



EXTRAORDINARY SKIES.
UNCOMMON GROUND.

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 8TH day of August, 2024. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 12TH day of September, 2024

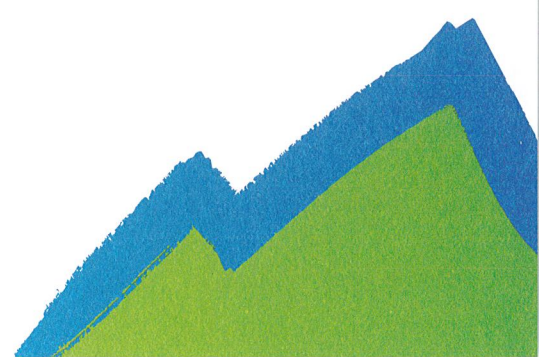
SEAL

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
Meeting Minutes
August 8, 2024

Mayor Pro Tem Umphrey called the August 8, 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
Council Member Gregory Johnson – present
Council Member Angelica Landry – present
Council Member Marta Messmer – present (5:03 telephonically)
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
Bryce Kirkpatrick, Engineer/Interim External Operations Manger
Laura Wilson, Leisure, Parks, and Library Director
Jeff Pregler, Planner
Jill Adams, City Clerk
Nathan J. Williams, City Attorney
Adam Curtis, Marketing and Communications Manager
David Felix, Chief Financial Officer
Jennifer Dillaha, Financial Officer
Tony Boone, Economic Development Manager

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

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

[Item 1](#) Acceptance of the Agenda

Council Member Johnson moved that the agenda for the Regular City Council Meeting of August 8, 2024, be approved. Council Member Benning 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.

City Manager's Report: Mr. Potucek announced that the next regularly scheduled work session is on Tuesday, September 10, 2024 at 3:00 p.m. in the Council Chambers and the next regularly scheduled meeting is on Thursday, September 12, 2024 at 5:00 p.m., also here in the Council Chambers. He also announced that the second work session and Council meeting in August have been cancelled. He reported that the Needs Assessment for the Municipal Court should be done very soon, as well as the assessment for the Fire Department, and once those are in, they will be put on a work session agenda in September or October. He also reported that the City

did not receive the DCIP grant for the sewer line extension at the airport. This is the grant that the City successfully received for Fire Station IV; however, the City was not successful this round. Therefore, staff will try again and hopefully in the next round the City will be able to secure those funds. In closing, he reported that the sales tax report for last fiscal year ending in June shows that the total sales tax revenues were up \$124,594.00 for the year, which is a .46 percent (very flat in terms of revenues). Since the City budgeted conservatively, the amount that was received is \$1,335,000 over budget, but June 2024 in comparison with June 2023, the total sales tax revenues were down \$67,000 year over year, a -4.8 percent. However, the City is still up even though it is only one month because the City budgeted conservatively for sales tax for this fiscal year. This trend is continuing, and staff will continue to monitor the situation very closely moving forward.

Council Member Johnson asked if the failure to receive the grant will jeopardize anything moving forward on the airport and the development there. Mr. Potucek stated that he thinks that there is still time if the City can get it next year, in the \$7,000,000 range. This is going to be a necessary project for future development and if the City is unable to secure grant funds or an appropriation, the City will probably have to look at financing that out of the Airport Fund. Although there are there are some other projects that that need that which is also going to be important for the transfer of the 200 acres going forward. This will not harm Black Star, but certainly the 200 acres in future development.

Item 2 Consent Agenda

[Item 2.1](#) Discussion and Possible Action of the Work Session Meeting Minutes of July 23, 2024

[Item 2.2](#) Discussion and Possible Action of the Regular City Council Meeting Minutes of July 25, 2024

[Item 2.3](#) Discussion and Possible Action of Resolution 2024-054, Resignation of Bruce Phillips and Appointment of Karen LeMay to the Sierra Vista Environmental Stewardship Commission, said term to expire April 30, 2026

[Item 2.4](#) Discussion and Possible Action of Resolution 2024-055, Designation of David Felix as Chief Financial Officer authorized to submit the Annual Expenditure Limited Report for Fiscal Year 2023-2024

