



## CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minute summary of the regular meeting of the City Council of Sierra Vista held on the 11<sup>TH</sup> of April 2024. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 25<sup>TH</sup> day of April 2024

SEAL

A handwritten signature in black ink, appearing to read "Maria G. Marsh", written over a horizontal line.

Maria G. Marsh  
Deputy City Clerk

A handwritten signature in blue ink, appearing to read "Jill Adams", written over a horizontal line.

Jill Adams  
City Clerk

Sierra Vista City Council  
Regular Meeting Minutes  
April 11, 2024

Mayor McCaa called the April 9, 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 – present  
Mayor Pro Tem Carolyn Umphrey – present  
Council Member William Benning – present (5:17 p.m.)  
Council Member Gregory Johnson – present  
Council Member Angelica Landry – present  
Council Member Marta Messmer - present  
Council Member Mark Rodriguez – present

Others Present:

Victoria Yarbrough, Assistant City Manager  
Chuck Potucek, City Manager  
Chris Hiser, Police Chief  
Brian Jones, Fire Chief  
Sharon Flissar, Public Works Director  
Laura Wilson, Leisure, Parks, and Library Services Director  
Matt McLachlan, Community Development Director  
Jill Adams, City Clerk  
Nathan J. Williams, City Attorney  
Adam Curtis, Marketing and Communications Manager  
Elizabeth Wrozek, PIO  
Michael Slania, Industrial Development Authority Attorney  
Tony Boone, Economic Development Manager  
Armin Lewis, Deputy Police Chief  
Lis Chatham, Police Department Corporal

Invocation – Paston Becky Preiss, Hope and Healing Christian Church, led everyone present in prayer.

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

Item 1 Acceptance of the Agenda

Council Member Johnson moved that the agenda for the Regular City Council Meeting of April 11, 2024, be approved. Council Member Messmer seconded the motion. The motion unanimously carried, 6/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Johnson, Landry, Messmer, and Rodriguez voted in favor.

Awards and Presentations

Alexandra Kosmider from the UA Cooperative Extension's Water Wise Youth Program stated that there were 55 entries from seven schools and 11 teachers. The following students were recognized for their posters:

- Italia Espinoza, first place, third grade, Ms. Carns, Veritas Christian Community School;
- Ahitza Morales, second place, third grade, Mr. Cooke, All Saints Catholic School;
- Mila Gonzalez, honorable mention, third grade, Mr. Cooke, All Saints Catholic School;
- Olivia Vinch, first place, fourth grade, Olivia Vinch, Huachuca Mountain Elementary School;
- Taden Hargis, second place, fourth grade, Ms. Burden, Bella Vista Elementary School;
- Cecelia Yost, honorable mention, fourth grade, Ms. Burden, Bella Vista Elementary School;
- Amia Martinez-Empie, grand prize, first place, fifth grade, Ms. Rojas, Village Meadows Elementary School;
- Eli Gonzalez, second place, fifth grade, Ms. Rojas, Village Meadows Elementary School;
- Adeline Gosch, honorable mention, fifth grade, Ms. Rojas, Village Meadows Elementary School;
- Jazelle Sanchez, first place, sixth grade, Ms. Nogales, Huachuca Mountain Elementary School;
- Mikaylin Hartmann, second place, sixth grade, Ms. Sides, Town and Country Elementary School; and
- Ava Ramirez, honorable mention, sixth grade, Ms. Nogales, Huachuca Mountain Elementary School.

A proclamation declaring the Month of April as Water Awareness Month was presented to Alexandra Kosmider, Instructional Specialist for Water Wise Youth, CALES Cochise County Cooperative Extension. Ms. Kosmider thanked the Mayor and Council and stated that Water Awareness Month began in 2018, an initiative that was started by the Water Wise Program that is now statewide to show how incredibly important water is to everything that is done. The fact that Sierra Vista is in an arid environment means that people must be particularly careful with water. Some of the services that the Water Wise Program offers is to go classrooms grades K through eighth grade throughout Cochise County to provide water education. There is also a community side that provides site consultations to help figure out how to save water, mini grants for businesses to help implement water saving measures and talks around the County about water savings and anything having to do with the river or ecology.

A proclamation declaring the Week of April 8 through 12, 2024 as Young Child Week was presented to Diona Williams and Demetry Simonton with First Things First Association. Mr. Simonton thanked the Mayor and Council and the kids who did such an amazing job with their posters. He stressed that everything that First Things First does as a community is for the kids. He thanked the Mayor, Council and Mr. Potucek for the library, Cove, and sporting facilities, gave a shout out to the Boys and Girls Club, and the community that cares and is doing everything that that they can to invest in the kids becoming the best versions of themselves.

