



Sierra Vista City Council
Work Session Agenda
January 21, 2020

1. Call to order - 3:00 p.m. in the Council Chambers, City Hall, 1011 N. Coronado Drive, Sierra Vista, Arizona.
2. Presentation and Discussion:
 - A. January 23, 2020 Council Meeting Agenda Items (agenda attached)
 - B. Council Executive Report
 - C. Discussion of the Role of Commissions
 - D. Report on Recent Trips, Meetings and Future Meetings
 - E. Board and Commission Liaison Update
 - F. Future Discussion Items and Council Requests
3. Adjourn

City Council work sessions are informal meetings of the elected body designed to allow the Mayor and Council Members to prepare for upcoming regular meetings, have staff briefings on issues, and provide an opportunity for more detailed discussions amongst themselves. The meetings are limited by City Ordinance to 90 minutes; but with Council consensus may be extended by an additional hour. The meetings are set in accordance with the State Open Meeting Law and no discussion can take place on issues/topics that have not been posted on the agenda at least 24 hours in advance. The public is welcome to observe the meetings in person or on Cox Channel 12, but time is not reserved on work session agendas for public comment. The public may, however, address the City Council at their regular twice monthly meetings or share written views through the City website, www.SierraVistaAZ.gov. For special needs and accommodations, please contact Jill Adams, City Clerk, 72 hours prior to the meeting or activity at (520) 458-3315 or through the Arizona Relay Service at 1-800-367-8939, or by dialing 7-1-1.



Sierra Vista City Council
Meeting Agenda
January 23, 2020

Call to Order

5:00 p.m., City Hall Council Chambers, 1011 N. Coronado Drive, Sierra Vista, Arizona

Roll Call

Invocation – Pastor Chuck Carlson, Sierra Vista Community Church

Pledge of Allegiance

Item 1 Acceptance of the Agenda

Awards and Presentations

Presentation by the Commission on Disability Issues of the Sierra Vista Ability Award to Sierra Vista Community United Church of Christ

City Manager's Report: Upcoming Meetings, Bid Openings and Bid Awards

Item 2 Consent Agenda

Item 2.1 Approval of the City Council Regular Meeting Minutes of January 9, 2020

Item 2.2 Resolution 2020-003, Acceptance of Subdivider's Agreement and Improvement Security for Canada Vista subdivision

Public Hearing

Item 3 Resolution 2020-004, an owner transfer of a Series 6 Liquor License for Christopher Ginter and Christine Alonso on behalf of PC's Lounge, 4700 E Highway 90, Sierra Vista, Arizona

Item 4 Resolution 2020-005, Request to rename a portion of Sherbundy Street to Watkins Way

Item 5 Resolution 2020-006, Development Code Amendments to Section 151.22.006, Matrix of Use Permissions by Zoning District (Permitting of private general education schools) and Declaring a 30-Day Public Comment Period

New Business

Item 6 Ratification of Resolution 2019-100, Modifications to Refuse Rates

Item 7 Ordinance 2020-001, Amendments to Chapter 52 Solid Waste Collection and Disposal, City Code of Ordinances, to allow private recycling collectors

For special needs and accommodations, please contact Jill Adams, City Clerk, 72 hours prior to the meeting or activity at (520) 458-3315 or through the Arizona Relay Service at 1-800-367-8939, or by simply dialing 7-1-1.

Item 8 Resolution 2020-007, Approval of a Development Agreement with GL Mountain Vista LLC, Mountain Vista Mobile Home Park, 700 South Carmichael Avenue

Call to the Public

Comments and Requests of the Council

Adjournment

For special needs and accommodations, please contact Jill Adams, City Clerk, 72 hours prior to the meeting or activity at (520) 458-3315 or through the Arizona Relay Service at 1-800-367-8939, or by simply dialing 7-1-1.

Mayor Mueller called the January 9, 2020 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 Rick Mueller – present
Mayor Pro Tem Rachel Gray – present
Council Member William Benning – present
Council Member Gwen Calhoun – present
Council Member Sarah Pacheco – present (arrived 5:08 p.m.)
Council Member Carolyn Umphrey - present
Council Member Kristine Wolfe – absent

Others Present:

Chuck Potucek, City Manager
Victoria Yarbrough, Assistant City Manager
Adam Thrasher, Police Chief
Brian Jones, Fire Chief
Laura Wilson, Leisure and Library Services Director
Sharon Flissar, Public Works Director
Matt McLachlan, Community Development Director
Jill Adams, City Clerk
Nathan J. Williams, City Attorney
Tony Boone, Economic Development Manager
Abe Rubio – IT Manager
Judy Hector, Marketing and Public Affairs Manager
Adam Curtis, Public Information Officer
Environmental Affairs Commissioners

Invocation - Reverend Greg Adolf, Saint Andrews Catholic Church, conducted the invocation.

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

Item 1 Acceptance of the Agenda

Council Member Umphrey moved that the Agenda for the Regular City Council Meeting of January 9, 2020 be approved as written. Mayor Pro Tem Gray seconded the motion. The motion passed by a unanimous vote of Mayor Mueller, Mayor Pro Tem Gray, Council Members Benning, Calhoun, and Umphrey.

Awards and Presentations

The 2019 Environmental Merit Award was presented to Ken Mete of the Immanuel Lutheran Church for environmental impact improvements in recognition of achievement in energy efficiency or conservation.

Mr. Phillips thanked Council and explained Mr. Mete's tireless efforts to improve the grounds and facilities at the Immanuel Lutheran Church, while reducing its impact on the environment. Mr. Faulkner, Chair, Environmental Affairs Commission stated that this is the third year that the Commission has put out this award, which was initially started by Dennis Ehrenberger. The first Environmental Merit Award recipient was Water Wise and the second was Bryant Sayers. Both Mr. Sayers and Mr. Mette are dedicated to their churches, which speaks to the impact local churches have on the community. Lastly, he voiced his appreciation to the churches' influence and what they're showing the community that will hopefully increase conservation and education.

City Manager's Report: Mr. Potucek announced that City Offices will be closed on Monday, January 20, 2020 in observance of Martin Luther King, Jr. Day. Therefore, refuse pickup for Monday will be on Tuesday and Tuesday's pickup will be on Wednesday with Thursday and Friday pickups being fine the way that they are.

Mr. Potucek announced that the next regularly scheduled City Council Work Session will be held at 3:00 p.m. in Council Chambers on January 21, 2020 and reported on the following:

- Security Gate Replacement Bid for the South Gate at Pete Castro Center and Police Station closes on January 16, 2020.
- Chip Seal Project Bid for street maintenance closed on January 8, 2020 resulting in the firm of VSS International as the low bidder in the amount of \$637,000. The repair of streets on the West Side and Country Club areas have been included (list of streets is available on the City's web site).

Mr. Potucek also reported on the SEACOM JPA Board Meeting, where dispatch recruiting is still the main topic, and announced that Mr. Eric Duffy is the Interim Town Manager for Huachuca City, replaced Mr. Matthew Williams, who will be greatly missed. This was also the new SEACOM Director's, Allen Smith, first meeting. A prime concern is the emergency medical dispatch software, which was awarded to Priority Dispatch and is almost complete pending signatures. This software will greatly improve/enhance services and it is hoped that grant funding can be acquired to fund most of it since it is about a quarter million dollars. Lastly, he reported that the Skateboard/Bike Shop Rental Bid was awarded to Shapeshifters Skateboards LLC.

Mayor Mueller asked if the road surface will be chip sealed, a small overcoating of tar. Ms. Flissar explained that it is a rock chip and it is put down with a binder material. The binder goes on the bottom and the City usually puts a binder over the top to help pull the rocks down and give it a nice black finish and it is not a complete repaving.

Mayor Mueller stated that there are people that are concerned about the streets in the Country Club area, which were built in the County and then annexed into the City. The County did not follow the substructure standards that the City has and in order to take the street all the way down, the City would have to do half of the streets that are being proposed and it would cost more. Resources are scarce and the City is trying to do the best that it can to cover as much area as possible. Lastly, he added that the streets in Country Club and on the north side of town are areas that have not had significant repairs/upgrades for quite a while.

Council Member Calhoun asked about a timeline. Ms. Flissar stated that the work starts in the spring. There are temperature considerations that need to be worked around at the same time and so the Department does not want to push it too far and potentially get into the monsoon

season. After the contract mobilizes, they usually go through the streets quickly and notice will be provided to residents before the work is started in their immediate area.

Council Member Pacheco asked if the information is published online so that people can look at the maps that were given to Council. Mr. Potucek stated that he just received the list and Council Members are the first to receive it, but this information along with the maps can be posted on the web site.

Item 2 Consent Agenda

Item 2.1 Approval of the City Council Regular Meeting Minutes of December 12, 2019

Item 2.2 Resolution 2020-001, Reappointment of James Howe to the Environmental Affairs Commission, said term to expire December 31, 2021

Council Member Calhoun moved that the Consent Agenda consisting of the Regular Meeting Minutes of December 12, 2019 and Resolution 2020-001, reappointment of James Howe to the Environmental Affairs Commission, said term to expire December 31, 2021, be approved. Council Member Pacheco seconded the motion. The motion passed by a unanimous vote of Mayor Mueller, Mayor Pro Tem Gray, Council Members Benning, Calhoun, Pacheco and Umphrey.

New Business

Item 3 Resolution 2020-002, Approval of Interagency Governmental Agreement with the Town of Huachuca City for Traffic Signal Repair and Maintenance

Council Member Pacheco moved that Resolution 2020-002, Interagency Governmental Agreement with the Town of Huachuca City for Traffic Signal Repair and Maintenance, be approved. Council Member Benning seconded the motion.

Ms. Yarbrough stated that Huachuca City has received funding from the Sierra Vista Metropolitan Planning Organization to install two emergency traffic signals, one in Huachuca City and the other in Whetstone so that the emergency vehicles can safely enter Highway 90. Huachuca City not having any other traffic signals does not employ any traffic signal technicians and have asked The City of Sierra Vista if they could be helped by contracting with them to provide maintenance to the signals when needed. Sierra Vista would bill Huachuca City at the technician's full salary plus burden rate and for the cost of the equipment that is used. Huachuca City will reimburse the City for any parts needed in the repair and maintenance of their traffic signals.

The motion passed by a unanimous vote of Mayor Mueller, Mayor Pro Tem Gray, Council Members Benning, Calhoun, Pacheco, and Umphrey.

Call to the Public

Adele Crouch requested Council to consider a workshop to discuss an additional homeless shelter in the City and suggested that it be located at the Salvation Army's empty building, which used to be their store.

Joan Murphy voiced her concern and opposition to the proposed refuse rate increase and the privatizing of recycling. She added that if the reason that rates are being increased is due to making more landfills, then the City is working against itself. She also added that she has

explained that he is a member of the Board for the Salvation Army. There have been discussions on an emergency cold shelter, however, the building where the Salvation Army had its store is a part of the Salvation Army, but not a part of the local group and therefore, they have no control over it. Options have been discussed and one is that the Salvation Army still owns the little building on the other side of where the store used to be located but it does not have adequate restroom facilities for people over night. They could potentially have it in the larger dining room as a warming station-type operation where the facility is a little better, but they are working through questions on how to man cots, health procedures and, etc. that might provide a temporary solution. He added that Captain Carlos Souza is the lead and hopefully there can be a place where people can shelter, a need that has been identified by the Salvation Army for the community.

Mayor Mueller voiced his appreciation towards all the comments received regarding recycling and noted that Council has looked at a lot of comments and made some changes in the way that the City operates. Lastly, he stated that he is looking forward to a great year in Sierra Vista, wished everyone a Happy New Year and announced the upcoming Martine Luther King, Jr. parade and festivities on January 20, 2020.

Adjournment

Mayor Mueller adjourned the January 9, 2020 meeting of the Sierra Vista City Council at 5:36 p.m.

Mayor Frederick W. Mueller

MINUTES PREPARED BY:

ATTEST:

Maria G. Marsh, Deputy Clerk

Jill Adams, City Clerk

personally seen receptacles that are filled to overflowing and noted that she and her neighbor compost and recycle. Lastly, she stated that climate change must be considered and asked Council how much input they received through the sierravista.gov. The public needs to be retrained because landfills continue to fill at an alarming rate and will continue to cost more.

Janis Benson talked about recycling and suggested public education so that everyone can be a good steward of the earth, water and resources. She added that the people working at the Recycling Center are very helpful and believes that people are throwing their recyclables in the trash because it is no longer a curb side pickup.

Comments and Requests of the Council

Council Member Benning congratulated Mr. Ken Mete on being awarded the Environmental Merit Award and noted that it is always good to see people being good stewards of the community. He explained that he did not recycle until recently and now he is there every Saturday and believes that once people become more educated on what is happening to the earth, people are going to want to start recycling. He thanked Ms. Crouch for her comments and stated that the Council's Strategic Plan addresses homelessness. He congratulated and welcomed back Ms. Dow, and lastly, he shared that people complain a lot, do not complain, talk a lot, etc. in society, but he encourages people to go home and hug their children and let them know that they are loved and that they make you proud. Children should also do the same, they should tell their parents that they love them and not wait until it is too late to make sure to let them know that they are loved. In closing, he stated that he is glad to be back for the New Year and welcomed back Council and staff.

Council Member Umphrey offered condolences to Council Member Benning and voiced her pleasure at seeing Jim Bob back on the Environmental Affairs Commission, congratulated Ken Mete that shows what an impact one person can have when they choose to step up and take initiative. Lastly, she wished everyone a Happy New Year.

Council Member Pacheco thanked everyone in attendance and for the comments at the Call to the Public. She added that Council has had long conversations about recycling and refuse rates for about six months and have not taken decisions lightly. Council is grateful for all the ideas and comments because some of those have been implemented and brought into consideration. Lastly, she wished everyone a Happy new year.

Council Member Calhoun thanked Father Greg for a wonderful prayer to get everyone started off for the New Year and stated that it hit home for her, and she hopes that everyone can have this vision for 2020. She thanked Ken Mete and stated that Council does not always know about the good things that folks in the community are doing and she is particularly glad for this award to highlight the environmental things that are being done. Lastly, she stated that she would like for Council to have further discussion about the homeless shelter in conjunction with some of the churches or organizations in the community. She added that this is in the Council's Strategic Plan and she would like to see this issue moved forward.

Mayor Pro Tem Gray wished everyone a Happy New Year and stated that she enjoys Father Greg's invocations.

Mayor Mueller announced Law Enforcement and Appreciation Day and thanked Police Chief Thrasher, thanked Father Greg for his invocation, and encouraged people to go and listen to Father Greg. He voiced his appreciation at the comments regarding a homeless shelter and

January 23, 2020

MEMORANDUM TO: Honorable Mayor and City Council

THRU: Charles P. Potucek, City Manager
Victoria Yarborough Assistant City Manager
Matt McLachlan, AICP, Community Development Director

FROM: Jeff Pregler
Senior Planner

SUBJECT: REQUEST FOR AGENDA ITEM PLACEMENT
RESOLUTION 2020-003
Acceptance of Subdivider's Agreement and Improvement
Security for Canada Vista Subdivision

RECOMMENDATION:

The City Manager recommends approval.
The Assistant City Manager recommends approval.
The Director of Community Development recommends approval.

INITIATED BY: SV Land Vista, LLC

BACKGROUND:

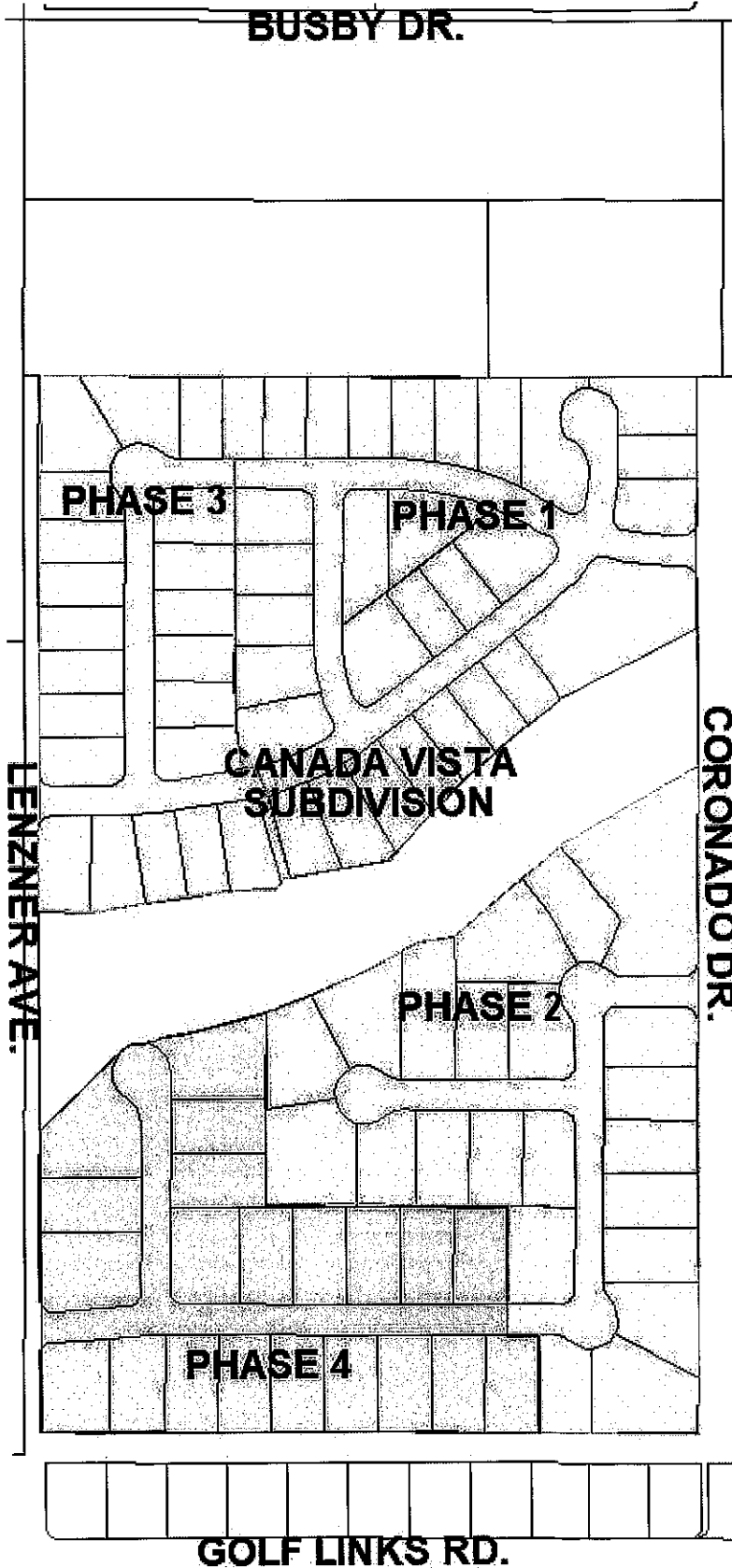
Per Development Code Articles, 151.08.002, and 151.19.006, *Improvement Security*, a developer is required to submit a Subdivider's Agreement and an Improvement Security Guaranty Agreement should public improvements (street pavement, sidewalk, sewer lines, etc.) be constructed in conjunction with the subdivision. The Subdivider's Agreement outlines the developer's public improvement responsibilities such as construction timelines and acknowledgment of an improvement security. The Improvement Security Guaranty Agreement is a monetary agreement which is an assurance that there is funding available should the City need to complete the improvements.

These documents are typically approved and accepted by the Mayor and City Council at the time of final plat approval. Once the subdivision plat is approved and the Subdivider's Agreement and Improvement Security are accepted, the developer has one year to complete the public improvements. However, in the case of the Canada Vista subdivision plat, the developer requested that the submittal of the Subdivider's Agreement and Improvement Security be deferred due to the lawsuit that was filed relating to the ADEQ water adequacy approval and subsequent court order stopping development of the subdivision. As a result, the City and the Developer signed a Letter Agreement stating that, the City agrees to allow the developer to defer submittal of the Subdivider's Agreement, Public Improvement Security, and an approved Engineer's Cost of Public Improvements until the issuance of the first right-of-way permit."

Now that the court case has been completed, the developer would now like to proceed with the development of the subdivision. As such, the developer has submitted the required Subdivider's Agreement and Improvement Security (Third Party Trust Agreement), to begin construction of the public improvements. The developer is currently grading the property, but no construction or public improvements have started. To reflect the conditions of the Letter Agreement, the developer will have one year from the issuance of the first right-of-way permit, to complete the public improvements.

The developer is proposing to construct the subdivision in four phases. The first phase will consist of the 29 lots. The public improvements serving these 29 lots will be constructed in the first phase. As such, the Subdivider's Agreement and the Improvement Security are only applicable to Phase 1 of the subdivision. Subsequent phases will require separate securities. The security amount of \$526,672.25 will cover the construction costs of the public improvements in Phase 1.

ATTACHMENT



RESOLUTION 2020-003

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; REAFFIRMING SETTLED POLICY ACCEPTING THE SUBDIVIDER'S AGREEMENT AND IMPROVEMENT SECURITY FOR CANADA VISTA, PHASE 1, LOTS 1-29; AND AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY, OR THEIR DULY AUTHORIZED OFFICERS AND AGENTS TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

WHEREAS, the Canada Vista final plat was approved by the Mayor and City Council on May 22, 2014; and

WHEREAS, a Subdivider's Agreement and Improvement Security are required to be submitted and approved with the Canada Vista final plat; and

WHEREAS, the City and the Developer agreed to defer the submittal of the Subdivider's Agreement and the Improvement Security until the issuance of the first right-of-way permit for the subdivision; and

WHEREAS, the developer is now proceeding with the development and submitting the Subdivider's Agreement and Improvement Security.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, AS FOLLOWS:

SECTION 1

That the submittal of the Subdivider's Agreement and Improvement Security are in compliance with Development Code Articles, 151.08.002, and 151.19.006.

