of current/most recent spouse: Hirani Rita Birth Date: _____ (NOT a public record)

6. Are you a bona fide resident of Arizona? Yes No If yes, what is your date of residency: May 2019.

7. Daytime telephone number: 520 221 5482 E-mail address: HiraniV@gmail.com

8. Business Name: ~~Bash Enterprises LLC~~ Urban Axe Yard CA Business Phone: 520/221 15482

9. Business Location Address: 3758 E Fry Blvd, Sierra Vista, AZ, Cochise 85635

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)
Feb 2019	CURRENT	Self employed	2664 Copper Sky Drive, Sierra Vista, AZ 85635
Jan 2017	Feb 2019	Manager Lead teller	Wash Wash Auto S&A, Highway 92, Sierra Vista, AZ 85635
March 2016	Jan 2017		Wells Fargo, 50 E Fry Blvd, Sierra Vista, AZ, 85635
Jan 2014	March 2017	Manager	
Jan 2014	March		

(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
Aug 2017	CURRENT	2664 Copper Sky Drive Sierra Vista, AZ 85655
Jan 2014	Aug 2017	32398 Boreada Court, Sierra Vista AZ 86 85650

(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

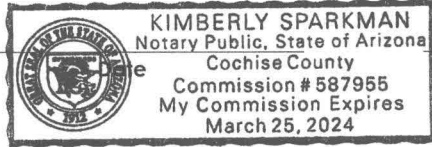
If you answered "YES" to any Question 14 through 18 YOU MUST attach a signed statement. Give complete details including dates, agencies involved and dispositions. CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED

NOTARY

I (Print Full Name) Vishant Hirani 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: _____ State of Arizona County of Cochise
 The foregoing instrument was acknowledged before me this

My Commission Expires on: _____ 25th Day of May, 2021
 Day Month Year



Kimberly Sparkman
 Signature of Notary

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

PRINT NAME: Vishant Hirani SIGNATURE: _____


21 JUL 23 Lic. Lic. AM1056

CLASS: D-Operator
ENDORSEMENTS: None
RESTRICTIONS: B-Corrective Lens Must Be Worn
Rev 02/14/2014
You Must Report a Change of Address Within 10 Days

19014AZ0128417600301

Arizona DRIVER LICENSE USA

LIMITED TERM



9 CLASS D
9a END NONE
12 REST B
1 HIRANI
2 VISHANT A
8 2664 COPPER SKY DR
SIERRA VISTA, AZ 85635-6979
4b EXP 01/14/2027 4a ISS 01/14/2019
15 SEX M 18 EYES BRO
16 HGT 5'-10" 19 HAIR BLK
17 WGT 170 lb

5 DD 1050E0250H1418V4



No. 41089677

CERTIFICATE OF NATURALIZATION

Personal description of holder as of date of naturalization:

Date of birth: [REDACTED]

Sex: MALE

Height: 5 feet 10 inches

Marital status: MARRIED

Country of former nationality: UNITED KINGDOM

USCIS Registration No. [REDACTED]

I certify that the description given is true, and that the photograph affixed hereto is a likeness of me.

[Signature] (Complete and true signature of holder)

Be it known that, pursuant to an application filed with the Secretary of Homeland Security

at: TUCSON, ARIZONA

The Secretary having found that: VISHANT ASHWIN HIRANI

residing at: SIERRA VISTA, ARIZONA

having complied in all respects with all of the applicable provisions of the naturalization laws of the United States, being entitled to be admitted as a citizen of the United States, and having taken the oath of allegiance at a ceremony conducted by

UNITED STATES DISTRICT COURT, DECONCINI U.S. COURTHOUSE

at: TUCSON, ARIZONA

on: MAY 17, 2019

such person is admitted as a citizen of the United States of America.

2.Fnc

U. S. Citizenship and Immigration Services



ALTERATION OR MISUSE OF THIS DOCUMENT IS A FEDERAL OFFENSE AND PUNISHABLE BY LAW

21 JUL 23 14. 14. 41089677

August 23, 2021

MEMORANDUM TO: Honorable Mayor and City Council

THRU: Charles P. Potucek
City Manager

FROM: David J. Felix, CPA
Chief Financial Officer

SUBJECT: REQUEST FOR AGENDA ITEM PLACEMENT
RESOLUTION 2021-060, Proposed Increase of Sewer
Connection Fees

RECOMMENDATION

The City Manager recommends approval

INITIATED BY

David J. Felix, Finance Manager

BACKGROUND

Arizona Revised Statute 9-511.01 requires municipalities engaged in wastewater businesses to hold a public hearing on any proposed sewer rate, rate component, fee or service charge increase. Resolution 2021-047, approved at the June 24, 2021 council meeting, set the date of the public hearing. After the public hearing, the Council may adopt an increase up to, but not exceeding, the proposed amount. The proposed fees would go into effect on November 1, 2021.

RESOLUTION 2021-060

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; REAFFIRMING SETTLED POLICY; ESTABLISHING SEWER CHARGES; ESTABLISHING AN EFFECTIVE DATE FOR SAID CHARGES; 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 has determined that the sewer services provided by the City should be operated as an enterprise of the City; therefore they must be fully and independently funded by the users of the services and the staff ,has calculated the charges and fees that are needed to support the sewer and sanitation enterprise; and

WHEREAS, Arizona Revised Statute §9-511.01 requires a thirty day notice and public hearing before increasing sewer fees

WHEREAS, a public notice was issued and a public hearing was held in accordance with Arizona Revised Statute 9-511.01.

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

SECTION 1

That the settled policy of the City Council, of adjusting sewer charges and fees to produce the revenue to meet the financial needs of the sewer and sanitation enterprise be, and hereby is, reaffirmed.

SECTION 2

Sewer connection fees and charges shall be assessed and collected according to the attached report. These fees and charges shall be effective October 1, 2021.

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 9th DAY OF SEPTEMBER 2021.

FREDERICK W. MUELLER
Mayor

ATTEST:

JILL ADAMS
City Clerk

APPROVED AS TO FORM:

NATHAN WILLIAMS
City Attorney

PREPARED BY:
DAVID J. FELIX, CPA
Chief Financial Officer`

Exhibit A					
Proposed Sewer Connection Fees					
<u>Water meter size (inches)</u>	<u>Type of Meter</u>	<u>Rate (Current)</u>	<u>1-Nov-21</u>	<u>1-Jul-22</u>	<u>1-Jul-23</u>
0.75	Displacement	\$ 2,400.00	\$ 2,880.00	\$ 3,456.00	\$ 4,147.00
1.00	Displacement	\$ 3,913.00	\$ 4,696.00	\$ 5,635.00	\$ 6,762.00
1.50	Displacement	\$ 7,375.00	\$ 8,850.00	\$ 10,620.00	\$ 12,744.00
2.00	Displacement/Compound	\$ 11,649.00	\$ 13,979.00	\$ 16,775.00	\$ 20,130.00
3.00	Compound	\$ 24,022.00	\$ 28,826.00	\$ 34,591.00	\$ 41,509.00
3.00	Turbine	\$ 26,104.00	\$ 31,325.00	\$ 37,590.00	\$ 45,108.00
4.00	Compound	\$ 36,976.00	\$ 44,371.00	\$ 53,245.00	\$ 63,894.00
4.00	Turbine	\$ 44,554.00	\$ 53,465.00	\$ 64,158.00	\$ 76,990.00
6.00	Compound	\$ 71,612.00	\$ 85,934.00	\$ 103,121.00	\$ 123,745.00
6.00	Turbine	\$ 89,331.00	\$ 107,197.00	\$ 128,636.00	\$ 154,363.00
8.00	Compound	\$ 115,558.00	\$ 138,670.00	\$ 166,404.00	\$ 199,685.00
8.00	Turbine	\$ 130,328.00	\$ 156,394.00	\$ 187,673.00	\$ 225,208.00

August 30, 2021

MEMORANDUM TO: Honorable Mayor and City Council

THRU: Charles P. Potucek
City Manager

FROM: David J. Felix, CPA
Chief Financial Officer

SUBJECT: REQUEST FOR AGENDA ITEM PLACEMENT
RESOLUTION 2021-061, Official Intent to be
Reimbursed for Certain Capital expenditures

RECOMMENDATION

The City Manager recommends approval

INITIATED BY

David J. Felix, Chief Financial Officer

BACKGROUND

Federal Treasury regulations require the City pass a resolution indicating its intent to reimburse itself for capital expenditures it makes, if the expenditures take place before the related financing is in place. This resolution fulfills this requirement and covers vehicles, equipment and land listed in Schedule C – Lease Purchase Financing on page 91 of the FY202 Tentative Budget Book. The financing will be completed in June 2022.

RESOLUTION 2021-061

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; DECLARING, FOR THE PURPOSES OF SECTION 1.150-2 OF THE FEDERAL TREASURY REGULATIONS, OFFICIAL INTENT TO BE REIMBURSED IN CONNECTION WITH CERTAIN CAPITAL EXPENDITURES, 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, Arizona, a municipal corporation of the State of Arizona (hereinafter referred to as the "City"), is authorized and empowered pursuant to law to issue or cause to be issued obligations to finance the costs of various capital facilities owned or to be owned by the City; and

WHEREAS, Federal Treasury regulations require a reimbursement resolution for certain items before financing is in place; and

WHEREAS, it is contemplated that certain expenditures made by the City with regard to capital assets and improvements owned, or to be owned, by the City will be reimbursed from the proceeds of obligations to be issued in the future by or on behalf of the City;

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

SECTION 1

Definitions. The following terms shall have the meanings assigned thereto as follows:

"Official intent" means a declaration of intent of the City to reimburse an original expenditure with proceeds of an obligation.

"Original expenditure" means an expenditure for a governmental purpose that is originally paid from a source other than a reimbursement bond.

"Reimbursement bond" means the portion of an issue of obligations allocated to reimburse an original expenditure that was paid before the issue date of such issue.

SECTION 2

Official Intent. This Resolution is official intent relating to reimbursement for the original expenditures indicated in Schedule C hereto which are capital expenditures (being any cost of a type that is properly chargeable to a capital account (or would be so chargeable with a proper election) under general federal income tax principles).

SECTION 3

Project Descriptions. The projects for which such original expenditures are to be paid are for are described on Schedule A attached hereto and the maximum principal amount of obligations to be issued for such projects is \$5,232,000.

SECTION 4

Reasonableness of Official Intent. On the date of this Resolution, the City has a reasonable expectation (being that a prudent person in the same circumstances as the City would have based on all the objective facts and circumstances) that it will reimburse such original expenditures with proceeds of such obligations. (Official intents have not been declared by the City as a matter of course or in amounts substantially in excess of the amounts expected to be necessary for such project. Moreover, the City does not have a pattern (other than in extraordinary circumstances) of failure to reimburse actual original expenditures covered by official intents.)

SECTION 5

Reimbursement Period. With certain exceptions, an allocation in writing that evidences use of proceeds of the reimbursement bonds to reimburse the original expenditures shall be made not later than 18 months after the latter of the date that the original expenditure is paid or the date the project is "placed in service," but in no event more than 3 years after the original expenditure is paid.

SECTION 6

Public Record. This Resolution shall be included as of the date hereof in the publicly available official records of the City, such records being maintained and supervised by the Clerk of the City, being the main administrative office of the City, and shall remain available for public inspection on a reasonable basis.

SECTION 7

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 9th DAY OF SEPTEMBER 2021.

