

Sierra Vista City Council
Meeting Minutes
March 14, 2024

Mayor Pro Tem Umphrey called the March 14, 2024, 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 Clea McCaa II – absent
Mayor Pro Tem Carolyn Umphrey – present
Council Member William Benning – present
Council Member Gregory Johnson – present
Council Member Angelica Landry – present
Council Member Marta Messmer - present
Council Member Mark Rodriguez – present (telephonically)

Others Present:

Victoria Yarbrough, Assistant City Manager
Chuck Potucek, City Manager
Chris Hiser, Police Chief
Brian Jones, Fire Chief
Don Foster, Fire Marshall
Sharon Flissar, Public Works Director
Irene Zuniga, Capital Improvements and Development Manager
Jeff Pregler, Planner
Blake Fisher, Planner
Jill Adams, City Clerk
Nathan J. Williams, City Attorney
John Healey, Sports
Tony Boone, Economic Development Director
Adam Curtis, Marketing and Communications Manager
Elizabeth Wrozek, PIO

Invocation – Pastor Greg Rowles, God is Good Church, led everyone present in prayer.

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

[Item 1](#) Acceptance of the Agenda

Council Member Benning moved that the agenda for the regular City Council Meeting of March 14, 2024, be approved. Council Member Johnson seconded the motion. The motion unanimously carried, 6/0. Mayor Pro Tem Umphrey, Council Members Benning, Johnson, Landry, Messmer, and Rodriguez voted in favor.

Awards and Presentations

Mayor Pro Tem Umphrey and Council awarded Mr. Felix the Government Finance Officers Association of the United States and Canada Award of financial reporting achievement.

Mr. Felix thanked staff and City Council for participating in the award program and shared that this is the 35th year in a row that the City of Sierra Vista has won this award. It does go through a board, and staff works hard.

City Manager's Report: Mr. Potucek stated that the award is a source of pride not only for staff but for the City because it shows the community where the funds are invested and used, which are being put to good use and done properly. He voiced his appreciation to Mr. Felix and staff for what they do. He announced that the next work session is scheduled for March 26, 2024 at 3:00 p.m. in the Council Chambers that will include continued discussion on the Roadrunner Park design as well as the mid-year budget review focusing primarily on the Public Safety Retirement System, which leads into the budget work sessions in April. He also announced that the next regularly scheduled Council Meeting is on March 28, 2024 at 5:00 p.m. in the Council Chambers. He reported that the needs assessment for the Municipal Court Project proposals are due on March 15, 2024 at 10:00 a.m.; the contract is out for a signature on the RFP for the feasibility study of the Spaceport Re-entry Project, which will culminate in the City achieving a license for those activities at the Sierra Vista Municipal Airport and Libby Airfield; the annual Street Maintenance Project was awarded to KE&G in the amount of \$719,209 that will include asphalt patching, crack seal and liquid sand seal improvements. He added that the street list will be posted on the City's website and will be provided to Council, to make sure that the public is aware of the project. Lastly, he reported that the January sales tax figures were up 2.82 percent over Fiscal Year 2023 budget and 5.68 percent over budgeted amounts this year. Therefore, the City is still running positively, although there are signs of some issues, retail fell 1.1 percent which is about \$11,000, although the food tax made-up for that, which was up over 18 percent. However, the issue there is what the legislature will do with the food tax moving forward. This is an important revenue source for the community and although, nobody likes to pay taxes, it is something that would be difficult for the City to deal with if the legislature takes that away.

Item 2 Consent Agenda

[Item 2.1](#) Discussion and Possible Action of the Special City Council Meeting Minutes of February 20, 2024

[Item 2.2](#) Discussion and Possible Action of the Work Session Minutes of February 20, 2024

[Item 2.3](#) Discussion and Possible Action of Resolution 2024-010, Resignation of Shelly Short from the Sierra Vista Environmental Stewardship Commission

[Item 2.4](#) Discussion and Possible Action of Resolution 2024-011, Acceptance of Sewer Easements from Northeast Highway 90/92 Limited Partnership

Council Member Landry moved that the Consent Agenda consisting of the minutes of the Special City Council Meeting of February 20, 2024, the Work Session Minutes of February 20, 2024, Resolution 2024-010, accepting the resignation of Shelly Short from the Sierra Vista Environmental Stewardship Commission, with regret, and Resolution 2024-011, accepting sewer easements from Northeast Highway 90/92 Limited Partnership, be approved. Council Member Johnson seconded the motion. The motion unanimously carried, 6/0. Mayor Pro Tem Umphrey, Council Members Benning, Johnson, Landry, Messmer, and Rodriguez voted in favor.

