



Sierra Vista City Council
Work Session Minutes
February 9, 2021

1. Call to Order:

Mayor Mueller called the February 9, 2021 City Council Work Session to order at 3:00 p.m., Council Chambers, City Hall, 1011 N. Coronado Drive, Sierra Vista, Arizona.

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 Sarah Pacheco – present
Council Member Carolyn Umphrey - present

Others Present:

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

2. Presentation and Discussion:

A. February 11, 2021 Council Meeting Agenda Items ([agenda attached](#))

Mayor Mueller stated that the Council Meeting for February 11, 2021 starts at 5:00 p.m. with roll call, invocation, pledge of allegiance, acceptance of the agenda, and awards/presentation of certificates of appreciation to outgoing commissioners. As part of the COVID protocol, the commissioners' names will be read for the record, but the commissioners will not be present.

In response to Mayor Mueller, Mr. Potucek stated that he will be attending a JPA Board Meeting at SEACOM on Thursday, February 11, 2021 and will provide an update to Council along with seven projects, EMS Substation, Police Department Locker Room upgrade, etc. to report on.

Mayor Mueller stated that he is interested in the locker room for the female police officers because there were none available before. He added that he would like to make sure that the female officers are getting the same considerations as the male officers. Police Chief Thrasher stated that the Department does have a female locker room, but it was full and needed to be expanded with more lockers in it.

Item 2.1 Approval of the Regular City Council Meeting Minutes of January 14, 2021 – There were no comments.

Item 2.2 Resolution 2021-008, Appointment of George N. Fisher, Jr. to the Planning and Zoning Commission – Mayor Pro Tem Gray explained that she had to recommend another person for appointment because the Commission had a member pass away.

Mayor Mueller stated that it is a shame that they lost a good member of the Planning and Zoning Commission.

In response to Council Member Pacheco, Mayor Pro Tem Gray explained that at the previous meeting, there was only one seat available and therefore, only one person was appointed. However, Mr. Thompson passed away and that made another seat available, and that is why she had to make another recommendation. This is in addition to the appointment of Mr. Malone.

Council Member Pacheco stated that Mr. Goethe is not listed in the memo as an applicant. Ms. Adams explained that Mr. Goethe's address is located outside of the City limits. His application stated that he is a resident of the City, but the residence address that he provided is outside of the City limits, and therefore is not eligible to sit on the Planning and Zoning Commission.

Item 2.3 Resolution 2021-009, Appointment of Rachel Gray, Carolyn Umphrey and Sarah Pacheco to the Sierra Vista Metropolitan Planning Organization Board of Directors – there was no discussion.

Public Hearings

Item 3 Resolution 2021-010, Resolution 2021–010, new license, limited liability-type of ownership for a Series 12 Liquor License for Martha Carrillo on behalf of 143 Street Tacos Carniceria LLC - Ms. Adams stated that this is for some a long-awaited application for a restaurant liquor license for 143 Street Tacos at 80 Carmichael. The notice of the public hearing was posted on the facility and comments have not been received either pro or con. The background of Ms. Carrillo, who is listed as the owner, was done by the Police Department and they have no objection with this application going forward. If approved on Thursday, February 11, 2021, it will be returned to the State for final action.

Item 4 Ordinance 2021-001, Proposed Text Amendment to Sierra Vista Development Code, Section 151.22.006, Matrix of Use Permissions by Zoning District, Manufactured Home Residence (MHR) District, to permit up to 30 percent of the total lots in a manufactured home subdivision to have recreational vehicles - Mr. McLachlan stated that this amendment application was made by a property owner who resides in the Cloud Nine Ranch Estates Subdivision, which is situated south of Highway 90, east of Avenida Del Sol. The request involves a one sentence text change to the Manufactured Home Residence District (MHR) that would allow 30 percent of the lots within a manufactured home subdivision to have recreational vehicles for dwelling purposes.

The MHR District boundaries cover both manufactured home subdivisions and manufactured home parks. A manufactured home subdivision is a residential subdivision designed for the express purpose of offering lots under individual ownership for the placement of single-family dwelling units either a manufactured home or a site-built home on lots that are 4,500 square feet or greater, much like a traditional neighborhood. Manufactured home parks on the other hand are real property under single ownership that is used as a location for two or more manufactured homes that are or intended to be occupied as dwellings on lots which are not conveyable. Tenants lease the ground space and reside in a unit that they either own or is

provided by the property owner for rent. Like an apartment complex, there are often commonly shared amenities and maintenance, landscaping improvement or buffering is required as a condition for site plan approval. Manufactured home parks are relatively insulated self-contained properties.

The request before Council applies only to manufactured homes subdivisions. Three neighborhoods are affected by the proposal, Cloud Nine Ranch Estates, Sulger and the incorporated portions of Fry Townsite (Exhibit A depicts these and are shaded blue). According to the GIS parcel data, there are 352 parcels of land within the amendment area. If approved, 106 of the existing platted lots would be eligible for use by recreational vehicles.

Mayor Mueller asked about the number of parcels of land. Mr. McLachlan stated that there are 352 parcels citywide that includes Cloud Nine Ranch Estates, Sulger and the incorporated portions of Fry Townsite.

The Code requires attention on how the application benefits the general welfare of the community. With respect to public safety, site-built homes are inspected and approved for compliance with the City's adopted Building Code. Manufactured homes are inspected and certified by HUD while the City oversees the installation requirements pursuant to the Intergovernmental Agreement with the State. RVs are exempt from HUD's manufactured home construction safety standards as they are intended for recreational use. It is not state that there is a segment of society that prefer to live in their Rvs year-round. Traditionally, local zoning laws confine their use to campgrounds and park settings, which is the case in Sierra Vista and in every other local jurisdiction that was researched across the State. The Code asks to consider whether the request furthers the purposes of the Development Code. The MHR District regulations are designed to stabilize and protect the residential character of the neighborhood, promote, and encourage the family environment, and prohibit all incompatible activities. The request is not compatible with this purpose and intent. Allowing Rvs as a primary use in existing developed neighborhoods can fundamentally alter the character and the quality of these areas that the City has spent many years and vast sums of public dollars trying to revitalize. It is not what people have bought into. It is also important to consider that the City's definition encompasses RVs of all shapes, sizes, ages and complexations from popup, trailers, and truck campers to Class A motor coaches. This proposal would allow any type of recreational vehicle to be used as a living unit either by an owner or renter on a fulltime basis. No City inspection would be required because a recreational vehicle is not regarded as a building. Another factor to consider by law, recreational vehicles are 400 square feet or less. Consequently, there are other factors that may come into play with RVs as permanent dwellings, i.e., the exterior storage and accumulation of personal belongings and makeshift porch additions and carports to expand their footprint, which is not good for property values and perimeters/stockade fence does not cure these concerns. It undermines the intent to fostering the neighborhood family environment espoused by the Code.