A proclamation declaring the Month of April as Fair Housing Month was presented to Randy Wilcox with Bradley Properties and representatives of the West and Southeast Realtors of the Valley (WeSERV). Mr. Wilcox stated that as part of the real estate community, the best thing about fair housing is just doing what is right. It is easy to follow fair housing because one must follow their heart and just do what is right for the community, for individuals and as the town grows, they see all sorts of different strokes of life, but they treat everybody fairly.

A proclamation declaring the Month of April as Sexual Assault Awareness Month was presented to Police Chief Hiser, Lieutenant Jordan Boltinghouse, and the Cochise Family Advocacy Center. Police Chief Hiser stated that April is Sexual Assault Awareness Month and explained that this is the reason why there is teal lighting outside of the Police Department. He further

stated that this year the national theme for Sexual Assault Awareness Month is, "Building Connected Communities". This is a year-round collaboration for sexual assault awareness and Lieutenant Boltinghouse along with a lot of dedicated professionals work together in bringing awareness of sexual assault and domestic violence. He gave a shout out to the Cochise Family Advocacy Center also known as Lori's Place, a nonprofit advocacy center where law enforcement can take a victim of domestic violence or sexual assault for a forensic interview, forensic medical exam, and have them connected with advocacy services right away in a very safe, comfortable environment, which is much better than an emergency room. Lori's Place will take walk-ins if someone is just reluctant to go to law enforcement first, and their phone number is 520-515-4444, which is answered 24/7.

Lieutenant Boltinghouse stated that the Cochise County Family and Community Coalition, the Police Department, the City, and community are going to continue to take a stance against the sexual violence, domestic violence, and teen dating by providing education and advocacy, but most importantly showing support standing alongside survivors of those said crimes. He introduced representatives from Chiricahua Community Health Center, Southeastern Arizona Behavioral Health Services (SEABHS) and the County Cares team.

Rosie Mendoza, Patient Advocate from Chiricahua Community Health Center, stated that the Violence Against Women Act of 2013 strengthens the ability of the Federal Government, the States, law enforcement, and service providers to combat domestic violence, dating violence, sexual assault, and stalking. Victims have the choice to not report sexual assault, but they can later because Federal Law changed the statute of limitations; however, there must be a forensic interview, forensic medical exam, physical evidence, and Chiricahua Community Health Center can help. Chiricahua Community Health Center now has care funds for patients experiencing domestic violence, stalking, trafficking, human trafficking, or sexual assault victims.

Noelani Ramirez, Patient Advocate from Chiricahua Community Health Center, thanked the Police Department and all supporters of the Coalition which has been around for more than 10 years. She stated that she is grateful to be a part of this Coalition where there is collaboration between different agencies for the well-being of domestic violence and sexual assault survivors in taking care of their best interests.

City Manager's Report: Mr. Potucek stated that the next scheduled work session is on April 23, 2023 at 3:00 p.m. in the Council Chambers to continue budget discussions, and the next regularly scheduled Council Meeting is on April 25, 2024 at 5:00 p.m. also in the Council Chambers. He reported that bids for the State Route 90 Sewer Re-route Project are due on April 26, 2024, at 10:00 a.m.; the needs assessment for the municipal court will be getting underway as discussed at the work session on Tuesday, April 9, 2024, and the Feasibility Study for the Space Re-entry Port at the Sierra Vista Municipal Airport is also getting underway. He further reported that at the SEACOM JPA Meeting the primary item of discussion was SEACOM's budget for the coming year that will be presented to Council at the work session on May 7, 2024. Lastly, he stated that the February sale tax report is concerning because sales tax receipts were down across the board in all categories. Staff found that one of the items was a one-time item of tax overpayment reimbursement; therefore, this will help to normalize the numbers next month, but staff will be eyeing that closely with regards to the next budget year.

Mayor Pro Tem Umphrey asked for clarification regarding the overpayment. Mr. Potucek explained that an entity remitting, overpaid their sales taxes and the State has reimbursed them. Therefore, it was reflected in earlier reports as revenue to the City. However, that was taken away all at one time last month.

Council Member Rodriguez asked if a previous anomaly was due to an entity not reporting their taxes. Mr. Potucek stated that he is correct and now it is the other way around.