[Item 2.5](#) Discussion and Possible Action of Resolution 2024-056, Designation of David Felix as Chief Financial Officer authorized to submit the Annual Expenditure Limited Report for Fiscal Year 2024-2025

Council Member Landry moved that the Consent Agenda consisting of the minutes of the July 23, 2024 work session and Council Meeting of July 25, 2024, Resolution 2024-054, acceptance of the resignation of Bruce Phillips, with regret, and the appointment of Karen LeMay to the Sierra Vista Environmental Stewardship Commission, said term to expire April 30, 2026, Resolution 2024-055, Designation of David Felix as Chief Financial Officer authorized to submit the Annual Expenditure Limited Report for Fiscal Year 2023-2024, and Resolution 2024-056, Designation of David Felix as Chief Financial Officer authorized to submit the Annual Expenditure Limited Report for Fiscal Year 2024-2025, be approved. Mayor Pro Tem Umphrey 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 of Resolution 2024-057, Development Code Text Amendment, Section 151.06.005(E) Marijuana Facilities Operational Requirements and Declaring a 30-day Comment Period

Council Member Johnson moved that Resolution 2024-057, Development Code text amendment to Section 151.06.005(E), Marijuana Facilities Operational Requirements, and declaring a 30-day comment period, be approved. Mayor Pro Tem Umphrey seconded the motion.

Mr. Pregler stated that Formula 420 doing business as Trulieve of Sierra Vista is proposing a code amendment to extend the hours of operation for marijuana establishments from the current 9:00 a.m. to 7:00 p.m. to the proposed 8:00 a.m. to 10:00 p.m. He further stated that Proposition 207 was approved by voters in November 2020 that allowed for adult use marijuana establishments, AKA dispensaries, within the state of Arizona. Although these dispensaries are licensed by the Arizona Department of Health Services, the local jurisdictions do have discretion on regulating these facilities.

The Mayor and City Council approved an ordinance on February 11, 2021 allowing marijuana establishments subject to specific development and operational requirements. One such operational requirement was regulating hours of operation. The current hours of operation are from 9:00 a.m. to 6:50 p.m., which originally applied to medical marijuana dispensaries with the ordinance adoption in 2011. The same hours applied when the marijuana establishment ordinance was approved. The purpose of this was to minimize any negative impacts associated with the dispensary.

Staff analyzed the number of factors when considering the proposed text amendment. First, staff compared the proposed hours of operation with other communities throughout the state and found that out of 17 communities, 10 communities either have the same hours of operation or expanded hours as the proposed amendment. One community has no restrictions on hours of operation, two communities require hours to be determined by a special use permit, or a conditional use permit, and four have more restricted hours of operation than what is being proposed. In addition, when reviewing the Arizona Administrative Code, one of the conditions of marijuana establishments is that they shall operate at least 30 hours a week between the hours of 7:00 a.m. and 10:00 p.m. Although the Administrative Code does not require marijuana establishments to be open from 7:00 a.m. to 10:00 p.m., it does allow flexibility of local jurisdictions to extend the hours of operation to these times. Secondly, staff reviewed the criminal activity related to marijuana establishments. Since 2022, which is the year that Trulieve opened, there has not been a significant amount of criminal activity associated with the business. The Chief of Police stated that he had no concerns about the expanded hours of operation based on the data available. Finally, staff considered sales tax associated with the marijuana establishment. There will be a 40 percent increase in hours of operation, which means there will likely be an increase in sales tax revenues and as with any Code amendment, the burden of proof is on the proponent. Trulieve's application for text amendment provides their reasoning and justification of the required text amendment.

In reviewing the proponent's application and justification as well as staff's analysis, staff recommends approval of the expanded hours of operation. The Planning and Zoning Commission recommended approval of the text amendments at their July 23, 2024 meeting.

Staff has not received any public comments to date. However, approval of the resolution would declare a 30-day public comment period.