Mr. McLachlan stated that staff is also mindful that there is a class of landlord in town that could take advantage of this ordinance and provide a substandard level of rental housing. By law, amendments must be consistent with the City's General Plan. The housing and neighborhood element calls upon the City to promote quality, affordable, rental, and owner-occupied housing, revitalizing target areas, building strong neighborhoods, develop high quality housing developments. Staff finds that the amendments are contrary to achieving these goals. Moreover, staff finds approving the request will hinder the City's standing goal of fostering infill redevelopment of the Cloud Nine and West Sierra Vista Planning Areas. This claim is supported by the protest petition that Council received.

Mr. McLachlan summarized and restated the three considerations that the text amendment application must satisfy:

1 – Has the applicant demonstrated the need/justification for the change. The Code places the burden of proof on the proponent. The more drastic the change, the greater the impact, the greater the burden upon the proponent. The applicant's rationale is provided to Council under Exhibit A of the staff report.

2 – Is the amendment consistent with the General Plan and how does it further the purposes of the Development Code and other City ordinance regulations.

3 – Will the amendment benefit the general welfare of the community. If it constitutes the granting of a special privilege to an individual owner, the amendment should be denied. The City is obligated to exercise equal treatment under the law. Spot zoning is an illegal form of rezoning and this requirement needs to be considered on an area-wide basis.

Staff created a chart under Attachment B of the staff report, which shows the support and opposition for the request, both inside and outside the amendment area. Within Cloud Nine, where this request originated, only three owners of four lots have signified their support of this request. In contrast, eight owners of 132 lots have expressed opposition, that is 80 percent of the subdivision. Based on the findings and conclusions provided in the staff report, it is recommended that the applicant's request be denied.

Mr. McLachlan stated that a copy of the Planning and Zoning Commission Minutes was provided to Council that resulted in a three to one denial vote. Also, a written protest has been filed that meets the threshold in the Code that triggers a super majority approval requirement. Six votes are required for passage if the full Council votes on the item.

The City Attorney has notified the applicant's attorney that the City will refrain from pursuing formal Code enforcement action against Ms. Root, the applicant, while the petition is pending. The matter started with the notice of violation letter or a correction notice, which is a precursor to filing a court petition or issuing a citation if the matter is not resolved in a timely manner.

Mr. McLachlan recommended that if the application is denied that the City hold off on taking further action until the Governor's Emergency Declaration Order is lifted. All avenues have been collectively considered to assist Ms. Root like any other citizen facing a hardship, but unfortunately staff is unable to find an acceptable resolution on this matter.

Council Member Pacheco asked if the other mobile home parks in Sierra Vista allow recreational vehicles. Mr. McLachlan stated that she is correct, up to 30 percent of the spaces can be used for recreational vehicles within a park setting.

Council Member Pacheco asked if Ms. Root looked at those properties. Mr. McLachlan stated that he believes that her position is that she wants to stay where she is at, and he is not sure whether she looked or not. Mayor Pro Tem Gray noted that staff has no way of knowing that. Mr. Potucek added that she is the owner of the lot under which the RV currently sits. Mayor Pro Tem Gray added that he is correct because it is a manufacture home subdivision, so they own the land which the dwelling sits on rather than renting it.

Council Member Pacheco asked if she were to go to an RV Park, she would have to pay a lot

lease to park her RV. Mayor Pro Tem Gray stated that she is correct.

Council Member Johnson thanked Mr. McLachlan for his presentation and asked about alternatives that Ms. Root has. He also asked if the City offered her any compensation or help. He added that he is aware that she is in an RV and that there are some manufacture lots and mobile home parks that are being rehabbed, Garden on Seventh Street. Mr. McLachlan stated that staff referred her to Good Living Ventures, who owns Garden Canyon Mobile Home Park. They are in the process of redeveloping their park and there was a HUD-approved manufactured home that they were willing to donate. Ms. Root contacted the owner, and they scheduled an inspection, but she did not make that appointment to view the unit because she saw pictures of it and declined.

Council Member Johnson stated that the City made an affirmative effort to try to help Ms. Root out of the dilemma.

Council Member Benning asked if the 30 percent that is authorized in a designated area. He also asked if they are permanent. Mayor Pro Tem Gray stated that they can be. Mr. McLachlan asked Council Member Benning if he is referring to manufactured mobile home parks or the amendment before Council.

Council Member Benning stated that he is referring to manufactured mobile home parks, and the alternate 30 percent that can be RVs. Mr. McLachlan stated that if there is 100 space manufactured home park, 33 of those spaces can be devoted for RV rental purposes.

Council Member Benning asked if these are permanent RV rentals. Mr. McLachlan stated that it is not; however, the owner has discretion as to whether they are used for a manufactured home spaces or RV spaces, but the limits to that discretion is the 30 percent cap.

Council Member Benning stated that Mr. Novasic has been redeveloping the properties that he has acquired and trying to make them better. He asked why he wants to go back to where some of these can be RVs. Mayor Pro Tem Gray stated that he does not and is opposed. Mr. McLachlan added that it would hinder his motivation to reinvest. Mr. Potucek stated that the City has subdivisions that are designed for manufactured homes and people buy into them as owners with an expectation of what the neighborhood is going to be like and that really gets to the heart of this issue.

Council Member Umphrey stated that she attended the Planning and Zoning Commission Meetings when they were discussing this and there were residents that spoke, one resident has lived in the subdivision for 12 years and has participated in community clean ups, and felt that if this passed, this would be a huge setback for all the work that they have been doing.

Council Member Pacheco asked if this would affect all the subdivisions and not just where Ms. Root lives. She asked if this would be citywide because it is the whole Code. Mr. McLachlan stated that it relates to the subdivisions that are zoned MHR and those are depicted in blue on the map in the staff report.

Council Member Pacheco noted that all the work that has been done in the Sulger Neighborhood and Fry Townsite, where there has been a lot of cleanup and removal of all the dilapidated trailers, would be step backwards.

Council Member Landry stated that she read all the comments from the public and agrees in

that it would be a step backwards and undermine the City's revitalization efforts, especially if there are RV areas for those type of units.

Mayor Mueller thanked Mr. McLachlan and noted that it has been a long road. The tough work that he, Mr. Pregler and City Attorney have done is greatly appreciated as well as some of the citizens who have offered to help in the community.

