



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 10TH day of October, 2024. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 24TH day of October, 2024

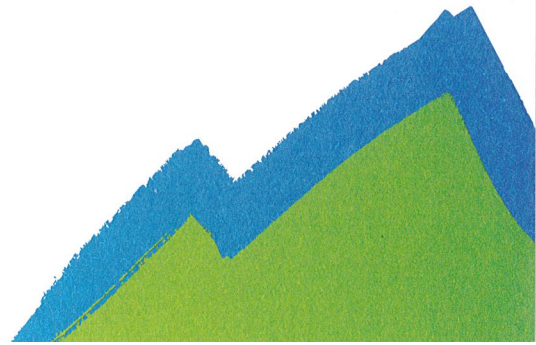
SEAL

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 black ink, appearing to read "Jill Adams, Deputy", written over a horizontal line. To the left of the signature is a small handwritten "for" in black ink.

Jill Adams
City Clerk



Sierra Vista City Council
Meeting Minutes
October 10, 2024

Mayor Pro Tem Umphrey called the October 10, 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 (telephonically, 5:20 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
Don Foster, Fire Marshall
Irene Zuniga, Capital Improvements and Development Manager
Laura Wilson, Leisure, Parks, and Library Director
Jeff Pregler, Planner
Blake Fisher, Planner
Jill Adams, City Clerk
Nathan J. Williams, City Attorney
Adam Curtis, Marketing and Communications Manager
Elizabeth Wrozek, PIO
Tony Boone, Economic Development Manager
Dianna Cameron, Management Analyst
Lauren Healy, Management Analyst
Barbara Fleming, Human Resources Manager
Kennie Downing, Chief Procurement Officer

Invocation – Wesley Good, Kino Chapel, led the invocation.

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

[Item 1](#) Acceptance of the Agenda

Council Member Messmer moved that the agenda for the Regular City Council Meeting of October 10, 2024, be approved. Council Member Landry 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.

Presentations and Awards

A proclamation declaring the week of October 13 through 19, 2024 as Women in Business Week was presented to Mr. Boone and staff.

Mr. Boone stated that until 1988, women needed a male relative to cosign if they wanted to apply for a business loan. Women in business have certainly come a long way since then and according to the Small Business Administration, women owned businesses now represent 42 percent of all businesses and generate over \$2.1 trillion in revenue to the American economy. Sierra Vista is proud to be home of a fantastic women owned businesses and entrepreneurs and recognizes the positive impact they make in the community and the rural economy. Therefore, the City seeks to join the nationwide recognition of Women in Business Week.

Ms. Hannah Rainey, Economic Development Commissioner, presented Ms. Marisol Tabler dba SeaSun Creation with a certificate in recognition as Sierra Vista's Small Business of the Year for their unique role, impact, and dedication to the community as expressed by their clients and employees. SeaSun Creation has been in operation for three years, having expanded twice in that time to better serve their customers. SeaSun Creation was also lauded for their hard work and strong support of other small business ventures. Ms. Tabler currently employs a staff of four and has helped over 40 entrepreneurs launch and grow their own business with vendor spaces inside of her gift store.

Ms. Tabler thanked her family, especially her husband, friends, and all the amazing vendors for their support who have made SeaSun Creation what it currently is.

A proclamation declaring October 2024 as Fire Prevention Month was presented to Fire Marshall Foster. Fire Marshall Foster stated that every year the members of the Sierra Vista Fire and Medical Services respond to many types of fires. However, one fire that they do not respond to are fatal residential fires in homes that have working smoke detectors. No fire department responds to those calls and the reason is that they do not happen. A working smoke detector is going to buy enough time to realize that there is a fire to wake up loved ones and to get out of the house before the smoke overcomes them and prevent them from getting trapped.

Fire Marshall Foster stated that this week is National Fire Prevention Week and the theme this year is, Smoke alarms make them work for you. Lastly, he reminded everyone to make sure that they have a working smoke detector at home in their bedrooms and hallways. The batteries should be checked at least once every year as well as the manufacturer date which should be within 10 years.