SECTION 2

That the Subdivider's Agreement and Improvement Security for Phase 1 of Canada Vista, Lots 1-29, be and hereby are accepted.

SECTION 3

The City Manager, City Clerk, City Attorney, or their duly authorized officers and agents are hereby authorized and directed to take steps necessary to carry out the purposes and intent of this Resolution.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL
OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 23RD DAY OF JANUARY 2020.

FREDERICK W. MUELLER
Mayor

ATTEST:

APPROVED AS TO FORM:

JILL ADAMS
City Clerk

NATHAN WILLIAMS
City Attorney

PREPARED BY: Jeff Pregler,
Senior Planner

EXHIBIT A

SUBDIVIDER'S AGREEMENT

WITNESS THIS AGREEMENT, made and entered into this 23rd day of January 2020, by and between, SV Land Vista, LLC, an Arizona Limited Liability Company hereinafter referred to as Subdivider, and the City of Sierra Vista, hereinafter referred to as City.

WITNESSETH:

WHEREAS, Subdivider intends to subdivide certain lands located in the City of Sierra Vista Section 2, Township 22 South, Range 20 East, of the Gila and Salt River Base and Meridian, Cochise County, State of Arizona, more particularly described and shown on that certain plat known as the Canada Vista, Lots 1-29, a copy of which is attached hereto, and by reference thereto, made a part hereof; and

WHEREAS, Subdivider has presented said subdivision plat to the City for approval which, upon approval thereof, shall be filed with the County Recorder; and

WHEREAS, Subdivider intends to proceed with the development of said lands upon approval and recordation of said plat by the City in accordance with Chapter 151 of the City Code of the City of Sierra Vista, and to comply with Section 151.19.006 thereof, Subdivider must provide security to assure performance; and

WHEREAS, Subdivider has provided security by either; (1) posting of a performance bond, (2) establishing a cash trust, said funds to be deposited with the City to the credit of the Subdivider, (3) depositing with the City a certificate of deposit issued by a banking institution authorized to issue same, (4) filing with the City an executed contract of guaranty between the City and a trust company, banking institution, or other financial institution authorized to enter into such contracts, or (5) a Third Party Trust Agreement; and

WHEREAS, the amount of said security shall be based on a cost estimate prepared by a registered professional civil engineer in an amount to cover the completed installation of the improvements; and

WHEREAS, the estimate has been submitted as required to the Director of Community Development of the City of Sierra Vista for approval as to the amount, prior to final plat approval by the City Council of the City of Sierra Vista.

NOW, THEREFORE, in consideration of the covenants and promises of the parties hereinafter set forth and other valuable considerations, the adequacy of which is hereby acknowledged, the parties hereto agree as follows:

1. This agreement, together with the security provided herewith in the form of a improvement security guaranty agreement, in accordance with Section 151.19.006 of the City Code, is acceptable to the Director of Community Development of the City of Sierra Vista in the amount of \$526,672.25 . Security is attached hereto and therefore made a part thereof.

In general terms, the improvements contemplated include: Water and sewerage facilities, curb, gutters and sidewalks, street pavement, street lights, road signage, drainage facilities and utilities.

2. Subdivider has or will employ a contractor or contractors to construct said subdivision improvements, pursuant to the accompanying plat and the respective improvement plans and specifications of said Subdivision as submitted to the City, and as approved by the Director of Community Development of the City of Sierra Vista.
3. The Subdivider agrees to construct and complete all the subdivision improvements required of this development within one (1) year from the issuance of the first right-of-way permit for Phase 1 of the subdivision. Said completion date may be extended by the City at its discretion upon written request of the Subdivider if evidence of reasonable cause for delay is presented to the Director of Community Development.
4. Subdivider agrees that upon thirty (30) days written notice from the City of his failure to perform in accordance herewith, the City may take any action necessary under the terms of the security arrangement to assure completion of the improvements contemplated hereby.
5. The City agrees that it will accept for maintenance all subdivision improvements contemplated by this agreement and release the security, subject to the two-year guarantee, upon satisfactory completion of said improvements and approval thereof by the City, and upon the submittal of (1) as-built improvement plans, (2) two-year guarantee from the contractor(s) and subdivider, (3) an affidavit regarding settlement of claims, and (4) security in the amount of \$200 per lot to substantiate the validity of the two-year guarantee.

CSH

IN WITNESS WHEREOF, the parties hereto executed this agreement the day and year first above written.

SUBDIVIDER:

BY:

Robert L. Workman

TITLE:

Manager

STATE OF ARIZONA)
)
COUNTY OF Cochise)

This instrument was acknowledged before me this 14 day of November, 2019, by Robert L. Workman, manager SV Land Vista, LLC



Francisca Milianta
Notary Public
My commission expires: 7/8/20

CITY OF SIERRA VISTA
[Signature]
Director of Community Development

APPROVED AS TO FORM:

City Attorney

ATTEST:

City Clerk

THIRD PARTY TRUST AGREEMENT

This AGREEMENT made and entered into this 23rd day of January, 2020 between Pioneer Title Agency, Inc., an Arizona Corporation, as Trustee Under Trust No. 322067 (hereinafter referred to as TRUSTEE), and the City of Sierra Vista, Arizona, (hereinafter referred to as the CITY).

WITNESSETH:

WHEREAS, TRUSTEE is the owner of a certain parcel of property located; situated and lying in the City of Sierra Vista, Arizona; and

WHEREAS, the parties hereto wish to establish specific terms, conditions and guidelines for compliance with the provisions of A.R.S. 9-463.01 and Chapter 151 of the Sierra Vista City Code.

NOW THEREFORE, in consideration of the CITY approving a final plat, it is understood and agreed that the following conditions are established for the property described herein:

I

PROPERTY DESCRIPTION

The property which is the subject matter of this Agreement is the Canada Vista Subdivision, Phase 1, Lots 1-29

slg

II

CONSTRUCTION OF IMPROVEMENTS

TRUSTEE will not transfer, enter contracts for sale of property, lease, or in any way convey, in whole or in part, any of the property described herein without obtaining the prior Assurances, except that the TRUSTEE may sell and convey all of the property described herein in one transaction to a single purchase, provided that such purchaser shall, prior to conveyance, have entered into an acceptable assurance agreement with the CITY or have provided other security acceptable to the City for completion of the required improvements.

The TRUSTEE may convey all or part of the property described herein to the subdivider or beneficiary(ies) of the trust solely for the purpose of encumbering the property by the recording of mortgages or deeds of trust, provided the property is thereafter immediately re-conveyed into the trust.

The CITY may provide the TRUSTEE with a Release of Assurances at any time prior to completion of the required improvements upon acceptance of substitute assurances or security in conformance with the Sierra Vista City Code.

The CITY, in its discretion, and upon receipt of a written request from the TRUSTEE, may issue a Partial Release of Assurances for a portion of the lots only upon a determination that all of the improvements required in connection with such lots have been completed and accepted for maintenance by the CITY; and provided further that such improvements can be used and maintained separately from the improvements required for the entire subdivision plat.

Before written approval in the form of a Release of Assurance shall be given by the CITY, the improvements required by Chapter 151 of the Sierra Vista City Code and set forth in the Plans and Specifications approved by the Department of Community Development and on file with the CITY shall first be installed in accordance with all applicable Sierra Vista City Codes and specifications and the same shall have been accepted for maintenance by the CITY after the filing of required lien waivers and guarantees.

III

ABANDONMENT AND REVERSION

TRUSTEE, after expiration of two (2) year(s) from the date hereof, shall petition the CITY to abandon the remaining portions of the subdivision for which written approval to transfer, lease or convey has not been received, so that the remaining portions of the subdivision shall revert to undeveloped property.

TRUSTEE, hereby designates the CITY as its agent to institute proceedings to abandon the remaining portions of the subdivision for which written approval to transfer, lease or convey has not been received, so that the remaining portions of the subdivision shall revert to undeveloped property.

TRUSTEE, hereby designates the CITY as its agent to institute proceedings to abandon the remaining portions of the subdivision for which TRUSTEE has failed to apply for abandonment as provided herein.

January 17, 2020

MEMORANDUM TO: Honorable Mayor and City Council

THRU: Charles P. Potucek, City Manager

FROM: Jill Adams, City Clerk

SUBJECT: REQUEST FOR AGENDA ITEM PLACEMENT
Resolution 2020-004, an owner transfer of a Series 6 Liquor License for Christopher Guinter and Christine Alonso on behalf of PC's Lounge, 4700 E Highway 90, Sierra Vista, Arizona

RECOMMENDATION:

The City Manager recommends approval of this license.
The City Clerk recommends approval of this license.

INITIATED BY:

Mr. Christopher Matthew Guinter
Christine Elaine Alonso
PC's Lounge
4700 E Highway 90
Sierra Vista, AZ 85635

BACKGROUND:

The City received an application for an owner transfer of a Series 6 Liquor License for Christopher Guinter and Christine Alonso on behalf of PC's Lounge. The license is for the sale of spirituous liquor at 4700 E Highway 90, Sierra Vista, Arizona.

State law on liquor licenses requires the applicant to apply for a liquor license from the Arizona Department of Liquor License and Control. That department then sends a copy of the liquor license application to the municipality for their approval. A notice of public hearing must be posted on the premises for 20 days prior to the public hearing. A public hearing notice was posted and to date, no responses, either in favor or against, have been received. The Police Department has performed a background investigation and has given its approval for this license.

The Council's decision concerning this liquor license application will be forwarded to the State Department of Liquor Licenses and Control, who will then issue the liquor license if no objections were received. If objections were received, that department will conduct a hearing regarding the license.

BUDGET APPROPRIATION:

Not applicable.

RESOLUTION 2020-004

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; REAFFIRMING SETTLED POLICY BY RECOMMENDING APPROVAL FOR AN OWNER TRANSFER OF A SERIES 6 LIQUOR LICENSE FOR CHRISTOPHER GUNTER AND CHRISTINE ALONSO ON BEHALF OF PC'S LOUNGE; TO THE STATE DEPARTMENT OF LIQUOR LICENSES AND CONTROL; AND AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY OR THEIR DULY AUTHORIZED OFFICERS AND AGENTS TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

WHEREAS, an application for an owner transfer of a Series 6 Liquor License for Christopher Guintier and Christine Alonso on behalf of PC's Lounge; and

WHEREAS, Arizona Revised Statutes §4-112 requires local municipalities to grant approval or disapproval of all liquor licenses being applied for within their jurisdiction; and

WHEREAS, the application has been posted on the premises of the business for twenty (20) days as required by State law; and

WHEREAS, it is the settled policy of the City Council that liquor licenses be recommended for approval if no objections are raised.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, AS FOLLOWS:

SECTION 1

The City Council reaffirms its settled policy on liquor licenses within City limits.

SECTION 2

The City Council of the City of Sierra Vista recommends approval of the application for an owner transfer of a Series 6 Liquor License for Christopher Guintier and Christine Alonso on behalf of PC's Lounge, to the State Department of Liquor Licenses and Control.

SECTION 3

The City Manager, City Clerk, City Attorney, or their duly authorized officers and agents, are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this Resolution.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 23RD DAY OF JANUARY, 2020.

Frederick W. Mueller
Mayor

Approved as to Form:

Attest:

Nathan J. Williams
Assistant City Attorney

Jill Adams
City Clerk

Prepared By:
Jill Adams, City Clerk

State of Arizona
Department of Liquor Licenses and Control

Created 12/09/2019 @ 03:56:39 PM

Local Governing Body Report

LICENSE

Number: 06020011 Type: 006 BAR
Name: PC'S LOUNGE
State: Pending
Issue Date: Expiration Date: 06/30/2020
Original Issue Date: 01/01/1933
Location: 4700 E HWY 90
 SIERRA VISTA, AZ 85635
 USA
Mailing Address: [REDACTED]
 SIERRA VISTA, AZ 85635
 USA
Phone: [REDACTED]
Alt. Phone:
Email: CGUNITER@YAHOO.COM

Currently, this license has pending applications.

AGENT

Name: CHRISTOPHER MATTHEW GUNTER
Gender: Male
Correspondence Address: [REDACTED]
 SIERRA VISTA, AZ 85635
 USA
Phone: [REDACTED]
Alt. Phone:
Email: [REDACTED]

OWNER

Name: TIGHT SPOT ENTERPRISES LLC
Contact Name: CHRISTOPHER MATTHEW GUNTER
Type: LIMITED LIABILITY COMPANY
AZ CC File Number: 23011109 State of Incorporation: AZ
Incorporation Date: 08/10/2019
Correspondence Address: [REDACTED]
 SIERRA VISTA, AZ 85635
 USA
Phone: [REDACTED]
Alt. Phone:
Email: [REDACTED]

Officers / Stockholders

Name:	Title:	% Interest:
-------	--------	-------------

CHRISTOPHER MATTHEW GUNTER
CHRISTINE ELAINE ALONSO

MEMBER
MEMBER

80.00
20.00

TIGHT SPOT ENTERPRISES LLC - MEMBER

Name: CHRISTOPHER MATTHEW GUNTER
Gender: Male
Correspondence Address: [REDACTED]
SIERRA VISTA, AZ 85635
USA

Phone: [REDACTED]
Alt. Phone: [REDACTED]
Email: [REDACTED]

TIGHT SPOT ENTERPRISES LLC - MEMBER

Name: CHRISTINE ELAINE ALONSO
Gender: Female
Correspondence Address: [REDACTED]
SIERRA VISTA, AZ 85635
USA

Phone: [REDACTED]
Alt. Phone: [REDACTED]
Email: [REDACTED]

APPLICATION INFORMATION

Application Number: 88461
Application Type: Owner Transfer
Created Date: 12/09/2019

QUESTIONS & ANSWERS

006 Bar

- 1) If you intend to operate business while your application is pending you will need an interim permit pursuant to A.R.S. §4-203.01. Would you like to apply for an Interim Permit?
Yes
A Document of type INTERIM PERMIT is required.
- 4) Have you submitted a questionnaire? Each person listed must submit a questionnaire and mail in a fingerprint card along with a \$22. processing fee per card.
Yes
- 5) Is the Business located within the incorporated limits of the city or town of which it is located?
Yes
- 6) Does the Business location address have a street address for a City or Town but is actually in the boundaries of another City, Town or Tribal Reservation?
No
- 15) Please provide name, address, and Distance of nearest school.
BEREAN ACADEMY 4699 E HWY 90 SIERRA VISTA, AZ 85635 347.04 FT
- 16) Please provide name, address, and distance of nearest church.
FIRST CHRISTIAN CHURCH 55 KINGS WAY SIERRA VISTA, AZ 85635 329.77 FT

- 17) Are you a tenant? (A person who holds the lease of a property; a lessee)
No
- 18) Is there a penalty if lease is not fulfilled?
No
- 19) Are you a sub-tenant? (A person who holds a lease which was given to another person (tenant) for all or part of a property)
No
- 20) Are you the owner?
No
- 21) Are you a purchaser?
Yes
A Document of type INCOMING CORRESPONDENCE is required.
- 22) Are you a management company?
No
- 23) What is the total money borrowed for the business not including the lease?
Please list lenders/people owed money for the business.
JERALD REUTEBUCH 4700 E HWY 90 SIERRA VISTA, AZ 85635 \$350,000.00
- 24) Is there a drive through window on the premises?
No
- 25) Have you provided a diagram of your premises?
Yes
- 26) If there is a patio please indicate contiguous or non-contiguous within 30 feet.
CONTIGUOUS
- 27) Is your licensed premises now closed due to construction, renovation or redesign or rebuild?
No
- 34) Total Price paid for Series 6 Bar, Series 7 Beer & Wine Bar or Series 9 Liquor Store (license only)
\$30,000.00

IP

State of Arizona
Department of Liquor Licenses and Control

Created 12/09/2019 @ 03:57:32 PM

Local Governing Body Report

LICENSE

Number: INP020009312 Type: INP INTERIM PERMIT
Name: PC'S LOUNGE
State: Active
Issue Date: 12/09/2019 Expiration Date: 03/23/2020
Original Issue Date: 12/09/2019
Location: 4700 E HWY 90
SIERRA VISTA, AZ 85635
USA
Mailing Address: [REDACTED]
SIERRA VISTA, AZ 85635
USA
Phone: [REDACTED]
Alt. Phone: [REDACTED]
Email: [REDACTED]

AGENT

Name: CHRISTOPHER MATTHEW GUINTER
Gender: Male
Correspondence Address: [REDACTED]
SIERRA VISTA, AZ 85635
USA
Phone: [REDACTED]
Alt. Phone: [REDACTED]
Email: [REDACTED]

OWNER

Name: TIGHT SPOT ENTERPRISES LLC
Contact Name: CHRISTOPHER MATTHEW GUINTER
Type: LIMITED LIABILITY COMPANY
AZ CC File Number: 23011109 State of Incorporation: AZ
Incorporation Date: 08/10/2019
Correspondence Address: [REDACTED]
SIERRA VISTA, AZ 85635
USA
Phone: [REDACTED]
Alt. Phone: [REDACTED]
Email: [REDACTED]

Officers / Stockholders

Name: Title: % Interest:

CHRISTOPHER MATTHEW GUINTER
CHRISTINE ELAINE ALONSO

MEMBER
MEMBER

80.00
20.00

TIGHT SPOT ENTERPRISES LLC - MEMBER

Name: CHRISTOPHER MATTHEW GUINTER
Gender: Male
Correspondence Address: [REDACTED]
SIERRA VISTA, AZ 85635
USA
Phone: [REDACTED]
Alt. Phone: [REDACTED]
Email: [REDACTED]

TIGHT SPOT ENTERPRISES LLC - MEMBER

Name: CHRISTINE ELAINE ALONSO
Gender: Female
Correspondence Address: [REDACTED]
SIERRA VISTA, AZ 85635
USA
Phone: [REDACTED]
Alt. Phone: [REDACTED]
Email: [REDACTED]

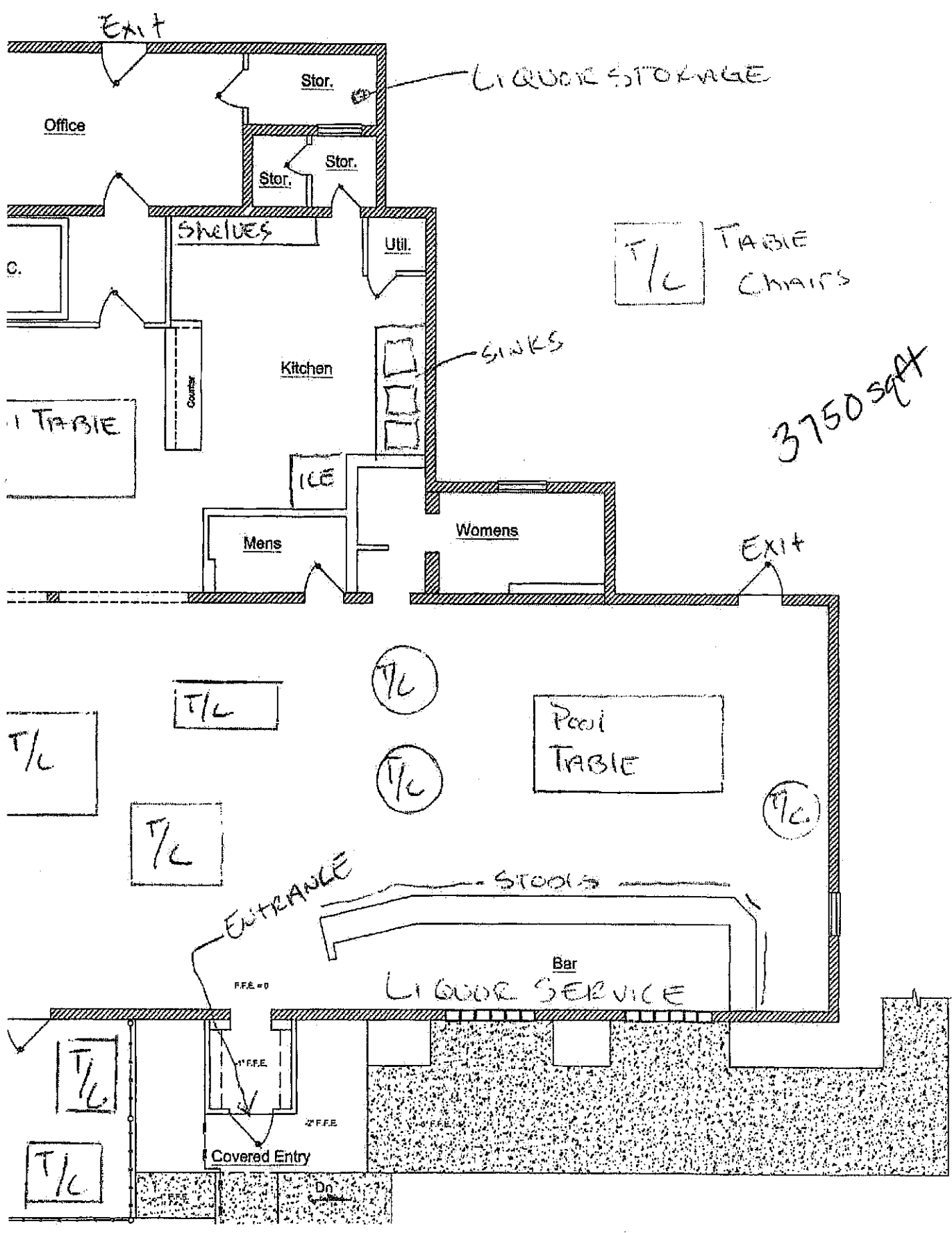
APPLICATION INFORMATION

Application Number: 88463
Application Type: New Application
Created Date: 12/09/2019

QUESTIONS & ANSWERS

INP Interim Permit

- 1) Enter License Number currently at location
06020011
- 2) Is the license currently in use?
Yes
- 3) Will you please submit section 5, page 6, of the license application when you reach the upload page?
Yes
A Document of type INTERIM NOTARY PAGE is required.