Item 5 Ordinance 2021-002, Amendments to Chapter 151 of the City Code of Ordinances, Section 151.02.004, Definitions, Section 151.06.005, Medical Marijuana Dispensary, and Section 151.22.006, Matrix of Use Permissions by Zoning Districts, and Declaring an Emergency - Mr. Pregler stated that for purposes of history, he will talk about the Legislation and proposed amendments to the Code as recommended at the earlier Council Work Session. Prop 207 was approved by the voters on November 3, 2020, and this allows individuals 20 years of age or older to possess, purchase, consume, process, manufacture and or transport one ounce or less of marijuana. It also allows individuals to harvest up to six plants at a residence or up to 12 plants if there are two adults present. The plants can be in an enclosed building under lock and key. The Legislation also provided a definition for marijuana establishments and allows marijuana establishments to be established in various local communities in the State. The definition of marijuana establishments is a retail location where marijuana can be sold, cultivated, and manufactured, an offsite cultivation location where marijuana is processed and manufactured, an offsite storage location where marijuana is manufactured, packaged, and stored.

The Arizona Department of Health Services will be licensing these recreational establishments and they started accepting early applications on January 19, 2021 and run through March 9, 2021. However, they have currently started issuing licenses, i.e., Tucson and other communities where there are lines out the door for some of these establishments.

Initially, there will be no more than two establishments per County. Medical marijuana dispensaries are a priority and so if there is a medical marijuana dispensary in the community then only one new recreational or adult use marijuana establishment can be established in that community. There is currently one in Bisbee, which means that there can be one more in the County at least during this early application process.

Local jurisdictions have limited discretion on regulating the marijuana establishments. If they have local standards, they cannot be more restrictive than the medical marijuana dispensary standards. State law does allow for three regulatory approaches, prohibit medical marijuana establishments, allow with dual medical marijuana licenses, or allow establishments as standalone businesses.

Council held a work session on January 12, 2021 and the consensus from the Council was to allow the establishment of both as dual licenses and standalone establishments. Council wants to keep the existing operational and development standards for medical marijuana in place.

Mayor Mueller asked Mr. Pregler that instead of stating, "they would allow" to "the consensus was ..."

Mr. Pregler stated that the consensus was that they would keep existing operational and development standards for medical marijuana in place and would also apply those to the marijuana establishments and that they would prohibit the use of marijuana on City-owned properties. Based on that direction from Council, staff created text amendments and language

and has brought it before Council for consideration.

Section 151.02004, Definitions was added that was brought directly from the State Legislation and is consistent with State Law. Included was a definition of public community center because there was some confusion during the last work session about what that exactly meant since there is a minimum distance requirement to public community centers. Staff did research and added a definition which states that a building owned by the City that is open to the public and is used for meetings, recreation or social activities and may have outdoor recreational facilities is considered a public community center.

Section 151.06005, Marijuana Facilities – This section will include four different types of facilities, one is the medical marijuana dispensaries, medical marijuana cultivation and infusion, the marijuana establishments, and the marijuana testing facilities. All four will all under the heading of marijuana facilities.

Testing facilities was not mentioned at the work session, but these are facilities that are operated by the Arizona Department of Health Services or a licensed entity that analyzes the potency of marijuana. These facilities are not open to the public. There are specific operational standards in the model ordinance; therefore, testing facilities have been included as part of the same operational development standards as seen for the medical marijuana dispensaries and the marijuana establishments.

Staff is recommending a pre-submittal requirement prior to somebody applying for a business license or building permit to open an establishment because there are certain building/fire codes, and zoning code requirements that will be required of these businesses prior to them opening shop. Staff wants them to be aware of those standards prior to them making the investment into some of these buildings, especially in an existing building. They will need to know what upgrades will be required of them. This helps to expedite the process along if they have the pre-submittal requirements in place.

The other amendment to the section was that it consolidated all the existing submittal requirements into one section.

Developmental Location Standards – In this section, staff clarified the distance requirements. The current language states that these facilities shall not be located within 500 feet of a residentially zoned property, pre-school, kindergarten, secondary school, high school etc. As research was done, staff realized that there are already definitions in place in the current Development Code that address these types of schools. The word school will cover all public schools and charter schools. School of general education covers all private schools that teach the standard K through 12 curriculums. A childcare center licensed by the Arizona Department of Health Services refers to any pre-school, any childcare facility in town and there is a list in a data base indicating these businesses that are licensed with them. In addition, places of worship, public park, or public community center. Staff consolidated the existing Development Code and locational standards into one section.

Operational Requirements – Marijuana establishments and medical marijuana dispensaries will have the same operational requirements. They have been combined with operational requirements as stated in the model ordinance by the League of Arizona Cities. These are not requirements that were just developed, these were codified by the Arizona League of Arizona Cities and their model ordinance. Many other jurisdictions in the State have used vary similar operational requirements in their codes because of the model ordinance.

Marijuana Testing Facilities – no operational requirements were added from the model ordinance.

Medical Marijuana Infusion of Cultivation Facilities – these operational requirements have remained with no changes made to them.

Matrix of Use Permissions – Marijuana establishments and marijuana testing facilities have been included as permitted uses in the General Commercial Zoning District. This would be very similar and consistent to what was required previously with medical marijuana dispensaries, which are also allowed in General Commercial Zoning Districts. Medical marijuana cultivation or infusion facilities will continue to be allowed in an Industrial Zoning District.

City Code Amendments, Chapter 130.05, General Offenses – Definitions were added that came directly from State Law and it is consistent with the Legislation. State Law currently prohibits marijuana smoking in open spaces and public spaces. Open spaces would be public parks, sidewalks, multi-use paths, etc. Public places would be any establishment in which the public is invited, i.e., restaurants, grocery stores, offices etc.

Council discussed during the last work session prohibiting the smoking, displaying, consuming, selling, distributing, storing, cultivating, manufacturing or production of marijuana on City-owned property. There was also discussion about the term possession that was removed from the definition because there was concern about people carrying marijuana cigarettes on the bus. The Police Department also had a concern about the term displaying and wanted to have it included so that people cannot take the cigarette out of their pocket and display it to other folks on the bus or public property. Therefore, the term displaying has been included as part of the definition.

Council Member Pacheco stated that she disagrees. Mayor Pro Tem Gray stated that she does not disagree because it is almost like open, carrying. Police Chief Thrasher stated that he would prefer no possession on City property, parks, skate park, etc. The way that it was writing without displaying is that a person can have it in their pocket, be at the skate park, show their friends, roll their cigarette in front of everybody, but not smoke or consume it. The issue for the Police Department is that over 21 or under 21 years of age, somebody that appears close to 21 but not sure, it is a civil violation and they do not have to provide identification along with all kinds of issues that go along with the whole thing. If they are displaying it then it becomes an issue that the Department can start dealing with. This is the reason that the Department asked that if there could not be “no possession on City property” then the displaying would need to be added to deal with those types of issues.