In response to Mayor McCaa, Council Member Rodriguez stated that there is a free smoke detector program in the City. The number to call is 414-1744, Fire Station III, and residents can get on the list for services, which are provided every month on the third Saturday.

The 2024 Achievement of Excellence in Procurement Award was presented to the City's Procurement Department. Ms. Downing stated that the 2024 Achievement in Procurement Excellence Award is the highest award a government procurement office can achieve. It encapsulates about five to ten different criteria that a city must meet to get the award. The main criteria that must be met is to have its policies and procedures comply with best practices. The City of Sierra Vista's Procurement Office has an E-procurement system that is both transparent for bids and contracts on the website. The staff is required to maintain a required number of training hours per year and three out of four of the buyers are certified procurement professionals which must keep up their certification, and it takes six years of experience to be certified. This is the second year that Sierra Vista's Procurement Office has received the award and is one agency in 198 agencies nationwide that were awarded this year.

City Manager's Report: Mr. Potucek announced that the next regularly scheduled work session is on Tuesday, October 22, 2024, at 3:00 p.m. in Council Chambers, and the next regularly scheduled Council's meeting is on Thursday, October 24, 2024, at 5:00 p.m. also in Council Chambers. He announced that the City's offices will be open on Monday, October 14, 2024, the Columbus Day holiday. Therefore, there are no changes in any scheduled services. He reported that the bids for the on-call demolition services that include Kings Court are due on October 17, 2024. The bids for the MLK reconstruction from Avenida Escuela to SR90 are due on October 28, 2024. The Animal Control Center project is moving along, and it is anticipated to be completed in November, and added were some shade canopies that were not in the original bid. He noted that recently the City received a generous \$1,000,000 donation to assist with the project. Therefore, the \$2,000,000 project will be finished and the other million that was budgeted out of the Capital Improvements Fund will remain in that fund. Therefore, Council can determine next budget year how best to spend those funds. Lastly, he reported that the August sales tax reports remain flat as they have for all this year. However, the City is still ahead of budget since sales tax revenues were budgeted very conservatively. The City is only up about 1.5 percent over budget on that.

In response to Mayor Pro Tem Umphrey, Mr. Potucek stated that the City has a purchase contract with Supreme Court, owners of the King's Court property. The City has been carrying the note and they have been faithfully making their payments. The City will be restructuring that purchase agreement to include the cost of the demolition and then adjust the payments to pay for that. Therefore, the public will not be on the hook for that.

Item 2 Consent Agenda

[Item 2.1](#) Discussion and Possible Action of the Work Session Meeting Minutes of September 10, 2024

[Item 2.2](#) Discussion and Possible Action of the Regular City Council Meeting Minutes of September 12, 2024

[Item 2.3](#) Discussion and Possible Action of Resolution 2024-066, Abandonment of a Sewer Easement and Acceptance of a Sewer, Drainage, and Public Utility Easement on Lots 8-11 of the Crossroads Commerce Center subdivision

Council Member Rodriguez moved that the Consent Agenda consisting of the minutes of the September 10, 2024, work session and Council Meeting of September 12, 2024; and Resolution 2024-066, an abandonment of a sewer easement and acceptance of a sewer, drainage, and public utility easement on lots 8-11 of the Crossroads Commerce Center subdivision, 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 2024-067, an Owner Transfer Series 6 Liquor License for Sara Jill Adams on behalf of Sierra Vista Golf Center at Pueblo del Sol, 2770 St. Andrews Drive, Sierra Vista, Arizona

Council Member Landry moved that Resolution 2024-067, an owner transfer series 6 liquor license for Sara Jill Adams on behalf of the Pueblo Del Sol Country Club at 2770 St. Andrews Drive, Sierra Vista, Arizona, be approved. Council Member Johnson seconded the motion.

Public Hearing started at 5:21 p.m.