## Item 2 Consent Agenda

[Item 2.1](#) Discussion and Possible Action of the Work Session Meeting Minutes of March 26, 2024

[Item 2.2](#) Discussion and Possible Action of the Regular City Council Meeting Minutes of March 28, 2024

[Item 2.3](#) Discussion and Possible Action of Resolution 2024-018, Appointment of David Jones to the Sierra Vista Environmental Stewardship Commission, said term to expire April 30, 2026

Council Member Landry moved that the Consent Agenda consisting of the minutes of the Work Session Meeting of March 26, 2024, Regular City Council Meeting of March 28, 2024, and Resolution 2024-018, appointment of David Jones to the Sierra Vista Environmental Stewardship Commission, said term to expire April 30, 2026, be approved. Council Member Johnson seconded the motion. The motion unanimously carried, 7/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Benning, Johnson, Landry, Messmer, and Rodriguez voted in favor.

## Public Hearing

[Item 3](#) Discussion and Possible Action on Resolution 2024-019, New Series 10 Limited Liability-type Liquor License for Francisco Javier Romero on behalf of DG Retail LLC dba Dollar General Store #24646 located at 5240 E Highway 90, Sierra Vista, Arizona

Council Member Messmer moved that Resolution 2024-019, a New Series 10 Limited Liability-type Liquor License for Francisco Javier Romero on behalf of DG Retail LLC dba Dollar General Store #24646, be approved. Mayor Pro Tem Umphrey seconded the motion.

Ms. Adams stated that is a new application for a Series 10 liquor license by the Dollar General Store that recently opened at the corner of Avenida Del Sol and State Route 90. A Series 10 is a beer and wine only retail license, and no hard alcohol on this license. The Police Department performed a background check on the applicant and the two controlling persons and has no objection to this moving forward. The notice of the public hearing was posted on the facility, and there have not been any comments from the public, pro or con. If approved, the application will be returned to the State Liquor Board for final action.

The motion unanimously carried, 7/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Benning, Johnson, Landry, Messmer, and Rodriguez voted in favor.

[Item 4](#) Consideration of DRAFT PY 2024 Community Development Block Grant (CDBG) Program Annual Action Plan

Mr. McLachlan stated that the City is moving into a new consolidated planning cycle which includes the City's first year Annual Action Plan. The City has been doing this type of planning since 2014 when the City became an entitlement community and a direct recipient of HUD funding. The Consolidated Plan basically identifies the goals and priorities that the City will be

pursuing over the next five years and how the City will be applying the block grant funding towards meeting the housing and community development needs of the community. Staff is still working with the funding estimate because the official allocation has not yet been announced.

The Plan is built around a \$250,000 per year assumption, which has been the historical amount that the City has received. The City is expecting the official allocation within the next month prior to the final draft being presented to Council. Based on the feedback received at the Council's January work session, staff will continue to focus the Plan around carrying out activities focused on upgrading public facilities and infrastructure in target areas, helping improve accessibility, offering homeowner rehabilitation assistance, and supporting nonprofits in providing needed services. Towards this end, the Annual Action Plan which is for next year's grant funding recommends the amount to go towards finishing the needed fire hydrants in the Montebello Neighborhood that is located southeast of Giulio Cesar and Charleston Road, replacing the beds and mattresses at Good Neighbor Alliance Emergency Shelter, splitting the public services budget between the Boys and Girls Club and United Way to fund the before and after school scholarships, and the Emergency Crisis Fund activities at United Way that has helped over the past couple years. The amount allocated towards projects will be proportionally adjusted to match the actual grant amount when it is established.

The second document placed into the public record for review and comment is the Analysis of Impediments to Fair Housing Choice, or AI. This study is reviewed and updated every five years as part of the consolidated planning process. The Arizona Attorney General's Office is responsible for administering fair housing complaints in Arizona and the HUD Office of Fair Housing and Equal Opportunity maintains data for the State. Over the past five years, five complaints were filed, which is a relatively low number. The landlords and property managers are doing a good job adhering to Fair Housing Law, which is again the right thing to do.

The documents are up for public consideration through May 8, 2024 and any feedback that is received will be incorporated into the final draft that will be presented to Council next month.

Council Member Landry noted that a lot of work has been input into this document and gave a shout out to all the time and effort that was put towards providing this document. She stated that she noticed that the document was posted for a public review and asked why the public should try to look through and read the document and who the point of contact is. Mr. McLachlan stated that people may contact him and explained that the Plan is formatted to respond to federal requirements. There is a lot of data analysis in the document and the important part is how the funding will be deployed over the next five years. The central focus will be lifting and improving the quality of life and the low to moderate parts of the community, the West End, Montebello area, near Golden Acres, all eligible census tracts. Internally the City staff looks through the needed capital projects and discuss what to present to Council for consideration every year. The past couple years has been fire hydrants which is an important infrastructure to have in a neighborhood for public safety and supporting public services in the community of which there have been a lot of applications, and the needs always exceed the resources. Understanding what the priorities are for the funding and whether they are in line with what the community would like to see put forward is the heart of the Plan and the rest is just interesting information to read.