Andrew Bauer, Government Relations Manager, with Trulieve stated that staff does an excellent job of describing the text amendment. Trulieve is the largest cannabis retailer in the country. In Arizona, Trulieve is also the number one retailer with 21 facilities. Cure Leaf and Story are the number two and number three as they respectfully have 15 and 13 stores. Trulieve has been operating in Arizona previously under Harvest Health and Recreation since 2013 when the medical program got up and running. Trulieve has been in Sierra Vista since November of 2022 and they are located off Highway 92 and there are security guards on site, usually during more of the busy hours, that check people, monitor the parking lot, etc. There is 24/7 video surveillance and there are about 20 cameras throughout the dispensary, both internal, external. There is 360 coverage of the property, monitored 24 hours a day in the tactical operations center in full. There are also panic buttons because this is a recreational adult use only, 21-year-old plus are only allowed in the dispensary.

ID is checked at the door, if security is there and once in the building, there is a podium with a welcome desk where ID is checked again to verify that it is a legal ID. The sales floor for cannabis is different than alcohol store because before a customer can receive a product that has cannabis in it, their ID is rechecked. If a person were to sneak past the front door, hide behind somebody's back, before a bud tender hands over a product, they check ID, another safety net. Diversion is a big focus for them, and it is another good age gaging option. Cannabis is nondescript and Trulieve follows the rules that are dictated by the State when it comes to marketing, etc. as well as the City's rules.

Trulieve's storefront does not have a big neon sign nor a flashing weed leaf. It is a very clean front with branding and a flag indicating that there is a dispensary. Trulieve is looking to extend the hours from 8:00 a.m. to 10:00 p.m. that gets them in alignment with the rest of the State except for Guadalupe which has no restrictions. It is a strain on the consumer by having tight window hours because they have a specific window that they can get to the store. Expanded hours will be in the realm of what is a dispensary because people think 07:00 a.m. to 10:00 p.m., a better alignment with other cities. Expanded hours will increase sales tax revenue and staff hours which could possibly have part time employees go onto full time or perhaps the ability to hire another person or two to fill those expanded hours.

In closing, Mr. Bauer stated that there in no real adverse effect to public safety by expanding hours. The property will have more people there more often; therefore, there is less chance of larceny and expanding the hours would allow people more time to come than having to meet the tight window. The parking is ok, but an early close gets chaotic. Therefore, expansion of hours would make the parking lot less congested. Lastly, he noted that cannabis is still new to Arizona and people are still getting comfortable with it. There is some stigma around it.

Council Member Johnson asked about the customer count per day. Mr. Bauer stated that it ranges between 400 and on a busy day 600.

Council Member Benning asked about the number of times that a person can purchase at the shop during a day. Mr. Bauer stated that a person cannot come back on the same day to purchase - the State controls that. The store has surveillance and tracking and has a relationship with law enforcement.

Mayor McCaa asked about in-house security and ID checking. Mr. Bauer stated that security is a third party, and they are elderly people that stand in front of the store that helps to ensure that traffic keeps flowing. They are not armed, and they are more of a visual type-safety net of diversion. He added that with State rule, there is no requirement to have a security guard out front. The security team out in the southwest is run by two former sheriffs from Tucson that is dictated by them, and their focus is employee and customer safety. The security guard is for the high flow times to help mitigate some of the rush at the door. The State requires the physical check in the store to get past the entry point.

In response to Council Member Rodriguez, Mr. Bauer stated that it is unlikely that customers can access the product. There are examples of products in packages, but they are dummy products, empty boxes. Cannabis is in the vault or behind the POS register system until the customer has presented their ID.

Council Member Benning asked about the increase in rate in four hours. Mr. Bauer stated that he does not have a specific ROI number to provide, but he looked at what happened in Guadalupe when they expanded. He added that it is more of a convenience factor and therefore used 100 as a number. There will be a couple of more people that come into the store, but the number is not going to jump to a 40 percent increase.