Ms. Adams stated that this item officially adopts by Council the transfer of the liquor license from Castle and Cooke to the City of Sierra Vista for the Sierra Vista Golf Center at Pueblo del Sol. The notice of the public hearing was posted on the facility and the office has not received pro or con comments on the liquor license transfer. A background investigation was performed by the Police Department, and they have no objection to this application moving forward. If approved by Council, it will be forwarded to the state for final action.

Public Hearing concluded at 5:22 p.m.

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](#) Discussion and Possible Action of Resolution 2024–068, a limited liability-type of ownership for a Series 12 Liquor License for Kevin Arnold Kramber on behalf of Guadalajara’s Sierra Vista LLC located at 99 S. Highway 92, Sierra Vista, Arizona

Mayor Pro Tem Umphrey moved that Resolution 2024–068, a limited liability-type of ownership for a series 12 liquor license for Kevin Arnold Kramber on behalf of Guadalajara’s Sierra Vista LLC, located at 99 S. Highway 92, Sierra Vista, Arizona, be approved. Council Member Johnson seconded the motion.

Public Hearing started at 5:22 p.m.

Ms. Adams stated that this is an application for a new restaurant liquor license, a series 12, which requires that a 40 percent of their gross revenue be for food. This is a non-quota license that is only allowed to restaurants. The license is for the old Outback building located at 99 S Highway 92. The notice for the public hearing was posted on the building and there were no pro or con comments from the public. The Police Department has done their background check and has no objection to this moving forward. If approved by Council, the application will be forwarded to the state for final action.

Public Hearing concluded at 5:23 p.m.

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 Resolution 2024-069, Submission of the US Housing and Urban Development (HUD) Program Year 2023 Consolidated Annual Performance Evaluation Report (CAPER)

Council Member Landry moved that Resolution 2024-069, submission of the US Housing and Urban Development Program Year 2023 Consolidated Annual Performance Evaluation Report, be approved. Mayor Pro Tem Umphrey seconded the motion.

Public Hearing started at 5:24 p.m.

Mr. Fisher stated that this item is the latest program year Consolidated Annual Performance Evaluation Report, also known as the CAPER, for consideration. This latest program year is defined as taking place between July 1, 2023 and June 30, 2024. The City receives an annual entitlement allocation of Community Development Block Grant funds from the U.S Department of Housing and Urban Development. The majority or 70 percent of the funds went toward Soldier Creek Park's improvements, which includes the two new large slide structures and ancillary improvements that were constructed for \$205,561.70; the Emergency Home Repair Program concluded with \$11,000.02 expended for three households; \$12,360.56 went toward the construction spec phase of the Montebello Fire Safety Improvements, with the project expected to be out to bid later this year; \$32,657.76 went to administration; and \$30,138.00 worth of funds went to program assistance for 1,136 low to moderate income individuals.

All activities completed and in progress during the 2023 project year were consistent with the needs identified in the City's Consolidated Plan and comply with all CDBG regulations. The staff recommendation is for the approval of the 2023 CAPER.

Public Hearing concluded at 5:25 p.m.

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

New Business

Item 6 Discussion and Possible Action of Resolution 2024-070, The Estates II at Holiday Preliminary Plat, Lots 1-10

Council Member Johnson moved that Resolution 2024-070, The Estates II at Holiday Preliminary Plat, Lots 1-10, be approved. Mayor Pro Tem Umphrey seconded the motion.

Mr. Pregler displayed a map and stated that this is a request for approval of the preliminary plat for the Estates II at Holiday located at the northwest corner of Canyon De Flores and Great Basin Lane. This is the final phase of the Holiday Subdivisions in that area. The overall plot has one access into this subdivision off Renee Drive that connects to Great Basin Lane.

Some specifics on the plat are that the Vista 2030 land use designation designates it as a high density residential and the zoning on the property is multi-family residence, which which is consistent with the land use designation. The use on the property will be single-family detached homes and the lot sizes will range from 7,700 square feet to 13,000 square feet. There will be one phase for this project, a total of ten homes and the density on the property will be about 2.2 homes per acre.