Mayor Pro Tem Gray stated that it makes sense and noted that it is almost like a bus rider going to the grocery store and buying legal alcohol, but they cannot have it open on a bus. Police Chief Thrasher stated that she is correct and stated that the issue is going to be more at City parks with the displaying of it and then going off to smoke. He added that his opinion on possession is that someone can have it in their pocket and possibly drop it and it could be at City property and kids are going to find it. This could happen no matter what even if it were illegal, but those who want to comply with the Law will not bring into the building and therefore the Department was requesting that there be no possession, but the displaying of it is the next best thing for the Department.

Council Member Pacheco stated that it is already prohibited. Police Chief Thrasher stated that

only smoking is prohibited in public places, not consumption, not displaying it.

Council Member Pacheco asked if smoking is considered consumption. Police Chief Thrasher stated that State Law specifically says smoking and so if they have marijuana brownies, they can eat those on City property and in public places. It does not state consuming, it states smoking.

Mayor Pro Tem Gray stated that it makes sense. Council Member Pacheco stated that she is against it because it is way too restrictive. The City is too involved into people's business.

Mr. Pregler stated that at the Planning and Zoning Commission they considered the Code amendments at their January 25, 2021 meeting and recommended that the minimum distance requirements to the schools, churches, public parks, etc. be reduced from 500 feet to 300 feet. The 500 feet would remain from the Residential Zoning Districts. The 300 feet would also be changed for the separation requirements between establishments. The biggest change was the 500 feet to 300 feet from the churches and schools, etc.

Council Member Umphrey asked for the maps to be displayed.

Mr. Pregler stated that the reason why the Commission wanted to go from 500 feet to 300 feet is because they wanted to be consistent with the liquor license distance requirements which require 300-foot separation between churches and schools. The second part of the recommendation was that the places of worship in General Commercial Zoning Districts no longer be applicable to the distance requirements because by doing this, it opens many more areas in the community.

Mayor Pro Tem Gray asked if places of worship mean strip-mall churches. Mr. Pregler stated that she is correct.

Mr. Pregler displayed the map depicting the no GC church buffer of 300 feet. Quite a bit of area is opened along the commercial corridors, Fry Boulevard, Highway 90, Highway 92, and the area by the mall. The Commission is recommending the 300-foot buffer distance from 500 feet to 300 feet along with the GC Churches being removed from the buffer minimum distance area.

Mayor Pro Tem Gray asked if the map is the 500-foot residential. Council Members Pacheco and Umphrey stated that she is correct. Mr. Pregler stated that this is the current map that displays how many areas there would be.

Council Member Johnson asked if those areas include the churches. Mr. Pregler stated that he is correct.

Council Member Pacheco asked if these are the different kinds of churches. Mr. Pregler stated that this includes all churches in the community, including those in the General Commercial and commercial areas. He added that this is how the Code is currently written.

Mr. Pregler then displayed the map that is being recommended by the Planning and Zoning Commission.

Mayor Pro Tem Gray asked if this map that is being recommended by the Planning and Zoning Commission also includes the 500-foot residential buffer. Mr. Pregler stated that she is correct.

Council Member Johnson asked about the final vote by the Planning and Zoning Commission. Mr. Pregler stated that it was a three to zero unanimous vote with the conditions attached to it.

Council Member Umphrey stated that she did not have an issue with the buffer when they were initially talking about this, but in looking at the maps, she wonders if one of the concerns that Council had about them being not so visible, if this gives them more opportunity to not be on the main street like in Tucson.

Mr. Pregler displayed a map with the 300-foot that includes all churches. He also displayed the 500-foot map, and the no GC churches map.

Mayor Pro Tem Gray stated that it looks like it is too close to residential and she thinks that this is the reason why the residential was moved to 300 feet on this map as well. Mr. Pregler stated that he will check on this and provide a new map at the Council Meeting on Thursday.

Mayor Pro Tem Gray that she wants the public to have a clear picture and noted that she does not have an issue with the 300-foot buffer. She added that she has been approached by some people in the community, developers and people that want to do this that if there is a building that has a commercial loan on it through a federal institution, a dispensary cannot be placed in that building. This lowers the threshold for what buildings would be available. It would have to be a building that is free and clear of loans, which also lowers the choice of buildings.

Council Member Johnson stated that he is still struggling with the reason as to why churches are not being considered. It is a place of worship and he does not care if it is in a store front or cathedral and it concerns him.

Mayor Mueller stated that the latest trend is for churches that were formed to look for the cheaper commercial area. There was a situation years ago, where a church opened next door to a bar that had been at the location for 20-30 years and by the Code at that time, the church could not locate there. The City went through and made modifications and exception so that the church could in fact operate at that location and the bar did not have to shut down. Now, there is a situation where the churches have been established in a commercial area and although, he thinks that a church is a church and if there is a concern about 300 feet or 500 feet, then it should be the same whether they are in a commercial area, a residential area or on the edge of town. He added that he is not as concerned about allowing the dispensaries or stores to locate all over town, they need to be in an area and if there needs to be a 300 feet buffer between the two types of stores, they probably need to have a 300-foot buffer between them and a church that is in the same commercial district.

Council Member Pacheco stated that the likelihood of the City getting a dispensary is very slim.

Mayor Mueller stated that currently there are two per county. He asked if that means that it is going to be this way in the future. Mr. Pregler stated that not necessarily. Mayor Mueller stated that it is the point, the City could have several in the future.

In response to Council Member Pacheco, Mayor Mueller stated that it depends on when the State opens it up. Council Member Umphrey stated that they would have to see 10 more pharmacies pop up before they would release another. Mayor Mueller and Council Member Pacheco stated that it is unknown. Council Member Pacheco added that it is stringent because it is through ADHS requirements.

Mayor Mueller noted that they are not talking about distances. This is making sure that the City does not have district, or it becomes known as the marijuana district. The same discussion took place a couple of years ago about adult businesses because they did not want clusters of adult businesses. He added that everyone knows that this must be done, but it must be done in a way that is controlled and where the quality of the life is maintained in the community.

Council Member Pacheco stated that she is in favor of spreading out. Council Member Benning stated that if this must be done, he does not understand why they cannot make it the same as liquor. He added that the City can allow it with the same restrictions as those for liquor. Mayor Mueller stated that the report to Council was hazy on the three items about going from the 500-foot to 300-foot.

Mr. Pregler stated that the proposal from staff is Exhibit A, 500 feet separation to Residential Zoning Districts, 500 feet from schools, churches, parks, and public community centers, 500 feet separation between the dispensaries themselves.

Mayor Mueller stated that to open it up, there needs to be the last two separations should be 300 feet. Mayor Pro Tem Gray stated that the Planning and Zoning Commission recommended that all but residential be 300 feet.