FREDERICK W. MUELLER
Mayor

ATTEST:

JILL ADAMS
City Clerk

APPROVED AS TO FORM:

NATHAN WILLIAMS
City Attorney

PREPARED BY:
DAVID J. FELIX, CPA
Chief Financial Officer

Schedule C
FY22- Lease Purchase Financing

1. General Fund		
Fire Aerial		\$ 1,100,000
4x4 SUV - Fire		\$ 60,000
SUV - DSL PD		\$ 75,000
1/2 ton pick iup - PD		\$ 50,000
1/2 ton pick up - CD		\$ 50,000
1/2 ton pick up - Engineering		\$ 40,000
Procurement Van		\$ 60,000
Rothrie project		\$ 1,680,000
Down Payment		\$ 143,500
Finance Amount-General Fund		\$2,971,500
 2. Airpoprt Fund		
Hangar		\$ 1,500,000
Down Payment		\$ -
Finance Amount-HURF		\$1,500,000
 3. Sewer Fund		
1 ton Pick up w/ lift gate		\$ 50,000
Down Payment		\$ 5,000
Finance Amount-Sewer Fund		\$ 45,000
 4. Refuse Fund		
2 Side loader refuse trucks		\$ 720,000
Box van		\$ 75,000
Down Payment		\$ 79,500
Finance Amount-Sewer Fund		\$ 715,500
 Total Lease Purchase Finance Amount		 \$5,232,000

September 1, 2021

MEMORANDUM TO: Honorable Mayor and City Council

FROM: Charles P. Potucek, City Manager

SUBJECT: REQUEST FOR AGENDA ITEM PLACEMENT
RESOLUTION 2021-062, Authorization for the City Manager to execute a Memorandum of Understanding with the Bureau of Land Management, Fort Huachuca, and Cochise County concerning water and ecological conservation

BACKGROUND

The Bureau of Land Management's (BLM) Gila District, Fort Huachuca, Cochise County, and the City of Sierra Vista propose to enter into a Memorandum of Understanding (MOU) in order to support the BLM's Resource Management Plan (RMP).

The MOU reaffirms their commitment to water and ecological conservation of the San Pedro River and Sierra Vista subwatershed area and provides a plan to ensure the achievement of mutual goals, including:

- A healthy San Pedro River and ecologically viable SPRNCA.
- Adequate long-term water supplies to maintain the needs of the area's residents and property owners, as well as the SPRNCA.
- More opportunities for continued economic growth and development within Cochise County.
- An operationally secure Fort Huachuca that can accomplish its national defense missions, have a safe and adequate water supply, and comply with all obligations under the Endangered Species Act.

RESOLUTION 2021-062

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE BUREAU OF LAND MANAGEMENT, FORT HUACHUCA, AND COCHISE COUNTY CONCERNING WATER AND ECOLOGICAL CONSERVATION; 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, Congress established the San Pedro Riparian National Conservation Area (SPRNCA) as part of the Arizona-Idaho Conservation Act of 1988, which became effective on November 18, 1988; and

WHEREAS, the City Council approved Resolution 4065 on August 27, 1998, which authorized and directed the execution of a Memorandum of Understanding to form the Upper San Pedro Partnership for the purpose of coordinating water conservation efforts with other agencies; and

WHEREAS, the City Council approved Resolution 2015-080 on August 13, 2015, which authorized and directed the execution of a Memorandum of Understanding to establish the Cochise Conservation and Recharge Network for the purpose of coordinating water resource management and conservation in the Sierra Vista subwatershed; and

WHEREAS, the Bureau of Land Management announced that the Record of Decision (ROD) for the approved Resource Management Plan (RMP) for the SPRNCA was signed by the Arizona State Director on July 30, 2019; and

WHEREAS, the City of Sierra Vista wishes to reaffirm its adopted policies to promote and encourage activities that assure our residents have a reliable quantity and quality of water necessary to promote and support a diverse and sustainable economy without adversely impacting the riparian resources of the San Pedro Riparian National Conservation Area.

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

SECTION 1

That the settled policies regarding a reliable water supply, protecting the San Pedro River, and cooperating with other governmental agencies to encourage and promote water conservation be, and hereby is, reaffirmed.

SECTION 2

That the City Council hereby authorizes the City Manager to execute a Memorandum of Understanding in order to support the BLM's Resource Management Plan (RMP).

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 9th DAY OF SEPTEMBER, 2021.

Frederick W. Mueller, II
Mayor

ATTEST:

APPROVED AS TO FORM:

Jill Adams
City Clerk

Nathan Williams
City Attorney

PREPARED BY:
Jennifer Osburn, Budget Officer/Management Analyst II

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF LAND MANAGEMENT, GILA DISTRICT,

AND

THE U.S. DEPARTMENT OF DEFENSE,
DEPARTMENT OF THE ARMY, U.S. ARMY GARRISON, FORT HUACHUCA,

AND

THE COUNTY OF COCHISE, ARIZONA,

AND

THE CITY OF SIERRA VISTA, ARIZONA.

SUBJECT: Memorandum of Understanding (MOU) for Cooperative Monitoring and Management of the San Pedro Riparian National Conservation Area and Surrounding Areas within Cochise County, Arizona.

1. Purpose.

The purpose of this MOU is to provide a proposed path for implementing monitoring and management actions necessary to ensure the mutually shared goals of an ecologically viable San Pedro Riparian National Conservation Area, an operationally secure Fort Huachuca, and the economic prosperity of the City of Sierra Vista and Cochise County.

2. Background.

The Bureau of Land Management (BLM) manages the San Pedro Riparian National Conservation Area (SPRNCA) according to statutory authority and pursuant to its management goals and objectives identified in the SPRNCA Resource Management Plan. Public Law 100-696 (codified at 16 U.S.C. § 460xx) established the SPRNCA, providing specifically:

In order to protect the riparian area and the aquatic, wildlife, archeological, paleontological, scientific, cultural, educational, and recreational resources of the public lands surrounding the San Pedro River in Cochise County, Arizona, there is hereby established the San Pedro Riparian National Conservation Area (hereafter in this subchapter referred to as the “conservation area”).

16 U.S.C. § 460xx(a). Section § 460xx-1(a), related to the Secretary’s “General Authorities” with regard to SPRNCA, states, in part, that “The Secretary shall manage the conservation area in a manner that conserves, protects, and enhances the riparian area and the aquatic, wildlife, archaeological, paleontological, scientific, cultural, educational, and recreational resources of the conservation area.” The BLM uses the SPRNCA Record of Decision and Approved Resource Management Plan (RMP), released 7/30/2019, to guide management of the BLM-administered lands in the SPRNCA in a manner which ensures that all actions meet the need to conserve, protect, and enhance the legislated primary purposes: the riparian area and the aquatic, wildlife, archaeological, paleontological, scientific, cultural, educational, and recreational resources. While nothing in the RMP is intended to address the quantity of water reserved to achieve the purposes of the SPRNCA, it does establish specific indicators for protecting SPRNCA’s legislated primary purposes and defines various water-related goals and

objectives associated with ecological conditions for each of these resource management categories that the BLM has determined are necessary to conserve, protect, and enhance the SPRNCA in furtherance of those primary purposes. These water-related indicators, goals and objectives associated with ecological conditions are hereafter referred to as the “RMP Objectives.”

Fort Huachuca is a U.S. Army installation in Southeastern Arizona. It is a major Army training and testing post in support of national defense. Collaborative partnerships with neighboring communities and organizations assist the Fort in completing its missions, being a responsible stakeholder and in protecting local natural resources. Some of Fort Huachuca’s objectives in participating in this MOU include:

- To assist compliance with Fort Huachuca’s Biological Opinions and its obligations under the Endangered Species Act.
- To ensure a safe and adequate water supply for Fort Huachuca personnel and service members to successfully accomplish the Fort’s missions.
- To jointly work with appropriate local partners to effectively manage the many natural resources within the SPRNCA and the Upper San Pedro River Basin to fulfill the objectives of the Fort Huachuca Sentinel Landscape strategic plan.

Cochise County, Arizona (the “County”) fosters diverse, vibrant and safe communities, planning for the future while honoring its legendary cultural heritage. Cochise County’s relevant strategic priorities include:

- Economic development countywide;
- Promoting environmental solutions, including partnerships for wildlife management in the San Pedro Riparian National Conservation Area and supporting Fort Huachuca environmental efforts; and
- Increased intergovernmental cooperation.

The County’s Comprehensive Plan, amended and readopted in 2015, has as a goal specific to SPRNCA: “Coordinate efforts with other organizations and jurisdictions, including the Bureau of Land Management, to protect the SPRNCA, as well as the economic and social well-being of Cochise County residents, by assisting Fort Huachuca in meeting its environmental goals, especially regarding water conservation.”

The City of Sierra Vista, Arizona (the “City”) provides quality services and amenities through strategic and ethical leadership and is committed to building a strong, healthy, and vibrant community where its residents can prosper. The City’s strategic priorities relevant to participating in this MOU include:

- Enhancing the City by providing better services and enhancing the appearance of the City to better reflect core community values and utilizing partnerships for a stronger community, including:
 - Improving streetscapes and public places by implementing at least two projects per year.
 - Revitalizing the West End, including exploring ways to improve stormwater management to reduce flooding.
- Leveraging partnerships with other governmental, commercial and non-profit interests even further to influence the economic prosperity of both the City and its residents and focus on issues affecting the most vulnerable City residents, including:
 - Expanding intergovernmental service agreements and partnerships that support the Fort’s missions, create revenue, and take advantage of economies of scale.
 - Plan for reclaimed and other water use, and continue to partner with public and private agencies to implement water conservation and recharge projects to promote the long term stability of our local aquifer.

- Provide a variety of recreation opportunities, including:
 - Evaluate and plan for park space, sports complex, and recreational properties.

All of the parties recognize that there are complex interactions between hydrology, ecosystems, and human development and use of the landscape, and achievement of many of the RMP Objectives will be promoted by ongoing coordination and collaboration among the parties to this MOU. Recognizing that there is a long history of effort by many different parties in the region, and that there are many existing projects, partnerships, and management actions in place, this MOU provides a framework to deliberately connect and coordinate these various ongoing efforts among the parties by:

- Identifying shared goals and points of mutual interest;
- Developing a consensus with regard to the shared benefit of the many activities that are planned or underway in the region that might further the shared goals and points of mutual interest;
- Outlining the responsibilities of the respective parties concerning implementation of mutually-beneficial monitoring and management activities;
- Defining a process for ongoing collaborative actions, evaluation of monitoring results, adaptive management actions, and conflict management procedures; and
- Establishing a framework within which further agreement(s) among the parties that may be necessary for implementation of collaborative actions described in this MOU can be developed.

3. Shared Goals and Points of Mutual Interest

The parties have identified the following common goals and shared interests related to an ecologically viable San Pedro Riparian National Conservation Area, an operationally secure Fort Huachuca, and the economic prosperity of the City of Sierra Vista and Cochise County. Collectively, these common goals and shared interests are referred to herein as the “MOU Objectives”:

- An adequate long-term water supply is available to meet the reasonable needs of the area’s residents and property owners (current and future) and fulfill the purposes of the SPRNCA, while managing the impacts of past groundwater use;
- The San Pedro River within the SPRNCA is healthy, and the RMP Objectives are advanced, thereby furthering the primary purposes for which the SPRNCA was established;
- Communities in areas around the SPRNCA within Cochise County, Arizona, are strong, healthy, diverse, vibrant, and safe, and have opportunities for continued economic growth and development, which fosters local community capacity to support regional water-related objectives;
- Fort Huachuca is able to accomplish its national defense missions, have a safe and adequate water supply and comply with all obligations under the Endangered Species Act; and
- Local, state, and federal agencies and partner organizations work collaboratively to reduce environmental, economic, and water supply risks and avoid conflicts related to local water use and federally reserved rights.