The front yard setback will be 24 feet that includes a four-foot sidewalk located within the lot boundaries themselves and the 24 feet prevents from vehicles encroaching out of that sidewalk. The interior side is five-foot, the street side is ten-foot, and the rear yard setback is 15 feet.

There is a detention basin identified in Tract B that will be dedicated and maintained by the City. All water will drain to the streets and into the detention basin where it will be metered into the wash access.

There is only one access from Renee Place. All the roadways will be private and maintained by the homeowners' association with a width of 26 feet.

Lots one and ten as well as the detention basin are located within the FEMA floodplain. The affected lots will need to be removed from the floodplain prior to the construction of the homes.

There will be curb, gutter, and sidewalk constructed along all the roadways. The sidewalk will be extended along Great Basin Lane and connect to the subdivision, multi-use paths along the washes, and a neighborhood park, and the clubhouse located to the north of the site with additional recreational amenities.

The preliminary plat is consistent with the General Plan, and it is consistent with Goal 2-4, Strategy 3, design sites to provide access and connections to alternative transportation routes such as multi-use paths, sidewalks and bus routes; and Goal 2-9, Strategy 1, promote physical design, building structure, lot layout relationships and landscape opportunities between existing and new housing construction to help the new development to complement the surrounding neighborhoods.

Some considerations and findings of fact are that the design of the subdivision is consistent with Vista 2030, and applicable development code requirements; the property being subdivided is physically suitable for residential use; the subdivision being subdivided is physically suitable for the proposed density of development, and the subdivision is not likely to cause serious public health problems.

The Development Review Committee and the Planning Zoning Commission unanimously voted to recommend approval for the subdivision plat.

Rick Coffman with Castle and Cooke stated that they have been the developer for all of Holiday. This is the last piece, ten lots, that Walston Homes is going to purchase and build. This project is like an earlier phase of Holiday, and they will be using three of the plans of homes in Holiday. This is the largest lot size and the largest homes, averaging 2,400 square feet.

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 2024-071, Appointment of Daniel D. Haws II as Counsel for Water Representation

Council Member Messmer moved that Resolution 2024-071, appointment of Daniel D. Haws II as Counsel for Water Representation, be approved. Mayor Pro Tem Umphrey seconded the motion.

Mr. Potucek stated that the City has been engaged in a general water right for the Gila River Adjudication for over 30 years and have retained outside counsel to assist in those matters. There are several matters still pertaining to the City that are going on, the potential appeals of the water rights numbers for both Fort Huachuca and the SPRNCA, Active Management Area (AMA) questions, and questions pertaining to 100-year water adequacy.

The City has not had a local representative legally for these services since Sarah Ransom left for Sulphur Springs Valley Electric Cooperative. Therefore, he is pleased to retain the services

of Dan Haws for representation on behalf of the City. Mr. Haws has been an attorney in Arizona for over 35 years and recently retired from Fort Huachuca as their water and environmental law attorney over the last 32 years; therefore, there is nobody in the State that has more experience in these matters than Mr. Haws.

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

Item 8 Discussion and Possible Action of Resolution 2024-072, Amending the Personnel Rules and Regulations to add Paid Parental Leave

Council Member Rodriguez moved that Resolution 2024-072, amending the Personnel Rules and Regulations to add Paid Parental Leave, be approved. Council Member Johnson seconded the motion.

Ms. Fleming stated that this resolution amends the Personnel Rules and Regulations to add paid parental leave. This leave would provide pay for the 40-hour employees of 160 hours and the 56-hour week employees 224 hours, fire employees that worked 56-hour weeks. This is for the care and bonding of children.

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

Item 9 Discussion and Possible Action of Resolution 2024-073, Rescinding Resolution 2024-029, Donation of two surplus vehicles, 2000 Chevy Silverado 1500 truck, 2005 Ford F250 Truck to Sister City Cananea, Sonora, Mexico

Council Member Landry moved that Resolution 2024-073, rescinding Resolution 2024-029, donation of two surplus vehicles, 2000 Chevy Silverado 1500 truck, and 2005 Ford F250 truck to Sister City Cananea, Sonora, Mexico, be approved. Council Member Johnson seconded the motion.