Mayor Mueller noted that the staff's recommendation is not written that way. He suggested that if Council Members agree with the Planning and Zoning Commission, before the final vote is made, a proposed amendment needs to be made so that it is 500 feet, 300 feet and 300 feet rather than 500 feet all the way down. Mr. Potucek stated that staff could correct it before the Council Meeting. Mayor Mueller agreed in that it is early enough to have staff make the corrections if there is a consensus of Council.

Council Member Pacheco asked if the Council will be voting on this on Thursday, February 11, 2021. She also asked if this is going to be a public hearing. Mr. Pregler stated that this is a unique situation for these Code amendments. The typical process is that there is a public hearing, 30-day public comment period, and then it goes back to Council via an ordinance for final adoption. In this case, because of the March deadline being so close, there needs to be enough time for applicants to have the City sign off on the zoning compliance forms and find a location, submit that to the State. The next Council Meeting is after March 9, 2021. The City will declare an emergency at the meeting on February 11, 2021. Mr. Potucek added that if there are adequate votes.

Mr. Pregler stated that a super majority is required, six votes from the Council for the emergency declaration to be approved. If there are not six votes, but there is a majority, the amendments will still pass but the declaration will not pass. Mr. Potucek stated that there is a 30-day public comment period after the approval. Mr. Williams noted that it is not a 30-day public comment period, it is a 30-day referral period before an ordinance or resolution becomes operative if Council does not pass it using the emergency measure.

Council Member Umphrey asked if it could potentially be repealed. Mr. Williams stated that she is correct.

In response to Council Member Umphrey, Mr. Pregler stated that he has reviewed the State's zoning compliance form, which gives the local jurisdictions different options to sign off on these forms. One of them states that if the potential location is going to meet the zoning regulations then it can be signed off on it. The Department would sign off on the application under this

option and they would file that with the State for their license. Mr. Potucek added that hopefully that is sufficient.

Council Member Umphrey and Mayor Pro Tem Gray asked how likely a person from Sierra Vista can get a license if another jurisdiction is already passed the process. Mr. Pregler stated that Bisbee and Benson are behind Sierra Vista in terms of the process.

Council Member Johnson stated that he is not going to vote for this and added that he has done a lot of studying about this. He has gone onto all the marijuana pro websites, where they state that there is no problem when opening a recreational dispensary. He also stated that he wonders why they are called dispensaries because they are stores. The most recent study done by the John J College of Criminal Justice in New York City analyzed the criminal effect of legalizing marijuana, recreational marijuana dispensaries in Denver. It was discovered that street segments or blocks in proximity to a recreational marijuana dispensary experienced an 18 percent increase in property crimes. Council Members are advocating for 300 feet, 500 feet, blocks, and the retail price of one ounce of marijuana is around \$200. The cartels are going to have folks nearby selling an ounce for \$80. The study discovered the cost benefit analysis associated with crime costs were largely offset and barely cost effective when considering the tax revenue coming into the city. Lastly, he stated that it is troubling to him that Prop 207 passed and that it currently has jurisdictions dealing with it. Benson, Wilcox and maybe Bowie are interested in a dispensary. Huachuca City has a great new location when they painted the old strip joint.

Mr. Pregler stated that 16 written comments were received. Many of the comments discussed the pros and cons of allowing a dispensary. They did not specifically talk about the language itself. He also received two written comments from a local commercial real estate about the fact that there is a 2,000 square foot building maximum requirement for medical dispensaries as well as recreational dispensaries. The realtor states that this is too small and limits investment opportunities for the marijuana establishments and recommended going to 5,000 square feet or not having a limit at all. The other comment was to allow the marijuana establishments in an Industrial Zoning District.

Mr. Pregler stated that if the Council considers changing the maximum building square footage requirements that they look at it in terms of a maximum square footage of net floor area rather than overall building size. Floor area is the retail useable area so that area would be where the sales would be located, and it would have a maximum attached to it. Storage areas, bathrooms and manufacturing areas would not have any type of limit on them.

Mayor Pro Tem Gray stated that it is acceptable to her. Mayor Mueller stated that he does not appreciate when things come up at the last minute, but at this point and time, either Council comes to a consensus on whether to look at this or not. If not, this could be for future discussion once the ordinance is approved or not. He added that in his opinion 2,000 square feet is plenty of space and they can decide how to allocate storage, bathrooms, service area, counter space etc.

Council Member Benning commended Council Member Johnson for sticking up for his vote. He stated that he is voting yes for the minimum restrictions because he does not want to legislate against what the people decided they wanted to do. That was done back during the prohibition and it is done more often, and if the State of Arizona states that something is legal i.e., alcohol, then Council needs to make sure that the restrictions meet the zoning and the criteria for the residents, let people be entrepreneur and make decisions on their own. Marijuana plays the

same role; the State has said that it is legal, and he wants to do it just like alcohol and to make sure that it is done reasonably. Illegal marijuana will still be there because there is a market for it just like moonshine in some states. Everything cannot be eliminated, but if people can do it properly, then those risks are minimized instead of Council stating that they did not agree with it, did not vote for it, and now the City must responsibly do the people's bidding. He added that he did not vote for Prop 207 either, but by keeping it like alcohol's restrictions it can be done.

Mayor Pro Tem Gray stated that the easier way to go about it would be to use the liquor license requirements except for the residential buffer. She added that she was ok with emergency declaration, but maybe doing the 30-day public comment, especially knowing that the other cities in the County are not as far along in the process, is not necessary. She further added that she was concerned that other cities were ahead of Sierra Vista, and not having that 30-day period for the City to be able to look at some of the newer things.

Mayor Mueller asked for a consensus to support the Mayor Pro Tem Gray's position in that there is no need to have an emergency declaration. Council Member Pacheco stated that she does not believe that the emergency declaration is needed.

In response to Council Member Johnson, Mayor Mueller stated that the emergency declaration was there to make sure that Council had something in statute by the time that people had to apply.

Council Member Pacheco asked if people must apply by then or can they start to apply? Mr. Pregler stated that the application must be in by March 9, 2021. Mayor Pro Tem Gray stated that she has seen the form that indicates that the City can state that it has passed, but not in statute yet.

Council Member Umphrey asked what will stop other cities from accepting the forms and doing an emergency declaration even if they are behind Sierra Vista. Mayor Pro Tem Gray stated that the difference is that Sierra Vista will have voted and passed the ordinance. She suggested that Council take into consideration the 2,000 square feet and industrial zoning; although, she thought that it was already allowed in industrial. Council does not need to worry about this because there has not been the time to research it.

Mayor Mueller noted that Council does not want to act on the 2,000 square foot requirement nor on the industrial zoning portion. Mr. Potucek stated that language can always be amended later if appropriate.