New Business

[Item 3](#) Discussion and Possible Action of Resolution 2024-012, Request to proceed with an Abandonment of a portion of Charleston Road Right-Of-Way

Council Member Messmer moved that Resolution 2024-012, a request to proceed with an abandonment of a portion of Charleston Road right-of-way located between Charleston Road and Parcel 107-16-026H, be approved. Council Member Landry seconded the motion.

Mr. Pregler stated that this item is a request to proceed with an abandonment of a portion of Charleston Road right-of-way located north of the Cochise Crossroads Shopping Center directly south of Plaza Vista Mall. There is an existing sewer line along State Route 90 that is failing and extremely difficult to maintain. Therefore, to bypass the flow from this line, staff is proposing to construct a new sewer line which will parallel Charleston Road. The line will extend from State Route 90 and continue through the abandoned area to conclude at the eastern property line on parcel 107-16-026H where it will connect with an existing line. The failing sewer line will be abandoned once the new sewer line is connected.

A sewer easement is required to maintain public sewer lines located on private property. Portions of the sewer line will be located on the subject property. There is an easement proposed on private property; therefore, the owner of the parcel, Cochise Crossroads Shopping Centre, has agreed to provide the City with these easements which are proposed to be 22 1/2 feet in width. The acceptance of the easements is a separate consent agenda item which was approved as part of the Consent Agenda. In exchange for providing the City sewer easements, the City has agreed to abandon a portion of Charleston Road right-of-way. According to Arizona Revised Statutes, title to any vacated or abandoned roadway vests with the abutting property owner. In this case, the owner of Cochise Crossroads would obtain the title to the property, which can then be used for future development. The City has no need for the property as it well exceeds the 100-foot right-of-way needed for arterial roadways. As part of the abandonment of the property, another 22 1/2-foot-wide easement will be obtained and recorded which will provide a continuous easement area extending the length of the sewer line.

Approval of the resolution by the Mayor and City Council directs staff to proceed with the process of abandonment which involves the City staff contacting all utility companies for their approval of the abandonment and a public hearing before the Planning Zoning Commission and the City Council.

The motion unanimously carried, 6/0. Mayor Pro Tem Umphrey, Council Members Benning, Johnson, Landry, Messmer, and Rodriguez voted in favor.

Public Hearing:

[Item 4](#) Consideration of funding requests for Program Year 2023 Community Development Block Grant (CDBG) Annual Action Plan

Mr. Fisher stated that the purpose of the public hearing is to receive input on proposed projects and activities for next year's Community Development Block Grant funding. Staff is still working with an estimated budget of \$250,000 in terms of allocation; although, the City will be receiving an official dollar amount from HUD in the coming few weeks. The City follows a routine application process that starts with a broadly distributed notice of funding availability followed by a pre-application meeting where discussed are potential programs, projects, and responses to questions, which was performed on February 14, 2024.

Staff has determined that all the applications received are eligible for consideration. Staff will use feedback and direction received to prepare the draft for the Annual Action Plan that will be presented at a second public hearing on April 11, 2024, which will then go for final approval sometime in May.

HUD restricts how the CDBG funds can be used. There is a 15 percent cap on an overall grant amount that can be awarded to public services. The City has received applications for that amount from the Boys and Girls Club and United Way. However, after discussions with both applicants, they agreed and were amenable to potentially splitting that amount which is the recommended amount by the City.

The City in terms of the Montebello Subdivision is essentially planning on installing fire hydrants, which is a subdivision of about 250 lots within the low to moderate income area. This is a phased project; therefore, it is not going to be all the fire hydrants at once.