EXIT

Office

Stor.

LIQUOR STORAGE

Stor.

Stor.

SHelves

Util.

T/C

TABLE
CHAIRS

Kitchen

SINKS

TABLE

Counter

ICE

Mens

Womens

EXIT

3750 sqft

T/C

T/C

Pool
TABLE

T/C

T/C

T/C

ENTRANCE

Stools

Bar

LIQUOR SERVICE

FFE=0

FFE

FFE

Covered Entry

Dn

T/C

T/C



19 DEC 9 10AM LIC RM 317

Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

804,818

QUESTIONNAIRE
A.R.S. §4-202, 4-210
Type or Print with Black Ink

The fees allowed by R19-1-102 will be charged for all dishonored checks.

ATTENTION APPLICANT: This is a legally binding document. Please type or print in black ink. An investigation of your background will be conducted. Incomplete applications will not be accepted. False or misleading answers may result in the denial or revocation of a license or permit and could result in criminal prosecution.

Attention local governments: Social security and birth date information is confidential. This information may be given to law enforcement agencies for background checks only.

QUESTIONNAIRE IS TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT AND MANAGER BEING DISCLOSED TO THE DEPARTMENT. EACH PERSON COMPLETING THIS FORM MUST SUBMIT A BLUE OR BLACK LINED FINGERPRINT CARD ALONG WITH A \$22 FEE. FINGERPRINTS MUST BE DONE BY A LAW ENFORCEMENT AGENCY OR BONA FIDE FINGERPRINT SERVICE. FOR AN ADDITIONAL \$13 FEE, FINGERPRINTS MAY BE DONE AT THE DEPARTMENT OF LIQUOR WHEN ACCOMPANIED BY A COMPLETED APPLICATION.

Liquor License#: 06020011/88461

1. Check the Appropriate Box

Form with checkboxes for Controlling Person (checked), Agent (checked), and Premises Manager (unchecked). Includes instruction: (complete all questions except #12)

2. Name: Ginter Christopher, Matthew Birth Date: [redacted]

Last First Middle (NOT a public record)

3. Social Security #: [redacted] Driver License #: [redacted] State: AZ

4. Place of birth: Sierra Vista Arizona USA Height: 6'-3" Weight: 185 Eyes: blue Hair: blond

5. Name of current/most recent spouse: N/A Birth Date: [redacted]

6. Are you a bona fide resident of Arizona? [X] Yes [] No If yes, what is your date of residency: [redacted]

7. Daytime telephone number: 520-940-0563 E-mail address: Chrisginter@gmail.com

8. Business Name: Tight Spot Enterprises PC's Lounge Business Phone: 520,940,0563

9. Business Location Address: 4700 E HWY 90 Sierra Vista, AZ, Cochise, 85635

10. List your employment or type of business during the past five (5) years. If unemployed, retired, or student, list residence address.

Table with 4 columns: FROM Month/Year, TO Month/Year, DESCRIBE POSITION OR BUSINESS, EMPLOYERS NAME OR NAME OF BUSINESS (Street Address, City, State & Zip). Row 1: 05/97, CURRENT, Construction Coordinator, Sierra Land Surveying & Development Services 5901 S Belvedere Ave Tucson AZ 85706

(ATTACH ADDITIONAL SHEET IF NECESSARY)

1. Provide your residence address information for the last five (5) years: A.R.S. §4-202(D)

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address
04/2004	CURRENT	[REDACTED]

(ATTACH ADDITIONAL SHEET IF NECESSARY)

12. As a Controlling Person or Agent, will you be physically present and operating the licensed premises?
If you answered YES, then answer #13 below. If NO, skip to #14. Yes No
13. Have you attended a DLLC approved Basic & Management Liquor Law Training Course within the past 3 years? Yes No
14. Have you been cited, arrested, indicted, convicted, or summoned into court for violation of ANY criminal law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past five (5) years? Yes No
15. Are there ANY administrative law citations, compliance actions or consents, criminal arrests, indictments or summonses pending against you? (Do not include civil traffic tickets.) A.R.S. §4-202, 4-210 Yes No
16. Has anyone EVER obtained a judgement against you the subject of which involved fraud or misrepresentation? Yes No
17. Have you had a liquor application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) Yes No
18. Has an entity in which you are or have been a controlling person had an application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) Yes No

If you answered "YES" to any Question 14 through 18 **YOU MUST** attach a signed statement.
 Give complete details including dates, agencies involved and dispositions.
 CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED

NOTARY

I (Print Full Name) Christopher Guinter hereby declare that I am the Agent/ Controlling Person / Premises Manager filing this application. I have read this document and verify the contents and all statements are true, correct and complete to the best of my knowledge.

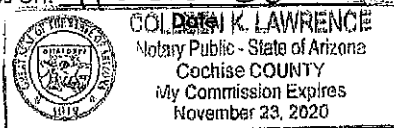
Signature: _____

[Handwritten Signature]

State of Arizona County of Cochise

The foregoing instrument was acknowledged before me this

My Commission Expires on: 11-23-2020



25th Day of November 2019

[Handwritten Signature]
Signature of Notary

The Licensee has authorized the person named on this questionnaire to act as manager for the above License.

PRINT NAME: Christopher Guinter

SIGNATURE: _____



19 DEC 9 11:47 AM 3 18

State of Arizona
Department of Liquor Licenses and Control
800 W. Washington 5th Floor
Phoenix, AZ 85007
(602) 542-5141

ARIZONA STATEMENT OF CITIZENSHIP
OR ALIEN STATUS FOR STATE PUBLIC BENEFITS

Title IV of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (the "Act"), 8 U.S.C. § 1621, provides that, with certain exceptions, only United States citizens, United States non-citizen nationals, non-exempt "qualified aliens" (and sometimes only particular categories of qualified aliens), nonimmigrant, and certain aliens paroled into the United States are eligible to receive state, or local public benefits. With certain exceptions, a professional license and commercial license issued by a State agency is a State public benefit.

Arizona Revised Statutes § 41-1080 requires, in general, that a person applying for a license must submit documentation to the license agency that satisfactorily demonstrates the applicant's presence in the United States is authorized under federal law.

Directions: All applicants must complete Sections I, II, and IV. Applicants who are not U.S. citizens or nationals must also complete Section III.

Submit this completed form and a copy of one or more document(s) from the attached "Evidence of U.S. Citizenship, U.S. National Status, or Alien Status" with your application for license or renewal. If the document you submit does not contain a photograph, you must also provide a government issued document that contains your photograph. You must submit supporting legal documentation (i.e. marriage certificate) if the name on your evidence is not the same as your current legal name.

SECTION I - APPLICANT INFORMATION

INDIVIDUAL OWNER/AGENT NAME (Print or type) Christopher Guinter (with handwritten 'Matthew' above Guinter)

SECTION II - CITIZENSHIP OR NATIONAL STATUS DECLARATION

Are you a citizen or national of the United States? [X] Yes [] No

If Yes, indicate place of birth:
City: Sierra Vista State (or equivalent): AZ Country or Territory: USA

If you answered Yes, 1) Attach a legible copy of a document from the attached list.
2) Name of document: AZ Driver License
Go to Section IV.

If you answered No, you must complete Section III and IV.

SECTION III – ALIEN STATUS DECLARATION

To be completed by applicants who are not citizens or nationals of the United States. Please indicate alien status by checking the appropriate box. Attach a legible copy of a document from the attached list or other document as evidence of your status.

N/A

Name of document provided

Qualified Alien Status (8 U.S.C. §§ 1621(a)(1),-1641(b) and (c))

- 1. An alien lawfully admitted for permanent residence under the Immigration and Nationality Act (INA)
- 2. An alien who is granted asylum under Section 208 of the INA.
- 3. A refugee admitted to the United States under Section 207 of the INA.
- 4. An alien paroled into the United States for at least one year under Section 212(d)(5) of the INA.
- 5. An alien whose deportation is being withheld under Section 243(h) of the INA.
- 6. An alien granted conditional entry under Section 203(a)(7) of the INA as in effect prior to April 1, 1980.
- 7. An alien who is a Cuban/Haitian entrant.
- 8. An alien who has, or whose child or child's parent is a "battered alien" or an alien subject to extreme cruelty in the United States.

Nonimmigrant Status (8 U.S.C. § 1621(a)(2))

- 9. A nonimmigrant under the Immigration and Nationality Act [8 U.S.C § 1101 et seq.] Non immigrants are persons who have temporary status for a specific purpose. See 8 U.S.C § 1101(a)(15).

Alien Paroled into the United States for Less Than One Year (8 U.S.C. § 1621(a)(3))

- 10. An alien paroled into the United States for less than one year under Section 212(d)(5) of the INA

Other Persons (8 U.S.C § 1621(c)(2)(A) and (C))

- 11. A nonimmigrant whose visa for entry is related to employment in the United States, or
- 12. A citizen of a freely associated state, if section 141 of the applicable compact of free association approved in Public Law 99-239 or 99-658 (or a successor provision) is in effect [Freely Associated States include the Republic of the Marshall Islands, Republic of Palau and the Federate States of Micronesia, 48 U.S.C. § 1901 et seq.];
- 13. A foreign national not physically present in the United States.

Otherwise Lawfully Present

- 14. A person not described in categories 1-13 who is otherwise lawfully present in the United States.

PLEASE NOTE: The federal Personal Responsibility and Work Opportunity Reconciliation Act may make persons who fall into this category ineligible for licensure. See 8 U.S.C. § 1621(a).

SECTION IV - DECLARATION

All applicants must complete this section.

I declare under penalty of perjury under the laws of the state of Arizona that the answers and evidence I have given are true and correct to the best of my knowledge.

^{Matthew}
Christopher Ginter

Individual Owner/Agent Printed Name


Individual Owner/Agent Signature

11-9-2019

Today's Date


EVIDENCE OF U.S. CITIZENSHIP, U.S. NATIONAL STATUS, OR ALIEN STATUS

You must submit supporting legal documentation (i.e. marriage certificate) if the name on your evidence is not the same as your current legal name.

Evidence showing authorized presence in the United State includes the following:

1. An Arizona driver license issued after 1996 or an Arizona non-operating identification card.
2. A driver license issued by a state that verifies lawful presence in the United States.
3. A birth certificate or delayed birth certificate showing birth in one of the 50 states, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, or the Northern Mariana Islands (on or after November 4, 1986, Northern Mariana Islands local time)
4. A United States certificate of birth abroad.
5. A United States passport. ***Passport must be signed***
6. A foreign passport with a United States visa.
7. An I-94 form with a photograph.
8. A United States citizenship and immigration services employment authorization document or refugee travel document.
9. A United States certificate of naturalization.
10. A United States certificate of citizenship.
11. A tribal certificate of Indian blood.
12. A tribal or bureau of Indian affairs affidavit of birth.
13. Any other license that is issued by the federal government, any other state government, an agency of this state or a political subdivision of this state that requires proof of citizenship or lawful alien status before issuing the license.

ILLINOIS DRIVER LICENSE USA



CGT

CLASS: D
 ENDORS: M
 RESTRICTIONS: NONE

GUNTER, MATTHEW CHRISTOPHER

DOB: 01/25/2039 ISS: 12/29/2014

SEX: M EYES: BLU HAIR: BRN
 POWER: 188LB


SEX: M EYES: BLU HAIR: BRN
 POWER: 188LB

ILLINOIS DRIVER LICENSE USA

CLASS: D, Operator
 ENDORSEMENTS: M, Motorcycle
 RESTRICTIONS: None

Rev. 02/11/2018

Your next report is due within 10 days



Certificate # ONLINE (D)

Certificate of Completion
For
Title 4 **BASIC** Liquor Law Training

<input type="checkbox"/>	On-sale
<input type="checkbox"/>	Off-sale
<input checked="" type="checkbox"/>	On- and off-sale

A Certificate of Completion must be on a form provided by the Arizona Department of Liquor. Certificates are completed by a state-approved training provider and, when issued, the Certificate is signed by the course participant.

The State requires BASIC Title 4 training only as a prerequisite for MANAGEMENT Title 4 training or as a result of a liquor law violation. Persons required to have BASIC Title 4 training are listed at the base of this Certificate. Licensees sometimes require BASIC Title 4 Training a condition of employment.

A replacement Certificate of Completion for Title 4 training must be available through the training provider for two years after the training completion date.

Student Information

Christopher Guinter

Full Name (please print)

Christopher Guinter
Signature

October 13, 2019

Training Completion Date

October 13, 2022

Certificate Expiration Date
(three years from completion date)

Training Provider Information

AATF – All-Star Alcohol Awareness

Company Name

P.O. Box 6252, Chandler, Arizona 85246

Mailing Address

(480) 664-0389

Daytime Contact Phone Number

Jared Repinski

Instructor Name (please print)

I, Jared Repinski, certify that the above named individual did successfully complete

Title 4 BASIC Training in accordance with A.R.S. §4-112(G)(2) and Arizona Administrative Code (A.A.C.)R19-1-103 using training course content and materials approved by the Arizona Department of Liquor Licenses and Control. I understand that misuse of this Certificate of Completion can result in the revocation of State-approval for the Title 4 Training Provider named in this section as provided by A.A.C. R19-1-103(E) and (F).

Jared Repinski
Instructor Signature

13 / 10 / 2019
Day / Mo / Year

Persons required to complete BASIC & MANAGEMENT Title 4 training: 1) owner(s) actively involved in the daily business operations of a liquor-licensed business of a series listed below
2) licensees, agents and managers actively involved in the daily business operations of a liquor-licensed business of a series listed below

- | | | | |
|----------------------------------|----------------------------------|--------------------------|--------------------------------------|
| In-state Microbrewery (series 3) | Government (series 5) | Bar (series 6) | Beer & Wine Bar (series 7) |
| Conveyance (series 8) | Liquor Store (series 9) | Private Club (series 14) | Hotel/Motel w/restaurant (series 11) |
| Restaurant (series 12) | In-state Farm Winery (series 13) | | Beer & Wine Store (series 10) |

Liquor license applications (initial and renewal) are not complete until valid Certificates of Completion for all required persons have been submitted to the Department of Liquor.

The questionnaire (which designates a manager to a location) and the agent change form (which assigns a new agent to active liquor licenses) are not complete until valid Certificates of Completion for all required persons have been submitted to the Department of Liquor.

REC'D BY: [illegible]

Certificate # ON-LINE (D)

Certificate of Completion
For
Title 4 **MANAGEMENT** Liquor Law Training

A Certificate of Completion must be on a form provided by the Arizona Department of Liquor. Certificates are completed by a state-approved training provider and, when issued, the Certificate is signed by the course participant.

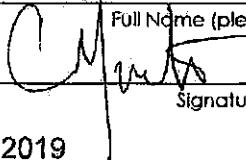
Basic Title 4 training is a prerequisite for MANAGEMENT Title 4 training. A valid Certificate of Completion for BASIC Title 4 training must be on file at the Department of Liquor and satisfactory completion of a State-approved BASIC Title 4 course must be verified by the training provider prior to issuing a Certificate of Completion for MANAGEMENT Title 4 training.

A replacement Certificate of Completion for Title 4 training must be available through the training provider for two years after the training completion date.

Student Information

Christopher Guinter

Full Name (please print)



Signature

October 13, 2019

Training Completion Date

October 13, 2022

Certificate Expiration Date
(three years from completion date)

Training Provider Information

AATF – All-Star Alcohol Awareness

Company Name

P.O. Box 6252, Chandler, Arizona 85246

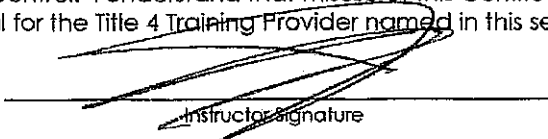
Mailing Address

(480) 664-0389

Daytime Contact Phone Number

I, Jared Repinski, certify that the above named individual did successfully complete
Instructor Name (please print)

Title 4 MANAGEMENT Training in accordance with A.R.S. §4-112(G)(2) and Arizona Administrative Code (A.A.C.)R19-1-103 using training course content and materials approved by the Arizona Department of Liquor Licenses and Control. I understand that misuse of this Certificate of Completion can result in the revocation of State-approval for the Title 4 Training Provider named in this section as provided by A.A.C. R19-1-103(E) and (F).



Instructor Signature

13 / 10 / 2019

Day / Mo / Year

Persons required to complete BASIC & MANAGEMENT Title 4 training: 1) owner(s) actively involved in the daily business operations of a liquor-licensed business of a series listed below
2) licensees, agents and managers actively involved in the daily business operations of a liquor-licensed business of a series listed below

- | | | | |
|----------------------------------|----------------------------------|--------------------------|--------------------------------------|
| In-state Microbrewery (series 3) | Government (series 5) | Bar (series 6) | Beer & Wine Bar (series 7) |
| Conveyance (series 8) | Liquor Store (series 9) | Private Club (series 14) | Hotel/Motel w/restaurant (series 11) |
| Restaurant (series 12) | In-state Farm Winery (series 13) | | Beer & Wine Store (series 10) |

Liquor license applications (initial and renewal) are not complete until valid Certificates of Completion for all required persons have been submitted to the Department of Liquor.

The questionnaire (which designates a manager to a location) and the agent change form (which assigns a new agent to active liquor licenses) are not complete until valid Certificates of Completion for all required persons have been submitted to the Department of Liquor.

RECEIVED BY THE DEPARTMENT OF LIQUOR



19 DEC 9 11:41 AM '18

Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

804,818

QUESTIONNAIRE
A.R.S. § 4-202, 4-210
Type or Print with Black Ink

The fees allowed by R19-1-102 will be charged for all dishonored checks.

ATTENTION APPLICANT: This is a legally binding document. Please type or print in black ink. An investigation of your background will be conducted. Incomplete applications will not be accepted. False or misleading answers may result in the denial or revocation of a license or permit and could result in criminal prosecution.

Attention local governments: Social security and birth date information is confidential. This information may be given to law enforcement agencies for background checks only.

QUESTIONNAIRE IS TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT AND MANAGER BEING DISCLOSED TO THE DEPARTMENT. EACH PERSON COMPLETING THIS FORM MUST SUBMIT A BLUE OR BLACK LINED FINGERPRINT CARD ALONG WITH A \$22 FEE. FINGERPRINTS MUST BE DONE BY A LAW ENFORCEMENT AGENCY OR BONA FIDE FINGERPRINT SERVICE. FOR AN ADDITIONAL \$13 FEE, FINGERPRINTS MAY BE DONE AT THE DEPARTMENT OF LIQUOR WHEN ACCOMPANIED BY A COMPLETED APPLICATION.

Liquor License#: 06020011/88461

1. Check the Appropriate Box

Form with checkboxes for Controlling Person, Agent, and Premises Manager. Controlling Person is checked.

2. Name: Alonso, Christine Elaine Birth Date: [Redacted]

Last First Middle (NOT a public record)

3. Social Security #: [Redacted] Driver License #: [Redacted] State: AZ

4. Place of birth: Gulfport, MS USA Height: 5'6 Weight: 150 Eyes: bro Hair: bro

5. Name of current/most recent spouse: n/a Birth Date: [Redacted]

6. Are you a bona fide resident of Arizona? Yes No If yes, what is your date of residency: [Redacted]

7. Daytime telephone number: 520-668-4657 E-mail address: cea222@aol.com

8. Business Name: Tight Spot Enterprises, LLC Pe's Lounge Business Phone: 520-668-4657

9. Business Location Address: 4700 E HWY 90, Sierra Vista, AZ, Cochise County 85635

10. List your employment or type of business during the past five (5) years. If unemployed, retired, or student, list residence address.

Table with 4 columns: FROM Month/Year, TO Month/Year, DESCRIBE POSITION OR BUSINESS, EMPLOYERS NAME OR NAME OF BUSINESS (Street Address, City, State & Zip). Rows include employment as Accountant at Truly Nolen of America, AZ Oncology Associates, and The Temp Connection.

(ATTACH ADDITIONAL SHEET IF NECESSARY)

11. Provide your residence address information for the last five (5) years: A.R.S. §4-202(D)

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address
03/2018	CURRENT	265 Cochise Ct, Sierra Vista, AZ 85635
11/2014	03/2018	9112 E Esperanza Dr, Tucson, AZ 85715

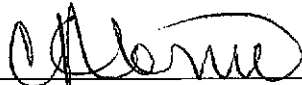
(ATTACH ADDITIONAL SHEET IF NECESSARY)

12. As a Controlling Person or Agent, will you be physically present and operating the licensed premises?
If you answered YES, then answer #13 below. If NO, skip to #14. Yes No
13. Have you attended a DLLC approved Basic & Management Liquor Law Training Course within the past 3 years? Yes No
14. Have you been cited, arrested, indicted, convicted, or summoned into court for violation of ANY criminal law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past five (5) years? Yes No
15. Are there ANY administrative law citations, compliance actions or consents, criminal arrests, indictments or summonses pending against you? (Do not include civil traffic tickets.) A.R.S. §4-202, 4-210 Yes No
16. Has anyone EVER obtained a judgement against you the subject of which involved fraud or misrepresentation? Yes No
17. Have you had a liquor application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) Yes No
18. Has an entity in which you are or have been a controlling person had an application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D) Yes No


**If you answered "YES" to any Question 14 through 18 YOU MUST attach a signed statement.
Give complete details including dates, agencies involved and dispositions.
CHANGES TO QUESTIONS 14-18 MAY NOT BE ACCEPTED**

NOTARY

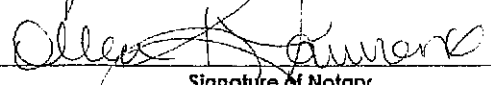
I (Print Full Name) Christine Alonso hereby declare that I am the Agent/ Controlling Person / Premises Manager filing this application. I have read this document and verify the contents and all statements are true, correct and complete, to the best of my knowledge.