Council Member Landry mentioned that the document contains a lot of acronyms and although they are spelled out and repeated throughout, it would be nice to have their definition at the end of the document i.e., military doctoring. She encouraged people to look at the table of contents if they find the document overwhelming because the table provides a good understanding of

some of the information that is in the document. In closing, she quoted Matthew 25:40, "Truly, I tell you, whatever you did for one of the least of these brothers and sisters of mine, you did for me." This is something to keep in mind, the purpose of this Plan and why it is important for people to care about it. She suggested that the Plan be talked about on the City's podcast.

Mr. McLachlan stated that the program has a long history, not just this upcoming program year, but the projects add up to make a real difference in neighborhoods.

Council Member Rodriguez thanked staff and noted that the document has a lot of stuff, graphs, demographics, etc. that could assist someone trying to write a grant on their own because a lot of the information asked for is in this document. He encouraged the public to provide feedback through [engagecrsac.gov](http://engagecrsac.gov).

New Business

[Item 5](#) Discussion and Possible Action of Resolution 2024-020, Restating the City's Commitment to Fair Housing in Sierra Vista

Council Member Rodriguez moved that Resolution 2024-020, restating the City's Commitment to Fair Housing in Sierra Vista, be approved. Council Member Johnson seconded the motion.

Mr. McLachlan stated that HUD requires all Community Development Block Grant recipients to affirmatively further fair housing and this resolution signifies the City's commitment to promoting equal housing opportunities for all people. It is intended to elevate awareness that housing discrimination is illegal and that there is help available if persons are being discriminated against due to their race, color, national origin, religion, gender, familial status, or disability. This resolution and proclamation will be posted in all public buildings and fair housing brochures will be made available.

The motion unanimously carried, 7/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Benning, Johnson, Landry, Messmer, and Rodriguez voted in favor.

[Item 6](#) Discussion and Possible Action of Resolution 2024-021, Authorizing the Issuance, Offer, Sale, and Delivery of one or more Series of its tax-exempt and/or taxable Education Facility Revenue and Refunding Bonds for Desert Heights Charter School Project, Series 2024, in an Aggregate Principal Amount of not to exceed \$16,000,000

Mayor Pro Tem Umphrey moved that Resolution 2024-021, authorizing the issuance, offer, sale, and delivery of one or more series of its tax-exempt and/or taxable education facility revenue and refunding bonds for Desert Heights Charter School Project, Series 2024, in an aggregate principal amount of not to exceed \$16,000,000, be approved. Council Member Johnson seconded the motion.

Mr. Slania stated that the Sierra Vista Industrial Development had previously passed a resolution authorizing the issuance of these charter school bonds. This will be in the amount not to exceed \$16,000,000 and does not commit the City in any way, shape, or form on a financial basis, nor does it commit the Sierra Vista Industrial Development Authority other than on a limited basis to the revenues that it receives. None of their general funds are committed either. This is a second charter schools, it is a refunding. The schools were previously financed, and they are looking to reduce the rate and add some more improvements to their existing facilities.

The motion unanimously carried, 7/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Benning, Johnson, Landry, Messmer, and Rodriguez voted in favor.

Item 7 Discussion and Possible Action of Resolution 2024-022, Authorizing the Issuance, Sale, and Delivery of one or more Series of its Education Facility Revenue for Edkey Charter Schools Project, in one or more series, in an Aggregate Principal Amount of not to exceed \$75,000,000

Council Member Benning moved that Resolution 2024-022, authorizing the issuance, sale, and delivery of one or more series of its education facility revenue for Edkey Charter Schools Project, in one or more series, in an aggregate principal amount of not to exceed \$75,000,000, be approved. Mayor Pro Tem Umphrey seconded the motion.

Mr. Slania stated that this is a charter school bond previously approved by the Sierra Vista Industrial Development Authority. This is a larger project, a system of several charter schools located in various locations throughout the state. The point of interest for this one is that they had the first charter school for homeless use in Phoenix that has a bus that goes from shelter to shelter. They also have a few other schools that they work with on their charter basis. He further stated that each charter school must be approved by the State Board for charter schools. They are the ones that monitor the health and the well-being of each of the charter schools. This is a financing tool for a bond for them for 75,000,000. It adds a new campus but also changes some of the financing for the existing campuses. In addition, they have about \$130 million of existing charter school bonds previously issued and this could be the first one of several charters over the years for them.