4. Consensus of Shared Benefit(s) of Ongoing and Planned Activities

The accumulated impacts of past groundwater use in the Sierra Vista Subwatershed, as they are presently understood, support the continuation of water conservation and recharge efforts as an important means of

ensuring that the RMP Objectives – and the primary purposes of federal reserved rights - can be met over the long term. The BLM recognizes that although the SPRNCA federal reserved water rights are expected to be decreed as part of the Gila River General Stream Adjudication, the mere quantification of those reserved rights will not achieve the RMP Objectives. In addition, even to the extent it is feasible, mere enforcement of the federal reserved rights is unlikely to achieve the RMP Objectives, and is likely to generate conflicts between federal interests, adjacent communities, and local stakeholders. The parties further acknowledge that the establishment of a process to reduce/resolve conflicts may expedite achievement of the RMP Objectives by improving relationships and reducing the likelihood of resources being diverted to litigation costs rather than activities aimed at advancing RMP Objectives.

The parties recognize the value of already-undertaken conservation and recharge efforts to manage local groundwater sustainability challenges and protect the San Pedro River, which are key to advancing the RMP Objectives. These efforts will also assist the Fort in meeting its Endangered Species Act (ESA) requirements as established in biological opinions from the U.S. Fish and Wildlife Service and ensure the long-term sustainability of the Fort. The parties similarly recognize the importance of local management efforts and actions in meeting the RMP Objectives, which are included within the MOU Objectives, and avoiding conflict between local water use and federal reserved water rights. The parties wish to explore how their ongoing, planned, and potential future actions could (1) help to complement BLM's planned actions and advance or achieve RMP Objectives and, (2) potentially satisfy the primary purposes of federal reserved water rights. The parties acknowledge that all are likely to benefit from collaborative planning and financing efforts to equitably and efficiently carry out activities that will achieve the shared MOU Objectives.

The parties therefore agree that the preferred approach for promoting implementation of the MOU Objectives is to undertake proactive, collaborative actions that will meet their common goals. The parties also recognize that their proactive, collaborative actions will be acting upon the Sierra Vista Subwatershed's and Upper San Pedro Basin's dynamic hydrological and ecological systems that have changed over time and are continuing to change in response to impacts from both human and natural causes, including groundwater use, changes in landscapes and land management, and changes in climate. To provide a basis for ongoing collaborative action, the parties have worked to identify a monitoring framework that can be used to (1) objectively assess trends in relevant hydrological, biological, and ecological conditions in reference to recent conditions; (2) determine whether the cumulative actions being undertaken by the parties are objectively working to maintain or improve trends towards meeting the MOU Objectives over time; and (3) inform potential responses and adjustments to their collaborative actions accordingly.

5. Responsibilities of the Parties

The parties have determined that it is in their best interests to cooperate on three principal components to implement the mutually-beneficial activities and achieve the MOU Objectives:

- **Monitoring Indicators** – objectively assess and/or model trends in relevant hydrological, biological, and ecological conditions in reference to their shared goals, assess the impacts of management actions, and identify when adaptive management actions may be required. The parties will work together to acquire needed funding to support this monitoring and assessment, which is described in the Cooperative Monitoring and Adaptive Management Plan attached as Appendix A.
- **Management Actions** – identify and coordinate implementation of management actions that are designed to maintain or improve trends in hydrological, biological, and ecological conditions relevant to the MOU Objectives. The parties will work together to acquire needed funding to undertake these joint efforts. Current/ongoing and planned management actions relevant to this MOU are described in the Cooperative Monitoring and Adaptive Management Plan attached as Appendix A.

- Adaptive Management Responses – establish a formal process to initiate and implement adaptive management responses based on the ongoing review of Monitoring Indicators, with the objective of identifying and implementing consensus-based actions and avoiding conflicts between the federal management objectives and the interests of local jurisdictions and stakeholders, including situations in which the monitoring targets defined in Appendix A and/or the water-related goals of the individual parties are not being met.
- 5.1. Specifically, each party agrees to work in good faith with the other parties and to enter into additional agreement(s) as necessary to implement the mutually-beneficial actions described in the Cooperative Monitoring and Adaptive Management Plan (appended hereto as Appendix A), including the following:
 - 5.1.1. Collecting, analyzing, and reporting data and/or modeling information related to the identified monitoring indicators in a mutually-agreed upon schedule and format to the parties;
 - 5.1.2. Continuing, to the extent feasible, with the party’s own current and ongoing activities;
 - 5.1.3. Participating in collaborative planning, development, and funding for the ongoing and joint monitoring and management activities; and
 - 5.1.4. Seeking necessary funding to implement the cooperative monitoring and management actions.
 - 5.2. Each party agrees to utilize the adaptive management procedures identified in Section 6 of this MOU to resolve issues and avoid potential conflicts between the parties, including:
 - 5.2.1. Identifying a representative to sit on the Adaptive Management Committee (as further defined in Section 6 below);
 - 5.2.2. Delegating technical support functions to individual parties, the Upper San Pedro Partnership, Cochise Conservation and Recharge Network, technical working groups, or other organizations as appropriate and necessary; and
 - 5.2.3. Identifying and implementing consensus-based actions based on monitoring indicators and technical support functions to achieve the shared goals and points of mutual interest.

6. Procedures for Adaptive Management Response Actions

- 6.1 Immediately following the execution of this MOU, the parties will establish a MOU Adaptive Management Committee (“Adaptive Management Committee”) consisting of one manager or representative from each party. The Adaptive Management Committee will be responsible for the ongoing implementation of this MOU, including coordinating and delegating technical support functions, evaluating and reporting monitoring and modeling outcomes, and recommending consensus-based responses based on such outcomes.
 - 6.1.1 The Adaptive Management Committee may conduct its business through any form of written or electronic communications, in-person or remote meetings, and shall take action by consensus of the representatives to the Adaptive Management Committee. Each party shall have one voting representative on the Adaptive Management Committee.
 - 6.1.2 By consensus, the Adaptive Management Committee may invite or appoint such other persons (whether associated with the parties or any other organization) to attend its meetings and/or advise or support the Adaptive Management Committee. Such invitee shall not be a voting member of the Adaptive Management Committee.
- 6.2 The Adaptive Management Committee will, within 180 days of execution of this MOU, develop and begin carrying out a detailed implementation plan for the initial and ongoing data collection, modeling,

evaluation, and reporting activities for monitoring and assessing indicator trends consistent with the terms of the Cooperative Monitoring & Adaptive Management Plan appearing in Appendix A (the “Implementation Plan”).

6.2.1 The Implementation Plan will:

6.2.1.1 Include a description of the actions, schedule, and costs to evaluate the current status and projected trends of riparian health pursuant to the methodology described in Appendix A (including identification of the model(s) to be used for the initial evaluation of indicator trends), and a schedule for the periodic reporting of results to the Adaptive Management Committee.

6.2.1.2 Be maintained as a working document and shall be updated by the Adaptive Management Committee from time to time as may be determined by a consensus of the Adaptive Management Committee.

6.2.2 The Adaptive Management Committee will promptly arrange for any technical support functions necessary to carry out the initial and ongoing activities detailed in the Implementation Plan, which may, by consensus, be delegated to one or more of the individual parties, the Upper San Pedro Partnership, Cochise Conservation and Recharge Network, U.S.G.S., or such other parties or agreed-upon technical experts as the Adaptive Management Committee may determine to be appropriate and necessary.

6.3 At the request of any party, but in any event not less than once annually, the Adaptive Management Committee shall undertake a review of the results of monitoring and modeling activities, as follows:

6.3.1 The Adaptive Management Committee shall use the results of monitoring and modeling activities conducted pursuant to this MOU, together with any other relevant information that may be available to the parties, to assess indicator trends in each of the demarcated reaches of the SPRNCA (each, a “SPRNCA Reach”) pursuant to the maps and methodology described in Appendix A. As part of its review, the Adaptive Management Committee shall, based on a comparison between the current or recently observed conditions for a SPRNCA Reach, and projected future trends or modeling forecasts for conditions in that same SPRNCA Reach, assess whether each SPRNCA Reach may need additional or alternative monitoring or management based on the decision matrix appearing in Table 2 of Appendix A.

6.3.2 Based on the information available to the Adaptive Management Committee and assessed indicator trends as detailed in Section 6.3.1, the Adaptive Management Committee shall evaluate the likely impact, if any, of the current management actions being undertaken by the parties, assess whether any changes to current management actions may be beneficial to the purposes of the MOU, and determine whether any such changes should be recommended to the parties for consideration.

6.3.3 In the event the Adaptive Management Committee determines that assessed indicator trends indicate that a particular SPRNCA Reach may need additional or alternative monitoring or management, the Adaptive Management Committee will, within 90 days of its assessment of the same, make a consensus-based recommendation to the appropriate decision-maker(s) for each of the parties as to:

6.3.3.1 Whether continued or additional monitoring might be desirable to better assess trends in the affected SPRNCA Reach, adjacent SPRNCA Reaches, and/or assess the impact of current or planned management actions on such trends, and, if so:

(a) any additional technical support that would be desirable in making that assessment,

- (b) the timeframe for undertaking any additional assessment,
 - (c) cost estimates for the same, if available, and
 - (d) funding options or opportunities, if available.
- 6.3.3.2 The anticipated impacts of current management actions on the SPRNCA Reach, and whether those actions may be sufficient to address the undesirable trend over time.
- 6.3.3.3 If current management actions are not anticipated to be sufficient to address the undesirable trend:
 - (a) whether changes to existing management actions and/or additional management action(s) may be warranted to meet the goals of the MOU with regard to the SPRNCA Reach;
 - (b) what additional management action(s) might be considered, which of the parties or any third parties may have the capability and/or jurisdiction to implement those actions;
 - (c) a suggested timeframe for the implementation of any such actions;
 - (d) cost estimates for such actions, if available; and
 - (e) funding options or opportunities, if available.
- 6.3.4 If the Adaptive Management Committee is unable to reach a consensus-based recommendation on a particular matter pursuant to this Section, the Adaptive Management Committee will notify the parties of such point of disagreement and the SPRNCA Reach(es) affected.
- 6.3.5 The Adaptive Management Committee may, by consensus, delegate technical support functions related to review, evaluation, and development of recommendations as necessary for the Adaptive Management Committee to undertake these functions.
- 6.4 Upon receiving consensus-based recommendations from the Adaptive Management Committee, the parties will work in good faith to implement those consensus-based recommendations, which may include entering into additional agreement(s), amending this MOU and/or Cooperative Monitoring & Adaptive Management Plan, and/or integrating such activities into the Implementation Plan as may be deemed necessary and appropriate by the parties.
- 6.5 If the Adaptive Management Committee notifies the parties that it has been unable to reach a consensus-based recommendation as to a particular matter:
 - 6.5.1 Any party may request that the Adaptive Management Committee meet at least once during the next 90 days to reconsider the matter, together with any recommendations made by the parties as to the matter, and seek to make a consensus-based recommendation;
 - 6.5.2 Prior to taking any action inconsistent with the MOU Objectives or cooperative management efforts of this MOU, each party shall, to the extent consistent with its legal authorities and responsibilities, seek to formally consult with the other parties to the MOU to determine if the dispute can be resolved;
 - 6.5.3 Upon the determination of any party that the dispute cannot be resolved, any party (the “objecting party”) may suspend the objecting party’s participation in the terms of this MOU as to the particular matter(s) associated with the point of disagreement and/or with regard to the affected SPRNCA Reach(es) by providing written notification to the other parties; provided, that the parties, including the objecting party, shall continue to work in good faith

to implement the terms of this MOU and the cooperative actions being undertaken hereunder with regard to all other matters unrelated to the particular dispute. If there are multiple objecting parties, the subject of the dispute shall be tabled and other actions will be evaluated by the Adaptive Management Committee. A dispute under this Section will not excuse, impact or interfere with any party's existing or on-going management actions, which may involve contractual or other legal obligations.