Signature:  State of Arizona County of Cochise
The foregoing instrument was acknowledged before me this

My Commission Expires on: 11-23-2020 Date 25th Day of November, 2019 Day Month Year



COLLEEN K. LAWRENCE
Notary Public - State of Arizona
Cochise COUNTY
My Commission Expires


Signature of Notary

The licensee has authorized the person named on this questionnaire to act as manager for the above License.

PRINT NAME: Christine Alonso SIGNATURE: _____

[Download](#) [Print](#)

Certificate # ON-LINE (right click the download button, then "save as" to name & choose download location)

Certificate of Completion
For
Title 4 **BASIC** Liquor Law Training

<input type="checkbox"/>	On-sale
<input type="checkbox"/>	Off-sale
<input checked="" type="checkbox"/>	On- and off-sale

A Certificate of Completion must be on a form provided by the Arizona Department of Liquor. Certificates are completed by a state-approved training provider and, when issued, the Certificate is signed by the course participant.

The State requires BASIC Title 4 training only as a prerequisite for MANAGEMENT Title 4 training or as a result of a liquor law violation. Persons required to have BASIC Title 4 training are listed at the base of this Certificate. Licensees sometimes require BASIC Title 4 training a condition of employment.

A replacement Certificate of Completion for Title 4 training must be available through the training provider for two years after the training completion date.

Student Information

Christine Alonso

Full Name (please print)

Christine Alonso
Signature

10/13/2019

Training Completion Date

10/13/2022

Certificate Expiration Date
(three years from completion date)

Training Provider Information

AATF – All-Star Alcohol Awareness

Company Name

P.O. Box 6252, Chandler, Arizona 85246

Mailing Address

(480) 664-0389

Daytime Contact Phone Number

I, Jared Repinski, certify that the above named individual did successfully complete
Instructor Name (please print)

Title 4 BASIC Training in accordance with A.R.S. §4-112(G)(2) and Arizona Administrative Code (A.A.C.)R19-1-103 using training course content and materials approved by the Arizona Department of Liquor Licenses and Control. I understand that misuse of this Certificate of Completion can result in the revocation of State-approval for the Title 4 Training Provider named in this section as provided by A.A.C. R19-1-103(E) and (F).

Jared Repinski
Instructor Signature

13 / 10 / 2019

Day Mo Year

Persons required to complete BASIC & MANAGEMENT Title 4 training: 1) owner(s) actively involved in the daily business operations of a liquor-licensed business of a series listed below
2) licensees, agents and managers actively involved in the daily business operations of a liquor-licensed business of a series listed below

- | | | | |
|----------------------------------|----------------------------------|--------------------------|--------------------------------------|
| In-state Microbrewery (series 3) | Government (series 5) | Bar (series 6) | Beer & Wine Bar (series 7) |
| Conveyance (series 8) | Liquor Store (series 9) | Private Club (series 14) | Hotel/Motel w/restaurant (series 11) |
| Restaurant (series 12) | In-state Farm Winery (series 13) | | Beer & Wine Store (series 10) |

Liquor license applications (initial and renewal) are not complete until valid Certificates of Completion for all required persons have been submitted to the Department of Liquor.

The questionnaire (which designates a manager to a location) and the agent change form (which assigns a new agent to active liquor licenses) are not complete until valid Certificates of Completion for all required persons have been submitted to the Department of Liquor.

10 DEC 9 09:04 AM '19

[Download](#) [Print](#)

Certificate # ON-LINE (right click the download button, then "save as" to name & choose download location)

Certificate of Completion
For
Title 4 **MANAGEMENT** Liquor Law Training

A Certificate of Completion must be on a form provided by the Arizona Department of Liquor. Certificates are completed by a state-approved training provider and, when issued, the Certificate is signed by the course participant.

Basic Title 4 training is a prerequisite for MANAGEMENT Title 4 training. A valid Certificate of Completion for BASIC Title 4 training must be on file at the Department of Liquor and satisfactory completion of a State-approved BASIC Title 4 course must be verified by the training provider prior to issuing a Certificate of Completion for MANAGEMENT Title 4 training.

A replacement Certificate of Completion for Title 4 training must be available through the training provider for two years after the training completion date.

Student Information

Christine Alonso

Full Name (please print)

Christine Alonso

Signature

10/13/2019

10/13/2022

Training Completion Date

Certificate Expiration Date
(three years from completion date)

Training Provider Information

AATF - All-Star Alcohol Awareness

Company Name

P.O. Box 6252, Chandler, Arizona 85246

Mailing Address

(480) 664-0389

Daytime Contact Phone Number

I, Jared Repinski, certify that the above named individual did successfully complete
Instructor Name (please print)

Title 4 MANAGEMENT Training in accordance with A.R.S. §4-112(G)(2) and Arizona Administrative Code (A.A.C.)R19-1-103 using training course content and materials approved by the Arizona Department of Liquor Licenses and Control. I understand that misuse of this Certificate of Completion can result in the revocation of State-approval for the Title 4 Training Provider named in this section as provided by A.A.C. R19-1-103(E) and (F).

Jared Repinski

Instructor Signature

13 / 10 / 2019

Day Mo Year

Persons required to complete BASIC & MANAGEMENT Title 4 training: 1) owner(s) actively involved in the daily business operations of a liquor-licensed business of a series listed below
2) licensees, agents and managers actively involved in the daily business operations of a liquor-licensed business of a series listed below

In-state Microbrewery (series 3)
Conveyance (series 8)
Restaurant (series 12)

Government (series 5)
Liquor Store (series 9)
In-state Farm Winery (series 13)

Bar (series 6)
Private Club (series 14)

Beer & Wine Bar (series 7)
Hotel/Motel w/restaurant (series 11)
Beer & Wine Store (series 10)

Liquor license applications (initial and renewal) are not complete until valid Certificates of Completion for all required persons have been submitted to the Department of Liquor.

The questionnaire (which designates a manager to a location) and the agent change form (which assigns a new agent to active liquor licenses) are not complete until valid Certificates of Completion for all required persons have been submitted to the Department of Liquor

10/13/2019 3:04 PM 10/13/2019

PURCHASE AND SALE AGREEMENT

Dated Nov 25, 2019

By and Among

P.C.'s Lounge, LLC
Jerald J. Reutebuch, Member
(as Seller)

And

Tight Spot Enterprises, LLC
By Christopher Guinter, Member
Christine Alonso, Member
(as Buyer)

PURCHASE AND SALE AGREEMENT

This Purchase and Sale Agreement (the "**Agreement**") is made as of this 25th day of November, 2019, by and among Tight Spot Enterprises, LLC ("**Buyer**") and P.C.Lounge, LLC ("**Sellers**").

RECITALS:

A. Seller, P.C.'s Lounge, L.L.C., an Arizona limited liability company doing business in Sierra Vista, Arizona, the owner of P.C.'s Lounge (the "**Business**") located at 4700 E Hwy 90 Sierra Vista, AZ 85635. Jerald J. Reutebuch possesses 100.00% of the outstanding membership interest of P.C.'s Lounge, L.L.C.

B. Seller wishes to sell to Buyer all of P.C.'s Lounge, including all of the assets of "PC's Lounge, LLC," client list, mailing list, stock in trade, good-will, merchandise, furniture, fixtures, equipment, forms, and Sellers' rights under or to all contracts in connection with such business, free and clear of any and all liabilities, debts, mortgages, security; interests or other liens or encumbrances, except as herein stated, all more specifically set forth in **Schedule "A"** attached hereto and made a part hereof.

C. Buyer is willing to purchase the Assets from Seller on the terms and conditions of this Agreement.

COVENANTS:

In consideration of the recitals and mutual covenants contained herein, the parties agree:

1. Purchase and Sale of the Assets and Inventory. Subject to the terms and conditions specified in this Agreement, at the closing of the transactions contemplated by this Agreement on the Closing Date, Seller shall sell the Assets to Buyer and Buyer shall purchase the Assets from Seller. All of the Assets shall be transferred to Buyer free and clear of any and all claims, liens, encumbrances, pledges, security interests, co-ownership interests, options or agreements to purchase or sell, and free and clear of any liabilities and obligations of Seller, known or unknown, fixed, contingent or otherwise. As of the Closing Date, Seller will cease the operation of the Business, which will thereafter be conducted by Buyer.

2. Purchase: Property at 4700 E Hwy. 90, Class 6 liquor license, pool tables, tables, chairs, ice machine, dart boards, walk in cooler, misc. bar accessories

3. Purchase Price: The total consideration for the membership interests contained in this Agreement shall be Four Hundred Thousand Dollars and 00/100 Dollars (\$400,000.00). Purchase Price will be paid in the following manner:

3.1. Deposit: Buyer will pay Seller Fifty Thousand (\$50,000.00) at close of escrow.

3.2. Seller/Owner Carry: Seller will carry Three Hundred & Fifty Thousand (\$350,000) at a 5% interest for 15 years, with an early payoff option in 7 years.

2857.00

3.3. Payments: 180 monthly payments at \$2770.00 for 15-year, early payoff option after year 7. Interest will be adjusted to reflect early payoff balance. Reference Exhibit 3.

4. Closing Date. The Closing Date shall be November 25, 2019. The Closing Date may be continued to a later date by agreement of both parties. Unless other arrangements are agreed upon by both parties, seller's personal items will be removed from property and structures will be vacated no later than December 31, 2019.

5. Representations and Warranties of Seller. To induce Buyer to enter into this Agreement and to close the transactions contemplated herein, Seller represents and warrants to Buyer as follows (unless otherwise stated in the following representations and warranties, all such representations and warranties are and shall be true and correct as of the date hereof and as of the Closing Date).

5.1. Organization. The Business is a limited liability company duly organized, validly existing and in good standing under the laws of the State of Arizona and has and will have on the Closing Date all requisite power and authority to own, lease and operate its properties and to carry on its business and will be duly qualified and in good standing to do business in each jurisdiction in which the nature of its business or the ownership or leasing of its properties makes such qualification necessary, or if not so duly qualified, its failure to be so qualified will not have a material adverse effect on its business, operations or financial condition.

5.2. Authority; Consents and Approvals; No Violation. Seller has the full power and authority to execute and deliver this Agreement and to sell the Assets pursuant to this Agreement, and to consummate the transactions contemplated hereunder. This Agreement has been validly executed and delivered by Seller and constitutes the valid and binding obligation of Seller. No permit, authorization, consent or approval of or declaration or filing with any public body, agency, court or authority is necessary for the lawful, proper and valid consummation by Seller of the transactions contemplated hereunder. The execution, delivery and performance of this Agreement and the consummation of the transactions contemplated hereunder by Seller do not and will not violate any statute, rule or regulation, any order or decree of any public body or authority, applicable to Seller or its assets, or conflict with, result in a breach or constitute (with or without due notice or lapse of time) a default under any agreement, plan of reorganization or other instrument to which Seller is a party or by which it is bound.

5.3. Ownership of Assets. Seller has good and marketable title to the Business, and by extension, all of the Assets, and all of the Assets are owned or held free and clear of all title defects or objections, mortgages, claims, liens, pledges, charges, security interests, co-ownership interests, options to purchase or other encumbrances of any kind or character, except liens for current taxes, assessments and governmental charges not yet due and payable.

5.4. Financial Statements. Seller shall furnish to Buyer financial statements of the Business (the financial statements referred to in this Section being hereafter sometimes collectively called the "**Seller Financial Statements**"). The Seller Financial Statements have been prepared in accordance with generally accepted accounting principles consistently applied, except as noted in notes to the Seller Financial Statements, are true and correct, and do not omit any item or matter which omission causes any portion of the Seller Financial Statements to be materially misleading.

5.5. Absence of Undisclosed Liabilities. Seller has no liability of any nature, fixed or contingent, not reflected in the Seller Financial Statements and notes thereto, except for liabilities

for ordinary operating expenses incurred in the ordinary course of business since the date of the Seller Financial Statements and other liabilities which individually and in the aggregate are not material in amount or nature. Since the date of the Seller Financial Statements, Seller has continued to pay its expenses on a basis consistent with its prior practice.

5.6. Changes Since Seller Financial Statement. Since the date of the Seller Financial Statements, there has not been any material or adverse change in the financial condition, results of operations, business, business organization or personnel of the Business, or in its relationships with suppliers, customers, advertisers, or others, other than changes occurring in the ordinary course of its business, which, both individually and in the aggregate, have not been materially adverse.

5.7. Infringement. To the best knowledge of Seller, Seller has not infringed, and is not infringing on any trade name, trademark, service mark, patent, copyright or other proprietary right belonging to any other person, firm or corporation.

5.8. No Untrue Statement. No representation or warranty by Seller in this Agreement or any instrument, certificate, exhibit, schedule or list attached hereto or furnished or to be furnished to Buyer pursuant to the terms of this Agreement, contains or will contain to the best knowledge of Seller any untrue statement of a material fact, or omits or will omit to state a material fact necessary to make the statements contained herein or therein, in light of the circumstances in which they are made, not misleading. In the event any such representation or warranty is discovered at any time, before or after the Closing, to contain any material misstatement or omission, Seller shall advise Buyer in writing immediately of such misstatement or omission. Unless Buyer is advised of such misstatement or omission in writing prior to Closing, Seller shall not be relieved of any liability which may arise under this Agreement for breach of any representation or warranty. Seller acknowledges that Buyer is entering into this Agreement in reliance upon its representations, warranties and covenants made in this Agreement. All representations, warranties and covenants of the Seller contained herein shall survive the Closing and the sale of the Assets to Buyer.

6. Representations and Warranties of Buyer. To induce Seller to enter into this Agreement and to close the transactions contemplated herein, Buyer represents and warrants to, and covenants with, Seller as follows (unless otherwise stated in the following representations and warranties, all such representations and warranties are and shall be true and correct as of the date hereof and as of the Closing Date).

6.1. Authority; Consents and Approvals; No Violation. Buyer has and will have on the Closing Date the full power and authority to execute and deliver this Agreement and to perform its obligations and consummate the transactions contemplated hereunder. This Agreement has been duly and validly executed and delivered by Buyer and constitutes a valid and binding obligation of Buyer except to the extent that the binding nature thereof may be subject to the limitations which might result from bankruptcy, insolvency, reorganization, moratorium or other similar laws relating to creditors' rights now or thereafter in effect, and except for the limitations on the remedy of specific performance and other forms of equitable relief. No permit, authorization, consent or approval of or declaration or filing with any public body, agency, court or authority is necessary for the lawful, proper and valid consummation by Buyer of the transactions contemplated hereunder. The execution and delivery of this Agreement and the consummation of the transactions contemplated hereunder do not and will not violate any statute, rule or regulation, any order or decree of any public body or authority by which Buyer is or on the Closing Date will be bound or conflict with, result in a breach of or constitute (with or without due notice or lapse of time) a default under any license, franchise, permit, indenture, agreement or

other instrument to which Buyer is or will be a party, or by which they or any of their properties is or will be bound.

7. Conduct of the Parties Prior to and after Closing.

7.1. Good Faith Obligations. Buyer and Seller each agree to proceed diligently and in good faith to consummate the transactions contemplated by this Agreement, and otherwise to cause the Closing to occur, and they will use all reasonable efforts to take or cause to be taken all actions, and do or cause to be done all things, necessary, proper or advisable to consummate the transactions contemplated by this Agreement; provided, however, that neither Seller nor Buyer shall be obligated to waive any conditions to their obligation to close set forth in this Agreement.

7.2. Conduct of Business. Buyer will conduct the Business prior to Closing in the same manner as it is now presently conducted. Seller will permit Buyer and its agents (including counsel, accountants, lenders and consultants) at all reasonable times prior to Closing reasonable access to the Business's books, records, facilities and key personnel to enable Buyer to continue its due diligence review of the Assets and the Business and their condition, operation and affairs. Except as Seller may be obligated pursuant to existing commitments or agreements and without limiting Seller's right to conduct its business in a reasonable and prudent manner: (i) Seller will conduct its business which relates to the Business only in the ordinary course of business, consistent with past custom and practice; (ii) Seller will use its best efforts to maintain its business and employees, customers, assets, and operations; (iii) Seller will pay its obligations in the ordinary course of its business, and will collect its accounts receivable only in the ordinary course of business, in each case consistent with past practice; and (iv) Seller will not enter into any contract or engage in any transaction outside of the ordinary course of business if such contract or transaction will have a material effect on the Assets or Seller's business related thereto.

7.3. Confidentiality. Prior to the Closing, Seller and Buyer shall keep confidential the existence and terms of this Agreement and the transactions contemplated herein. Buyer and Seller may disclose such information to their attorneys, accountants, owners, investors and prospective investors, lenders, officers and such employees as may need to know about the transactions to carry out their duties, but only if such persons are under a similar obligation of confidentiality.

7.4. Closing. At the Closing, each party shall deliver to the other party the cash and documents at set forth in this Agreement. Seller shall deliver to Buyer a Bill of Sale and Assignment for the Assets in the form attached as **Exhibit B**.

7.5. Payment of Obligations of Seller. Buyer does not assume any obligations of Seller as a result of the transaction contemplated herein. Seller agrees to promptly pay and discharge all obligations relating to the Business which will have arisen prior to the Closing Date, and will fulfill all obligations to customers who have placed orders with Seller prior to the Closing Date. Seller will hold harmless Buyer for any obligation with respect thereto.

7.6. Due Diligence. Buyer may terminate this Agreement and the purchase of the Assets at any time before the Closing Date if Buyer, in its sole discretion, determines that the Assets are not suitable for Buyer's purchase. The Closing of this Agreement and completion of the sale of the Assets to Buyer shall not affect the validity of the representations and warranties of Seller, which shall remain in full force and effect.

8. Conditions Precedent of Seller to Close. The obligations of Seller to close and consummate the transactions contemplated hereunder shall be subject to the fulfillment at or prior to the Closing of each of the following conditions:

8.1. Accuracy of Representations and Warranties. All representations and warranties of Buyer contained in this Agreement shall be true and correct in all material respects as of the Closing, with the same force and effect as though made at and as of the Closing, except for changes expressly contemplated or permitted by this Agreement.

8.2. Compliance with Obligations. Buyer shall have performed and complied in all material respects with all the covenants, agreements, obligations and conditions required by this Agreement to be performed or complied with by it at or prior to the Closing and Seller shall have received all of the instruments and other documents required to be executed or delivered by Buyer to Seller at or prior to the Closing.

8.3. Absence of Actions or Proceedings. There shall be no actual or threatened action or proceeding by or before any court, governmental body or arbitration tribunal which shall seek to restrain, prohibit or invalidate any of the transactions contemplated hereunder which in the judgment of Seller made in good faith and based upon advice of its counsel, makes it inadvisable to proceed with the transactions contemplated by this Agreement.

8.4. Consents and Approvals: Items Satisfactory to Other Parties. All consents or approvals of any third party which in the reasonable judgment of Seller are necessary to consummate the transactions contemplated hereunder, or to proceed with the Closing, shall have been received and be reasonably satisfactory to Seller.

9. Conditions Precedent of Buyer to Close. The obligations of Buyer to close and consummate the transactions contemplated hereunder shall be subject to the fulfillment at or prior to the Closing of each of the following conditions:

9.1. Accuracy of Representations and Warranties. All representations and warranties of Seller contained herein shall be true and correct in all material respects as of the Closing, with the same force and effect as though made at and as of the Closing, except for changes expressly contemplated or permitted by this Agreement.

9.2. Compliance with Obligations. Seller shall have performed and complied in all material respects with all of the covenants, agreements, obligations and conditions required by this Agreement to be performed or complied with by it at or prior to the Closing, and Buyer shall have received all of the agreements, instruments and other documents required to be executed or delivered to it prior to the Closing.

9.3. Absence of Actions or Proceedings. There shall be no actual or threatened action or proceeding by or before any court, governmental body or arbitration tribunal which shall seek to restrain, prohibit or invalidate any of the transactions contemplated hereunder which in the judgment of Buyer made in good faith and based upon advice of its counsel, makes it inadvisable to proceed with the transactions contemplated by this Agreement.

10. Default and Remedies. In addition to all remedies granted to the parties in this Agreement, the parties shall have the following rights and remedies.

10.1. Indemnification.

10.1.1. Indemnity by Seller. Seller shall indemnify, defend and hold harmless Buyer, its employees and agents, against and in respect of any and all liabilities including interest, penalties and reasonable attorneys' fees, that Buyer shall incur or suffer, which arise or result from, or relate to (i) any breach by Seller of any of their representations or warranties contained in the Agreement, or the failure of Seller to perform any covenant or agreement contained in the Agreement, or in any exhibit or other instrument furnished or to be furnished by Seller under the Agreement, and (ii) any and all claims of whatever nature, asserted (with or without the commencement of legal action) against Buyer with respect to the operation of the Business prior to the Closing Date.