Ms. De Luca with the Good Neighbor Alliance was unable to attend, but their proposal is for public facilities; therefore, it does not fall within the public service cap amount. They are proposing replacing existing beds with industrial and bed bug resistant options that are needed at their facility.

Mayor Pro Tem Umphrey asked if Council had already approved Phase One for the fire hydrants. Ms. Yarbrough stated that she is correct. That was last year's selection. This is a phased project. Fire Marshal Foster explained that there was not enough funding the first time around. The cost has dramatically gone up and the Department was able to get funding to correctly supply that neighborhood.

Demetrius Drake, Development Coordinator with the Boys and Girls Club, stated that their mission is to enable all youth, especially those who need them the most, to reach their full potential as responsible, caring, and productive citizens. This is an after-school program located at Paseo, San Luis. There is a second location at Carmichael School and starting in August, there will also be a third location in Palominas. The Boys and Girls Club is normally open after school, during the breaks, and during the summer. Therefore, when schools are closed, they are still open. This grant would help the Carmichael area.

Jay Hamwright, Chief Professional Officer at the Boys and Girls Club, stated that Council knows about the Boys and Girls Club, the need for programs like this for the kids in the community. The Boys and Girls Club serves kids after school, spring break, winter break, summer break, fall break and a lot of it goes to make sure that kids are being provided with opportunities, that finances are not preventing kids from participating in these opportunities, to make sure that they are leveling the playing field for these kids, or offering brand new opportunities that they cannot get anywhere else. Part of this includes character building programs, STEM programs such as 3D printing and digital media, arts, sports and fitness, homework help and tutoring.

The funds will be used to serve every kid who needs the program and removing the barrier of finances for their family to participate. If it costs so much to attend the program, the Boys and Girls Club fundraise so that the kids and families only pay so much. The funds would make sure that the Boys and Girls Club can lower that amount even more to keep the cost low for those kids who really need this program.

Lastly, Mr. Hamwright stated that he is confident in that Council knows how important a program like this is for the kids in the community. The primary goal is to make sure that they are serving

kids in the Carmichael area, but they will be helping kids at both of their locations. In closing, he shared the following survey data received from parents in 2023. These are not only parents of the program, but also citizens of the community:

- 82 percent of the parents say the Club helps them keep a job in the community;
- 94 percent say the Club helps their child academically;
- 100 percent say the Club helps with their child's behavior;
- 56 percent say that their child's grades have improved since they started attending the Boys and Girls Club;
- 73 percent state that they could not attend the Club if typical day care or childcare rates were charged;
- 67 percent of Carmichael parents state if they did not have the Carmichael branch, they could not attend the Boys and Girls Club; and
- 100 percent of the parents said that the kids have fun at the Boys and Girls Club.

There is a huge focus on using this funding to help the kids in the West End and the survey highlights families who are unable to drive from their home to a Boys and Girls Club's location because they do not have transportation. Although, the Boys and Girls Club has buses that go from every school to their location, these are the folks in the community who are taking the City's bus to get groceries, etc.

Council Member Landry voiced her appreciation at the Boys and Girls Club information and at the fact that they have grown. She shared that both of her kids attended the Boys and Girls Club, and it was nice to be able to know that they had a place to go after school that was safe. There are things that the Club offers children that they might not have in their homes, fun things to do, tutoring, and there are people there that they can look up to. This is needed in the community, and she wishes that there was not a cap for the amount to be received.

Council Member Rodriguez voiced his appreciation at the presentation and noted that they stated a lot of great points. The Council is aware that they do great things for kids, but the fact that highlighted was that they benefit the whole community is great. The parents having stated that they can have a job because their kids are somewhere safe while they are working and providing for their families is appreciated. There is a need not only in Sierra Vista, but all the way to Palominas.

Anthony Reed, Executive Director for United Way stated that they have been in a partnership with the City of Sierra Vista since COVID, when they started with assistance for rental, utilities, employment, food, and mental health. Everybody, whether they are currently doing well or not, is a paycheck away from poverty and the sad thing is that they used to see the same people coming in for help, but now they are seeing different people coming in for help. Also, a lot of the landlords are trying to recoup the money that they lost during COVID; therefore, they are not coming down on rent or negotiating for the assistance part. However, progress is being seen with everything that is being done by Council and United Way to help the community, it does not go unappreciated between organizations that they help and individual families.