- 6.6 From time to time, the Adaptive Management Committee may consider whether to alter the Cooperative Monitoring and Adaptive Management Plan appearing in Appendix A, including the evaluative criteria utilized by the parties in the decision matrix appearing in Table 2 of Appendix A. The parties may seek the recommendations of the Technical Advisors to Upper San Pedro Technical Committee in considering any such alterations, together with any other technical experts that the Adaptive Management Committee may elect to consult. Any alterations to the Cooperative Monitoring and Adaptive Management Plan will be made by consensus.

7. Limitations

The intent of this MOU and all documents attached hereto, is to provide a means for the parties to attempt to reach and sustain a consensus on ways to achieve the RMP and MOU Objectives and meet their shared goals and mutual points of interest. Accordingly:

- 7.1. The parties specifically acknowledge that this MOU is not an obligation of funds, nor does it constitute a legally binding commitment by any party or create any rights in any non-signatory.
- 7.2. The parties specifically recognize and agree that the monitoring activities and indicators described in Appendix A should not be understood as an agreement by any party that the condition of any SPRNCA Reach, as that condition may be evaluated based on the methodology in Appendix A, should be evaluated with reference to any particular historic baseline condition, nor does the failure of any SPRNCA Reach to meet a particular condition obligate the parties to take any further action except as expressly stated herein.
- 7.3. The parties are presently involved in litigation related to claims to federal reserved water rights in the San Pedro River in the Gila River Adjudication. Nothing contained herein shall be deemed an admission respecting or admissible as evidence in that or any other proceedings amongst or involving any one or more of the parties. Any party may point to its participation in this MOU as evidence of action(s) that the party is or is planning to undertake with reference to the MOU Objectives, which include the RMP Objectives, or any of the parties' other stated goals and objectives.

8. Addition of New Parties to this Memorandum of Understanding

With written approval of all existing parties to this MOU, any local jurisdiction, state agency, federal agency having jurisdiction over areas addressed by this MOU and Cooperative Monitoring and Adaptive Management Plan, or any other interested governmental or non-governmental organization may join in this MOU and execute agreements to join in or undertake further activities in support of this MOU and Cooperative Monitoring & Adaptive Management Plan. Upon joining in this MOU and Cooperative Monitoring & Adaptive Management Plan, such joining entity or organization shall appoint a representative who shall participate in the Adaptive Management Committee as described above.

9. Withdrawal from the Memorandum of Understanding

Any party to this MOU may withdraw from the MOU at any time upon written notice to all other parties. After withdrawal from the MOU, such withdrawing party may become a signatory to the MOU after approval in accordance with the provisions of Section 8 herein.

10. Other Modifications of the Memorandum of Understanding

The parties may modify this MOU only by mutual written agreement.

IN WITNESS WHEREOF, the duly authorized representative of each party has executed this MOU as of the 21st Day of September, 2021.

GILA DISTRICT,
BUREAU OF LAND MANAGEMENT
THE U.S. DEPARTMENT OF THE INTERIOR

FORT HUACHUCA, U.S. ARMY GARRISON
DEPARTMENT OF THE ARMY
THE U.S. DEPARTMENT OF DEFENSE

COUNTY OF COCHISE, ARIZONA

CITY OF SIERRA VISTA, ARIZONA

Appendix A

San Pedro Riparian National Conservation Area Cooperative Monitoring & Adaptive Management Plan

A.1. Monitoring – Introduction

The purpose of this San Pedro Riparian National Conservation Cooperative Monitoring & Adaptive Management Plan (SPRNCA Cooperative Plan, or Plan) is to document a monitoring framework and associated activities that are designed to support the Memorandum of Understanding for Cooperative Monitoring and Management of the San Pedro Riparian National Conservation Area and Surrounding Areas within Cochise County, Arizona, dated September 21, 2021 (MOU). The SPRNCA Cooperative Plan is intended to provide a basis for parties participating in the MOU to objectively assess trends in relevant hydrological, biological, and ecological conditions within and adjacent to the San Pedro Riparian National Conservation Area (SPRNCA) in reference to current or recent conditions; (2) assess whether specific or cumulative management actions are successfully maintaining or improving trends towards desired conditions over time; and (3) provide data that could inform potential responses and adjustments to management actions.

The monitoring activities described in the SPRNCA Cooperative Plan are associated with meeting the MOU Objectives. As described in the MOU, the MOU Objectives include (among other elements) certain water-related objectives identified by the U.S. Bureau of Land Management (BLM) in its 2019 San Pedro Riparian National Conservation Area Resource Management Plan (RMP) that depend upon water availability, and the associated federal reserved water rights. Specifically, the RMP objective relative to health of the overall riparian ecosystem (ob-WAT-3) states:

Provide adequate water quantities to sustain aquatic habitat, woody vegetation comprised of cottonwood, willow, and other native deciduous riparian trees and to meet desired ecological conditions, especially those for tree regeneration, native aquatic species, and federally listed aquatic species.

To address this objective and shared goals and mutual interests detailed within the MOU, the SPRNCA Cooperative Plan focuses on current and future riparian ecosystem health of the SPRNCA, the data required to define riparian health over time, previous studies and analyses, and estimated annual costs.

The SPRNCA Cooperative Plan utilizes certain of the indicators of sustainable groundwater use that have been defined for the Sierra Vista Subwatershed by the United States Geologic Survey (*Hydrological Conditions and Evaluation of Sustainable Groundwater Use in the Sierra Vista Subwatershed, Upper San Pedro Basin, Southeastern Arizona* (Gungle et al., 2016)) as key variables to assess and predict the riparian health of the SPRNCA now and in the future. Several investigations conducted for the SPRNCA over the past two decades by the collaborating members of the Upper San Pedro Partnership have also been used as a basis for developing this monitoring framework using both empirical monitoring data, as well as the relationships that have been defined between hydrology and the riparian ecosystem.

Studies and reports used to inform this SPRNCA Cooperative Plan include, but are not limited to: *Hydrologic Requirements of and Consumptive Ground-Water Use by Riparian Vegetation along the San Pedro River, Arizona* (Leenhouts et al., 2006); *Hydrological Conditions and Evaluation of Sustainable Groundwater Use in the Sierra Vista Subwatershed, Upper San Pedro Basin, Southeastern Arizona* (Gungle et al., 2016); *Riparian Conditions Along the San Pedro River, Proper Functioning Condition Riparian Assessment Report*, National Riparian Service Team (NRST 2012); and *Water Management of the Regional Aquifer in the Sierra Vista Subwatershed, Arizona* (a series of reports prepared for the U.S. Congress; U.S. Department of the Interior, 2005, 2006, 2007,

2008, 2011, 2012, 2013, 2014). The development of the SPRNCA Cooperative Plan has been advised by the U.S. Geological Survey (USGS) to assess its technical consistency with the RMP Objectives.

A.2. Riparian Health

The Adaptive Management Committee will review and rely upon various data, studies, metrics, or analyses in performing its Adaptive Management Responses based upon the best available science, and will assess both the changing hydrological and ecological conditions in the various SPRNCA Reaches, as defined in this Section, and the effectiveness of their management actions with regard to the MOU Objectives.

To provide an initial framework for this evaluation, the USGS has recommended the riparian health condition classes defined by Leenhouts et al. (2006) for the SPRNCA as an effective and relatively comprehensive metric to use for evaluating hydrologic integrity and associated ecosystem health that can be spatially and temporally specific, and from which relevant trends in riparian health conditions can be measured or inferred.

SPRNCA has been categorized in previous studies into three riparian health classes—Classes 1, 2, and 3--which were further segregated into 14 reaches within the SPRNCA. (Leenhouts et al. 2006) The delineation of these reaches was based on their respective geomorphic, hydrologic and biological characteristics, and these same 14 delineated reaches are being adopted by the SPRNCA Cooperative Plan for monitoring, evaluation, and planning purposes (each hereafter referred to as a “SPRNCA Reach” or “Reach”). The location and spatial extent of each of these reaches is shown in the map (adapted from Leenhouts et al. 2006) included as Figure 1.

Because the primary intent of the Plan is to provide a basis for ongoing, cooperative action by seeking to maintain or improve the trend in riparian conditions, the parties will utilize this framework of riparian condition classes to both assess current conditions and to model projected trends in those conditions over time within each SPRNCA Reach (and across multiple reaches). Based on this information, the parties will use the framework to assess whether current and planned management actions are successfully maintaining or improving trends in these conditions and will guide potential responses and adjustments to cooperative management actions and activities accordingly.¹

As noted in the MOU, the parties have also agreed to consider other methodologies for evaluating indicators and trends in the SPRNCA reaches as data, modeling, and science in the area continue to evolve and improve, and have identified a consensus-based approach to considering potential alternative metrics and/or changes in methodology, which may be informed by input from the technical advisors to the Upper San Pedro Partnership, USGS, and such other technical experts as the Adaptive Management Committee may determine to be appropriate and necessary.

A metric will be separately needed to define wetland site health in relation to hydrologic conditions. The BLM is in the process of establishing the quantitative thresholds that define wetland health; it is not included in the current document.

¹ It is important to note that the parties are not adopting the “wet,” “intermediate” or “dry” designations developed in Leenhouts et al. (2006) as the metric for evaluating or triggering actions under this Plan, but rather intend to evaluate the projected trend in riparian condition class within each SPRNCA reach in comparison to current conditions. Similarly, the specific conditions of the SPRNCA reaches that were observed in the Leenhouts et al. (2006) study are not being adopted by the parties as a baseline, since the management actions being undertaken in the MOU are designed to influence an inherently dynamic and complex hydrological and ecological system that (as noted above) is continuing to change in response to historic and current groundwater withdrawals, riparian vegetation needs, variability in recharge rates, changing climate, and other factors.

