



TOWN OF HUACHUCA CITY

The Sunset City

HUACHUCA CITY TOWN COUNCIL SPECIAL SESSION

November 12, 2021, at 6:00 PM

**COUNCIL CHAMBERS
500 N. GONZALES BLVD.
HUACHUCA CITY, AZ 85616**

AGENDA

A. Call to Order – Mayor

- a. Pledge of Allegiance
- b. Roll Call and Ascertain Quorum

B. Call to the Public – Mayor

A.R.S. 38-431.01 states the Public Body may make an open call to the public during a public meeting, subject to reasonable time, place and manner restrictions, to allow individuals to address the public body on any issue within the jurisdiction of the Public Body. At the conclusion of an open call to the public, individual members of the Public Body may respond to criticism made by those who have addressed the Public Body, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the Public Body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action.

C. New Business Before Council - Mayor

Public comment will be taken at the beginning of each agenda item, after the subject has been announced by the Mayor and explained by staff. Any citizen, who wishes, may speak one time for five minutes on each agenda item before or after Council discussion. Questions from Council Members, however, may be directed to staff or a member of the public through the Mayor at any time.

C.1 Discussion [Mayor Wallace]: Approval of Resolution No. 2021-19, AUTHORIZING THE TOWN TO EXTEND THE INTERGOVERNMENTAL AGREEMENT WITH THE WHETSTONE FIRE DISTRICT FOR FIRE AND EMERGENCY MEDICAL SERVICES FOR 90 DAYS.

D. Adjournment

Posted at 5:00 PM November 10, 2021, at the following locations:

<p>Town Hall Bulletin Board 500 N. Gonzales Blvd. Huachuca City, AZ 85616</p>	<p>Town Hall Lobby Windows 500 N. Gonzales Blvd. Huachuca City, AZ 85616</p>	<p>Town Website https://huachucacityaz.gov</p>
<p>Huachuca City U.S. Post Office 690 N. Gonzales Blvd. Huachuca City, AZ 85616</p>	<p>Huachuca City Library Windows 506 N. Gonzales Blvd. Huachuca City, AZ 85616</p>	<p>Huachuca City Police Department 500 N. Gonzales Blvd. Huachuca City, AZ 85616</p>

Ms. Brandye Thorpe

Town Clerk

Note: This meeting is open to the public. All interested people are welcome to attend. A copy of agenda background material provided to the Committee Members, with the exception of material relating to possible executive session, are available for public inspection at the Town Clerk's Office, 500 N. Gonzales Blvd., Huachuca City, AZ 85616, Monday through Friday from 8:00 a.m. to 5:00 p.m. or online at www.huachucacityaz.gov

Individuals with disabilities who need a reasonable accommodation to attend or communicate at a town meeting, or who require this information in alternate format, may contact the Town at 456-1354 (TTY 456-1353) to make their needs known. Requests should be made as early as possible so there is sufficient time to respond.



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500 N Gonzales Blvd • Huachuca City, Arizona 85616

Phone: (520) 456-1354 • TDD: (520) 456-1353 • Fax: (520) 456-2230

RESOLUTION NO. 2021-19

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AUTHORIZING THE TOWN TO EXTEND THE INTERGOVERNMENTAL AGREEMENT WITH THE WHETSTONE FIRE DISTRICT FOR FIRE AND EMERGENCY MEDICAL SERVICES.

WHEREAS, Huachuca City [“Town”] and Whetstone Fire District [“District”] entered into an agreement [“Agreement”], pursuant to which, District provides fire suppression, fire prevention, code review and inspection services, emergency medical services, emergency hazardous substances response services, and other services incidental to the protection of persons and property within the Town; and

WHEREAS, the second extension of the Agreement is due to expire; and

WHEREAS, Town and District, through their respective Town Council and Fire District Governing Board, have determined that it is in the best interest of the public that each entity extend the Agreement to continue to provide fire suppression and EMS services in the Town; and

WHEREAS, the Town and the District have developed a third extension to the Agreement by which the District will continue to provide fire and emergency medical services to the Town, which extension is attached hereto as Exhibit AA@ and incorporated herein by this reference; and

WHEREAS, the Mayor and Council have determined that approval of the third extension of the Agreement is in the best interest of the Town and its residents.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Huachuca City, Arizona, as follows:

Section 1. The Town hereby approves the third extension of the Agreement, attached hereto as Exhibit AA.@

Section 2. The Town’s officers are hereby authorized and directed to execute said third extension to the Agreement on behalf of the Town of Huachuca City.

Section 3. The Town’s officers and staff are hereby authorized to take all steps necessary and proper to continue operating under the Agreement and give it effect.

PASSED AND ADOPTED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, THIS 12th DAY OF NOVEMBER, 2021.

Johann Wallace, Mayor

ATTEST:

Approved as to Form:

Brandy Thorpe, Town Clerk

Thomas Benavidez, Town Attorney

EXHIBIT A

[Third Extension of the Agreement with Whetstone Fire District must be attached.]

**THIRD EXTENSION
INTERGOVERNMENTAL AGREEMENT TO
PROVIDE FIRE PROTECTION**

THIS THIRD EXTENSION (“Extension”) OF THE INTERGOVERNMENTAL AGREEMENT FOR FIRE PROTECTION SERVICES (“Agreement”) is made and entered into effective December 1, 2021, by and between the TOWN OF HUACHUCA CITY and the WHETSTONE FIRE DISTRICT.

RECITALS

WHEREAS, Huachuca City [“Town”] and Whetstone Fire District [“District”] entered into an agreement [“Agreement”], pursuant to which, District provides fire suppression, fire prevention, code review and inspection services, emergency medical services, emergency hazardous substances response services, and other services incidental to the protection of persons and property within the Town; and

WHEREAS, the second extension of the Agreement is due to expire; and

WHEREAS, Town and District, through their respective Town Council and Fire District Governing Board, have determined that it is in the best interest of the public that each entity extend the Agreement for three months to continue to provide fire suppression and EMS services in the Town.

NOW, THEREFORE, Town and District agree to amend section 2(A) of the Agreement, as follows, with deletions in ~~strikeout text~~ and additions in underlined text:

2. TERM & TERMINATION:

A. Term: This Agreement shall commence on the 1st day of November, 2017 (the “**Effective Date**”), and continue thereafter until ~~December~~ March 31, 2021/2022, unless earlier terminated as provided herein. The term of the Lease of the Fire Station Facilities, as provided in paragraph 10 below, shall be coterminous with the term of the Agreement. These two terms shall be jointly referred to in this Agreement as the “**Term**”.

Town and District further agree that the rate of compensation for the additional three-month period shall be the same as the rate currently paid by Town to District.

Town and District further agree that all other terms of the Agreement, not expressly amended by the Extension, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have set their hands and affixed their seals in Cochise County, Arizona:

Town of Huachuca City

ATTEST:

By _____

Date: _____

Whetstone Fire District

ATTEST:

By _____

Date: _____

By _____

Certificate of Counsel

Pursuant to A.R.S. § 11-952(D), the undersigned attorneys have reviewed the foregoing Extension of the Agreement, and confirm that it is in proper form, and is within the powers and authority granted to each Party under Arizona law.

Thomas Benavidez
Attorney for Huachuca City

Date

Attorney for Whetstone Fire District

Date