10.1.2. Indemnity by Buyer. Buyer shall indemnify, defend and hold harmless Seller, its employees and agents, against and in respect of any and all Liabilities, including interest, penalties and reasonable attorneys' fees, that Seller, their employees or agents shall incur or suffer, which arise or result from, or relate to (i) any breach by Buyer of any of its representations and warranties contained in the Agreement or in any schedule, certificate, exhibit or other instrument furnished or to be furnished by them under the Agreement or the failure of the Buyer to perform any covenant or agreement contained in the Agreement, or (ii) any and all claims, of whatever nature, asserted (with or without the commencement of legal action) against Seller, their employees or agents, with respect to the operations of the Business on or after the Closing Date.

10.2. Cancellation. If any of the conditions precedent set forth in Sections 7 and 8 of this Agreement is not satisfied or waived by the party for whose benefit the conditions were imposed, that party may cancel this Agreement by notice to the other party. If the Buyer fails to fulfill its obligations herein, all payments made hereunder by the Buyer shall be retained by the Seller as liquidated damages, and that Seller shall have the right, but not the obligation, to declare the Buyer's interest in the Company forfeited and to remove Buyer as a Member of the Company. Buyer may cancel this Agreement at any time prior to Closing if Buyer determines, in its sole discretion, that purchase of the Assets is not feasible as a result of its examination of the Business and Assets. Upon such cancellation, the obligations to purchase and sell the Assets and Inventory shall terminate and neither party shall have any further liability to the other party.

11. Other Provisions.

11.1. Survival of Representations and Warranties. The representations and warranties contained in this Agreement shall survive the Closing.

11.2. Expenses. Each party shall bear its own costs and expenses, including attorneys' and accountants' fees, in connection with the negotiation, due diligence investigation, documentation and consummation of the sale and purchase of the Assets and the other transactions contemplated by this Agreement, except that the parties will share equally the cost of preparation of the documentation for the transaction, including this Agreement.

11.3. Additional Acts. In addition to the obligations required to be performed by the parties hereto under the other provisions of this Agreement, the parties agree to perform, without further consideration, such other acts and to execute, acknowledge and deliver such other instruments and documents, subsequent to the Closing, as may be reasonably required to carry out the provisions and purposes of this Agreement.

11.4. Extension; Waiver. The parties hereto may extend the time for, or waive the performance of, any of the obligations of any parties hereto, waive any inaccuracies in the representations or warranties of any parties hereto, or waive compliance by any parties hereto with any of the covenants or conditions contained in this Agreement. However, any such extension or waiver shall be in writing and signed by all of the parties hereto. No such waiver shall operate or be construed as a waiver of any subsequent act or omission of any party hereto.

11.5. Notices. Any notice to a party pursuant to this Agreement shall be given by one of the following means: (a) certified or registered United States mail, postage prepaid, (b) private courier or express service requesting evidence of receipt as a part of its service, or (c) by telecopy, with a copy also to be given by first class United States mail, postage prepaid, or by any means permitted under subparagraphs (a) or (b) of this section. Notices shall be given to the parties at the following addresses:

If to Buyer:

Tight Spot Enterprises, LLC
265 Cochise Court
Sierra Vista, Arizona 85635
Attention: Christopher Guinter

If to Seller:

P.C.'s Lounge, LLC
Attention: Jerald Revtebuch
4700 E Hwy 90
Sierra Vista, AZ 85635

Attention:

11.6. Binding Effect. Upon execution hereof by all parties hereto, this Agreement shall inure to the benefit of, be binding on and be enforceable against the parties and their respective heirs, legal representatives, successors and assigns.

11.7. Entire Agreement. This Agreement (including the exhibits and schedules hereto) and the instruments and documents delivered pursuant hereto, and the other agreements contemplated or required hereby, constitute the entire agreement and understanding between the parties with respect to the subject matter hereof, and supersede any prior agreements and understandings relating to the subject matter hereof. This Agreement may be modified or amended only by a written instrument executed by all parties hereto. Notwithstanding the foregoing, in the event the Closing does not occur, any prior agreement with respect to confidentiality of information furnished by any party shall continue to be binding on all parties thereto.

11.8. Execution in Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same agreement.

11.9. Attorneys' Fees; Costs of Litigation. If any legal action or any other proceeding is brought for the enforcement of this Agreement, or because of an alleged dispute, breach, default or misrepresentation in connection with any of the provisions of this Agreement, the successful or prevailing party or parties shall be entitled to recover reasonable attorneys' fees and other costs incurred in that action or proceeding, in addition to any other relief to which it or they may be entitled.

11.10. Construction and Interpretation. This Agreement is the result of negotiations between the parties and their legal counsel, and the terms and provisions hereof shall be interpreted and construed in accordance with their usual and customary meanings. The parties each waive the application of any rule of law which otherwise would be applicable in connection with the interpretation and construction of this Agreement that ambiguous or conflicting terms or provisions should be interpreted or construed against the party who, or whose attorney, prepared the executed agreement or any earlier draft of same. The headings of the paragraphs and sections of this Agreement are included for purposes of convenience only and shall not affect the construction or interpretation of any of its provisions.

11.11. Governing Law and Jurisdiction. This Agreement shall be governed by, and construed in accordance with, the laws of the state of Arizona, without the application of any law of conflicts of laws that would require or permit the application of the laws of any other jurisdiction. The parties hereto each hereby submit to the exclusive jurisdiction of the federal and state courts for the state of Arizona and agree that venue shall be in such courts in Cochise County, Arizona.

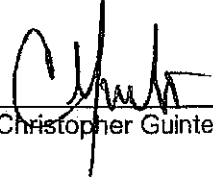
11.12. No Third-Party Beneficiary. This Agreement is solely between the parties hereto, and no term or provision of this Agreement or the exhibits hereto is intended to be, or shall be construed to be, for the benefit of any person (other than the Parties), including without limitation any investment banker, broker, agent, employee or creditor, and no such other person shall have any right or cause of action hereunder.

SIGNATURES ON FOLLOWING PAGE

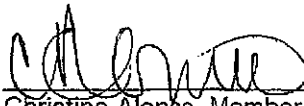
DATED as of this 25 day of Nov, 2019.

BUYER:

Tight Spot Enterprises, LLC



Christopher Guinter, Member



Christine Alonso, Member

SELLER:

P.C.'s Lounge, LLC



Gerald J. Reutebuch, Member

EXHIBIT A
(Schedule of Assets)

Exhibit A

IRS Form 8594			
<u>Class V Assets</u>		Fair Market Value	Allocation of Sales Price
Property	Land	100,000.00	100,000.00
	Buildings	250,000.00	250,000.00
Furniture, Fixtures, Equipment:			
	<u>Description</u>	<u>Fair Market Value</u>	<u>Value</u>
	Tables	250.00	250.00
	Chairs	250.00	250.00
	Pool tables	1,000.00	1,000.00
	Dart boards	1,000.00	1,000.00
	Beverage coolers	2,500.00	2,500.00
	Ice machine	600.00	600.00
	Misc Furniture & Equipment	600.00	600.00
		356,200.00	356,200.00
<u>Class VI Assets</u>			
	Class VI Liquor License	30,000.00	30,000.00
	Business books & records	1,500.00	1,500.00
	Operating process	1,500.00	1,500.00
		33,000.00	33,000.00
<u>Class VII Assets</u>			
	Goodwill	10,800.00	10,800.00
		400,000.00	400,000.00

EXHIBIT B
(Form of Bill of Sale)

STATE OF ARIZONA
DEPARTMENT OF LIQUOR LICENSES
AND CONTROL
ALCOHOLIC BEVERAGE LICENSE

License 06020011

Issue Date: 6/10/2019

Expiration Date: 6/30/2020

Issued To:

JERALD JAY REUTEBUCH, Agent
PC'S LOUNGE LLC, Owner

Location:

PC'S LOUNGE
4700 E HWY 90
SIERRA VISTA, AZ 85635
USA



Mailing Address:

JERALD JAY REUTEBUCH
PC'S LOUNGE LLC
PC'S LOUNGE
4700 E HWY 90
SIERRA VISTA, AZ 85635
USA



POST THIS LICENSE IN A CONSPICUOUS PLACE

19 DEC 9 11:41:14 AM '17

January 23, 2020

MEMO TO: Honorable Mayor and City Council

THROUGH: Charles P. Potucek, City Manager
Victoria Yarbrough, Assistant City Manager

FROM: Matt McLachlan, AICP Community Development Director
Jeff Pregler, AICP, Senior Planner

SUBJECT: REQUEST FOR AGENDA ITEM PLACEMENT
Resolution 2020-005
Street Renaming-A portion of Sherbundy Street

REQUESTED ACTION:

Requesting to rename a portion of Sherbundy Street to Watkins Way.

RECOMMENDATION:

The City Manager recommends approval.
The Director of Community Development recommends approval.
The Planning & Zoning Commission recommended unanimous approval.

APPLICANT:

Beth Hughes, Owner
Sierra Vista Realty

BACKGROUND:

The City received a request to change the name for a section of Sherbundy Street as shown in Exhibit A. The applicant, Beth Hughes, representing Sierra Vista Realty, has asked that the street be renamed to Watkins Way, after the founder of Sierra Vista Realty, Bob Watkins. The attached letter of request provides additional information about Mr. Watkins.

The section of Sherbundy Street proposed to be renamed does not have any properties that are addressed from the street. Therefore, the street name change will not require any address changes.

ANALYSIS

The portion of Sherbundy Street proposed to be renamed is disconnected from the remaining portion of Sherbundy due to the construction of a block wall at the Regency Inn Suites. As a result, there is often driver confusion, with the assumption that Sherbundy Street connects to N. Garden Avenue. Therefore, to prevent additional confusion, staff supports the renaming of the roadway to Watkins Way. Staff has also received support from the Public Works, Fire, and Police Departments.

PLANNING AND ZONING COMMISSION

The Planning & Zoning Commission recommended unanimous approval at their December 17, 2019 meeting. No additional comments.

PUBLIC NOTIFICATION

Per the City's street renaming policy, all adjoining properties are to be notified of the hearing dates. The only adjoining property on this street, other than Sierra Vista Realty is the Westwood Village Apartments. The owners of the apartments were notified, and no comments have been received.

Attachments:

Resolution

Exhibit A

RESOLUTION 2020-005

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; REAFFIRMING SETTLED POLICY, APPROVING THE RENAMING OF A SECTION OF SHERBUNDY STREET, AS SHOWN ON EXHIBIT A, TO WATKINS WAY; AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY OR THEIR DULY AUTHORIZED OFFICERS AND AGENTS TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

WHEREAS, established policy and procedures for creating and changing street names is reaffirmed; and

WHEREAS, Beth Hughes has requested that a section of Sherbundy Street, as shown in Exhibit A, be renamed Watkins Way; and

WHEREAS, per Article 151.31, the Planning & Zoning Commission recommended approval of the requested name change during a regular meeting held on December 17, 2019; and

WHEREAS, all requirements for a public hearing have been met.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1

That the Council policy of renaming streets, most recently updated by Resolution 1258, be, and hereby is, affirmed.

SECTION 2

The City hereby renames a section of Sherbundy Street, as shown in Exhibit A to Watkins Way.

SECTION 3

That the City Manager, City Clerk, City Attorney, or their duly authorized officers and agents are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this resolution.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 23RD DAY OF JANUARY 2020.

FREDERICK W. MUELLER
Mayor

APPROVED AS TO FORM:

ATTEST:

NATHAN WILLIAMS
City Attorney

JILL ADAMS
City Clerk

PREPARED BY:

Jeff Pregler, AICP
Senior Planner

January 23, 2020

MEMO TO: Honorable Mayor and City Council

THROUGH: Charles P. Potucek, City Manager
Victoria Yarbrough, Assistant City Manager

FROM: Matt McLachlan, AICP Community Development Director
Jeff Pregler, AICP, Senior Planner

SUBJECT: REQUEST FOR AGENDA ITEM PLACEMENT
DECLARING A 30-DAY PUBLIC RECORD
PUBLIC HEARING
Resolution 2020-006
Section 151.22.006-Matrix of Use Permissions by Zoning District
(Permitting of private general education schools)

REQUESTED ACTION:

Approval of Resolution 2020-, Declaring as Public Record text amendments to the Sierra Vista Development Code as shown on Exhibit A.

RECOMMENDATION:

The City Manager recommends approval.
The Director of Community Development recommends approval.
The Planning & Zoning Commission recommended unanimous approval 6-0.

APPLICANT:

City of Sierra Vista

BACKGROUND:

The Community Development Department, through the annual work program, regularly reviews current code provisions and procedures to reduce obsolete or unnecessary code provisions in expectation of making city government accountable, collaborative and efficient. The proposed code amendment relating to the permitting of private general education schools reflects these goals. The Planning & Zoning identified these amendments during discussion of the annual work program as medium to high priority.

ANALYSIS

Section 151.22.006-Matrix of Use Permissions by Zoning District-The code amendment to this section revises the use permissions for both charter schools and private general education schools. The current language in the Code permits charter schools in every zoning district. While private schools of general education are required to obtain a Conditional Use Permit in the Urban Ranch (UR), Neighborhood Convenience (NC), Limited Commercial (LC), General Commercial (GC), and Office Professional (OP) zoning districts. The Code prohibits private general education schools in all other zoning districts including Single Family Residence zoning districts.

According to Arizona Revised Statutes 15.189.01, "municipalities and counties shall allow charter schools to be established and operate in at any location or in any facility for which the zoning regulations of the county or municipality cannot legally prohibit schools operated by school districts, except that a county or municipality may adopt zoning regulations that prohibit a charter school from operating on property that is less than an acre in size and that is located within an existing single family residence zoning district". Since public schools are exempt from locational standards, the same locational standards needs to apply to charter schools. However, cities can prohibit the location of charter schools if they are located on property that is less than an acre and are located within an existing single family residential zoning district. Since this is the case, the proposed amendment will prohibit charter schools on property less than once acre from locating within single family residential zoning districts.

According to Arizona Revised Statute 41-1493.03, Free Exercise of Religion, "government shall not impose or implement a land use regulation in any manner that treats a religious assembly or institution on less than equal terms with a nonreligious assembly or institution, regardless of a compelling government interest". In discussions with the City attorney, religious institution or assembly extends to religious schools, thereby stating that the City cannot impose any additional regulations on religious schools that do not apply to non-religious or public schools. As a result, the proposed code amendment related to private general education schools, religious and non-religious, shall be to permit these schools in all zoning districts except that schools on property less than one acre and located within single family residential zoning districts shall be prohibited. This is the same standard that applies to charter schools.

PLANNING & ZONING COMMISSION

The Commission discussed this item at a November 19, 2019 and voted unanimously to approve the amendments at a public hearing held on December 17, 2019.

PUBLIC COMMENTS

The City placed an ad in the newspaper which described the amendments and provided the date and time of the public hearings. The amendments are also posted on the City website for public viewing. No public comments have been received regarding the amendments.

Attachments:

Resolution

Exhibit A, Proposed Text Amendments

RESOLUTION 2020-006

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; DECLARING A 30-DAY PUBLIC RECORD PERIOD FOR AMENDMENTS TO CHAPTER 151 OF THE CITY CODE OF ORDINANCES, THE DEVELOPMENT CODE, AS SHOWN IN EXHIBIT A, ATTACHED HERETO; AND AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY, OR THEIR DULY AUTHORIZED OFFICES AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

WHEREAS, in accordance with established policy and development code procedures, the City of Sierra Vista has proposed text amendments to the following Development Code Section: 151.22.006-Matrix of Use Permissions by Zoning District; and

WHEREAS, Article 151.31 of the Development Code requires that the City Council review and decide on all applications for text amendments; and

WHEREAS, per Article 151.31, the Planning & Zoning Commission recommended approval of the amendments to City Council; and

WHEREAS, under the provisions of Section 9-802 of the Arizona Revised Statutes, the proposed amendments to the City's Development Code shall be declared a matter of public record for a period of 30 days prior to being passed and adopted by ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1

The policy of the City of Sierra Vista declaring proposed text amendments to the Development Code as a public record be, and hereby is, reaffirmed.

SECTION 2

That the certain document entitled Exhibit A, proposed amendments to Development Code attached hereto, copies of which are on file in the office of the City Clerk, is hereby declared a 30-day public record.

SECTION 3

That the City Manager, City Clerk, City Attorney, or their duly authorized officers and agents are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this resolution.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 23RD DAY OF JANUARY 2020.

FREDERICK W. MUELLER
Mayor

APPROVED AS TO FORM:

ATTEST:

NATHAN WILLIAMS
City Attorney

JILL ADAMS
City Clerk

PREPARED BY:

Jeff Pregler, AICP
Senior Planner

**EXHIBIT A
DEVELOPMENT CODE AMENDMENT
SECTION 151.22.006- MATRIX OF USE PERMISSIONS BY ZONING DISTRICTS
(APPLICABLE PORTION)**

USE CLASSIFICATIONS	ZONING DISTRICT												
	UR, Urban Ranch	SFR, Single Family Residence	MFR, Multiple Family Residence	MHR, Manufactured Home Residential	RVP, Recreational Vehicle Park	NC, Neighborhood Commercial	LC, Limited Commercial	OP, Office Professional	GC, General Commercial	LI, Light Industrial	IP, Industrial Park/LI, Light Industry	HI, Heavy Industrial	OS, Open Space
PUBLIC/SEMI-PUBLIC													
Accessory Telecommunications Antenna/Ancillary Structure	A ⁽⁷⁾	A ⁽⁷⁾	A ⁽⁷⁾	A ⁽⁷⁾	A ⁽⁷⁾	A	A	A	A	A	A	A	A
Airport	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	P
Alternative Energy Systems	P	A	A	A	A	A	A	A	P	P	P	P	P
Cemeteries	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	P
Columbarium	C	C	C	C	C	C	C	C	C	C	C	C	C
Community Gardens	P	P	P	P	P	P	P	P	P	P	P	NC	P
Community Service Uses	NC	NC	NC	NC	NC	P	P	P	P	P	P	NC	P
Funeral Home/Mortuary	NC	NC	NC	NC	NC	P	P	P	P	NC	NC	NC	NC
Golf Courses, Public or Private	P	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	P
Heavy Utility Service	NC	NC	NC	NC	NC	NC	NC	NC	C	P	P	P	C
Light Utility Services	C	C	C	C	C	P	P	P	P	P	P	P	P
Museums, Cultural Centers & Similar Uses	P	P	P	P	P	P	P	P	P	NC	NC	NC	P
Parks and Recreation Facilities	A	A	A	A	A	A	A	A	A	NC	NC	NC	P
Place of Worship	C	C	C	C	C	C	C	C	C	C	C	NC	C
Private Clubs	C	C	C	NC	NC	P	P	P	P	C	C	NC	NC
Public Education Facilities & Charter Schools	P	P/NC ⁽⁸⁾	P	P	P	P	P	P	P	P	P	P	P
School of General Education, Private	PG	P/NC ⁽⁸⁾	PNG	PNG	PNG	PG	PG	PG	PG	PNG	PNG	PNG	PN C
School of Special Education, Private	C	NC	NC	NC	NC	P	P	P	P	NC	NC	NC	NC

**DEVELOPMENT CODE AMENDMENT
SECTION 151.22.006- MATRIX OF USE PERMISSIONS BY ZONING DISTRICTS
(APPLICABLE PORTION)**

USE CLASSIFICATIONS	ZONING DISTRICT												
	UR, Urban Ranch	SFR, Single Family Residence	MFR, Multiple Family Residence	MHR, Manufactured Home Residential	RVP, Recreational Vehicle Park	NC, Neighborhood Commercial	LC, Limited Commercial	OP, Office Professional	GC, General Commercial	LI, Light Industrial	IP, Industrial Park/LI, Light Industry	HI, Heavy Industrial	OS, Open Space
Social Service Agency/Non-Profit	C	C	C	NC	NC	P	P	P	P	C	C	NC	P
Telecommunications Tower													
When Located on Non-Residentially Used Property													
60 feet in height or less and not located within 150 feet of a property zoned or used for residential purposes	A	A	A	A	A	A	A	A	P	P	P	P	P ⁽⁶⁾
60 feet in height or more and/or located within 150 feet of a property zones or used for residential purposes	C	C	C	C	C	C	C	C	C	C	C	C	C ⁽⁶⁾
When Located on Residentially Used Property	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC	NC
(6) Stand alone telecommunications towers on City-owned property with an active recreational use are not permitted. (7) Not permitted when attached to any single story building or residential building containing fewer than five dwelling units. (8) Charter schools and private general education schools: Not permitted when located on property less than 1 acre in size.													

December 5, 2019

MEMORANDUM TO: Honorable Mayor and City Council

THRU: Charles P. Potucek
City Manager

FROM: David J. Felix, CPA
Chief Financial Officer

SUBJECT: REQUEST FOR AGENDA ITEM PLACEMENT
RESOLUTION 2019-100 - Proposed Revised Refuse
Rates

RECOMMENDATION

The City Manager recommends approval

INITIATED BY

David J. Felix, CPA, Chief Financial Officer


BACKGROUND

The City Council and staff have been discussing the financial status of the Refuse Fund. In addition to the fee increase proposed in Resolution 2019-075, staff is recommending a 15% residential rate increase to make the fund whole. This resolution addresses the proposed 15% rate increase only. A 60-day notice of the vote on the proposed rate increase was published on the City's website as required by the Arizona Revised Statutes. This resolution increases the residential refuse rates the City charges by 15%, with an effective date of March 1, 2020.