Ramona McCaa, President of United Way stated that United Way is alive and well because of the City Council. She shared that about a month ago, there was a major in the reserve that was having hard times. He did not know whether to pay rent, pay for food, or daycare, and because of Council's generosity, he was able to go to Saint Vincent DePaul to get funding to help with rent.

Council Member Landry voiced her appreciation for the presentation, the information shared and added that sometimes people need a little boost to get going and it is great that there are people in the community that partner together to provide that help.

Council Member Rodriguez thanked Mr. Reed and Ms. McCaa for presenting and stated that Untied Way is another great organization that has been around for a while, helps the community, and focuses on making the community better.

Council Member Benning agreed with everything said and thanked United Way. He noted that what was shared about the major in the United States Army strikes a chord. Currently everyone is dealing with high gas prices, grocery bills, etc. and it does not matter who and what class they are in because everybody is one paycheck away from needing help. Therefore, places like United Way, Good Neighbor Alliance, and the Boys and Girls Club that offer people an out, a hand up is appreciated. Lastly, he stated that Michael Jordan went to Boys and Girls Club, and he is now giving back to his community. Therefore, highlighting all that these organizations do, for the people watching and the people that make comments on the CDBG funds, is important because the funds are not going to a director or someone that is running the organization. The funds are going to the people that need it. In closing, he asked people that are commenting to keep in mind all that these organizations do.

New Business

[Item 5](#) Discussion and Possible Action of Resolution 2024-013, Transfer of Funds from the General Fund to the Highway User Revenue, Capital Improvements, and additional FY24 PSPRS contribution

Council Member Benning moved that Resolution 2024-013, transferring funds from the General Fund to the Highway User Revenue and Capital Improvements Funds, and approving an additional payment to the Public Safety Retirement System, be approved. Council Member Messmer seconded the motion.

Mr. Felix stated that staff is still closing the books on Fiscal Year 2023, working with the auditors, and making final adjustments. Per City Policy, if there is revenue over expenditure in the General Fund, staff comes before Council with recommendations to make some budget adjustments. Based off very well above budget state shared revenues, transaction privilege taxes as well as Capital budgeted expenditures that did not occur or are under budget, the City is looking at over \$5 million of possible General Fund additions. Staff is recommending transferring \$2,000,000 of that to HURF mainly for North Garden Avenue. Staff is trying to get a grant for that, but if they do not get the grant, the City will have the money to do that. If the City gets the grant for the North Garden Project, then the funds will be moved over to the Wilcox Drive Project for another area that needs work.

The City is looking at an additional \$1,000,000 to go to the Capital Improvement Fund. There are a couple of projects that could use the funding, and \$2,000,000 is going towards PSPRS, \$1.25 million is going to the police portion and \$750,000 is going to the fire portion. The City's policy of over budgeting, budgeting for vacant positions, budgeting for people at maximum level are a big success for the unfunded amount. The City is showing positive progress on its unfunded liability, and this will be over and above which will help because PSPRS lost \$1,000,000 last year in the fire interest earnings last year. This is one of the only two ways that money can go into these funds. When the books are closed out, it will show a \$2,000,000 General Fund restricted fund balance because the fiscal year will be done. A transfer may be

done, but payment cannot be made from last year's funds. The payment would come from this year's funds, from the available budgeted projects, and show as going out this year from last year's revenues.

Council Member Landry stated that it is great to receive good news. The City benefits from Council being able to focus on the roads and taking care of its people and any other projects.

Council Member Johnson thanked Mr. Felix for the presentation and shared that PSPRS is a subject that he has been concerned about. He believes that great progress has been made in lowering the City's unfunded liability, but he wishes that the people that ran these funds would be liable for the losses. In closing, he voiced his appreciation to Mr. Felix and to City for everything that has been done with respect to keeping the public safety retirees secure in their retirement.

Mr. Potucek stated that things like this do not happen by accident. Staff has a very conservative approach to budgeting, and they try to make sure to over budget for PSPRS in the budget process. He thanked the Mayor and Council for tolerating staff's very conservative approach to the budget and hopes that this will help the community moving forward. He shared that there will be an extra \$600,000 going into General Fund reserves because of that and it should be about \$7.7 million; therefore, that fund is growing as well.