A.2.1. SPRNCA Reaches

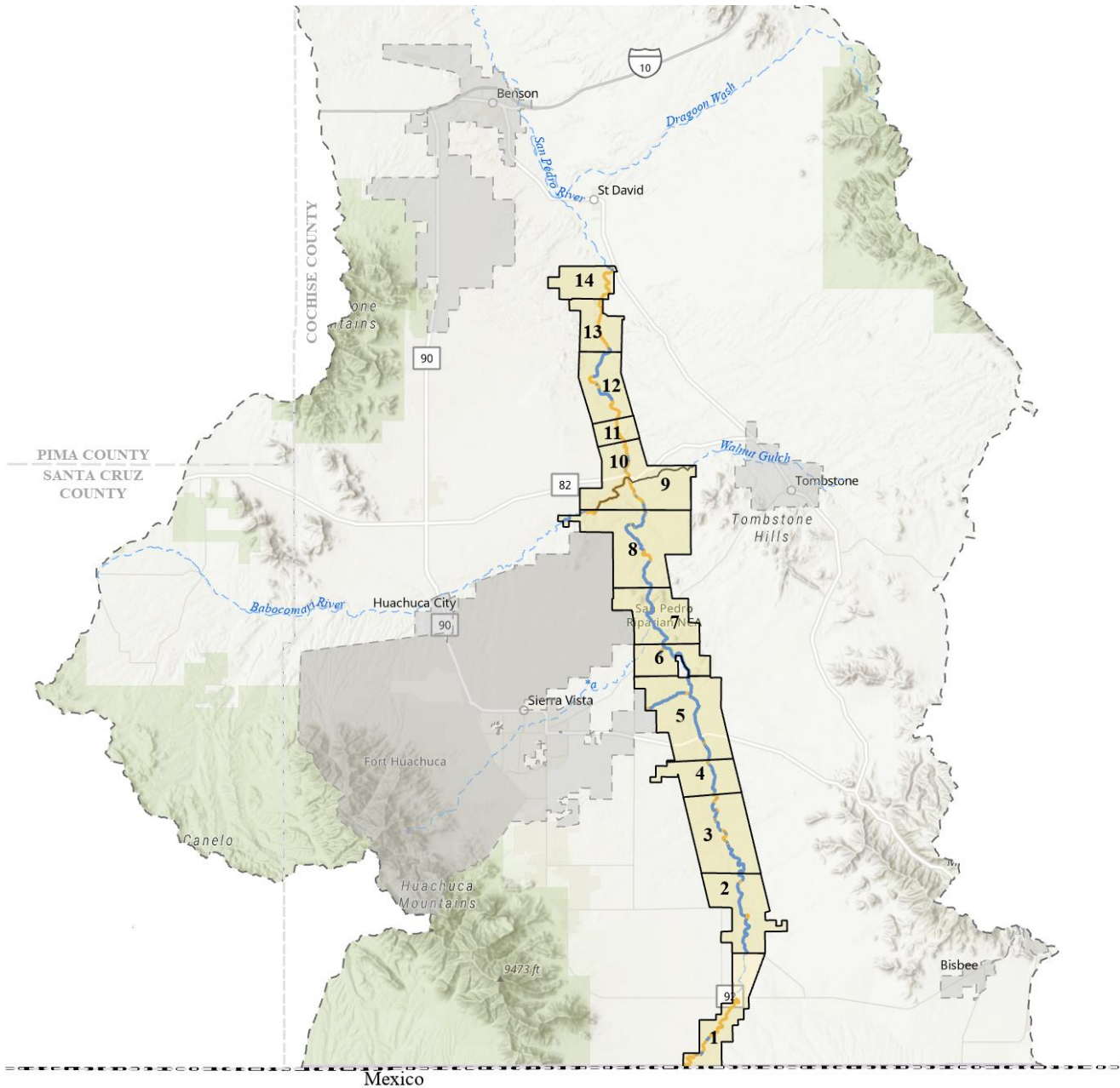


Figure 1: Delineated SPRNCA Reaches (adapted from Leenhouts et al., 2006).

This Plan is also adopting three “riparian condition classes” that correspond to the approximate ranges for observed surface flow permanence, mean and maximum depth to groundwater in the floodplain, and expected variation in groundwater levels through the year that were identified in that study (with Class 3 conditions corresponding to riparian areas with relatively permanent surface flow and shallower groundwater that are most conducive to supporting healthy riparian vegetation on one end of the range, and Class 1 conditions corresponding to areas with limited or no surface flow and deeper groundwater that cannot readily support healthy vegetation on

the other end of the range), consistent with the methodology proposed by Leenhouts et al. (2006). The quantitative ranges of values for surface water and groundwater that will initially be used to define these condition classes for purposes of this Plan will be based on empirical data collected within the SPRNCA and are defined as shown below.

Riparian Condition Class	Surface flow permanence	Mean flood-plain ground-water depth (m)	Maximum flood-plain groundwater depth (m)	Expected annual ground-water fluctuation (m)
Class 3	Perennial	1.6 ± 0.5	1.7 ± 0.5	0.3 ± 0.0
Class 2	Intermittent-wet	2.5 ± 0.6	3.0 ± 0.9	0.9 ± 0.7
Class 1	Intermittent - dry	2.5	3.5	1.8

Table 1: Riparian condition class thresholds (adapted from Leenhouts et al., 2006).²

A.2.2. Monitoring to Assess Current Status of Riparian Health and Regional Aquifer Conditions

Since localized impacts to the hydrology of the system can be highly variable from SPRNCA Reach to SPRNCA Reach, monitoring to determine the current status of riparian health should be spatially comprehensive and include all 14 SPRNCA Reaches that are addressed by this Plan. The data required to determine current status of Riparian Health include, but are not limited to:

- Near-stream alluvial-aquifer water levels
- Streamflow permanence
- Riparian vegetation data

Evaluation of current conditions is conceptually simple, requiring only to repeat as closely as possible the hydrologic monitoring and subsequent analysis originally undertaken by Leenhouts and Stromberg as detailed in Leenhouts and others (2006), Chapters B and C. Most wells monitored as part of the 2002-2003 effort described in that publication continue to be monitored quarterly by the USGS currently. In order to obtain accurate groundwater fluctuation data, many of these wells would also need to be outfitted with continuously recording pressure transducers to obtain continuous water-level data. Continuous (i.e., hourly to daily) water-level monitoring is necessary to accurately determine annual water level fluctuations and mean and maximum dry-season depth to water.

In developing this Plan, the parties recognize that local and regional stakeholders do not have jurisdiction or authority over the land within the SPRNCA Reaches, and that management actions undertaken within the SPRNCA Reaches are largely, if not exclusively, within BLM control. However, management actions undertaken

² The values presented are intended to reflect the hydrologic conditions that would be expected to correspond to particular riparian conditions, based on the Leenhouts et al. (2006) study. The parties intend to update these values to reflect better understanding of the hydrologic values associated with these riparian condition classes to incorporate new information as Plan implementation proceeds. Because there is some potential overlap between condition classes, the Adaptive Management Committee will determine how best to characterize the current or modeled future condition of each SPRNCA Reach at the time of each assessment. In assessing surface flow permanence, the Parties acknowledge that it is presently difficult to monitor surface flow permanence across all of the SPRNCA Reaches, such that the assessment of permanence will be somewhat subjective based on available data in each Reach. Permanence categories refer to Table 16 in the Leenhouts et al. (2006) study.

outside of the SPRNCA Reaches that maintain, restore or improve regional aquifer conditions may also support one or more SPRNCA Reaches and advance MOU Objectives. Additional data required to determine current status of regional aquifer conditions include, but are not limited to:

- USGS Regional Well Data (including horizontal gradients and trends/fluctuations);
- Aquifer Storage Change Measured with Microgravity;
- Annual Water Budget Balance;
- Arizona Department of Water Resources Well Sweep Data;
- Cochise Conservation & Recharge Network Monitoring data;
- Data on precluded groundwater pumping due to conservation easements, regulatory restrictions and other measures implemented in the region to decrease consumptive water uses.

A.2.3. Modeling of Projected Trends for Riparian Health

Assessments of the current status of riparian health and regional aquifer conditions as described in A.2.2 above will provide a comprehensive snapshot of the riparian conditions at the time that each evaluation is undertaken pursuant to this Plan. However, because the parties are seeking to guide planned and proposed management actions in the context of a dynamic system, the parties will rely on an evaluation of recent and projected *trends* for riparian health rather than an evaluation of the current status against any particular historic baseline or other arbitrary state. Given the inherently lagged response time of groundwater systems to groundwater pumping impacts -- as well as to managed and natural recharge -- the Plan will utilize and evaluate both *current* riparian health condition classes (the “current status”), and *projected* riparian health condition classes for the next 10 years (the “projected trends”) in order to (i) anticipate changing conditions over time, and (ii) inform management measures which may be necessary to maintain or change trend status.

Projected trends must be modeled based on the future water uses anticipated, planned management measures, and current climate projections. Empirical field data should be continuously collected over time to refine and calibrate model predictions as both hydrological and ecological conditions will continuously change. However, because neither hydrological nor ecological conditions are likely to dramatically change from one year to the next, the reevaluation of both status and projected trends pursuant to the Plan will be considered at periodic intervals (described further below), but may also be undertaken more frequently based on the availability of new data or in the event of proposed or actual changes in water management plans and activities relevant to the Plan.

To provide this capacity for evaluation of projected trends, a highly calibrated, integrated groundwater-surface water model will be used in support of the SPRNCA Cooperative Plan. Models of this type can be utilized to predict these future riparian health trends with meaningful accuracy, provided sufficient data are available. The role of the model will be to incorporate not only groundwater and surface water changes in response to basin-wide pumping, recharge, and discharge, but also to include effects of land use, vegetation, and climate – each as may be influenced by planned management actions and activities – as inputs to the extent feasible.

The model will be used to generate outputs of higher precision than those currently available from the Pool and Dickinson (2006) MODFLOW model; cover the entire length of the SPRNCA (the Pool and Dickinson 2006 model covers only the portion of the SPRNCA within the Sierra Vista Subwatershed); and should utilize many of the surface-water components available in a GSFLOW model such as a more refined Precipitation Runoff Modeling System and daily time steps.

The integrated model will be developed with an appropriate spatial and temporal scale for evaluating the short- and long-term hydrologic responses in the riparian zone, and it will be updated periodically to include:

- New or proposed land use proposals, land management initiatives, or major water-use, export, or importation proposals, and/or aquifer recharge projects inside or outside of the SPRNCA
- The latest Intergovernmental Panel on Climate Change model predictions
- Ongoing refinement and calibration of model parameters using the following empirical data including:
 - Regional groundwater levels
 - Aquifer storage change measured with microgravity
 - Groundwater budget balance (including updated pumping information)
 - Near-stream alluvial aquifer water levels
 - Streamflow permanence
 - Streamflow at USGS streamgages on the San Pedro and Babocomari
 - Annual wet dry mapping data
 - Spring discharge
 - Precipitation, temperature, and evapotranspiration (ET)
 - Vegetation mapping

Based on actual field data, the parties expect that a calibrated integrated model can be used to predict future trends in the riparian condition classes described above within a reasonable range of uncertainty associated with the model input and calibration. Additionally, annual wet-dry mapping would serve to check/validate the model's calibration for the update period. The model would provide valuable information on tributary inflows to the SPRNCA for all un-gaged tributaries as well as bank storage and ET from saturated and unsaturated zones, canopy, bare ground, and open water.³

To evaluate the “projected trend” for each SPRNCA Reach, the differences between the current conditions and the “projected 10-year trend” will be compared. An evaluation will be conducted every year for the first two years to evaluate changes and performance of the management and/or monitoring actions in place. Thereafter, at approximately ten-year intervals, or on a more frequent basis at the request of any party, the current status and subsequent 10-year projections would be compared to the “projected trend” from the previous evaluation.

Pursuant to the terms of the MOU, the parties intend to delegate a number of technical support functions related to monitoring and projecting trends for riparian health and will determine and select both model(s) that will be used for this purpose, together with the schedule for updating model inputs, collecting data, conducting modeling analyses through the MOU Adaptive Management Committee.

A.2.4. Integration of Current Status and Projected Trends for Adaptive Management

As noted above, given the lagged responses of groundwater systems, for purposes of this Plan the parties will rely on both an assessment of the current condition of each SPRNCA Reach and the trends indicated by a comparison of current conditions and model-projected future conditions to ongoing monitoring and water management needs.