Council Member Johnson commented that he thought that it was a sad day when the City Council approved the dispensary to be within the City limits. He stated that as a former felony prosecutor, he knows what marijuana can do to people because he convicted several of them. He further stated that he does not believe the argument that the City is going to realize a lot of sales tax because he has been a businessman almost all his life, and increased hours does not necessarily mean increased sales. He noted that Mr. Bauer stated that it is about 400 and 600 people a day, but they are just going to spread them out. He further noted that he had asked Police Chief Heiser to run some statistics because as a volunteer at the Sierra Vista Police Department for nine years working in the evidence room, he noticed that once recreational marijuana became a fact, the breathalyzer DUIs were way down and blood draws for DUI were way up because he remembers almost running out of evidence boxes for blood in the evidence room. In the 45 months prior to legalization of marijuana in the State, there were 33 confirmed DUIs on marijuana and in the 45 months afterwards, which he is sure that Trulieve has contributed to this, there have 53 confirmed DUIs on marijuana. This is a 37.7 percent increase in DUIs on marijuana. Every day on social media he sees horrible crashes that are occurring at intersections, and he wonders why. This seems to be an epidemic. Therefore, he is going to vote against the expanded hours because he has not been convinced that Trulieve has met their burden for justification for this change.

Mayor Pro Tem Umphrey voiced her appreciation to Council Member Johnson for sharing data and noted that she does not believe that it has anything to do with their facility because the City did not approve the dispensary until well after it became legal, and Cochise County was one of the last counties to get one.

Council Member Benning noted that this request is coming back before Council in 30 days. Council is approving to send this to the public to hear what the public has to say, and he is always in favor of this. He added that he shares Council Member Johnson's sentiment; however, when this was brought before Council to regulate where it could go within the City, one of his big pushes was that the people made the choice to make it legal and he cannot take that away from them. The City is not in a prohibition era and City Council is not the savior of the people. The people decided. Although, he agrees with Council Member Johnson's stance, he is

not for telling the business that they cannot operate, just like it was done when Council said where they could be located when some of the suggestions were 800 yards away from a school instead of the 300 that an alcohol establishment had to be. He stated back then and will restate that he is not going to limit a business in making money, and in doing something that is legal. Marijuana can be purchased illegally and that is crowding prisons and court systems. Once a customer leaves their facility, it is out of their control, just like alcohol leaving a drug store or a convenience store. Lastly, he stated that he wonders where Council can censor that, when does Council say that they cannot do something that the people made legal. Does Council trump what the people want and say.

Council Member Johnson stated that for the record he voted against the original resolution.

Council Member Landry stated that a couple weeks ago, Mr. Bauer sent an e-mail to Mayor and Council asking if there were any questions and inviting the Mayor and Council to visit and tour the facility, which she feels says a lot. Therefore, she took him up on his offer and she went over to the facility and met with him, the manager, and the people there. They had a good discussion and they walked her through the facility. She noted that she is not a cannabis user and would have never entered that facility. She further noted that it is important for the public to know that Trulieve talked to the Planning and Zoning Commission, and they recommended approval. Also, Police Chief Heiser indicated that he has no additional concerns with the expanded hours of operation based on the data available. Trulieve is restricted to the area where they can do their business and the area that they must do business is not the best place in the community because there is an abandoned hotel behind them and a couple of empty buildings that makes it look shady. She noted that the City Council has a lot of liquor licenses that come before them, and there are no concerns nor votes against them. Yet, there is a big argument as to how bad alcohol is and how it can destroy lives than there is about cannabis.

Council Member Landry shared that the facility does not smell like pot, and it is clean, organized, and neat. Customers have their ID checked at least twice, sometimes three times, which would make it hard to sneak in. They have cameras all over the place that are always monitored in the shop, Tucson, and Florida. They have their security in place, nine panic buttons throughout the facility, and there is a limit as to how much a customer can buy at once just like people filling prescriptions because it is tracked. All the displays are empty. Trulieve does not want to expand their hours for fun. They want to expand their hours because there is a need and it will bring in extra revenue, even if it is just a handful of people. She shared that everyone at the facility was very polite, and the bud tenders are all knowledgeable on the products and they must be over 21 years of age, be fingerprinted, and have no felonies. The inventory is tracked and kept in their vault. Lastly, she stated that she feels that there is no reason to vote no. She wonders how Council can tell people how to run their business. She encouraged people to go and check it out if they have questions, because knowledge is power. Everything is regulated, grown and processed in Arizona and customers know what they are getting and do not have to worry that it is contaminated. Therefore, she will vote yes and in the future after the public comment unless everyone in the City is against it.