The motion unanimously carried, 7/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Benning, Johnson, Landry, Messmer, and Rodriguez voted in favor.

Call to the Public - There was no response.

Comments and Requests of Council

Council Member Benning apologize for being late, explained that he was on his way back from a doctor's appointment in Tucson, announced the Military Intelligence Ball on Saturday, April 13, 2024 in Tucson, cautioned everyone to be safe while driving to and from Tucson and partaking in spirits.

Council Member Johnson congratulated all the student artists that were awarded and noted that they graced the Council with their talents and sent a valuable message to conserve precious water resources. Additionally, he congratulated his friend Armin Lewis, who has been promoted to Police Deputy Chief and Lis Chatham, promoted to Commander. In closing, he welcomed David Jones and thanked him for joining the Economic Stewardship Commission, which will meet on April 24, 2024 at 4:00 p.m. in the second-floor conference room.

Council Member Landry thanked everybody who came to the meeting, noted that the City has multiple commission members in the audience, and thanked the commission members who are willing to serve. She stated that it is great to see a lot of people that have passion for various things because that is what makes the community such a great place. She also thanked everyone that came due to the various proclamations and stated that it is important to get awareness out there on a variety of things, and she especially appreciates bringing awareness to sexual assault and having so many different partners and people to help the survivors in providing resources. She then announced that Xena, the longest resident of the animal shelter,



almost 800 days, has found her forever home. She thanked her new family and encouraged people to go out to the animal shelter and check out the animals, take them for a walk, bring them some presents, anything that will help them out. In closing, she announced that on Sunday, April 14, 2024, at 11:00 a.m. at Doc's Watering Hole there will be a dog show, Pups on Parade. The adoption fees will be up for live auction and 10 percent of the proceeds will go to the Friends of the Animal Shelter. Also, the Sherry Ethel Team has pledged to match that donation.

Council Member Messmer announced the West Fest on April 20, 2024, from 3:00 p.m. until 9:00 p.m. where there will a lot of craftsmen, stores, and vendors.

Council Member Rodriguez thanked the students who participated in Water Wise Project, one of his favorite events of the year, and thanked the teachers and parents for encouraging the students. He reported that there is a lot of exciting things going on at Soldier Creek Park, starting with the installation of a big slide which is not yet finished and noted that Roadrunner Park had 681 entries through [engageyourvistaaz.gov](http://engageyourvistaaz.gov). He thanked Home Depot for supporting local veterans by donating materials and services for veterans in need via Cochise Serving Veterans; reminded everyone to get their taxes done by Monday, April 15, 2024, and announced that the month of April is also the Month of the Military Child that is important to him because his kids are military kids. He noted that the life of military kids is different because not only are they exposed to a lot of things and have many benefits, but they are moved around and sometimes they do not want to move and leave behind their friends. He thanked the Cochise Family Advocacy Center for the great information that they put out regarding sexual assault and announced that Canyon Vista Hospital is always looking for donations for kids, i.e., stuffed animals, toys, coloring book and crayons. He noted that they also have homeless patients that do not have clothes to change into. In closing, he announced that on Saturday, April 20, 2024, in Palominas, Nine to One, a young entrepreneurs' market, will take place from 9:00 a.m. until 1:00 p.m.

Mayor Pro Tem Umphrey wished everyone a great weekend.

Mayor McCaa congratulated Armin Lewis promoted to Police Deputy Chief and Lis Chatham promoted to Commander. He shared with Ms. Chatham that his mother feels a sense of security every time she walks by her house and is always welcomed to stop by for apple pie. He also thanked all the citizens for their inquiries, emails, and a special thank you to staff because when he forwards these emails, they always come back in less than 24 hours with an answer. Lastly, he gave a shout out to the Boys and Girls Club on their great program that took place on Saturday, April 6, 2024, Cars and Kids, and for all the auction items that went to the kids of the community.

#### Adjournment

Mayor McCaa adjourned the April 11, 2024, meeting of the Sierra Vista City Council at 6:00 p.m.


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Clea McCaa II, Mayor

Minutes prepared by:

Attest:

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Maria G. Marsh, Deputy Clerk

  
\_\_\_\_\_  
Jill Adams, City Clerk

A recording of the Council Meeting is available at:  
[https://www.youtube.com/channel/UC8PtUplbkQsixlhSy-jeR\\_Q/videos](https://www.youtube.com/channel/UC8PtUplbkQsixlhSy-jeR_Q/videos)