The matrix shown below in Table 2 describes the framework that the MOU parties will use to guide the interpretation of monitoring data and the projection of future conditions, by comparing the most recent evaluation of riparian condition classes for each SPRNCA Reach against the modeled projection of future trend for that specific reach. The corresponding responses described in the matrix will allow for flexibility in reassessing or

³ At the time of the development of this Plan, the parties anticipate using a soon-to-be available model, currently being developed by Fort Huachuca, to conduct the initial analysis of projected trends of riparian health under the MOU. However, the parties may consider replacing or supplementing this model as Plan implementation continues based on information and modeling developed in parallel by USGS, which is expected to cover a broader geographic area. As described in the MOU, the parties will, through consensus of the Adaptive Management Committee, agree to the specific model that will be used for the analysis of projected trends under this Plan.

revising management actions in response to changing conditions, while providing a general framework to guide necessary and timely actions to address developing trends. Each of the 14 SPRNCA Reaches will be evaluated separately.

		MODEL TREND PER REACH					
		<i>Significant Improvement</i>	<i>Improving</i>	<i>Minimal Improvement / No Change</i>	<i>Minimal Decline</i>	<i>Decline</i>	<i>Significant Decline</i>
		<i>Model projects positive change in class within period</i>	<i>Model projects positive trend that could change class</i>	<i>Model projects no change or small positive trend within normal variation</i>	<i>Model projects small negative trend within normal variation</i>	<i>Model projects negative trend that could change class</i>	<i>Model projects negative change in class within period</i>
CURRENT CLASS	3	MOU Objectives satisfied ⁴	MOU Objectives satisfied	MOU Objectives satisfied	MOU Objectives satisfied, but potential additional monitoring and management options may be considered	Additional monitoring and management options will be considered	Additional monitoring and management options will be considered
	2	MOU Objectives satisfied	MOU Objectives satisfied	MOU Objectives may be satisfied, but potential additional monitoring and management options may be considered	Potential additional monitoring and management options should be considered	Additional monitoring and management options will be considered	Additional monitoring and action required
	1	MOU Objectives satisfied	MOU Objectives may be satisfied, but potential additional monitoring and management options may be considered	Potential additional monitoring and management options should be considered	Potential additional monitoring and management options will be considered	Additional monitoring and action required	Additional monitoring and action required

Table 2: Adaptive management responses to monitoring and modeling outcomes

As noted above, the parties acknowledge that management actions undertaken outside of the SPRNCA Reaches that maintain, restore or improve regional aquifer conditions, including but not limited to recharge projects and measures that reduce consumptive water use, will support SPRNCA Reaches or advance the MOU Objectives.

A.3. Timing, Location, and Estimated Costs of Data Collection

⁴ The Parties agree that satisfaction of MOU Objectives in any particular SPRNCA Reach does not preclude the Adaptive Management Committee from evaluating and engaging in further monitoring or management decisions.

The data necessary for analyzing current riparian condition classes and maintaining relevant model inputs and calibration are described in detail below. The timeframe identifies the necessary frequency of monitoring, and in the case of continuous measurements, the field visits required.

Pursuant to the terms of the MOU, the parties intend to delegate technical support functions and determine a schedule for collecting and reporting data through action of the Adaptive Management Committee.

Data collection includes the activities listed in the following table, listed by sustainability indicator categorized by:

- (1) Indicators used for model input and calibration;
- (2) Indicators used for both model input and current status of riparian health;
- (3) Additional data required for model input.

Data Collection

Sustainability Indicators (USGS) [1]	Description of Data Collection Activity Related to Model Parameter [2]	Responsible Party	Related RMP Objectives	Costs (where known)
(1) Indicators Used for Model Input and Calibration				
Regional Groundwater Levels	37 wells monitored by USGS as part of the Sustainability Indicators (Gungle et al., 2016) and 10 additional wells monitored by BLM. The total currently is 47 wells/well points. They are visited quarterly for data collection. All water levels are QA/QC'd following specific, documented USGS protocols including the nature of the measurements (tape calibration, method of measurement and measuring point, periodic vertical verification of measuring point, field check, transducer reset in the field at continuous well location, then back at the office, data analysis, data loading, data discussion for each well site, data adjustment for transducer-based data, and a 3-step data approval process that results in the water level data being loaded and shown as "approved" on the publicly accessible USGS National Water Information System (NWIS) data base. Data type for model parameter: groundwater elevations; numeric. Data collection is continuous; quarterly. Data location: NWIS Water Data.	BLM; USGS	ob-WAT-3, ob-VEG-RIP-1, ob-VEG-RIP-2	\$635 per well for USGS discrete sampling (37) for total of \$23,495, \$750 per site BLM estimate (10 sites) – Total \$7,500
Aquifer Storage change Measured with Microgravity	USGS Arizona Water Science Center gravity data archive. Data type for model parameter: numeric, in microgals.	USGS	ob-WAT-3, ob-VEG-RIP-1, ob-VEG-RIP-2	
Groundwater Budget Balance	Pumping data from USGS water use group (residential/commercial/irrigation), rural exempt pumping and industrial pumping are calculated as a function of increase in relevant population groups (sand and gravel mining), golf course irrigation, and stock tank pumping (Natural Resource Conservation District);	USGS	ob-WAT-3	
	Municipal recharge data from jurisdictions of Sierra Vista, Ft. Huachuca, Tombstone, and Bisbee;	Fort; Sierra Vista; County	ob-WAT-3	
	Detention basin recharge from Ft. Huachuca and Sierra Vista (latter value can be derived from precipitation using ARS regression equation);	Fort; Sierra Vista	ob-WAT-3	
	Mesquite and tamarisk treatment, if any, from BLM;	BLM	ob-WILD-2, ob-VEG-RIP-1, ob-VEG-RIP-2, ob-VEG-RIP-5, ob-VEG-All-1, ob-VEG-All-2, ob-WAT-3	

Data Collection

Sustainability Indicators (USGS) [1]	Description of Data Collection Activity Related to Model Parameter [2]	Responsible Party	Related RMP Objectives	Costs (where known)
	Incidental recharge is derived as a function of pumping deliveries and irrigation volumes;	Fort; Sierra Vista; County	ob-WAT-3	
	Urban enhanced recharge has been derived as a function of impervious surface in the subwatershed. [3]	Sierra Vista; County	ob-WAT-3	

(2) Indicators Used for Both Model Input and Current Status of Riparian Health				
Near-Stream Alluvial Aquifer Water Levels	39 wells/well points monitored as part of the Sustainability Indicators (Gungle et al., 2016) and 9 wells/well points as part of BLM’s FRWR monitoring. With one overlap (COTBLM), the total currently is 47 wells/well points. In order to compare results accurately with Stromberg et al (2006) some wells will need to be brought out of retirement: 6 in the Sierra Vista Subwatershed and 5 more in the reaches north of the Tombstone gaging station (Contention, Summers, and St. David biohydrology sites from Leenhouts et al., 2006). Current monitoring includes continuous water level measurements using pressure transducers at 14 of the 39 wells referred to in the previous paragraph. They are visited quarterly for data collection and calibration. [4] Data type for model parameter: groundwater elevations, numeric. Data collection is continuous, visited quarterly. Data location: NWIS Water Data.	USGS	ob-WAT-2, ob-VEG-RIP-1, ob-VEG-RIP-2	\$1,600 per well per year – with 42 wells annual cost is \$67,200

Data Collection

Sustainability Indicators (USGS) [1]	Description of Data Collection Activity Related to Model Parameter [2]	Responsible Party	Related RMP Objectives	Costs (where known)
Streamflow Permanence	<p>According to Leenhouts et al (2006), streamflow permanence is the best indicator for near-stream herbaceous vegetation. To quantify this Leenhouts et al (2006) used in-situ temperature sensors throughout the stream reaches. This is a considerable undertaking to repeat. Data from streamflow permanence cameras and USGS gages gives a general idea but not the spatial resolution required. The best way to monitor this indicator is still under consideration. Data collection would ideally be continuous.</p> <p>Gage data RE: flow present (wet) or absent (dry or ponded) for Palominas, Lewis Springs stage recorder, Charleston, Tombstone, AND Photos of streamflow every 12 hrs converted to wet (flowing or ponded) and dry data. (Note that data types are inconsistent with regard to ponded, not flowing data—"not flowing" is problematic to define via photography; it could be possible but difficult to determine "ponded but not flowing" from stage data. Charleston is the primary site with a deep pool by the gage, but has only been not-flowing for a short period in 2005.)</p>	USGS	ob-WAT-2, ob-VEG-RIP-1, ob-VEG-RIP-2, ob-Veg-ALL-2, ob-WILD-2, ob-WILD-5	
Streamflow at USGS streamgages on the San Pedro and Babocomari	3 mainstem gages (Palominas, Charleston, Tombstone) and one on the Babocomari River at SPRNCA boundary (aka Lower Babocomari). There is also a stage recorder at the Lewis Springs research site (no discharge calculated). Stream gages record continuous data. They are visited quarterly by the USGS following their stream gage protocols. The data is publicly available on the NWIS database. Data collection is continuous.	USGS	ob-WAT-2, ob-VEG-RIP-1, ob-VEG-RIP-2, ob-Veg-ALL-2, ob-WILD-2, ob-WILD-5	FY2020 annual cost is between \$19,000 and \$20,000 per gage X 4 (Palominas, Charleston, Tombstone, Babocomari) = \$78,400
Annual Wet Dry Mapping	GPS data collected on the 3rd week of June each year from entire San Pedro River in subwatershed, Babocomari River, Curry Draw (Environmental Operations Park to river), Coyote Wash (Escapule Rd. to River). Data displayed in an ArcGIS environment of wetted lengths of stream.	TNC	ob-WAT-2, ob-WAT-3, ob-Veg-ALL-1, ob-Veg-ALL-2, ob-WILD-1	

Data Collection

Sustainability Indicators (USGS) [1]	Description of Data Collection Activity Related to Model Parameter [2]	Responsible Party	Related RMP Objectives	Costs (where known)
Springs Discharge	Current monitoring includes spring discharge measurements at 5 locations in SPRNCA by USGS (Kolbe, Murray, Horsethief, Moson, and N. Lewis). Discharge is collected using flumes, weirs, velocity meters, or volumetrically (bucket). BLM monitors wetland water level fluctuations at the St. David Cienega and Lil Joe wetlands. Springs to be added (North of SV SW) – Frog Spring, Ben Spring, Dunlevy, and Curtis Artesian Well. Data type for model parameter: Discharge data; numeric in ft ³ /s. Data collection is quarterly. Data available via NWIS (Automated Data Processing System); National Climate Center; City of Sierra Vista Annual Report.	USGS	ob-WAT-4, ob-VEG-RIP-1, ob-VEG-RIP-2, ob-Veg-ALL-2, ob-WILD-2, ob-WILD-5	\$1,280 per site for quarterly measurements – Current (5) cost is \$6400 year, Springs to the North (4) will add \$5,120, for a total of \$11,520

Data Collection

Additional Data	Description of Data Collection Activity Related to Model Parameter [1]	Responsible Party	Related RMP Objectives	Costs
(3) Additional Data Required for Model Input				
<p>Precipitation, Temperature, and ET</p>	<p>4 station average precipitation (used in sustainability report) was based on National Climate Data Center precipitation data. However, those data have problems and require filling in gaps based on relationships to other stations for some months. 4 station individual plots with 4 station average all on same plot is how subwatershed precipitation has been displayed in 321 Reports and sustainability report.</p> <p>U.S. Dept. of Agriculture, Agricultural Research Service maintains a 100+ rain gage network in Walnut Gulch subwatershed of the Sierra Vista Subwatershed as well as additional precipitation gages across the Sierra Vista Subwatershed.</p> <p>Data for model parameter: monthly precipitation totals.</p>	<p>USDA/ARS (precipitation and ET)</p>	<p>ob-WAT-3, ob-VEG-RIP-2</p>	
<p>Vegetation Mapping</p>	<p>As described in Leenhouts et al (2006), the bio-hydrology transects encompass 9 total indicators. Protocols involve 20m riparian belt transects and in-channel herbaceous quadrats. Most of the identified 14 reaches have several bio-hydrology sites with an original survey of 26 sites. Data collection is every 5 years.</p>	<p>BLM</p>	<p>ob-WAT-2, ob-WAT-3, ob-VEG-RIP-1, ob-VEG-RIP-2, ob-Veg-ALL-2, ob-WILD-2, ob-WILD-5</p>	<p>\$70,000</p>

Notes:

[1] For purposes of the SPRNCA Cooperative Plan, water quality indicators not included at this time, only those that address water availability.