Mayor McCaa stated that he concurs with Council Member Johnson. He shared that he has multiple family members that are strung out and this is a personal for him. He applauded the business concept and is aware that cannabis is growing. However, he is going to vote no.

Council Member Rodriguez applauded Mr. Bauer's professionalism and presentation. He recommended that everyone do some research because this is not a 1980s weed purchase where a person could go steal and pawn, trade goods for weed. It is not how it works anymore.

The whole seed to sale process is very regulated and there is nothing else that is as regulated. The worst thing is the synthetic stuff that is out there that can be purchased off the shelf in smoke shops. People get confused when seeing CBD stores; therefore, he recommends people do their research to see the difference. He noted that the City had a medical only dispensary at the same location and people seem to forget that. Any business that can bring in 400 to 600 people per day should be applauded and he agrees in that Council should not tell a business what hours they can operate. They are a legitimate business. The voters of Arizona voted on Prop 207, and he does not think that Council should go against them and overstep their bounds. A lot of things are provided through Prop 207, i.e. the funding at Cochise College for their trainings, PSPRS, and the sales tax. This is good for the City all around, for the budget. In closing, he stated that there is a lot of research and recently at a League Conference, Weed Maps presented on cannabis versus opioids. A lot of people grew up being told that it is a gateway drug, but recent research states the opposite, getting off opioids and onto cannabis, which is legal. He shared that he has talked to some veterans that have gone to the bud tenders and asked about recommendations for pain, whether it is a cream, smoke, or whatever. This is better than what the VA is providing, that synthetic stuff that makes people crazy. Council is very strict on certain things but there are places in town that are next to churches and schools that sell alcohol, and no one is up in arms. Therefore, he will support Trulieve, a legit business.

The motion unanimously carried, 5/0. Mayor Pro Tem Umphrey, Council Members Benning, Landry, Messmer, and Rodriguez voted in favor. Council Member Johnson and Mayor McCaa casted the dissenting votes.

New Business

Item 4 Discussion and Possible Action of Ordinance 2024-005, Fiscal Year 2024-2025 Property Tax Levy

Council Member Rodriguez moved that Ordinance 2024-005, Fiscal Year 2024-2025 Property Tax Levy, be approved. Council Member Benning seconded the motion.

Ms. Dillaha stated that the City held a public hearing on the Fiscal Year 2025 primary property tax levy on July 25, 2024. In accordance with State Statute, there have been no public comments concerning the levy, and with Council's approval of the ordinance. The rate will be set at .1033 per \$100.00 of assessed value, which will generate an estimated \$387,167 for Fiscal Year 2024 - 2025. This will finalize the budgeting process for Fiscal Year 2025 and the final budget book will be available to Council mid-October at the earliest.

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

Item 5 Discussion and possible action of Ordinance 2024-006, adopting the 2012-2014 amendments to the Tax Code of the City of Sierra Vista

Mayor Pro Tem Umphrey moved that Ordinance 2024-006, adopting the 2012-2014 amendments to the Tax Code of the City of Sierra Vista, be approved. Council Member Johnson seconded the motion.

Mr. Felix stated that Arizona State Law establishes the model city tax code that all cities in Arizona must follow and there are options that the City can choose on various pieces of the Tax Code, but the General Tax Code is set. It is done this way to make it easy on businesses doing

business in multiple cities within Arizona. They have one General Tax Code to follow. The League of Arizona Cities used to maintain the Code back in 2012 but due to the simplification process that the State went through to try and make it easier on remitting taxes for businesses and making it more congruent, they moved the maintenance of the Code to the Arizona Department of Revenue. This is where the Code is currently maintained now and is on the Arizona Department of Revenue's website. Periodically they go through and update the Code based on changes of State Law. One of these changes is the change of the food for home consumption classification as a subset of the retail sales to a separate category. The City is required to follow the Code. The Code is established by the State, and it is requirement that the City adopt these model options and model updates. In closing, he stated that he has reviewed them and sees nothing that would have any major effect in any business in town, usually it is reporting, clarifications, and different definitions of what have occurred before.