Mayor Mueller noted that the separation will be 500, 300 and 300.

Council Member Johnson asked about the buffers to churches. Council Member Pacheco stated that it is the 300-foot buffer. Mayor Pro Tem Gray noted that it is the same as the buffer for a bar liquor license.

In response to Mayor Mueller, Mr. Potucek stated that the emergency clause is not needed. If it remains, and it is a five to two vote or whatever the vote is, there would be no emergency.

Mayor Mueller stated that the language needs to reflect the 500, 300 and 300 buffers because that was the Planning and Zoning Commission's recommendation along with the removal of the emergency clause.

Council Member Johnson stated that he believes that staff's recommendation was 500-feet across the board. Mr. Pregler stated that staff's recommendation is the 500-foot separation.

Mayor Mueller stated that if there are Council Members that want to change the last two buffers to 300-feet, they will need to make a motion to amend to that effect.

In response to Mayor Pro Tem Gray, Mayor Mueller stated that it is simple. There is the staff's recommendation of 500, 500, 500. Council has discussed changing it to 500, 300, and 300, but there is no Council consensus; therefore, the best way to deal with this is to have an amended motion made at the Council Meeting on Thursday, February 11, 2021 and have Council vote on it. The emergency declaration will be removed.

Council Member Landry asked if the emergency clause allows people to submit what they need to by the deadline. She also asked if the lack of an emergency clause could cause people to miss the deadline. Mr. Potucek stated that they can apply with the caveat that it is approved but has not taken effect yet. Mayor Pro Tem Gray added that it will not be actionable. Mayor Mueller stated that when Council passes something, it is usually 30 days before it becomes effective, and then it is law. In this case, it would not be effective yet, but it has been passed and they can send in their form to the State because there are existing laws that they will abide by, but not in effect until whenever the 30 days pass. They can still apply.

Council Member Pacheco asked if this would be a separate vote. Mayor Mueller stated that it would not. Mayor Mueller added that as it stands, the emergency declaration is being removed.

Council Member Umphrey asked if applications for all 35 or so that are ready to go would receive preference over the person from the City of Sierra Vista. Mr. Pregler stated that it is unknown. There could be 35 people from the City of Sierra Vista asking for that form. They will all have the same form that the City would sign off on. The State determines who gets the license out of those 35 applicants. Mayor Mueller stated that the City has no influence on how the State will decide.

Council Member Umphrey stated that she does not want to hinder anyone from potentially getting one for the community. Council Member Pacheco stated that it is a very stringent application. It comes from ADHS, not the board of liquor licenses and it is like applying for a pharmacy license, not an easy process.

Mr. Potucek stated that staff will clean up the language regarding the footage, and for anyone on Council that cares to offer an amendment to make it 300 instead of 500, staff can draft an amendment so that whoever wants to do that can be prepared. He added that the emergency clause is not a large deal because Council can simply move that an emergency exists if there are two votes against it, then the emergency clause does not take effect. Staff could strike it and it would not be a part of the discussion.

Mayor Mueller stated that he anticipates that there will be two votes against, and the emergency clause would not pass anyway. It is more efficient not to have it. Mr. Potucek stated that it is moving fast, and it is a complex thing.

Council Member Pacheco stated that she would like to discuss the piece that Council added about prohibiting smoking, display, consuming, selling, distributing, storing, cultivating, manufacturing, and producing marijuana on city owned property. She further stated that defining city owned property outside of public places is already defined, parks, multi-use paths, open

spaces, grocery stores, etc. These are not city owned property, but they cannot be in public.

Mayor Mueller stated that the reason he supports this is because there will be people in the park, skatepark and other places that will be doing more than displaying their joints. The Council needs to make sure that they can arm the officers with the right language so that when they go to court, they can enforce the law.

Council Member Pacheco asked if displaying includes clothing that has marijuana on it. Mayor Mueller stated that it is the actual product, people can still wear their Cheech and Chong hats.

Mayor Pro Tem Gray stated that since it was decided that there is not going to be an emergency clause and this item is listed as a public hearing, she wonders if Council will have to vote on this issue again in March. Mr. Williams stated no. Mayor Mueller stated that people are encouraged to speak to Council as soon as they receive the staff report.

Mayor Pro Tem Gray asked if the public hearing is on Thursday, February 11, 2021 and if approved, take effect in 30 days. Mr. Williams stated that she is correct.

Mr. Pregler stated that the 300-foot buffer to schools will exclude the store front churches in General Commercial.

Council Member Umphrey asked if staff could call someone that would know if the lack of an emergency clause is going to hinder someone from having a successful application. Mr. Potucek stated that staff can try. Mr. Williams stated that staff does have a contact name, but how quickly they will get back from ADHS is unknown.

Mayor Pro Tem Gray requested that the sheet that she was shown be sent out to all Council Members so that they can all read the same language.

New Business

Item 6 Resolution 2021-011, Intergovernmental Agreement between the City of Sierra Vista and the Arizona Department of Transportation for Exchange of Crash Data – Police Chief Thrasher stated that this is an intergovernmental agreement between the City of Sierra Vista and the Arizona Department of Transportation regarding the provision of traffic crash data to ADOT and using their web portal to be able to provide that data. The City has been doing this for years and this is a renewal of an intergovernmental agreement so that they can publish the City's crash data in the statewide statistics. It is also the first step that needs to be done for implementation of an electronic crash forms that the officers can then fill out and submit to ADOT straight from their car computers, which will add efficiencies into this as well.

Council Member Pacheco asked how the data is analyzed. Police Chief Thrasher stated the City internally does its own regarding causes of accidents, locations, time, days for specific enforcement type issues as well as working with Public Works regarding designs of roadways. The State does the same thing, but they have a more detailed analysis of statewide data regarding the causes of the accidents and they even get into seatbelt usage, etc. The City will also now be able to access their data and get their analysis.

Item 7 Resolution 2021-012, Arizona Department of Homeland Security-Operation Stonegarden Grant – Police Chief Thrasher stated that this is for authorization to accept a grant from the Arizona Department of Homeland Security regarding Operation Stonegarden. The Department

has been doing this for several years. Operation Stonegarden is a program where it partners up federal, state, and local law enforcement agencies where the federal government provides funding through the Department of Homeland Security in Arizona to provide extra officers to provide security along border counties/issues. Basically, they pay for officers on overtime to be in specific areas of the County to act as a force multiplier for Customs and Border Protection as part of their overall strategy to reduce human/drug smuggling.

This grant is for \$81,059 for overtime and employee related expenses. It pays all employee related expenses including PSPRS liability regarding overtime worked and \$12,061 for mileage/maintenance for the vehicles that are being used.