Ms. Downing stated that City Council on May 9, 2024 approved the donation of two surplus trucks to Sister City Cananea, Sonora, Mexico. After several attempts to coordinate pick up of the trucks, Cananea's City Manager replied on July 31, 2024, stating that they have gone through an administrative change, and it will be challenging to pick up the vehicles and to go ahead and surplus them through the City's normal surplus process. Cananea will get back to the City in January of 2025 if they can begin accepting surplus vehicles from the City. However, for City staff to surplus these vehicles, the City Council must rescind the resolution to Cananea, which authorizes the City to sell them through the regular surplus procurement policies.

Mayor Pro Tem Umphrey stated that she recently learned when she went to Cananea for the administration switch that when they elect the new mayor and council, the city manager, the police chief, the clerk, the top four positions all get switched at the same time every three years. Therefore, she can understand their reasoning as they probably are just learning their job and maybe the timing was not good for them, but hopefully they will be ready in January.

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 the Council

Council Member Benning had nothing to report.

Council Member Johnson had nothing to report.

Council Member Landry congratulated Ms. Tabler dba SunSea Creation, the Procurement Office, and announced that after the Council Meeting, the Police Department will hold a candlelight vigil to honor domestic violence survivors at the Police Department. She also announced that on Saturday, October 12, 2024, Fort Huachuca will host a Purple Glow Family Run at the USO, which will have speakers, a proclamation, food, and their goal is to light up the installation in purple for domestic violence awareness. She stated that is important for people to know that there are resources and that they are supported when in a domestic violence situation. Lastly, she announced that on Saturday, October 12, 2024, Grateful Goods Vendor Market will be celebrating its one-year anniversary from 9:00 a.m. until to 3:00 p.m. and this month they will be donating their proceeds to the Warrior Healing Center.

Council Member Messmer announced that the museum along with the Sierra Vista Historical Society will be putting on at the Fry Pioneer Cemetery, Dusk with the Dead, a history lesson about the people that helped build the City, from 5:30 p.m. until 8:30 p.m.; however, to sign up for the last tour, people must be there at 7:45 p.m.

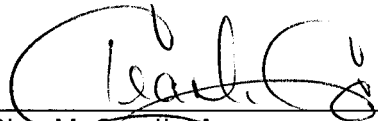
Council Member Rodriguez congratulated the Procurement Office, commented on E-procurement, and the Department's transparency. He congratulated SunSea Creation and noted that they have a lot of Sierra Vista shirts. He reported that the Youth Commission has some good things coming up and announced that they will be hosting on Wednesday, October, 16, 2024, mock job interviews because they also would like to have a youth job fair. There will also be a huge community beautification event on Saturday, October 19, 2024, at 7:30 a.m. at the corner of Timothy Lane and South Carmichael Avenue, spearheaded by Ms. Rosie Mackey. Also, during the weekend there is an art festival in Patagonia. Lastly, he reported on Lori's Place open house with speakers about domestic violence. In closing, he wished everyone a Happy Indigenous People Day.

Mayor Pro Tem Umphrey had nothing to report.

Mayor McCaa announced Cars in the Park and recognized David and Linda in the audience. He shared that Linda provided her story of domestic violence at the Faith in Blue and thanked Police Chief Hiser and his team for putting that event on at Lori's Place.

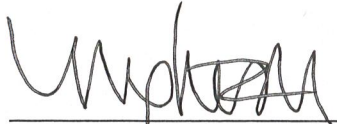
Adjournment

Mayor McCaa adjourned the October 10, 2024, meeting of the Sierra Vista City Council at 5:45 p.m.


Clea McCaa II, Mayor

Minutes prepared by:

Attest:



Maria G. Marsh, Deputy Clerk



Jill Adams, City Clerk

A recording of the Council Meeting is available at:

https://www.youtube.com/channel/UC8PtUplbkQsixhSy-jeR_Q/videos