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 2024-058, Authorizing the City to Accept the Grant Offer from the Arizona State Parks Non-motorized Grant Program

Council Member Benning moved that Resolution 2024-058, authorizing the City to accept the grant offer from the Arizona State Parks Non-motorized Grant Program, be approved. Mayor Pro Tem Umphrey seconded the motion.

Mr. Kirkpatrick stated that on May 1, 2023, Public Works staff applied through the Arizona State Parks Heritage Fund Nonmotorized Grant Program. Funds were applied to construct an ADA accessible public restroom at Garden Canyon Linear Park off Saint Andrews Drive. This project will be considered phase three of the build out effort at this location utilizing State Park funds. This application requested funding to construct an ADA accessible restroom near the newly constructed trail and parking lot completed in phase one and two. The awarded grant amount is \$120,000 with a City match of \$30,000, totaling \$150,000 of project funds. This approved resolution along with the formal grant agreement would act to accept the grant funds and terms.

Council Member Rodriguez stated that this project started back in 2008 and noted that there are different sized pads out there and he wonders which of them will be the bathroom. Mr. Kirkpatrick stated that the bathroom itself is not going to be one of the existing pads. Those pads are future ramada pads.

Council Member Landry stated this is great news, especially in that area.

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

David Jones displayed a chart of the Parks and Recreation Master Plan and a list of the things that were most desired by the community. He noted that splash pads, water features were the most desired, followed by playgrounds, walking paths, ramadas, and dog parks, which he hopes that Roadrunner Park will take care of those. Number six on the list are pickleball courts followed by sports fields, which he assumes are a part of the Sports Complex as well as tennis courts, running tracks, and volleyball courts. However, he would like for the City to consider adding another pickleball complex to the current facilities. Last year the High Desert Classic

sold out with 153 players that equated to almost \$180,000 in out-of-pocket spending, with the trickle-down economic impact that came to \$426,000. Pickleball is the fastest growing sport in America and in the last four years it has grown over 200 percent. Quail Creek has 32 courts, Green Valley has 24 courts, and upcoming in September is the High Desert Classic Five. This is a popular sport, and it brings money into the City. However, when there is a tournament, there are people who cannot play on the courts because they are completely dedicated to the tournament and there are about five to six tournaments a year. There are three courts at Country Club and during the work session, Ms. Downing stated that there is about \$40,000 to refurbish those courts, but Mr. Potucek stated that he might need that property for something else, a parking lot expansion if a community meeting room is put there that would house 250 people. Lastly, he stated that it would be good if more courts were put in at its current location because the courts that are there are full and there are people waiting to play. Also, if the other courts are available nearby, they could just walk over to the new courts and play there, and there are two new restrooms there. There is a possibility that the basketball court could be converted to pickleball courts, but that would only allow 22 courts. However, basketball courts were high on the list of requested amenities, and he would hate to do away with a basketball court to put in more pickleball courts.

Cynthia Means stated that during the July 8, 2024 Council Meeting there was discussion about the Pueblo Del Sol Golf Course where everyone was made happy when the club was saved. They also thought that this would include the pool. However, they have heard from reliable sources that the plan is to not have the pool anymore. She stated that this is very concerning, upsetting, and devastating for those who use the pool. They heard from Ms. Wilson that she was prioritizing the golf course and could not talk to anybody about the pool and that it would be closing immediately upon the City taking possession in September and that it would not be open next year. The users of the pool are used to it being open from mid-March to November. Ms. Wilson also indicated to them that there were no lifeguards at the Pueblo Del Sol pool and that there needed to be two. She further stated that she noticed that there was recently a City advertisement for lifeguards at the Cove, but there were none for the pool at Pueblo del Sol. The City's Regulation Seven as it pertains to lifeguard says that only one lifeguard is needed per 2,000 square feet and the pool at Pueblo Del Sol is not larger than that. She suggested advertising for lifeguards and noted that there are swim teams, college, high school, military people, and often the training of the kids of the firefighters and police; therefore, it would be possible to handle that. She added that they were told that the expense of keeping the pool open would be too much and that there was very strong consideration being given to not having that pool anymore. Lastly, she stated that the pool is important because they are mostly senior citizens that go to the exercise classes, and it is convenient for them. There are no younger people there who are doing other things, and it is not just a workout for them, it is part of their community, social life, and they are strong supporters of the club as any golfer who goes there. They bring in nonmembers and attend the Friday night dinners. She encouraged Council to look at the bills and they will notice that the users of the pool pay about \$1,000 a month for the use of the facility, lunches, dinners, drinks, and the pool.