Mayor Mueller asked if the payment of PSPRS a new thing. Police Chief Thrasher stated that it is not. It has been a part of the grant for several years.

B. Discussion on the [2021 Legislative Agenda](#)

Ms. Yarbrough stated that this establishes the City's priorities on certain topics that are important to the City while the Legislature is in session and to a lesser extent the federal government throughout the year. There are several guiding principles and key priorities that are listed in the Legislative Agenda. This is looked at every year to add additional detail on things that may come up throughout the year, specific items of importance. This is a tool that can be both proactive and reactive, but it is usually reactive. It is proactive if the City wants or intends to ask the Legislature specifically on an issue during the year. The City was successful two years ago when requesting funds from the State to support SEACOM and the radio network. The City is not running anything specific this year nor making any specific requests.

Fiscal sustainability – The City's position is preserving its shared revenues that includes sales tax and income tax at the current distribution level. This important and a good example why this is included in the Agenda is because this year the Governor has proposed reducing the state income tax and this would affect the City's shared revenue and distribution over the next five years because it would take two years to go into effect. This is something that the City would look at and oppose because it goes against this key principle that the City has adopted.

The City also supports the long-term viability of all the State Retirement Systems. Specifically mentioned is the Public Safety Retirement System, asking for transparency, and anything that would restore viability to the System. Although, there are a few bills this year that affected this. There are over 1,600 bills have been introduced that staff is researching.

Local authority is important, and this comes up often with any number of bills introduced by the Legislature each year. The City established the position that the City seeks to protect City Council's local control in decision making authority and that they oppose any effort to erode that control if there are any preemption or mandates from the State, which can happen in several areas. There are already a few bills this year that would do that. One example would be a telecom bill that falls to a degree under economic development, 5G. This bill has been introduced that would preempt the City Council's ability to establish right-of-way costs and fees for permits and recoup that cost. Since this would preempt control of local level, the City would generally not support a bill like this.

Military Preservation/Expansion – The City always seeks to sustain or expand long-term mission viability at Fort Huachuca. In several different ways this also carries over to the federal agenda. One of the specific points that it is being made under this section is advocating for the State

Military Affairs Commission to begin meeting regularly again and to fund the Military Installation Fund. Mayor Pro Tem Gray has been very active in this effort and there is an additional point paper attached, which is not usually done, to further explain the issue.

Transportation – The City advocates for future infrastructure improvements.

Public Safety – A new item was added this year regarding the development of State’s guidance on storage and retention of body worn camera data and asking that the State consult with the City on the development of any statewide requirements. This was added because there has been so much talk since last year about including something like this with the Legislature running a bill that would require cities to implement body worn cameras. A specific statement is added whenever the City has an awareness that something like that is going to come up and want to establish the City’s position before the Legislative Session.

Included is a short Federal Legislative Agenda that is important when annual trips to Washington, D.C. occur either with the Mayor, Mr. Potucek, and other interested parties or when City Council Members go to the National League of Cities. This is primarily based on military preservation and expansion and advocacy for mission retention/expansion. This is much more general than the State Legislative Agenda.

Council Member Umphrey thanked staff for updating the numbers under the Military Affairs Section.

Mr. Potucek pointed out that this is important to staff because the Legislative Session moves fast. He added that there have been 1,600 bills dropped and they are currently in hearings. Things come up with strikers and this agenda gives staff the Council’s guidance that is needed so that they can provide feedback both to the City’s lobbyist, League and or Legislators if something comes up quickly.

Mayor Mueller noted that this document also helps the City’s lobbyist at the State Capital because things happen fast and if they are not aware of City Council’s desires are, the City will lose no matter what. Ms. Yarbrough stated that this agenda is also shared with the City’s Legislators so that they can see the City’s position.

Council Member Pacheco stated that she did not see anything on the part of the City as far the Legislative priorities regarding COVID or health, which is going to be a huge topic. Mayor Mueller stated that this is usually put together in the latter part of the year and staff did not have all the controversy with the County Health Department that the City was not prepared to address. One thing that needs to be looked at for next year’s agenda is the fact that in rural Arizona it is the county’s health department that runs the show and there may be specific recommendations by cities on how they can best coordinate or be funded by the State to meet pandemic issues.

Council Member Pacheco added the distribution of vaccines and testing. Mr. Potucek stated that the City is on a tentative conference seminar where the Coconino County Manager who manages the Coconino Health Department had talked on how they partnered with the cities in Coconino County for vaccine distribution etc. and Sierra Vista’s model seems to be broader to include doctor’s offices, pharmacies, but not necessarily the cities.

C. [Council Executive Report](#)

Mayor Mueller stated that page 11 refers to Untied Way and he appreciates the additional information about the beneficiaries so that Council could get a better idea as to how many persons/families are benefiting from the Program. He also noted that page 21 contains summary notes of commission meetings because it is not always easy to attend all commission meetings, and this provides Council with information on the commissions.

Council Member Benning highlighted page 24 and noted that with COVID it is hard to see the progression of the Schneider Electric Project, but the electric bill itself is a big indicator that it was a good decision.

Council Member Pacheco shared her personal experience with COVID and asked about surveillance testing of the first responders. The Executive Report indicates that they are taking temperatures, and cleaning, but she feels that they could be more aggressive in making sure that the City is still fighting COVID because vaccinations are not moving quickly. Fire Chief Jones stated that the Department is testing at 8:00 a.m. and 10:00 a.m. and at 8:00 p.m. Anybody with any kind of signs is being tested that day. They are also testing personnel that have had exposure or had COVID themselves multiple times before they can come back to work. He explained that the report indicates that the number of cases in December was monumental for the Department. The hospital contacts the Department when they have a positive test and the Department then evaluates that personnel and ensure that they have not been subjected to getting COVID or have the signs and symptoms and they get tested if they have been. The Department has been aggressive in the way that they are handling it. The stations are closed to the public to ensure that nobody comes in contact. Personnel comes in one door and go out another. They are doing above and beyond with what they should be doing to ensure that they have the operational force ready to respond to calls.

Mr. Potucek stated that the first responders were in Vaccine 1A and police in 1B. The numbers are going up with regards to personnel that are being voluntarily vaccinated. He added that he anticipates that those numbers will continue to rise, and those vaccines will be going to essential staff soon. The numbers are not where the City would like for them to be in terms of how many doses the County is receiving, but staff is proceeding through the process and getting vaccinated.