Mayor Pro Tem Umphrey noted that on Tuesday, March 12, 2024, Mr. Felix said that it was \$700,000, but the paper stated that it is \$600,000. Mr. Felix stated that it is about \$600,000, but he will have a final number due to any audit adjustments.

Council Member Benning asked if this funding is in addition to the money set aside for the Garden Avenue Project in relation to the grant that staff hopes to get. Ms. Yarbrough stated that Council approved \$2.5 million in the budget for the construction of North Garden Avenue. However, the design construction estimate was over \$2.5 million. Also, around that time, staff was notified that although the City could not receive RAISE grant funding for the project last year, the City was considered a project of distinction and strongly encouraged to apply again this year with a good chance for selection. Therefore, the decision was made to finish the design of the street and hold off until this year so that staff could put in the application for the RAISE grant. If the City does not receive the RAISE grant, then that additional money would go towards completing the North Garden Project, but if the City is fortunate to get the RAISE grant, then staff would propose Wilcox as the next highest priority project.

The motion unanimously carried, 6/0. Mayor Pro Tem Umphrey, Council Members Benning, Johnson, Landry, Messmer, and Rodriguez voted in favor.

Call to the Public

Eric Peterman, a neighbor to King's Court, thanked the Police and Fire Departments for their responses. He handed out pictures of the property, noted that the Police Department has responded 18 times and stressed his concerns about the structure, which is in a deteriorated condition, and the police officers' safety because the floor is going to collapse. He added that he is aware that the City has filed a lien on the property and that there are unpaid expenses that the City incurred in putting up a fence around the property. The City's administration has been vigilant in monitoring this property, but the City is constrained by law. However, he is hopeful that this property can remain a priority because there are neighbors who are concerned due to the building's proximity to the Sierra Springs Subdivision, who would not be a surprise if the

building burned down considering the regular visits by people who have no place else to go or people looking to be mischievous. Lastly, he stated that the Toronto-based company that owns the property has not paid their 2023 taxes and their final installment is due on May 5, 2024.

Berlynda Schaff with the District 8 League, which covers eight local leagues, Bisbee, San Pedro, Benson, Douglas, Ponytail, Santa Cruz, Nogales, and Wilcox, announced that on March 23, 2024, the League Service and Ponytail are hosting opening ceremonies along with a lot of other things going on that weekend at the Stone Complex. Starting at 9:00 a.m. there will be games following the opening ceremonies. She further announced that this year, the Little League is celebrating 50 years of girlfriend games that strengthen self-esteem, promotes teamwork, sportsmanship, and develops on-field fundamentals while providing a competitive outlet for girls. It was founded in 1974 and the program has more than 25,000 softball teams and 300,000 participants worldwide working to grow the game of softball at the grassroots level. Little League has collaborated with more than 25 countries to create a foundation of success and Little League Softball includes divisions of play for girls ages from 4 to 16, which accumulates at three Softball World Series tournaments for international competition and friendship. The League Softball is proud to offer different initiatives to support local leagues, including Little League, University, affordable coach and player clinics, and opportunities for financial assistance. Little League also brings communities together and offers a premier softball experience to families in the US and around the world.

Ms. Schaff reported that the Avengers Division for special needs kids was started seven years ago by Michelle Henredder along with Service of Ponytail President Audrey Hildreth. At that time, they only had five kids, but currently they have 35 players enrolled, ages ranging from four to its oldest player, Nathan who is now 28 years old. Little League does not do an age cap on special needs and the Avengers Division allows everyone to play. There will be a different schedule starting Saturday, April 6, 2024 to accommodate the special needs kids. The first game for the Littles will be on April 6, 2024 at 8:30 a.m. and on March 29, 2024 at 5:30 p.m. the Bigs A, which are the Bigs 1 and Bigs 2, will play against each other at the Veterans Memorial Park Sports Center Softball Field. Lastly, she thanked the City Council for the support of the sports field improvements that have greatly contributed to the League's ability to host games and tournaments.