Horizontal gradients, near-stream vertical gradients, fluctuation of alluvial aquifer, were not included for model input/calibration since they are derived from the same data as other indicators.

[2] Data Collection Activities as of March 2021.

[3] This value has always been somewhat speculative and should be derived in part as a function of watershed precipitation, post- and pre-development runoff.

[4] Cost estimates are subject to change, likely increase, in future FYs; these numbers are for ballpark estimating possible monitoring costs and should not be construed as an offer to render services. USGS currently charges cooperators \$635 per well for monitoring wells quarterly. Continuous wells outfitted with a pressure transducer cost \$1,600 per well, downloaded and corrected quarterly. All water levels are QA/QC'd following specific, documented USGS protocols including the nature of the measurements (tape calibration, method of measurement and measuring point, periodic vertical verification of measuring point, field check, transducer reset in the field at continuous well location, then back at the office, data analysis, data loading, data discussion for each well site, data adjustment for transducer-based data, and a 3-step data approval process that results in the water level data being loaded and shown as "approved" on the publicly accessible USGS NWIS data base). Cost estimates for other monitoring (e.g. Riparian Vegetation) is provided as an estimate by BLM and should be considered with an equal (perhaps greater) amount of uncertainty.

A.4. Database Development and Reporting

Datasets collected from various hydrologic monitoring efforts ongoing in the region are in many cases stored and reported by agencies and organizations and in a variety of formats. To make the wealth of hydrologic information more readily accessible and useful, the City of Sierra Vista and the Upper San Pedro Partnership applied for and were awarded a U.S. Bureau of Reclamation WaterSMART Applied Science grant in early 2020 to develop a web-based hydrologic information portal for the Upper San Pedro Basin (the WHIP). Among its other functions, the WHIP will ensure the ready and timely availability of future Upper San Pedro Basin monitoring data via a report-out template including information needed by water managers. The project timeline includes a 7-month planning phase, a 15-month development phase, and an overlapping 5-month dissemination phase.

The parties will continue to engage in the WHIP planning and development processes as appropriate to encourage functionality be built into the WHIP to meet the database storage and reporting needs of this Plan, including reporting on indicators described in this Plan.

Until the WHIP is implemented, the parties will store and report data collected pursuant to section A.5 according to the existing standards and practices of the Upper San Pedro Partnership and will work collaboratively to provide any of the other SPRNCA Cooperative Plan party any data or information needed to implement this Plan.

A.5. Ongoing and Planned Management Actions

The parties have already undertaken or are currently undertaking the following activities, which are intended to have beneficial effects related to the MOU Objectives, each as described in the tables below. Pursuant to the MOU, each party will continue to undertake and implement these listed activities, and will coordinate planning, funding and implementation of the activities with the SPRNCA Cooperative Plan parties as needed.

Management Actions

Action / Project Name	Project Lead	Description / Purpose	RMP Goals/Objectives Supported by Project	Planned Actions
SPRNCA RMP	BLM	Soils & Watershed Management - management actions, activities, and allowable uses- Recharge enhancements within ephemeral tributaries that slow and/or recharge accelerated runoff from developed/urbanized areas will ensure a natural flood flow regime and help protect and enhance flood flows, groundwater levels and baseflows. Restoration of a natural flood flow regime within relatively undeveloped/non-urbanized subwatersheds and ephemeral tributaries will ensure that mainstem flood flows remain intact.	ama-SOIL-3; Ob-WAT-3	Improve watershed health and prioritize treatments for recharge enhancements in ephemeral tributaries. Monitor groundwater levels near recharge enhancements and modify size, location, and/or type of enhancement to achieve rising or stable groundwater levels
SPRNCA RMP	BLM	Soils & Watershed Management - management actions, activities, and allowable uses - Additional sediment transport, hydraulic, and ecological assessments to inform floodplain management options related to geomorphology within SPRNCA could benefit baseflows, groundwater conditions and flood flows over the long term, as well as forest recruitment.	ama-SOIL-4; Ob-WAT-3	Assess the level of departure of current river geomorphology and function from its potential for each reach. Where assessment indicates that channel function can be enhanced through the gradual implementation of low impact structural and nonstructural approaches, design and implement projects, where feasible. Monitor changes in key parameters.
SPRNCA RMP	BLM	Soils & Watershed Management - management actions, activities, and allowable uses - Surface run-on from surrounding upland areas onto abandoned ag fields near the river has been obstructed by historic berms and stormwater diversions constructed for agricultural operations. Earthwork that facilitates movement of sheet flow from the upland areas to near stream fields and ephemeral drainages would benefit infiltration and groundwater recharge	ama-SOIL-5; Ob-WAT-3	Assess the man-made structures from historical land uses (e.g., agricultural dikes and berms, railroad grades, and ditches and diversions) for hydrologic function, determine their level of impairment, and rehabilitate (either dismantle or alter) as necessary.
SPRNCA RMP	BLM	Soils & Watershed Management - management actions, activities, and allowable uses - Restoring natural drainage patterns and watershed function would benefit flood flows, baseflows, and groundwater levels.	ama-SOIL-6 ; Ob-WAT-3	Modify all routes affecting watershed health and function, as necessary to restore watershed function and long-term health
SPRNCA RMP	BLM	Water Management - management actions, activities, and allowable uses - A spatially-explicit assessment of groundwater levels and baseflows within SPRNCA, that compares the benefits of simulated groundwater protection and/or recharge options, can be used to prioritize the most effective groundwater management strategies to meet the SPRNCA’s current and future water needs.	ama-WAT-1	Review and assess water needs for resources managed on the SPRNCA and acquire and perfect new water rights as deemed necessary for management purposes
SPRNCA RMP	BLM	Water Management - management actions, activities, and allowable uses - All authorized pumping within SPRNCA reduces groundwater storage and levels by the amount pumped.	ama-WAT-2; Ob-WAT-3	Design any pumping of groundwater for BLM-authorized actions to reduce impacts on base flows; this could include putting

Management Actions

Action / Project Name	Project Lead	Description / Purpose	RMP Goals/Objectives Supported by Project	Planned Actions
		Withdrawals for all purposes can be minimized through strict water conservation measures.		floats in troughs and seasonally restricting groundwater pumping
SPRNCA RMP	BLM	Water Management - management actions, activities, and allowable uses - No new authorizations for additional land uses or associated groundwater pumping within the SPRNCA will help to protect and enhance groundwater levels.	ama-WAT-3; Ob-WAT-3	Do not approve land use authorizations (realty actions) involving additional groundwater pumping on the SPRNCA, subject to valid existing rights
SPRNCA RMP	BLM	Water Management - management actions, activities, and allowable uses - The development of an effective SPRNCA groundwater monitoring program within SPRNCA, capable of quantifying the current status and ongoing trends of groundwater levels, will be essential to inform land and water management options over time. The need for any emergency habitat augmentation measures to protect baseflows or groundwater levels can be reduced through ongoing land and water management activities, however, when absolutely necessary, they can be informed by predictive hydrologic modeling to optimize the benefits and minimize any secondary unintended consequences.	ama-WAT-4	Assess existing wells on the SPRNCA for use as monitoring wells, administrative use, wildlife use (drinking and habitat), habitat restoration (for maintaining a limited number of off-channel aquatic habitats for threatened and endangered species recovery), livestock use, emergency habitat augmentation, and other potential uses.
SPRNCA RMP	BLM	Vegetation Communities - management actions, activities, and allowable uses - Eradication/reduction of undesirable, non-native phreatophytes will reduce consumptive groundwater loss to ET, and benefit groundwater levels. Reduction of mesquite encroachment within floodplain (sacaton) grasslands may also reduce ET and benefit groundwater levels.	ama-VEG-ALL-1; Ob-WAT-3,	Use combinations of biological (targeted livestock grazing, insects, etc.), mechanical, prescribed fire, and chemical management to suppress, control, and/or eliminate invasive species/noxious weeds
SPRNCA RMP	BLM	Vegetation Communities - management actions, activities, and allowable uses - Proper functioning condition of the riparian corridor will enhance infiltration of floodwaters into stable, vegetated streambanks and floodplain terraces	ama-VEG-RIP-1; Ob-WAT-3	Restore and maintain riparian function.
Sierra Vista Surface Water Plan	City of Sierra Vista	The City of Sierra Vista’s Surface Water Plan, originally implemented in 1984, establishes natural drainage maintenance corridors (NDMCs) throughout the City. NDMCs have a variety of benefits, but as related to watershed management, the NDMCs help to protect natural flow characteristics, which in turn helps to reduce erosion and sediment transport to downstream areas, including the San Pedro.	ob-SOIL-2; g-WAT-1; ob-WAT-3, g-VEG-ALL-2	
Artificial Turf	City of Sierra Vista	Utilize artificial turf where feasible to limit groundwater use for irrigation. Two City soccer complexes were recently converted to artificial turf. Annual water savings are estimated at 59 ac-ft.	ob-SOIL-2; g-WAT-1; ob-WAT-3, g-VEG-ALL-3	

Management Actions

Action / Project Name	Project Lead	Description / Purpose	RMP Goals/Objectives Supported by Project	Planned Actions
		Artificial turf reduces the need for irrigation and thus groundwater pumping.		
Noxious Weeds Treatment	City of Sierra Vista	The City of Sierra Vista treats approximately 212 acres annually for noxious weeds. Targeted weed spraying and removal helps to control the spread of noxious weeds. These weeds prevent the growth of native plants and create a heightened fire risk, leading also to an increase in accelerated runoff and erosion.	ob-SOIL-2; g-WAT-1; g-VEG-ALL-4	
Wash Maintenance	City of Sierra Vista	The City of Sierra Vista maintains about 318 ac-ft of washes annually. The purpose of the program is both to thin vegetation to healthy levels and maintain natural drainage characteristics. Regular wash maintenance reduces fuel in the wildland urban interface, which in turn changes fire behavior characteristics including reduced flame lengths, slower rates of spread, reduced fire intensity levels, and reduced crown fire potential. The reduced wildfire risk helps preclude accelerated runoff and erosion.	ob-SOIL-2; g-WAT-1; ob-WAT-3, g-VEG-ALL-5	
Development Design Standards	City of Sierra Vista	The City of Sierra Vista was among the nation’s first to adopt EPA WaterSense standards for development, and is presently working with developers to continuously implement those requirements. The EPA reports a saving of approximately 50,000 gallons per four person household annually over traditionally built homes, which equates to reductions in water consumption of more than 1,000 acre-feet annually in a development of approximately 7,000 homes.	ob-SOIL-2; g-WAT-1; ob-WAT-3, g-VEG-ALL-6	
Cochise Water Project	City of Sierra Vista	The City of Sierra Vista participated in the Cochise Water Project, which succeeded during its 6 year program duration, in reducing community water use by approximately 400 acre-feet annually with cumulative savings through 2021 of approximately 3,000 acre-feet.--. Re-funding the Cochise Water Project could aid surrounding communities in reducing their gallons per day per capita (“GPCD”) water consumption, which benefits the Sierra Vista Subwatershed, including the SPRNCA.	ob-SOIL-2; g-WAT-1; ob-WAT-3, g-VEG-ALL-7	
Management of State Lands	City of Sierra Vista	Work with the Arizona State Land Department on the management of state lands within Sierra Vista city limits. Approximately four years ago, a Forest Service crew performed vegetation trimming and removal on hundreds of acres of state lands located within and adjacent to the City of Sierra Vista. It is hoped this work will be repeated in the future. This work would promote healthy plant growth and thereby minimize wild fire extent and intensity and precluding accelerated runoff and erosion.	ob-SOIL-2; g-WAT-1; g-VEG-ALL-9	