Council Member Johnson thanked staff for putting the report together and asked about the economic development administration grant funding after completion of the ground preparation, moving the mountain, noted on page 27. He added that he is aware that staff met during the day with the Garrison Commander and would like to know if there was a decision made as to where the excess soil will go. Mr. Potucek stated that there is a budget for moving Mount Dooley at the Airport, and the goal is to make the remaining 13 acres that the City has available at the Airport, develop a ready-for-developer, meaning the site is prepped and getting utilities to it, etc. to make it more attractive for somebody to come in. Part of the process is to work with the Fort on the potential of moving the dirt on to Fort property, but since it is federal there are a lot of processes that the City must go through. He added that Mr. Boone has been very instrumental for the City, given his knowledge of those processes and in working with the airport manager on the Post. Staff did talk to the Garrison Commander and decisions are probably in limbo between the airport manager on Post and the Garrison, so it is probably with JAG. Staff hopes to get an affirmative response soon and then there will be a place to move the dirt to and save significant budget dollars.

Council Member Johnson asked about the grant funding. Mr. Potucek stated that the EDA Grant would be available assuming that the City gets the dirt moved to help if there is a potential

prospect and that would be used for building a spec building or hangar, etc. to assist for a lease to that prospect, a money savings to the City. The City is also working with other federal agencies on expansion, permanent prevalence on the airport.

Council Member Umphrey asked about the Phase II EPA Study noted on page 30. Mr. Boone stated that this relates to the Brown Fields Grant in the amount of \$600,000 that Cochise County secured in 2019. Staff has been working with Mr. McLachlan on finding projects to do. Staff has also done business operations, as a business owner is moving, adjusting their property, selling their property, or starting a new business. Staff generally goes out to the site as part of the courtesy inspection. Regarding Freedom, Mr. Cline was out on site and they informed him that they had already done a Phase 1 Environmental since it was a former gas station, and that they were looking at a Phase II, which would require between \$20,000 and \$50,000. Since staff was aware of the Brown Fields Grant, staff asked them to work an application because of the federal funding that can do that in lieu of them having to spend their individual money. The application was approved, and it is currently sitting with EPA to be approved. In effect, the federal grant will pay for that Phase 2.

Council Member Umphrey noted that Public Works had two retirements, Darrin Stensby and Richard Cayer, who were with the City for a long time. She added that she thinks that this is great because it shows the type of culture that the City has. She also congratulated them and noted that this is an opportunity for someone else.

Council Member Umphrey stated that she is sad to see that Greyhound is no longer servicing the area, but she was told that they may come back. Mayor Mueller stated that it is due to COVID.

Council Member Umphrey stated that she believes Greyhound will set up operations again and suggested tickets online. People had to wait and get them at the terminal. Mayor Mueller stated that when they come back to the City, they can be asked to put their tickets online if they plan on making money in this area because it makes sense. Council Member Umphrey stated that she made an error, they only sell tickets online, but they did not provide the City with a way to sell their tickets.

Council Member Umphrey talked about the canines, Izzy that retired. Police Chief Thrasher stated that Izzy was retired early and will spend the rest of her life with her last handler. Council Member Umphrey welcomed Jucon, a new canine who is ready to go. Lastly, she thanked staff for the summaries from the commission meetings, voiced her pleasure at the West End being pleased with how things are going, and the fact that the Library is using the RecTrac that encourages people to use the Library more often and participate.

D. Report on Recent Trips, Meetings and Future Meetings

Mayor Mueller stated that he got and reviewed a proposal from Council Member Johnson regarding a potential economic development commission. He stated that before discussing it, everybody needs to be brought up to speed on exactly what the City is doing and what can be done. Council needs to come to a firm understanding of what is being done for economic development and what is appropriate for the City to do. The education class can be done prior to the strategic planning session and as part of the strategic planning process as well because plans for economic development is an important part of what communities do.

Council Member Pacheco asked about the fire in town. Mayor Mueller stated that it is a control burn. Mr. Potucek added that it is a control burn and there are quite a few units out in the area.

E. Future Discussion Items and Council Requests

Ms. Yarbrough stated that she was able to get some good suggestions from the strategic planning consultant. They are looking at the same week that was originally proposed, Monday, March 22, 2021, Tuesday, March 23, 2021 and Wednesday, March 24, 2021. The times could be either noon to 6:00 p.m. or 1:00 to 7:00 p.m. on Monday and Wednesday. If it starts at either at noon or 1:00 p.m., lunch could be offered beforehand if Council wants to participate and then start strategic planning. On Tuesday, the time would be 12:00 p.m. until 3:00 p.m. to allow for the work session on that day.

Mr. Potucek stated that he is hopeful that the federal court trials in Tucson will continue to be suspended because he has been called for jury duty for the week of March 22, 2021.

F. COVID-19 Status Report

Mr. Potucek stated that the City shares with everyone's concerns with the number of doses available to the County and how they are distributed. There are small allocations for the City's Fire Department to do that. One of the issues is that certain doctor offices are receiving some doses and they can prioritize however they see fit, but they try to stay within the guidelines. There are pharmacies, Fry Fire as well and it has been difficult to explain to the public what is going on. There is a free for all and the best advice to the public is to register wherever they can and if they are in one of the priority groups, they may hopefully get a call. He added that he is hopeful in that the supply will get worked out, and if everyone works together and gets this will help in getting through the pandemic. Staff is in the process of getting vaccinated and City facilities are being looked at opening back up in early April.

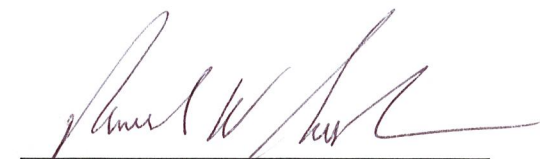
Mayor Mueller asked if facilities will be fully operational in April. Mr. Potucek stated that he would like to have the buildings open if there are enough people that are vaccinated.

Mayor Mueller stated that there should be some lobbies that may be able to open within the next couple of weeks and noted that he would like for that to be investigated. He understands that it needs to be done safely.

Mr. Potucek stated that there has been a lot of success with the outdoor facilities and the protocols that staff has put into place in Parks and Leisure. They have been successful in being able to operate a few tournaments and more of those will be forthcoming. There have not been any reports of any issues nor COVID related reports. As a result, a lot of people are looking at Sierra Vista and have come to Sierra Vista because they cannot go anywhere else. He further stated that staff is hoping with the blessing of the governor to start looking at summer activities, first with Sips and Skies and the Summit Challenge. If this is a good test run, then there should be able to be something more for July Fourth. Things are improving, case numbers are drifting downward and hopefully that will accelerate as more vaccinations take place. The City will continue to work with the County on distribution of vaccinations.

3. Adjourn

Mayor Mueller adjourned the City Council Work Session at 4:53 p.m.



Frederick W. Mueller, Mayor

Minutes prepared by:

Attest:



Maria G. Marsh, Deputy Clerk



Jill Adams, City Clerk