Felicia Sawyer voiced her concern about Council Meetings taking place at 5:00 p.m. due to the lack of transportation because the buses in Sierra Vista stop running after 3:30 p.m. Therefore, she had to walk about a half a mile to a mile. This availability cuts out people her age who do not have cars and the normal cab service in Sierra Vista is \$9 per trip, not per mile. She also stated that she has had wonderful experiences in the past with the Sierra Vista Farmers' Market, but because she uses a walker and has an oxygen tank attached to it, that is no longer available to her since the Farmers' Market has been placed over rocks. All this makes her feel discriminated against because she is unable to go. Lastly, she voiced her concerns about the crosswalk in front of Denny's on Fry Boulevard. It is hard for pedestrians, handicapped, elderly and youth to cross and although there is a traffic signal at the corner, it only gave her 23 seconds to get across.

Comments and Requests of the Council

Council Member Rodriguez apologize for not being able to be at the Council Meeting in person, but he was traveling to and from the National League of Cities Conference in DC. He stated that he is glad that the next work session will continue discussion on Roadrunner Park because he has comments. He thanked the people that spoke to Council, thanked the Boys and Girls Club

for all the great things that they do, congratulated the Little League on their 50-year anniversary, voiced his appreciation to the buddies who help the Avengers on the field who have practices on Monday, from 5:00 to 6:00 p.m. and games on Saturdays at 9:00 a.m. He thanked Mr. Peterman for mentioning King's Court, which is a building that he and Code Enforcement have had their eyes on as well as the Thunder Mountain Apartments that are behind Hana Tokyo.

Council Member Johnson had nothing to report.

Council Member Landry wished everybody a very Happy Pie Day, congratulated and voiced her appreciation to staff for the financial reporting award, an achievement to have received it for so many years. She wished everybody a Happy and safe Saint Patrick's Day, cautioned people to have a plan to get home safe if they are going out to celebrate, and announced that next weekend will be the Tour de Zona. There will be signs and a lot of cyclists on the road; therefore, people should make sure to watch out for them, take a few seconds to take an extra look to make sure everybody is safe and has a good time. She also thanked all the people that came to speak at the Call to the Public and added that it is important to have people share their thoughts and their concerns, whether it is about the Little League or anything else. She added that anybody interested in the Little League may log onto littleleague.org/softball. Lastly, she announced that the Sky Island Summit Challenge is open for registration that takes place on Memorial Day weekend, Saturday, May the 25, 2024. She encouraged people to check it out and stated that there are options for one peak, two peaks, or three peaks, and her favorite thing - a passport only given out once the peak is reached.

Council Member Benning thanked Pastor Rowles for his blessing, thanked everyone who presented and came out to talk to Council, shared that he enjoys the Little League's Girls with Game, especially in March, and thanked all the amazing strong women in attendance and to the thousands watching on YouTube for everything that they do for this country. In closing, he stated that Margaret Thatcher once said that if you want something said, ask a man, and if you want something done, ask a woman, which holds true today. Lastly, he stated that he would be nothing or nowhere without his Oma and mom.

Council Member Messmer announced that the Adaptive Adults Spring Formal is on Saturday, March 16, 2024, at the Ethel Berger Center from 4:00 p.m. until 7:00 p.m., announced that the Tourism Commission will be present during the Tour De Zona the following weekend passing out pamphlets and helping people find great things to do in Sierra Vista. In closing, she wished everybody a Happy Saint Patty's Day.

Mayor Pro Tem Umphrey thank everyone who attended and announced that although Mayor McCaa is not present, he is currently watching the meeting and has heard the people that came to speak at the Call to the Public. In closing, she thanked everyone who came to the meeting and wished everyone a safe weekend.

Adjournment

Mayor Pro Tem Umphrey adjourned the March 14, 2024, meeting of the Sierra Vista City Council at 5:53 p.m.

Carolyn Umphrey, Mayor Pro Tem

Minutes prepared by:

Attest:

Maria G. Marsh, Deputy Clerk

Jill Adams, City Clerk

A recording of the Council Meeting is available at:

https://www.youtube.com/channel/UC8PtUpIbkQsixlhSy-jeR_Q/videos