Kevin Means stated that the pool gets used. He shared that his family is in town, and he took them to the pool, and they had lunch at the facility. He encouraged Council to look at the pool as it is in good shape to shut it down instead of figuring out how to keep something that is already in motion going.

Jere Fredenburgh stated that she has been a volunteer at the Sierra Vista Animal Shelter for six years. She further stated that she would like to talk about the \$1 million donation given to the Sierra Vista Animal Shelter that was discussed at the work session on August 6, 2024. She

added that people in the community love their animals and they support the Animal Shelter as demonstrated by the \$1 million donation received on July 19, 2024. Council budgeted \$2 million for the Animal Shelter expansion, the budget passed, and the Animal Shelter received a \$1 million donation specifically designated for the shelter. The Animal Shelter should receive the \$3 million. She then asked if anyone on Council wants to divert a \$1 million donation away from the Animal Shelter for other projects. She asked Council to give the Animal Shelter the \$2 million budgeted and the \$1 million donated because it is the right thing to do. In closing, she stated that Council's decision will impact donors and that includes her.

Betty Jo Angell stated that she is a volunteer at the Animal Shelter and her official title is Cat Cuddler. She stated that the Animal Shelter was budgeted for \$2 million, and a generous donor gave the Animal Shelter another million for a total of \$3 million. Sometime in the interim, the City Manager removed \$1 million from their budget, and she would like to know where it went. There is no evidence of where it went which sounds like a legal issue.

Cassandra Cherry shared that she has a horrible ankle injury that is a lifetime issue for her. Therefore, she looked up on the Internet where in the United States is there the least amount of barometric pressure changes and the result was South of Tucson, which left very few choices. Therefore, she and her husband bought their house in the area because of the Pueblo Del Sol Country Club. Although, they do not play golf, they eat there all the time and use the pool. Sierra Vistans do not think a whole lot of the City's indoor pool. They love the outdoor pool and seniors use the Pueblo Del Sol pool for therapy. She added that she believes that everyone could work together as a town in being more proactive instead of reactive. The fact that there are no lifeguards is shocking to her. There is a space that has been created for the town and yet the town cannot use it. Water is very important and old people do not like the water at the Cove due to the chemicals used and there is no vitamin D, which was a big thing during COVID. In closing, she stated that she hopes that Council can see that it is not just a pool. There is a lot of activity, families that homeschool their kids, as well as older people who use the pool.

William Burns stated that as a businessman he knows that the City looked at revenue, but if Council were to step back and look at how the club has been managed over the past few years, it has run at a deficit every time. The reason for it is speculation. The pool is supposed to be managed well as far as people coming in and out of there, making sure that there are members, capitalizing on people that should be paying, as well as guests, but it has not been. The other real missed target with a pool is the food service. He added that he noticed that after suggesting at generating revenue, the club put up signs stating that there is no food outside and if hungry, dial this number. People still bring in their own food and there is no food truck, nor anything special. If there was some type of convenience right at the pool, people are going to go for it. The club missed the opportunity to generate revenue for the town and for itself. This should be the angle and it is nice to think that the club will be serving a slice of the population by keeping the pool open, but everyone knows that it needs to make fiscal sense. He added that he is not sure if in the business models this has been looked at, or if the management company will be looking at it. The pool already exists, and it can be looked at as well to turn that as a profit and not just the club. Lastly, he offered his services to help in any way noted that he totally respects Council's decision in taking on the club and there is a new management company. The city has done its research, but it is an unknown quantity as to what it will accomplish in saying that for the remainder of the year, the pool will be shut down, but due diligence will be done for next year to see whether that pool can operate at a profit and service the needs of the community. This is about making sure that the needs of the community are serviced, to generate a profit in doing so, and think about ways to make the club more successful, look at what is already there and amplify the resources to generate a profit and the needs of the community.