<u>Residential Routes Monthly Rates</u>	<u>Current</u>	<u>Proposed</u>	<u>Increase</u>
45-gallon container (grandfathered)	\$ 15.63	\$ 17.19	\$ 1.56
65-gallon container	\$ 17.23	\$ 19.81	\$ 2.58
95-gallon container	\$ 19.67	\$ 22.62	\$ 2.95
195-gallon container	\$ 27.73	\$ 31.89	\$ 4.16

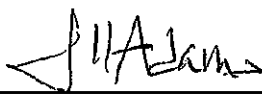
The proposed rate increase would generate an estimated additional \$361,960 of revenues. There are no proposed increases to current commercial route rates.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE
CITY OF SIERRA VISTA, ARIZONA, THIS 12th DAY OF DECEMBER 2019.



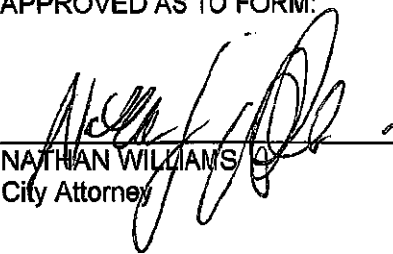
FREDERICK W. MUELLER
Mayor

ATTEST:



JILL ADAMS
CITY CLERK

APPROVED AS TO FORM:



NATHAN WILLIAMS
City Attorney

PREPARED BY:
DAVID J. FELIX, CPA
Finance Manager

RESOLUTION 2019-100

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; REAFFIRMING SETTLED POLICY; ESTABLISHING REFUSE RATES; AND AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY OR THEIR DULY AUTHORIZED OFFICERS AND AGENTS TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

WHEREAS, the City of Sierra Vista has determined that refuse services provided by the City should be operated as an enterprise of the City; therefore, they must be fully and independently funded by the users of the services; and

WHEREAS, City staff has calculated the rates necessary to support the sanitation enterprise; and

WHEREAS, the City of Sierra Vista is updating its Solid Waste Collection and Disposal Ordinance, setting certain rates by resolution,

WHEREAS, public notice was issued per Arizona Revised Statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, AS FOLLOWS:

SECTION 1

That the settled policy of the City Council, of adjusting refuse rates and fees to produce revenue to meet the financial needs of the sanitation enterprise be, and hereby is, reaffirmed.

SECTION 2

Effective March 1, 2020, residential route rates shall be assessed and collected according to Table A, Refuse Rates, attached hereto.

SECTION 3

The City Manager, City Clerk, City Attorney, or their duly authorized officers and agents are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this Resolution.

TABLE A
Refuse Rates

<u>Contributor Class and Charge</u>	<u>Effective</u> <u>July 1, 2018</u>	<u>Effective</u> <u>March 1, 2020</u>
Residential		
Monthly Service Charge	\$ 4.75	\$ 4.75
Monthly Collection Charge	\$ 6.69	\$ 6.69
Monthly Disposal Charge		
45-gallon container	\$ 4.19	\$ 6.53
65-gallon container	\$ 5.79	\$ 8.37
95-gallon container	\$ 8.23	\$ 11.18
Business (Small Commercial)		
Monthly Service Charge	\$ 4.75	\$ 4.75
Monthly Collection Charge	\$ 13.25	\$ 6.69
Monthly Disposal Charge		
95-gallon container	\$ 6.66	\$ 11.18
195-gallon container	\$ 13.67	\$ 20.45

Maria Marsh

From: Jennifer Osburn
Sent: Thursday, January 16, 2020 11:44 AM
To: Maria Marsh
Subject: FW: Public Comment Item

-----Original Message-----

From: [REDACTED] [mailto:wordpress@sierravistaaz.gov]
Sent: Thursday, January 16, 2020 10:14 AM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector <Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>; Yvette Matthias <Yvette.Matthias@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

I disagree with the rate increase. You have eliminated services and yet increased the cost to consumers. I think private collections need to be considered/allowed. Why does the council waste money on trips and private consulting and not consider long term expenses for maintenance of vehicles etc.. this won't stop, you'll be asking for another increase in a year or two!

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

Maria Marsh

From: Jennifer Osburn
Sent: Thursday, January 16, 2020 11:44 AM
To: Maria Marsh
Subject: FW: Public Comment Item

-----Original Message-----

From: [REDACTED] [mailto:wordpress@sierravistaaz.gov]
Sent: Thursday, January 16, 2020 10:46 AM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector <Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>; Yvette Matthias <Yvette.Matthias@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

The proposal states the curbside bulk waste pick-up will increase from \$14.40 to \$50.00.
I am concerned this will lead to increased illegal dumping.

--
This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

Maria Marsh

From: Jennifer Osburn
Sent: Thursday, January 16, 2020 9:06 AM
To: Maria Marsh
Subject: FW: Public Comment Item

-----Original Message-----

From: [REDACTED] [mailto:wordpress@sierravistaaz.gov]
Sent: Wednesday, January 15, 2020 6:41 PM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector <Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>; Yvette Matthias <Yvette.Matthias@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

Are you guys completey insane,,,you already increased it once,,us older people on social security can not afford another increase,,,I'm urging you all to vote this increase down,,,we all are not well to due like you people,,,,,if you pass what you may consider a small increase....means I'll just not to eat for a day out if the week..!!!!

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

Maria Marsh

From: Jennifer Osburn
Sent: Thursday, January 16, 2020 9:06 AM
To: Maria Marsh
Subject: FW: Public Comment Item

-----Original Message-----

From: [REDACTED] [mailto:wordpress@sierravistaaz.gov]
Sent: Wednesday, January 15, 2020 6:44 PM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector <Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>; Yvette Matthias <Yvette.Matthias@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

This is getting out of control. Anyone that votes for this increase will not earn my vote. Cost go up, but services aren't any better. I'd rather have the option to shop around and use a private service.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

Maria Marsh

From: Jennifer Osburn
Sent: Thursday, January 16, 2020 9:06 AM
To: Maria Marsh
Subject: FW: Public Comment Item

-----Original Message-----

From: [REDACTED] [mailto:wordpress@sierravistaaz.gov]
Sent: Wednesday, January 15, 2020 7:30 PM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector <Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>; Yvette Matthias <Yvette.Matthias@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

I am not in support of a rate increase.

--
This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

Maria Marsh

From: Jennifer Osburn
Sent: Thursday, January 16, 2020 9:07 AM
To: Maria Marsh
Subject: FW: Public Comment Item

-----Original Message-----

From: [REDACTED] [mailto:wordpress@sierravistaaz.gov]
Sent: Wednesday, January 15, 2020 7:43 PM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector <Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>; Yvette Matthias <Yvette.Matthias@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

Don't agree with the increase, if one a week is not an option we don't get anything more for the increase.
Please NO increase.

--
This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

Maria Marsh

From: Jennifer Osburn
Sent: Thursday, January 16, 2020 9:07 AM
To: Maria Marsh
Subject: FW: Public Comment Item

-----Original Message-----

From: [REDACTED] [mailto:wordpress@sierravistaaz.gov]
Sent: Wednesday, January 15, 2020 8:07 PM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector <Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>; Yvette Matthias <Yvette.Matthias@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

If you feel the need to increase, then bring back recycling pick up!!!

--
This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

Maria Marsh

From: Jennifer Osburn
Sent: Thursday, January 16, 2020 9:06 AM
To: Maria Marsh
Subject: FW: Public Comment Item

-----Original Message-----

From: [REDACTED] [mailto:wordpress@sierravistaaz.gov]
Sent: Wednesday, January 15, 2020 6:39 PM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector <Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>; Yvette Matthias <Yvette.Matthias@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

I am upset after the recent doing away with the door to door recycling that used to be offered by the city, now the rates for a reduced service is going to increase. The city should not raise rates for curbside refuse collection.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

Maria Marsh

From: Jennifer Osburn
Sent: Thursday, January 16, 2020 9:05 AM
To: Maria Marsh
Subject: FW: Public Comment Item

-----Original Message-----

From: [REDACTED] [mailto:wordpress@sierravistaaz.gov]
Sent: Wednesday, January 15, 2020 3:38 PM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector <Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>; Yvette Matthias <Yvette.Matthias@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

I'm against the increase. I think \$71.72 every two months is too much, especially since there is no more recycling.

--
This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

Maria Marsh

From: Jennifer Osburn
Sent: Wednesday, January 15, 2020 3:28 PM
To: Maria Marsh
Subject: FW: Public Comment Item

-----Original Message-----

From: [REDACTED] [mailto:wordpress@sierravistaaz.gov]
Sent: Wednesday, January 15, 2020 3:28 PM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector <Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>; Yvette Matthias <Yvette.Matthias@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

I am AGAINST the proposed increase for refuse service in our city. The rates stayed the same even when the recycling service was discontinued. I don't see why a 15% increase is needed. I do not support the increase proposal.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

María Marsh

From: Jennifer Osburn
Sent: Wednesday, January 15, 2020 3:30 PM
To: Maria Marsh
Subject: FW: Public Comment Item

-----Original Message-----

From: [REDACTED] [mailto:wordpress@sierravistaaz.gov]
Sent: Wednesday, January 15, 2020 3:29 PM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector <Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>; Yvette Matthias <Yvette.Matthias@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

I am AGAINST The proposed refuse service increase. Manage the taxes and service fees you already receive more wisely.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

Yvette Matthias

From: [REDACTED] <wordpress@sierravistaaz.gov>
Sent: Thursday, January 09, 2020 5:31 PM
To: Public Comment; Judy Hector; Sharon Flissar; Yvette Matthias
Subject: Public Comment Item

From: [REDACTED]
Subject: [REDACTED]

Topic: Residential Refuse Rate Increase

Message Body:

Seriously? You just keep cutting back on service and you want to increase the rate? You don't even pick up recycling anymore! And don't give me the "recycling was free" line -- it wasn't. The city picked up recycling but lessened the frequency of trash pickups; thus, the residents PAID FOR IT. I also don't want to hear the "it's China's fault" line. It's not. We paid for RECYCLING, not for our governmental institutions to ship refuse to a country that pumps out toxic chemicals in the things it makes and probably just dumps that stuff somewhere in the Gobi Desert. Our governmental institutions LIED to us -- and that means the City of Sierra Vista was in on that lie. We paid for RECYCLING, not relocating trash. The third famous line: it's not economically feasible/we're not making a profit." The point wasn't to make a profit -- it was to help SAVE our environment. You know, the one that we live in? Our planet? OUR ONLY HOME?

And now you want another rate increase. The trucks leave bins tipped over, half in the street, and spew trash all over the roadways in their wake. They never even check the side mirrors to see if they made a mess. Who pays ME to walk down the street and pick up after the trucks?

SHAME ON YOU!

--
This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

Yvette Matthias

From: NORMAN [REDACTED] <wordpress@sierravistaaz.gov>
Sent: Thursday, January 09, 2020 11:23 PM
To: Public Comment; Judy Hector; Sharon Flissar; Yvette Matthias
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

I have read the reports by city staff and followed discussions by the city council on the matter of the waste collection in the city. What alarms me about this data is an option for privatization was never considered except for the 'green' waste removal. I've talked to at least three council members and the mayor and each stated privatizing would only lead to uncontrolled price increases in the future. The city has raised prices on at least 2 occasions in the past three years. Part of the problem was also caused by city mismanagement of certain aspects of the program i.e. inadequate pricing for recycled mulch and improper pricing of bulk containers to city residents. Our market based private enterprise system works efficiently that no government entity can ever match. Many cities operate successfully with privatized refuse systems and have successfully implemented controls to prevent price gouging. I am very disappointed by the city efforts on this issue and oppose the solutions offered by the city until a reasonable comparison of costs from the private sector. At the least, the city should rescind the restrictions of residential private trash collectors operating in the city. It makes no sense (other than creating a monopoly for the city) to deny residents this option when no such restrictions are placed on commercial customers.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

Yvette Matthias

From: [REDACTED] <wordpress@sierravistaaz.gov>
Sent: Saturday, January 04, 2020 2:54 PM
To: Public Comment; Judy Hector; Sharon Flissar; Yvette Matthias
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

Landfills will continue to fill at an alarming rate and will continue to cost more. Raising refuse rates (which has been done only too recently), is not the correct way to attack this issue, furthermore it puts an inordinate burden on your senior population, in a town with a large number of seniors. We need to retrain the public to compost, recycle and re-use.

Re-training the public to "do the right thing" could be accomplished by establishing a two-tier system of refuse collection. Those requiring a once a week refuse collection would be rewarded by having a lower fee. Those who cannot bother to be responsible for generating extra trash would then be eligible for twice a week collection at a higher rate. This could be readily accomplished by the attachment of a tag to the receptacles.

As to privatizing recycling, once the city loses control the rates will begin rising - it has happened in municipalities all over the country. I am most definitely opposed to privatizing!

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

Yvette Matthias

From: [REDACTED] <wordpress@sierravistaaz.gov>
Sent: Tuesday, December 31, 2019 11:10 AM
To: Public Comment; Judy Hector; Sharon Flissar; Yvette Matthias
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

Considering the economic stagnation in our town, a rate increase is not warranted.

--
This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: Jennifer Osburn
To: Maria Marsh
Subject: FW: Public Comment Item
Date: Thursday, December 26, 2019 3:30:59 PM

-----Original Message-----

From: [REDACTED] [mailto:wordpress@sierravistaaz.gov]
Sent: Thursday, December 26, 2019 3:18 PM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector
<Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>; Yvette
Matthias <Yvette.Matthias@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

I commented via email earlier, but I hadn't seen the refuse rates for the dumpsters. The dumpsters are such a clutter in the neighborhoods and are sometimes traffic hazards when placed in the street, that I would hope the rates would encourage their use only for temporary projects as opposed to year-round usage.

I am glad the pull fee and empty are increased, but I wonder why the monthly charge was halved? That would seem to encourage dumpster usage for longer periods of time. I would think hiking the monthly rate would encourage temporary instead of permanent usage.

Thank you for your consideration.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Jennifer Osburn](#)
To: [Maria Marsh](#)
Subject: FW: Public Comment Item
Date: Tuesday, December 31, 2019 11:12:09 AM

-----Original Message-----

From: [REDACTED] [<mailto:wordpress@sierravistaaz.gov>]
Sent: Tuesday, December 31, 2019 11:10 AM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector
<Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>; Yvette
Matthias <Yvette.Matthias@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

Considering the economic stagnation in our town, a rate increase is not warranted.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Jennifer Osburn](#)
To: [Maria Marsh](#)
Subject: FW: Public Comment Item
Date: Monday, December 23, 2019 8:08:18 AM

-----Original Message-----

From: [REDACTED] [<mailto:wordpress@sierravistaaz.gov>]
Sent: Saturday, December 21, 2019 9:39 AM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector
<Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

I understand your position in the refuse matter. Every body is struggling to survive. The trash, water, electricity, gas, are all going up. Even property tax has taken a big jump. It's getting harder and harder to make ends meet. My husband is retiring in 2021 and I am scared because it will be even harder to make ends meet. I think you should not give your employee's a raise because the customer picks up the tab and therefore adds to the budget. I take my recycling in once a month and I thought that was the whole purpose of recycling to keep rates from going up. If you do this 15% hike, our trash will have doubled since we have lived in our home. That is ridiculous. I am starting to not like living in Sierra Vista. Arizona is a very taxing state. The restaurants charge more sales tax for food than at retail. How can that be? There should be not tax on food. It is a necessity to survive.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: Jennifer Osburn
To: Maria Marsh
Subject: FW: Public Comment Item
Date: Tuesday, December 17, 2019 8:22:28 AM

-----Original Message-----

From: [REDACTED] [mailto:wordpress@sierravistaaz.gov]
Sent: Tuesday, December 17, 2019 7:48 AM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector
<Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

I see the reason for an increase, especially since money was lost with the recycling. However I would suggest a phase in of the hike (50% of what the goal is in March, the rest of the intended hike in July), especially with the business rates increasing so much.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Jennifer Osburn](#)
To: [Maria Marsh](#)
Subject: FW: Public Comment Item
Date: Tuesday, December 17, 2019 8:22:06 AM

-----Original Message-----

From: [REDACTED] [mailto:wordpress@sierravistaaz.gov]
Sent: Monday, December 16, 2019 6:47 PM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector
<Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Allowing private residential recycling collection

Message Body:
Dear City Council,

This is to voice support for contracting with private sector companies for curbside mixed-stream recycling in Sierra Vista. Please pursue this important opportunity and return curbside recycling to Sierra Vista.

Thank you.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: Jennifer Osburn
To: Maria Marsh
Subject: FW: Public Comment Item
Date: Tuesday, December 17, 2019 9:11:26 AM

-----Original Message-----

From: [REDACTED]:wordpress@sierravistaaz.gov]
Sent: Tuesday, December 17, 2019 9:05 AM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector
<Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

RE: Sanitation Rates - City residents should be charged for pick up of green waste. Also for drop off at the Compost Facility. Many landscapers drop off for free because they bring a bill showing they live in the City. This is part of their business and they should be charged accordingly whether or not they live in the City.

RE: Private Vendor for Recycling - YAY! Do it. We are bleeding out from our current recycle program.

Thank you!

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Jennifer Osburn](#)
To: [Maria Marsh](#)
Subject: FW: Public Comment Item
Date: Monday, December 16, 2019 7:58:06 AM

-----Original Message-----

From: [REDACTED] <mailto:wordpress@sierravistaaz.gov>
Sent: Friday, December 13, 2019 2:02 PM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector
<Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

This is not appropriate. There is no more recycling collection yet we can still drop recycling off. I in no way need to have as many refuse collections as we get now. Replacing the recycling collections with a refuse collection was a decrease in service yet the costs stayed the same.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Jennifer Osburn](#)
To: [Maria Marsh](#)
Subject: FW: Public Comment Item
Date: Monday, December 16, 2019 7:57:28 AM

-----Original Message-----

From: [REDACTED] [mailto:wordpress@sierravistaaz.gov]
Sent: Friday, December 13, 2019 10:23 AM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector
<Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

When and if the recycling is commercialized will the 15% increase in refuse service cover the cost of recycled items that now will end up in the land fill. The additional burden of paying to haul off recyclable material will not be automatically accepted by all citizens.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Jennifer Osburn](#)
To: [Maria Marsh](#)
Subject: FW: Public Comment Item
Date: Monday, December 16, 2019 2:23:42 PM

-----Original Message-----

From: [REDACTED] [<mailto:wordpress@sierravistaaz.gov>]
Sent: Monday, December 16, 2019 2:22 PM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector
<Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

Looking at the Green Waste current/proposed rates, I have to agree with both the residential and county/business rates. Leaving curbside at -0- helps take the element of wildcat dumping out of the equation while charging local businesses a slight increase, helping to balance the quantity that each may drop off. With a little more education, we may get more green waste out of the refuse pick up and diverted to the green waste side, helping to reduce tipping fees.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Jennifer Osburn](#)
To: [Maria Marsh](#)
Subject: FW: Public Comment Item
Date: Monday, December 16, 2019 2:07:55 PM

-----Original Message-----

From: [REDACTED] (<mailto:wordpress@sierravistaaz.gov>)
Sent: Monday, December 16, 2019 2:06 PM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector <Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

Yes, we need trash removal and contracting the service would reduce cost to the city because the city would not be paying for retirement costs - if they negotiate wisely. We cannot go without trash collection or this place would be a dump, people would leave (as they are already doing) so sounds like a good move.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Jennifer Osburn](#)
To: [Maria Marsh](#)
Subject: FW: Public Comment Item
Date: Monday, December 16, 2019 2:07:17 PM

-----Original Message-----

From: [REDACTED] [mailto:wordpress@sierravistaaz.gov]
Sent: Monday, December 16, 2019 2:03 PM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector
<Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

The refuse and sewer charges should be included with our city taxes so we can deduct them from our federal taxes along with the rest of the city taxes. Especially in view of rising costs for the service, we should make it easier for the taxpayer where we can.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Jennifer Osburn](#)
To: [Maria Marsh](#)
Subject: FW: Public Comment Item
Date: Monday, December 16, 2019 1:34:46 PM

-----Original Message-----

From: [REDACTED] [mailto:wordpress@sierravistaaz.gov]
Sent: Monday, December 16, 2019 1:29 PM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector
<Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

Why not just go to a once a week refuse pickup? I have family all over the U.S. and none of them have twice a week refuse pickup. Give everyone a large green can.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Jennifer Osburn](#)
To: [Maria Marsh](#)
Subject: FW: Public Comment Item
Date: Monday, December 16, 2019 1:34:28 PM

-----Original Message-----

From: [REDACTED] [<mailto:wordpress@sierravistaaz.gov>]
Sent: Monday, December 16, 2019 1:30 PM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector
<Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

The national inflation rate as stated by the chained CPI has been below 3% for the last decade. How does the city justify the massive money grab? Are salaries and benefits rising at that rate? Has fuel costs (which should be much lower) risen at this rate?

Tell me one thing other than political greed that has risen at that 15% rate. Theft, plain old theft.

AND NO DAMN ACCOUNTABILITY BY ANYONE.

Throw all the remora out next election.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Jennifer Osburn](#)
To: [Maria Marsh](#)
Subject: FW: Public Comment Item
Date: Monday, December 16, 2019 12:41:50 PM

-----Original Message-----

From: [REDACTED] <mailto:wordpress@sierravistaaz.gov>
Sent: Monday, December 16, 2019 10:34 AM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector
<Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

would love to have curbside recycling again, even with the rate increase

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Jennifer Osburn](#)
To: [Maria Marsh](#)
Subject: FW: Public Comment Item
Date: Monday, December 16, 2019 12:41:44 PM

-----Original Message-----

From: [REDACTED] [mailto:wordpress@sierravistaaz.gov]
Sent: Monday, December 16, 2019 10:38 AM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector <Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

Get out of the refuse business. Keep the trucks and necessary equipment mothballed in case the City has to threaten to get back into the business. It's conceivable that private companies could price fix, or it could become a private monopoly. A fundamental function of government is "prevent injustice", in this case prevent private monopoly, and don't be the monopoly.