Management Actions

Action / Project Name	Project Lead	Description / Purpose	RMP Goals/Objectives Supported by Project	Planned Actions
Environmental Operations Park	City of Sierra Vista	<p>Continue operation of the Environmental Operations Park (EOP), which currently recharges about 2700 acre-feet per year between the wetlands and the recharge basins. The positive benefits of the EOP in sustaining and enhancing base flow of the San Pedro are well documented and acknowledged by diverse stakeholders.</p> <p>Also exploring conveying untreated sewage from a new development to EOP for treatment and increasing capacity of EOP treatment facilities to accommodate additional sewage.</p> <p>The feasibility of shifting some of the flow to Riverstone is currently being explored, as described below.</p>	ob-SOIL-2; g-WAT-1; ob-WAT-3, g-VEG-ALL-1	<ol style="list-style-type: none"> 1. Final engineering and design for sewage conveyance pipeline to EOP and effluent pipeline to Riverstone 2. Secure ROW for sewage pipeline to EOP and effluent pipeline to Riverstone 3. Secure an agreement between Castle and Cook and Sierra Vista for sewage conveyance/treatment and a separate effluent agreement between Cochise County and Sierra Vista for delivery of effluent to Riverstone 4. Fund construction of both conveyance pipelines and expansion of treatment facilities at EOP as needed 5. Permitting of two pipelines 6. Complete construction of two pipelines 7. Develop EOP monitoring plan 8. Operations, Maintenance & Performance Monitoring of EOP recharge facility, sewage and effluent pipelines
Sierra Vista Sub-Watershed Water Conservation and Management Policy Plan	Cochise County	Prohibits any increases in residential densities through upzonings where new development would result in pumping within two miles of the SPRNCA. Precluding potential density increases in the Sierra Vista Sub-watershed within 2 miles of SPRNCA will decrease future potential groundwater pumping.	ob-SOIL-2; g-WAT-1; ob-WAT-3, g-VEG-ALL-1	
Cochise County Subdivision Regulations	Cochise County	Subdivision regulations have an option for conservation subdivisions that require a 50% set-aside through conservation easements, including drainage corridors (e.g., Kings Ranch). Leaving drainage corridors intact and unfragmented allows/provides for the movement of wildlife between the mountains and SPRNCA, as well as maintains natural flood flows to the river.	ob-SOIL-2; g-WAT-1; ob-WAT-3, g-VEG-ALL-1	
Conservation & Watershed Health programs	Cochise County	Continue to work with county residents, businesses, and partners on developing solutions that will slow accelerated flows, enhance watershed health, build soil moisture capacity, control erosion and sedimentation. In addition, the county will continue to utilize some of its properties for additional land treatments, recreational and educational access and seek to create linkages with the SPRNCA.	ob-SOIL-2; g-WAT-1; ob-WAT-3, g-VEG-ALL-8	

Management Actions

Action / Project Name	Project Lead	Description / Purpose	RMP Goals/Objectives Supported by Project	Planned Actions
		Activities will ultimately foster overall watershed health including tributaries and sheetflow that have a nexus with SPRNCA.		
Babocomari	Cochise County	Preclude near-stream pumping on the Babocomari and provide a future location for near-stream recharge if source water becomes available.	ob-SOIL-2; g-WAT-1; ob-WAT-3, g-VEG-ALL-10	1. Baseline Monitoring of groundwater
Coyote Wash Urban Enhanced Runoff (UER)	Cochise County	Increase the infiltration of urban enhanced runoff in Coyote Wash to support the base flows of the SPRNCA without alteration of the natural flood flow regime.	ob-SOIL-2; g-WAT-1; ob-WAT-3, g-VEG-ALL-1	<ol style="list-style-type: none"> 1. Baseline Monitoring of surface water and groundwater 2. Final engineering and project design 3. Secure assurances for use of urban enhanced runoff for recharge from surface water users 4. Secure funding for construction 5. Permitting 6. Complete Construction 7. Complete Coyote Wash Monitoring plan 8. Operations, Maintenance & Performance Monitoring
Riverstone Effluent Recharge	Cochise County	Recharge treated effluent delivered from the EOP by City of Sierra Vista in rapid infiltration basins (acre-feet per year TBD), and preclude future near-stream pumping (150 acre-feet per year)	ob-SOIL-2; g-WAT-1; ob-WAT-3, g-VEG-ALL-1	<ol style="list-style-type: none"> 1. Baseline Monitoring 2. Secure Effluent Agreement between County and Sierra Vista 3. Secure Right of Way for conveyance between EOP and recharge site 4. Technical studies & final design 5. Permitting for rapid infiltration basins 6. Complete Construction 7. Develop Riverstone monitoring plan 8. Operations, Maintenance & Performance Monitoring
Three Canyons	Cochise County	Permanently retire approximately 2592 acre-feet per year historic near-stream pumping and preclude future pumping 36 acre feet per year)	ob-SOIL-2; g-WAT-1; ob-WAT-3, g-VEG-ALL-1	<ol style="list-style-type: none"> 1. Develop Three Canyons monitoring plan 2. Operations, Maintenance & Performance Monitoring
Palominas Flood Control and Stormwater Recharge Project	Cochise County	Capture and convey sheetflow from Schoolhouse Wash Watershed to a constructed channel with infiltration enhancements	ob-SOIL-2; g-WAT-1; ob-WAT-3, g-VEG-ALL-1; g-VEG-RIP-1	<ol style="list-style-type: none"> 1. Develop Palominas monitoring plan 2. Operations, Maintenance, & Performance Monitoring

Management Actions

Action / Project Name	Project Lead	Description / Purpose	RMP Goals/Objectives Supported by Project	Planned Actions
Horseshoe Draw Sediment Control and Stormwater Recharge Project	Cochise County	Purpose: Capture accelerated runoff from Horseshoe Draw in a detention basin to decrease sedimentation and increase infiltration and recharge	ob-SOIL-2; g-WAT-1; ob-WAT-3, g-VEG-ALL-1; g-VEG-RIP-1	<ol style="list-style-type: none"> 1. Develop Horseshoe monitoring plan 2. Operations, Maintenance, & Performance Monitoring
Bisbee Effluent Recharge Project	Cochise County	Convey Bisbee's treated effluent from the San Jose Wastewater Treatment Plant to a near-stream infiltration basin for recharge (minimum of 200 acre-feet per year)	ob-SOIL-2; g-WAT-1; ob-WAT-3, g-VEG-ALL-1; g-VEG-RIP-1	<ol style="list-style-type: none"> 1. Exercise current option for 25-year effluent agreement between City of Bisbee and Cochise County 2. secure ROW from San Jose WWTP to recharge basin 3. acquire land for recharge basin facility. 4. Technical Studies & Final Design of both pipeline and infiltration basin 5. Baseline Monitoring 6. Permitting 7. Complete construction 8. Develop Bisbee Effluent Monitoring Plan 9. Operations, Maintenance & Performance Monitoring
Artificial Turf	Fort Huachuca	Utilize artificial turf where feasible to limit groundwater use for irrigation. Multiple PT Fields have been converted to artificial turf. Artificial turf reduces the need for irrigation and thus groundwater pumping.	ob-SOIL-2; g-WAT-1; ob-WAT-3, g-VEG-ALL-3	
Noxious Weeds Treatment	Fort Huachuca	The Fort treats about 30 acres annually for noxious weeds. Targeted weed spraying and removal helps to control the spread of noxious weeds. These weeds prevent the growth of native plants and create a heightened fire risk, leading to an increase in accelerated runoff and erosion.	ob-SOIL-2; g-WAT-1; g-VEG-ALL-4	
Mesquite Tree Extraction and Spraying	Fort Huachuca	The Fort treats about 178 acres annually for mesquite tree eradication. Targeted mesquite tree spraying and removal helps to control the spread of mesquite trees. Mesquite trees prevent the growth of native plants and create a heightened fire risk, leading to an increase in accelerated runoff and erosion.	ob-SOIL-2; g-WAT-1; g-VEG-ALL-4	
Wash Maintenance	Fort Huachuca	The Fort does maintenance of washes on an as needed basis. The purpose of the program is both to thin vegetation to healthy levels and maintain natural drainage characteristics. Regular wash maintenance reduces fuel in the wildland urban interface, which in turn changes fire behavior characteristics including reduced flame lengths, slower rates of spread, reduced fire intensity levels, and	ob-SOIL-2; g-WAT-1; ob-WAT-3, g-VEG-ALL-5	

Management Actions

Action / Project Name	Project Lead	Description / Purpose	RMP Goals/Objectives Supported by Project	Planned Actions
		reduced crown fire potential. The reduced wildfire risk helps preclude accelerated runoff and erosion.		
Fort Huachuca Water Resource Plans	Fort Huachuca	The Army Water Resource Plan and Fort Huachuca Policy 21-70 implement the Fort's long-standing water conservation practices and policies to support water resource sustainment.	ob-SOIL-2; g-WAT-1; ob-WAT-3, g-VEG-ALL-1	
East Range Watershed Rehabilitation	Fort Huachuca	This Fort Huachuca Plan helps improve watershed condition on the Fort's East Range	ob-SOIL-2; g-WAT-1; ob-WAT-3, g-VEG-ALL-5	
USGS Monitoring	Fort Huachuca	The Army and the USGS currently do monitoring of 3 stream gages, 5 stormwater detention basins and 14 groundwater monitoring wells.	ob-SOIL-2; g-WAT-1; ob-WAT-3, g-VEG-ALL-1	
Conservation Easement program	Fort Huachuca	The Fort uses programs such as the Readiness and Environment Protection Integration (REPI) Program and the Army Compatible Use Buffer (ACUB) program to place conservation easements on properties within the Upper San Pedro River Basin to protect habitat and protect water resources from present or future development. The Fort also utilizes many partners to achieve its goals in implementing this highly effective conservation easement program.		
Water Wise Energy Smart (WWES) program	Fort Huachuca	The Fort continues to fund and support the Water Wise Energy Smart (WWES) program. In total WWES conducted 1,260 contact hours with students in classroom instruction on conserving water and energy. A total of 2,080,670 square feet of military buildings were audited for energy/water during the past year (2020).		

A.6. Additional Future Management Actions

To maintain or exceed monitoring indicator targets and shared goals and interests of the MOU, additional management action may be analyzed, developed, and implemented in the future collaboratively or independently by the parties. To formally include any future management actions in this SPRNCA Cooperative Plan, the MOU parties will consult with the other parties and may add the activity to this SPRNCA Cooperative Plan through the adaptive management process described in the MOU.