Comments and Requests of the Council

Council Member Benning thanked Pastor Preiss for her blessing and noted that after tonight's conversation on the dais and listening to the public, it is such a blessing to live in a country where one can air what they believe, talk about what they feel, can have discourse, even on the Council. Although, Council may not always agree and vote unanimously, and have discord, it does not mean that they do not like each other when they walk off the dais. It is the same with the community and country. He thanked everyone who spoke to Council and added that there is so much on social media and on the news. The political hate without stopping and listening to what people are saying. Therefore, it is nice to see people speaking to Council because the Council Members are representatives of the community on the dais. All Council Members come from different worlds, places, different upbringing and family members, and some things dictate and change how Council may think, and it is the same with the community.

Council Member Johnson had nothing to report.

Council Member Landry thanked everyone who spoke and shared their thoughts. She reported on Southwest Wings' field trip to Huachuca Canyon and noted that one of the participants was from Connecticut, who drove out for the Southwest Birds Festival. She also reported on the City's latest podcast where the guests were members of Southwest Wings and SABO, encouraged people to attend next year, and announced that the month of August is Hummingbird Month. A lot of businesses have various specials going on throughout August, and the City, Southwest Wings, and SABO are offering a variety of hummingbird-themed educational and recreational programs. She cautioned people to be on the lookout for cyclists and runners during the Hummingbird Triathlon on Saturday, August 17, 2024, which will start at the Cove and down to Moson Road and back. She thanked all the people that are going to be volunteering and keeping the participants safe, announced that on Saturday, October 5, 2024, NAMI will be sponsoring their 8th Annual Sky Island Tour, five miles, 20 miles, 30 miles, 44, or 62 and information is available at www.skyislandtour.com. Lastly, she announced that the Sierra Vista Community Theater at the mall is presenting Over the River and Through the Woods on Fridays and Saturdays at 7:00 p.m., and on Sundays at 3:00 p.m. The last showing will be on August 18, 2024.

Council Member Messmer had nothing to report.

Council Member Rodriguez thanked the people who came to speak to Council, reported that Jasmine Schofield, who was a lifeguard on Fort Huachuca, competed for her dual citizenship country of Dominica in the Olympics. He further reported that a previous Olympian is a current firefighter, Captain Adam Setoff, who competed in 1996, 2000, and 2004, and noted that it is good to have that Olympian tie to the community. He announced that the local Fire Union and Vinny's had a fundraiser, Tip A Firefighter to help Border Patrol Agent Michael Weights. He thanked Police Chief Hiser, who worked a lot of the evening. He wished farewell to Major General Eubank, his wife Kim and daughter Emerson, and noted that Major General Eubank put together bicycles at the Boys and Girls Club for the community, a very special person in the community who is moving to Fort Leavenworth. He reported that there was a lightning strike and staff was working hard to get the lights back on, congratulated those who were on the ballot after the Primary and encouraged voters to get out there and vote in November, and reported on the damage at the Riding Club after the microburst storm that hit, and announced the Thunderbolt Youth Triathlon on Saturday, August 31, 2024. In closing, he welcomed his father and his wife who drove from San Antonio to visit.

Mayor Pro Tem Umphrey wished her parents a happy 44th anniversary.

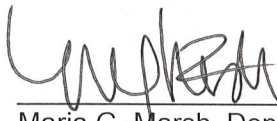
Mayor McCaa wished farewell to Major General Eubanks and welcomed Major General Denise McPhail. He thanked Council Member Rodriguez, Fire Chief Jones, Police Chief Heiser for coming out to the 100 Men in Suits to welcome back students to Buena High School to make them feel like rock stars. In closing, he announced the Dancing Under the Stars on Saturday, August 10, 2024 at TMAC and noted that the County Attorney will be dancing.

Adjournment

Mayor McCaa adjourned the August 8, 2024, meeting of the Sierra Vista City Council at 6:22 p.m.


Clea McCaa II, Mayor

Minutes prepared by:


Maria G. Marsh, Deputy Clerk

Attest:


Jill Adams, City Clerk

A recording of the Council Meeting is available at:
https://www.youtube.com/channel/UC8PtUplbkQsixlhSy-jeR_Q/videos