I voted to stay out of recycling and I voted against expanding into mulch. You should have followed me.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Jennifer Osburn](#)
To: [Maria Marsh](#)
Subject: FW: Public Comment Item
Date: Monday, December 16, 2019 12:41:00 PM

-----Original Message-----

From: [REDACTED] [mailto:wordpress@sierravistaaz.gov]
Sent: Monday, December 16, 2019 11:41 AM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector
<Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Allowing private residential recycling collection

Message Body:

Yes, please we need collection....I have anxiety every time I have to put recyclables in the garbage bin. Not all things have to be dollar neutral or profitable to be a good idea to protect our environment. I feel the decision by the city to discontinue recycling was short sighted.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Jennifer Osburn](#)
To: [Maria Marsh](#)
Subject: FW: Public Comment Item
Date: Monday, December 16, 2019 12:40:10 PM

-----Original Message-----

From: [REDACTED] [<mailto:wordpress@sierravistaaz.gov>]
Sent: Monday, December 16, 2019 12:39 PM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector
<Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Allowing private residential recycling collection

Message Body:

I approve if it doesn't cost the city and/or residents any money.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Jennifer Osburn](#)
To: [Maria Marsh](#)
Subject: FW: Public Comment Item
Date: Monday, December 16, 2019 12:39:31 PM

-----Original Message-----

From: [REDACTED] [mailto:wordpress@sierravistaaz.gov]
Sent: Monday, December 16, 2019 12:30 PM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector
<Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

If nothing has changed, then why the increase? If you're not spending MORE money to do something, then why increase rates? Without a thorough explanation of WHAT is necessitating the increase, then it just seems like city bullying of our pocketbook, "just because they can". And that's just WRONG!

Be clear and concise about what is NECESSITATING the rate increase. Not just saying "we're doing XYZ, because we wanna". As long as it's DIRECTLY related to the service I am presently getting (trash pickup), then as long as there are no implementable solutions to keep rates lower, then the rate increase is understandable. But, otherwise, no... I do NOT approve of this proposed rate increase.

If this proposed rate increase is in relation to recycling...

Is recycling still burdensome to the city, even though SV residents are now doing all the work to bring it TO you? Is sorting and whatever really THAT expensive? Or has it literally become even LESS productive to do recycling than it was when the program was changed? If that be the case, then STOP RECYCLING! Make it all trash! That's what I do. That's what we all did BEFORE the recycling program was put into place to begin with. If "doing the right thing" is more expensive than the emotional/environmental "feel good" it offers, then it's no longer worth doing. And I'm not up for paying more for my green CAT ("Curbside Automated Trash" was what we called it in CA) container pickup, just so others can "feel good" about recycling. Let THEM pay more for what is costing the city more, NOT me.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Jennifer Osburn](#)
To: [Maria Marsh](#)
Subject: FW: Public Comment Item
Date: Monday, December 16, 2019 12:38:13 PM

-----Original Message-----

From: [REDACTED] <mailto:wordpress@sierravistaaz.gov>
Sent: Monday, December 16, 2019 12:37 PM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector
<Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

We need to tighten our belts and stop or slow down these increases. I firmly believe savings can be had through efficiency and other reductions such as leaving some positions open when people retire or leave. Trust me I frequently see the public works trucks here and there doing nothing. I urge you to show leadership in reducing the cost of doing business.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Jennifer Osburn](#)
To: [Maria Marsh](#)
Subject: FW: Public Comment Item
Date: Monday, December 16, 2019 12:40:06 PM

-----Original Message-----

From: [REDACTED] <mailto:wordpress@sierravistaaz.gov>
Sent: Monday, December 16, 2019 12:40 PM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector
<Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Zoning Districts

Message Body:
I'm fine with this.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Jennifer Osburn](#)
To: [Maria Marsh](#)
Subject: FW: Comment on the Refuse Service Fees
Date: Monday, December 16, 2019 7:56:28 AM

From: [REDACTED]
Sent: Friday, December 13, 2019 7:24 AM
To: MayorAndCouncil <MayorAndCouncil@SIERRAVISTAAZ.GOV>
Subject: Comment on the Refuse Service Fees

Dear City Council,

I understand the need to increase fees. The articles in the Herald raised two comments in my mind:

- 1) If the fee increases are scheduled for March, how will that be billed for those that pay annually? Will the difference just be added on to my increased bill next year when I pay it in July?
- 2) Please consider increasing the fee for dumpsters much more than regular garbage collection. I assume the dumpster regulations are there to allow people a bigger trash receptacle for temporary needs. However, I noticed in Town and Country, people are using dumpsters as permanent instead of temporary garbage cans. So, unsightly dumpsters just sit in people's driveways for years or create traffic hazards when placed in the streets. Maybe that practice can be discouraged through the fee structure or another regulation.

Thank you for your consideration, and I appreciate all you do to serve our community.

Regards,

[REDACTED]
City Resident

From: [Jennifer Osburn](#)
To: [Maria Marsh](#)
Subject: FW: Public Comment Item
Date: Monday, December 16, 2019 12:43:31 PM

-----Original Message-----

From: [REDACTED] [mailto:wordpress@sierravistaaz.gov]
Sent: Monday, December 16, 2019 10:25 AM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector
<Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your subject]

Topic: Residential Refuse Rate Increase

Message Body:

I am against a rate increase as noted in my email to the whole council and the mayor. Continually raising rates without regard to usage just allows those who can pay higher costs continually to avoid all the means of reducing said waste. There can and should be a two-tier system for residential waste so that those who cut same are rewarded for the conservation and those who don't bear the brunt of the cost of inaction.

I am also against privatizing which has been proven in other places over and over again to not be a viable solution and results in much higher charges in the end.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

Yvette Matthias

From: [REDACTED]
Sent: Friday, December 13, 2019 7:24 AM
To: MayorAndCouncil
Subject: Comment on the Refuse Service Fees

Follow Up Flag: Follow up
Flag Status: Flagged

Dear City Council,

I understand the need to increase fees. The articles in the Herald raised two comments in my mind:

- 1) If the fee increases are scheduled for March, how will that be billed for those that pay annually? Will the difference just be added on to my increased bill next year when I pay it in July?
- 2) Please consider increasing the fee for dumpsters much more than regular garbage collection. I assume the dumpster regulations are there to allow people a bigger trash receptacle for temporary needs. However, I noticed in Town and Country, people are using dumpsters as permanent instead of temporary garbage cans. So, unsightly dumpsters just sit in people's driveways for years or create traffic hazards when placed in the streets. Maybe that practice can be discouraged through the fee structure or another regulation.

Thank you for your consideration, and I appreciate all you do to serve our community.

Regards,

[REDACTED]
City Resident

Yvette Matthias

Subject: FW: planned rate increase for garbage collection

From: Rick Mueller
Sent: Wednesday, December 11, 2019 4:16 PM
To: [REDACTED]
Subject: RE: planned rate increase for garbage collection

Mr. Elving, In September, the part of my response you cite was accurate. As a good citizen I am sure you have followed this issue. Over months of discussion with Council and Staff, It has evolved from just looking at green waste drop off and residential dumpsters to making the refuse entire refuse enterprise viable for the future. This included recycling and garbage rates. Issues evolve through the public deliberation process. I am confident the public record will bear this out! Thank you for sharing your concern. Rick Mueller, Mayor

From: [REDACTED]
Sent: Wednesday, December 11, 2019 12:26 PM
To: Rick Mueller <Rick.Mueller@SIERRAVISTAAZ.GOV>
Subject: Re: planned rate increase for garbage collection

Dear Mayor Mueller

In Sept I asked you about the planned rate increase for garbage collection and you emphatically replied

Boy, did you get some wrong information! The Council has NOT voted on raising garbage collection rates, we are not considering raising rates on collection.

This morning I see on the news that we are going see a rate increase... You sir need to be honest with your constituents.

Not happy,

[REDACTED]

Doug Elving [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] 712-85633

Office: [REDACTED]
Cell: [REDACTED]
email: [REDACTED]
web: [REDACTED]

Download my mobile app at: [REDACTED]

From: Rick Mueller <Rick.Mueller@SIERRAVISTAAZ.GOV>
Sent: Thursday, September 19, 2019 10:30 AM
To: [REDACTED]
Subject: RE: planned rate increase for garbage collection

[REDACTED] thanks for the additional information. Rick

From: [REDACTED]
Sent: Thursday, September 19, 2019 10:16 AM
To: Rick Mueller <Rick.Mueller@SIERRAVISTAAZ.GOV>
Subject: Re: planned rate increase for garbage collection

Thanks for the quick reply and explanation of the rate increase.

The twice a week pickup is an issue that should be addressed though as we're running equipment around burning huge amounts of diesel for very little demand. If a user needs the additional trash space then they should pay for however many cans they need to be picked up on the same pickup day.

R18-13-308. Frequency of Collection A. The frequency of collection shall be in accordance with rules of the collection agency but not less than that shown in the following schedules: 1. Garbage only -- twice weekly. 2. Refuse with garbage -- twice weekly. 3. Rubbish and ashes -- as often as necessary to prevent nuisances and fly breeding.

B. A variance from the required frequency rate may be granted to allow for the collection of garbage once weekly. The variance may be granted by the Department of Environmental Quality upon submission of an acceptable plan approved by the local health department demonstrating that no public health hazards or nuisances will exist and that fly breeding will be controlled by either biological, chemical, or mechanical means. The variance may be revoked whenever the Department of Environmental Quality determines that the circumstances warranting the variance no longer exist. Historical Note Section recodified from A.A.C. R18-8-508, filed in the Office of the Secretary of State September 29, 2000 (Supp. 00-3).

The City should apply for a variance.

Thanks,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]
Cell: [REDACTED]

email: [redacted]
web: [redacted]

Download my mobile app at: [redacted]

From: Rick Mueller <Rick.Mueller@SIERRAVISTAAZ.GOV>
Sent: Thursday, September 19, 2019 9:59 AM
To: [redacted]
Cc: Charles Potucek <Charles.Potucek@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: RE: planned rate increase for garbage collection

Mr. [redacted]

Thank you for sharing your concerns. Boy, did you get some wrong information! The Council has NOT voted on raising garbage collection rates, we are not considering raising rates on collection. We are discussing, and have yet to vote on, increasing fees on green waste drop off and rental dumpsters, used when city refuse users have a project that will produce volumes of trash that are greater than the normal capacity of their green bin. Under the State Administrative Code Section 18-13-308 para A., 2., all the Cities are required to pick up refuse twice a week.

Thank you for your constructive comments and sharing your concerns. I hope this answers your issues. Rick Mueller

From: [redacted]
Sent: Thursday, September 19, 2019 9:20 AM
To: Rick Mueller <Rick.Mueller@SIERRAVISTAAZ.GOV>
Cc: [redacted]
Subject: planned rate increase for garbage collection

Dear Mayor Mueller,

I just saw where the council has passed a resolution to increase the garbage collection fees and would like to know how much it's costing the city for our twice a week pickup. Our pickup day is today and I just did a tour around the neighborhood here in Legends of Valiente and all of the cans are less than 1/4 full. Our own has 2 small bags in the bottom. I would like to have you request a detailed accounting for the added costs for the 2nd pickup from Public Works. Costs should account for fuel, manpower and added maintenance of equipment. This should also include how many truck miles are involved in a complete city-wide pickup. I feel that dropping back to a single pickup day would more than cover any need for this planned rate increase.

Please give me a call at 520-226-7301

Sincerely,

[redacted signature block]

O
C
em
web. [redacted]

Download my mobile app at: 

Yvette Matthias

From: [REDACTED] n>
Sent: Sunday, December 08, 2019 7:11 AM
To: MayorAndCouncil
Subject: Outstanding Recycling Support

Thank you for this sharp recycling center at the SV Transfer Station. Twice now the professional, friendly and helpful service I received while using this facility has been top-notch! Our city has struggled with this process in the past. I sincerely hope this service continues – it's good for everyone and everything.

[REDACTED]
5

From: [Jennifer Osburn](#)
To: [Yvette Matthias](#); [Maria Marsh](#)
Subject: FW: Public Comment Item
Date: Tuesday, November 05, 2019 11:14:06 AM

-----Original Message-----

From: [REDACTED]
Sent: Tuesday, November 05, 2019 10:30 AM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector <Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Fee Changes

Message Body:

Since the blue bin recycle service in Sierra Vista ended, there has been a green bin trash pickup twice a week (Tuesday and Friday) on my street. I think one trash pickup a week as we had for years will suffice and save money.. It would help if the City had a campaign to encourage the public to think about the accumulation of trash in their residence and try to reduce it in light of the detriment it is to our community, the environment, and the planet.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Jennifer Osburn](#)
To: [Yvette Matthias](#); [Maria Marsh](#)
Subject: FW: Public Comment Item
Date: Monday, November 04, 2019 8:50:30 AM

-----Original Message-----

From: [REDACTED]
Sent: Sunday, November 03, 2019 4:42 PM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector <Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Fee Changes

Message Body:

What is the primary issue causing the fee change? Any possibilities funds could be moved from another account in the refuse account? Also, is the proposed \$44 charge for "yard waste" pick-up continue to be on the radar? Best Regards, Jim & Nancy

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Jennifer Osburn](#)
To: [Yvette Matthias](#); [Maria Marsh](#)
Subject: Fw: Public Comment Item
Date: Friday, October 25, 2019 11:12:18 AM

From: [\[REDACTED\]@wordpress@sierravistaaz.gov](#)>
Sent: Friday, October 25, 2019 11:08 AM
To: Public Comment; Judy Hector; Sharon Flissar
Subject: Public Comment Item

From: [\[REDACTED\]](#)
Subject: [your-subject]

Topic: Residential Refuse Fee Changes

Message Body:

Could the city please review the current system efficiency?

Will the city allow citizens to seek out private services (and allow competition for better prices)?

Will the city improve it's billing capabilities and help citizens on fixed incomes to budget more adequately by changing the process to monthly billing (rather than every two months)?

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Jennifer Osburn](#)
To: [Yvette Matthias](#); [Maria Marsh](#)
Subject: Fw: Public Comment Item
Date: Friday, October 25, 2019 12:55:32 PM

From: [REDACTED] <[REDACTED]@wordpress@sierravistaaz.gov>
Sent: Friday, October 25, 2019 12:31 PM
To: Public Comment; Judy Hector; Sharon Flissar
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Fee Changes

Message Body:

I don't think you should raise the rates. But the special service fees definitely need to increase. I don't think it's fair to charge everyone more to try to cover the fees for special pick-ups, green waste pick-ups, etc.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Jennifer Osburn](#)
To: [Yvette Matthias](#); [Maria Marsh](#)
Subject: FW: Public Comment Item
Date: Wednesday, October 23, 2019 2:28:48 PM

-----Original Message-----

From: [REDACTED] <mailto:wordpress@sierravistaaz.gov>
Sent: Wednesday, October 23, 2019 12:19 PM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector <Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Fee Changes

Message Body:

I pay annually for trash pickup. The city could save money rather than raise the rates by picking up trash once a week rather than twice a week. If people need twice-a-week service, they can do one or more of the following: Get a larger bin; take the surplus trash to wherever you designate; or pay more for twice a week pickup.

I don't generate enough usually for a full load in my smaller bin. I seldom, if ever, put my bin out other than once a week. Many people in Sierra Vista are the same; they either live alone or just don't generate that much trash in a week.

Please reconsider increasing the refuse fees. You could save lots of money with picking up only once a week.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Jennifer Osburn](#)
To: [Yvette Matthias](#)
Subject: FW: Public Comment Item
Date: Tuesday, October 22, 2019 9:01:24 AM

-----Original Message-----

From: [REDACTED] <mailto:wordpress@sierravistaaz.gov>
Sent: Sunday, October 20, 2019 12:53 PM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector
<Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Fee Changes

Message Body:

It doesn't take a genius to realize that the trash rates are going to increase because there is more trash because you got rid of recycling. Why can't the city find a recycling plant in the UNITED STATES? Also who wants to recycle when you have one location with limited hours? Most residents have to work when the facility is open and closed when you get off work. It seems like everytime there is a screw up in the budget, you have to raise fees. 72 dollars is high enough.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Jennifer Osburn](#)
To: [Yvette Matthias](#)
Subject: FW: Public Comment Item
Date: Tuesday, October 22, 2019 9:01:33 AM

-----Original Message-----

From: [REDACTED] [<mailto:wordpress@sierravistaaz.gov>]
Sent: Thursday, October 17, 2019 3:59 PM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector
<Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Fee Changes

Message Body:

I think it's entirely reasonable to increase refuse rates as needed to ensure the program functions well. I would really appreciate for-fee service to pick up recycling. I would gladly pay extra for the convenience of having my recycling picked up curbside.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Jennifer Osburn](#)
To: [Yvette Matthias](#)
Subject: FW: Public Comment Item
Date: Tuesday, October 22, 2019 9:01:51 AM

-----Original Message-----

From: [REDACTED] [mailto:wordpress@sierravistaaz.gov]
Sent: Monday, October 14, 2019 10:25 AM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector
<Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your subject]

Topic: Residential Refuse Fee Changes

Message Body:

First, let me start off by saying thank you to the refuse drivers for doing a great job, being courteous, caring, and professional.

The city management appears to be very wasteful with spending and too quick to sign terrible contracts that leaves the tax payers to cover the cost. The city's refuse department needs to be run more like a business and pay more attention to wasteful spending instead of just raising the rates for residential trash services. The most recent recycling contract, additional refuse office employees who appears to not add value, and garbage truck wraps are all examples of waste.

The city council needs to dig in deep to the waste and fix it; do not pass on the burden to tax payers. The city council needs to once again look at going completely commercial for waste pick up. Stop wasting our money!

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Jennifer Osburn](#)
To: [Yvette Matthias](#)
Subject: FW: Public Comment Item
Date: Tuesday, October 22, 2019 9:05:44 AM

-----Original Message-----

From: [REDACTED] [mailto:wordpress@sierravistaaz.gov]
Sent: Tuesday, September 10, 2019 11:10 AM
To: Public Comment <PublicComment@SIERRAVISTAAZ.GOV>; Judy Hector <Judy.Hector@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: Public Comment Item

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Fee Changes

Message Body:

I have a concern with the new rates.

The proposed inbound compost fee for Sierra Vista residents will likely result in more green waste being disposed of with household trash in our green dumpsters. The City must not implement a charge on its residents who responsibly take green waste to be composted or mulched. This is the material which you need to create the compost you want to sell to residents. Please, do not implement a fee on residents to drop off green waste.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

Jennifer Osburn

From: Rick Mueller
Sent: Thursday, September 19, 2019 10:10 AM
To: Jennifer Osburn
Subject: FW: planned rate increase for garbage collection

Jen, Please post council read file. Rick

From: Rick Mueller
Sent: Thursday, September 19, 2019 10:00 AM
To: [REDACTED]
Cc: Charles Potucek <Charles.Potucek@SIERRAVISTAAZ.GOV>; Sharon Flissar <Sharon.Flissar@SIERRAVISTAAZ.GOV>
Subject: RE: planned rate increase for garbage collection

[REDACTED]

Thank you for sharing your concerns. Boy, did you get some wrong information! The Council has NOT voted on raising garbage collection rates, we are not considering raising rates on collection. We are discussing, and have yet to vote on, increasing fees on green waste drop off and rental dumpsters, used when city refuse users have a project that will produce volumes of trash that are greater than the normal capacity of their green bin. Under the State Administrative Code Section 18-13-308 para A., 2., all the Cities are required to pick up refuse twice a week.

Thank you for your constructive comments and sharing your concerns. I hope this answers your issues. Rick Mueller

From: [REDACTED]
Sent: Thursday, September 19, 2019 9:20 AM
To: Rick Mueller <Rick.Mueller@SIERRAVISTAAZ.GOV>
Cc: [REDACTED]
Subject: planned rate increase for garbage collection

Dear Mayor Mueller,

I just saw where the council has passed a resolution to increase the garbage collection fees and would like to know how much it's costing the city for our twice a week pickup. Our pickup day is today and I just did a tour around the neighborhood here in Legends of Valiente and all of the cans are less than 1/4 full. Our own has 2 small bags in the bottom. I would like to have you request a detailed accounting for the added costs for the 2nd pickup from Public Works. Costs should account for fuel, manpower and added maintenance of equipment. This should also include how many truck miles are involved in a complete city-wide pickup. I feel that dropping back to a single pickup day would more than cover any need for this planned rate increase.

Please give me a call at 520-226-7301

Office

Cell:

email: c

web: [http](#)

Download my mobile app at:

January 23, 2020

MEMORANDUM TO: Honorable Mayor and City Council

THRU: Charles P. Potucek, City Manager
Victoria Yarbrough, Assistant City Manager

FROM: Jennifer Osburn, Interim Budget Officer

SUBJECT: Request for Agenda Item Placement
Ordinance 2020-001, Adoption of Proposed
Amendments to Chapter 52 Solid Waste Collection
and Disposal, City Code of Ordinances

RECOMMENDATION:

The City Manager recommends approval.
The Assistant City Manager recommends approval.

INITIATED BY:

City Staff

30-DAY PUBLIC COMMENT PERIOD

The Mayor and City Council approved a 30-day public comment period for the proposed amendments on December 12, 2019 with Resolution 2019-101.

The City has received seven written public comments regarding the proposed amendments. Three comments were in support of private recycling services. One comment did not support private residential pickup of any solid waste or recycling materials, stating concern that private companies would increase residential street repair and administrative costs to the city. One comment suggested looking into compactors through Republic. One comment approved of privatization if it did not cost the City and/or residents any money. One comment questioned if residents would be charged for recycling by the private company. All comments are attached for your review.

BACKGROUND:

On December 12, 2019, City Council approved Resolution 2019-101, which included recommended amendments to the City Code of Ordinances, Sections 52.02, 52.03, 52.09, and 52.18 of Chapter 52; Solid Waste Collection and Disposal. The amendments included provisions to allow recyclable materials to be collected and removed from residential and business establishments by private recycling collectors and minor housekeeping changes to the existing ordinance. Staff recommends the approval and adoption of the proposed amendments to Chapter 52 as described in Exhibit A (attached).

Budget Appropriation:

Not applicable

EXHIBIT A

The following definitions have been revised. All other definitions remain the same.

§ 52.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

COLLECTOR. The City of Sierra Vista or an authorized, licensed private solid waste or recycling hauler.

COUNTY SOLID WASTE DISPOSAL FACILITY. A Cochise County owned, operated, and maintained, solid waste disposal landfill, urban transfer station, rural drop-off site, or recycling center, utilized for the purpose of storing, processing, recycling, treating, or disposing of solid waste.

LICENSEE. A person who engages in, owns, or operates a service to collect, transport, dispose, or recycle commercial or industrial refuse or residential recycling, generated within the City, and has obtained a valid license to provide such services, pursuant to the provisions of this Chapter.

§ 52.03 SOLID WASTE COLLECTION SYSTEM ESTABLISHED.

(A) There is hereby established a system for collection, source separation, storage, transfer, processing, treatment, transportation, and disposal of solid waste. All solid waste generated within the City limits shall be collected, removed, and disposed of by officers or employees of the City, or by private collectors (business establishments only) that have obtained a commercial solid waste license or contract from the City, authorizing private collection, pursuant to the provisions of this Chapter. Recyclable materials may be collected and removed from residential properties by private collectors that have obtained a City business license pursuant to Title XI, Chapter 110 of this code. Recyclable materials may be collected and removed from commercial establishments by private collectors that have obtained a commercial solid waste license pursuant to provisions in sections § 52.15 through § 52.23 of this Chapter.

(B) Every owner, tenant, lessee, occupant, or person in possession of any building structure or premises within the City having refuse for disposal, shall be charged in accordance with the City Council adopted resolution that establishes such rates for solid waste collection services and disposal, as are necessary to assure adequate revenues are generated to cover the cost of services rendered. The responsible party for solid waste management services and associated fees related to residential property shall be the property owner. The responsible party for solid waste management services and associated fees related to commercial property shall be the property owner of a business establishment location.

(C) Solid waste deposited for collection shall become the property of the City, or authorized licensed private collector, when approved by the City, upon collection. No person shall remove any or all such solid waste so collected. Every person performing any construction work shall be responsible for collection and disposal of, at their sole cost and expense, all bricks, stones, scrap lumber and building materials, earth, sand, gravel, and all other debris from the construction work site to an authorized disposal site.

§ 52.09 PROHIBITED ACTS.

(A) It shall be unlawful for any owner or occupant to allow the accumulation of refuse upon their property or to allow the collection or disposal thereof in any manner inconsistent with the provisions of this Chapter.

(B) It shall be unlawful for any person, firm, association, or corporation to collect, transport, haul, or convey any refuse over the streets or alleys of the City in any manner inconsistent with the provisions of this Chapter.

(C) It shall be unlawful for any owner, occupant, person, firm, association, or corporation to dispose of any refuse within the City except at locations designated by the City.

(D) It shall be unlawful for any person to dump, deposit, or place, or cause to be dumped, deposited, or placed, any refuse of any character in any container not owned, maintained, or otherwise provided for the particular use of the person.

(E) It shall be unlawful to engage in the business of collecting, transporting, hauling, or conveying any refuse generated within the City for compensation except as follows:

(1) Under a valid contract, with the City to provide solid waste management services.

(2) Under an approved solid waste license, issued by the City, for the purpose of providing commercial or industrial solid waste management services, only.

(3) Recyclable materials collected, transported, hauled, or conveyed within City limits by an approved, licensed collector.

(F) It shall be unlawful for any person to permit or to suffer to accumulate in or about any yard, lot, place, or premise, or upon any street, alley, or sidewalk adjacent to the lot, yard, place, or premise, owned or occupied by the person, any garbage or refuse so as to cause such yard, lot, premise, or the street, alley, or sidewalk adjacent thereto, to be or remain in the condition as to cause or create a nuisance or offensive odor or atmosphere, or thereby to be or become or cause or create a public nuisance.

(G) No person shall burn, incinerate (except with special permit issued by the Fire Chief), bury, dump, collect, remove, or in any other manner dispose of rubbish, garbage (except with special permit) within the limits of the city. No person shall throw, discard, or deposit any rubbish, garbage, or refuse in or upon any street, alley, sidewalk, or vacant ground, or in or upon any canal, irrigation ditch, drainage ditch, or other watercourse.

§ 52.18 INSURANCE.

(A) All licensees for commercial or industrial solid waste management services and commercial recycling collection services shall secure, maintain, and keep in force throughout the term of the license, insurance coverages as required by State law and specified herein:

(1) A certificate of insurance evidencing coverage of insurance for and in the minimum amounts set forth in a schedule of required insurance coverage on file with the City Clerk's Office.

(2) Such insurance policies shall list the City as an additional insured as its interests may appear and shall require that the City be given 30 days' notice prior to cancellation for any reason. Any deductible or self insured retention shall be the responsibility of the licensee, and any self insurance amounts over \$10,000 shall require the approval of the City. The lapse of any of the above stated insurance policies shall be cause for revocation of the license.

(B) All licensees for residential recycling services shall secure, maintain, and keep in force throughout the term of the business license, insurance coverages as required by State law.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF
THE CITY OF SIERRA VISTA, ARIZONA, THIS 23ND DAY OF JANUARY 2020.

FREDERICK W. MUELLER
Mayor

APPROVED AS TO FORM:

ATTEST:

NATHAN WILLIAMS
City Attorney

JILL ADAMS
City Clerk

PREPARED BY:

Jen Osburn
Interim Budget Officer

From: [REDACTED]
To: [Public Comment](#); [Judy Hector](#); [Sharon Flissar](#)
Subject: Public Comment Item
Date: Monday, December 16, 2019 10:33:29 AM

From: [REDACTED]
Subject: [your-subject]

Topic: Residential Refuse Rate Increase

Message Body:

Does this mean we would be charged by the private company for recycling?

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [susan fraley](#)
To: [Public Comment; Judy Hector; Sharon Flissar](#)
Subject: Public Comment Item
Date: Monday, December 16, 2019 6:46:55 PM

From: [REDACTED]
Subject: [your-subject]

Topic: Allowing private residential recycling collection

Message Body:
Dear City Council,

This is to voice support for contracting with private sector companies for curbside mixed-stream recycling in Sierra Vista. Please pursue this important opportunity and return curbside recycling to Sierra Vista.

Thank you.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Stephen gilmore](#)
To: [Public Comment](#); [Judy Hector](#); [Sharon Flissar](#)
Subject: Public Comment Item
Date: Monday, December 16, 2019 12:38:52 PM

From: [REDACTED]
Subject: [your subject]

Topic: Allowing private residential recycling collection

Message Body:

I approve if it doesn't cost the city and/or residents any money.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [James Howe](#)
To: [Public Comment](#); [Judy Hector](#); [Sharon Flissar](#)
Subject: Public Comment Item
Date: Wednesday, December 11, 2019 12:10:05 PM

From: [REDACTED] <[REDACTED]>
Subject: [your-subject]

Topic: Residential Refuse Fee Changes

Message Body:

Republic is our recycling partner? They offer compactors for cardboard, plastic, and aluminum. Have we looked at that option? With compaction we would make good tonnage. Called by many as a "best business practice".

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Barbara Jean Jensen](#)
To: [Public Comment](#); [Judy Hector](#); [Sharon Flissar](#)
Subject: Public Comment Item
Date: Monday, December 16, 2019 11:40:46 AM

From: [REDACTED] DM>
Subject: [your-subject]

Topic: Allowing private residential recycling collection

Message Body:

Yes, please we need collection....I have anxiety every time I have to put recyclables in the garbage bin. Not all things have to be dollar neutral or profitable to be a good idea to protect our environment. I feel the decision by the city to discontinue recycling was short sighted.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Patrick O'Brien](#)
To: [Public Comment](#); [Judy Hector](#); [Sharon Flissar](#)
Subject: Public Comment Item
Date: Monday, December 16, 2019 10:52:26 AM

From: [REDACTED]
Subject: [your-subject]

Topic: Allowing private residential recycling collection

Message Body:

I do not support allowing private residential pickup of any solid waste or recycling materials. This includes any curbside pickup by private companies. Solid waste disposal and recycling is much too important to improving and eventually solving our current environmental crisis to trust to anyone but government agencies and the elected officials that oversee them. And allowing private curbside pickup of recycling materials increases residential street repair and administrative costs to the city, not to mention additional storage space and sorting by customers.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

From: [Colin Shannon](#)
To: [Public Comment](#); [Judy Hector](#); [Sharon Flissar](#)
Subject: Public Comment Item
Date: Wednesday, December 18, 2019 10:18:33 AM

From: [REDACTED]
Subject: [your-subject]

Topic: Allowing private residential recycling collection

Message Body:

It is important to note that private recycling services will expand what Sierra Vista residents are able to recycle locally. The business I have had exposure to, Recyclops, accepts ALL paper, plastic, cardboard, and metal with just a few exceptions (hazardous chemicals, plastic bags, etc). They could begin operating with just 100 folks subscribing to their service and they would hire a local person with a truck to make the rounds. This would be a meaningful improvement of service especially for our eco-conscious residents willing to take the time to properly recycle all that they can, including paper.

--

This e-mail was sent from a contact form on Sierra Vista, Arizona (<http://www.sierravistaaz.gov>)

January 23, 2020

MEMORANDUM TO: Honorable Mayor and City Council

THRU: Charles P. Potucek, City Manager
Victoria Yarbrough, Assistant City Manager

FROM: Matt McLachlan, Community Development Director

SUBJECT: REQUEST FOR AGENDA ITEM PLACEMENT
Resolution 2020-007
Approval of a Development Agreement with GL Mountain
Vista LLC

RECOMMENDATION:

The City Manager recommends approval.
The Assistant City Manager recommends approval.

BACKGROUND:

Location: Mountain Vista Mobile Home and RV Community, 700 South Carmichael Avenue,
Sierra Vista
Owner: GL Mountain Vista LLC

On May 26, 2005, the City Council adopted Resolution 2005-079 finding the necessary conditions exist to establish Infill Incentive Districts covering the West Sierra Vista and Cloud 9 Planning Areas. The purpose and intent of the City's Infill Incentive District policy is to encourage infill development on vacant or underutilized sites and the redevelopment of dilapidated buildings or structures. A.R.S. 9-499-10 authorizes the following incentives:

1. *Expedited zoning or rezoning procedures;*
2. *Expedited processing of plans and proposals;*
3. *Waivers of municipal fees for development activities as long as the waivers are not funded by other development fees; and*
4. *Relief from development standards.*

On January 6, 2020, Staff received a request from Good Living Ventures, agent for the owner, requesting relief from the front and rear yard setback requirements of the Manufactured Home Residence (MHR) zoning district as follows:

Required Yards (measured from space line) ¹ :	Current	Proposed
Front	10 ft.	5 ft.
Rear	10 ft.	5 ft.

¹ Refer to Section 151.22.011(E)(2)(e) of the City of Sierra Vista Development Code

Mountain Vista Mobile Home & RV Community contains 158 spaces with the middle section devoted to recreational vehicle use. The manufactured home park spaces vary in depth averaging approximately 80 feet. The owner has ordered ten new two bedroom/bathroom manufactured homes that measure about 66 feet in length that are scheduled for delivery at the end of this month. The requested setback relief will provide needed flexibility on placement. All building and fire separation standards will be met. The owner's representative has indicated that they intend to install additional increments of ten or more homes as the manufactured homes brought into the park are sold/leased. Each new home site will be landscaped with desert stone and some low water use plants. The proposed Development Agreement provides for a seven-foot wide public sidewalk easement along the eastern edge of the subject property to be conveyed to the City for future sidewalk construction.

Fiscal Impact

No fiscal impact.

ATTACHMENTS:
Resolution 2020-007
Exhibit 1 - Development Agreement
Exhibit A – Location Map

RESOLUTION 2020-007

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; AUTHORIZING THE MAYOR TO EXECUTE A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SIERRA VISTA AND GL MOUNTAIN VISTA, LLC, CONCERNING PROPERTY LOCATED AT 700 SOUTH CARMICHAEL AVENUE, SIERRA VISTA, ARIZONA, AND AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY OR THEIR DULY AUTHORIZED OFFICERS AND AGENTS TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

WHEREAS, the City of Sierra Vista and GL Mountain Vista, LLC, owner of Parcel No. 105-08-007B, have reached a Development Agreement provided in Exhibit 1 to this Resolution and incorporated by reference, for the property whose location and boundaries are shown on the map attached as Exhibit "A" to the Development Agreement; and

WHEREAS, the subject property is in the West Sierra Vista Planning Area Infill Incentive District established by Resolution 2005-079 pursuant to the requirements of A.R.S. § 9-499-10 which provides for certain relief from development standards by Development Agreement approved by the City Council; and

WHEREAS, the City's General Plan, VISTA 2030, calls upon the City to "maintain, improve, and revitalize older areas of the community" [Goal 13-1] and to "promote the Infill Incentive District Policy" [Goal 13-2]; and

WHEREAS, the execution of this Development Agreement is in the best interest of the City of Sierra Vista;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, AS FOLLOWS:

SECTION 1

The Development Agreement between the City of Sierra Vista and GL Mountain Vista, LLC, (with its Exhibit A"), attached as Exhibit 1 to this Resolution, is authorized and approved.

SECTION 2

The Mayor is authorized and directed to execute the Development Agreement for and on behalf of the City and the City Clerk is authorized and directed to attest the same.

SECTION 3

That the City Manager, City Clerk, City Attorney, or their duly authorized officers and agents are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this resolution.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 23RD DAY OF JANUARY 2020.

FREDERICK W. MUELLER
Mayor

ATTEST:

APPROVED AS TO FORM:

JILL ADAMS
City Clerk

NATHAN WILLIAMS
City Attorney

PREPARED BY: Matt McLachlan, AICP
Director of Community Development

Exhibit 1

DEVELOPMENT AGREEMENT WITH GL MOUNTAIN VISTA LLC

This Development Agreement (hereinafter referred to as Agreement) is made and entered into this 23RD day of January 2020, by and between the CITY OF SIERRA VISTA, a municipal corporation organized under the laws of the State of Arizona (hereinafter referred to as City) and GL Mountain Vista LLC, (hereinafter referred to as the Owner) owner of Parcel Number 105-08-007B.

PART I. WITNESSETH AND SPECIAL CONDITIONS

WHEREAS, A.R.S. § 9-500.05 authorizes the City to enter into an agreement with any person or entity having an interest in real property for development of such property and establishing certain development rights therein.

WHEREAS, Owner beneficially owns certain real property contemplated for redevelopment within the corporate limits of the City described in Exhibit "A" attached hereto; and

WHEREAS, the City's General Plan, VISTA 2030, designates the property for high density residential use; and

WHEREAS, the property is zoned Manufactured Home Residence (MHR) under the City's Development Code; and

WHEREAS, City is desirous of further guiding and coordinating its development consistent with the Goals and Policies set forth in City's adopted General Development Plan, VISTA 2030, and subsequent land use plans or amendments; and

WHEREAS, City encourages new development and redevelopment within the Infill Incentive District area;

WHEREAS, the Infill Incentive District Policy allows relief from Development Code provisions by Development Agreement;

WHEREAS, City and Owner desire to clearly and specifically set forth respective obligations of the City and Owner pertaining to the future redevelopment of the Owner's site and other matters; and

WHEREAS, City, after due and careful consideration, has concluded that the redevelopment of the Owner's site, under the terms and conditions hereinafter set forth, all as provided by law, would further enable the City to benefit from the redevelopment, ensure orderly development, and would best serve the interests of the City.

NOW, THEREFORE, for and in consideration of the promises, mutual covenants, conditions, terms, and agreements hereinafter set forth, the parties do hereby agree as follows:

- A. City Obligation. To help expedite the redevelopment and improvement of the West End, the City agrees to reduce the minimum required front and rear yard setback for the subject property as stipulated under Section 151.22.011(E)(2)(e) of the City of Sierra Vista Development Code from ten feet from the space line to five feet from the space line.

- B. Owner Obligation. To provide for safe pedestrian access along South Carmichael Avenue, the Owner hereby agrees to grant the City a public sidewalk easement for full extent of the eastern seven feet of the subject property in a form and manner determined to be acceptable by the City Attorney.

PART II. MISCELLANEOUS PROVISIONS

1. This Agreement sets forth the entire understanding between the parties concerning the subject matter of this Agreement and incorporates all prior negotiations and understandings.

2. There are no covenants, promises, agreements, conditions, or understandings, either oral or written, between the parties relating to the subject matter of this Agreement other than those set forth herein. No modification or amendment of this Agreement shall be binding upon the parties unless the same is in writing and signed by the respective parties hereto.

3. The Owner shall indemnify, protect, defend, and hold harmless the City, its Council members, officers, employees, and agents from any and all claims, demands, losses, damages, liabilities, fines, charges, penalties, administrative and judicial proceedings and orders, judgments, remedial actions of any kind, all costs and cleanup actions of any kind, and all costs and expenses incurred in connection therewith, including, without limitation, reasonable attorneys' fees and costs of defense, directly or indirectly, in whole or in part, arising out of this Agreement except for negligent acts of the City.

4. Notwithstanding the provisions of Part I above, in the event the City is required to enact, take action, apply, or bind any future land use ordinances, rules, regulations, permit requirements and other requirements, and official policies of the City enacted as necessary to comply with mandatory requirements imposed on the City by county, state, or federal laws and regulations, court decisions, and other similar superior external authorities beyond the control of the City, provided that in the event any such mandatory requirement prevents or precludes compliance with this Agreement, if permitted by law, such affected provision of this Agreement shall be modified as may be necessary to achieve minimum permissible compliance with such mandatory requirements.

5. The laws of the State of Arizona shall govern this Agreement and, in the event of litigation, venue shall be in Cochise County, Arizona.

6. In the event a party initiates action to enforce its rights hereunder, the substantially prevailing party shall recover from the non-prevailing party its expenses, court and/or arbitration costs, including taxed and untaxed costs, and reasonable attorneys' fees.
7. Time shall be of the essence for all performance required hereunder.
8. Notwithstanding the foregoing, if a dispute arises out of or relates to the Agreement, or the breach thereof, and if the dispute cannot be settled through negotiation, the parties agree to first try to settle the dispute through mediation before resorting to arbitration, litigation, or some other dispute resolution procedure. In the event that the parties cannot agree upon the selection of a mediator within seven (7) days, either party may request the presiding judge of the Superior Court of Cochise County to assign a mediator from a list of mediators maintained by the Arizona Municipal Risk Retention Pool.

PART III. SUCCESSORS AND ASSIGNS

All the provisions hereof shall inure to the benefit of and be binding upon the parties hereto as applied to Parcel Number 105-08-007B and its respective successors and assigns unless otherwise specified in this Agreement.

PART IV. NOTICES

Any notice required pursuant to the provisions of this Agreement shall be in writing and be sent by certified mail to the following addresses until notice of change of address is given and shall be deemed received on the fifth business day following deposit in the United States Mail.

City Clerk
City of Sierra Vista
1011 N. Coronado Drive
Sierra Vista, AZ 85635

GL Mountain Vista LLC
24040 Camino Del Avion Ste A227
Monarch Beach, CA 92629

PART V. NON-COLLUSION AND NO JOINT VENTURE

1. Owner warrants that to its knowledge no other person or entity has been an employee or retained to solicit or secure this Agreement upon agreement or understanding for a commission, percentage, brokerage, or contingency and that no member of the Council or employee of the City has any interest, financially or otherwise, in Owner or its subcontractors. For breach or violation of this warranty, the City shall have the right to annul this Agreement without liability.
2. This Agreement is not intended to be, and shall not be construed as, a joint venture, partnership, or other business entity created by and between the parties, and neither party is an agent for the other for any purpose nor has the power to bind the other for any purpose.
3. No member, official, employee or agent of the City shall be personally liable to Owner, or any successor or assignee, (a) in the event of any default or breach by the City, (b) for any amount which may become due to the Owner or its successor

or assign, or (c) pursuant to any obligation of the City under the terms of this Agreement.

PART VI. SEVERABILITY

1. Nothing in this Agreement shall be deemed to be a promise or representation by Owner to construct, open, or operate the project; provided however, that in the event that Owner fails to complete the construction of the project, that this Agreement shall automatically terminate and the parties shall have no further obligation or liability to one another.
2. Should any section, clause or provision of this Agreement be declared by the courts to be invalid, it shall not invalidate the other provisions of this Agreement.

IN WITNESS WHEREOF, THE City and Owners caused this instrument to be executed by their respective proper officials duly authorized to execute the same on the day and year first above written. DATED this 23rd day of January, 2020.

CITY OF SIERRA VISTA

By: _____
FREDERICK MUELLER, MAYOR

By: _____
BEN BRABAND, OWNER
GL MOUNTAIN VISTA LLC

STATE OF ARIZONA)
) ss
County of Cochise)

STATE OF ARIZONA)
) ss
County of Cochise)

This instrument was acknowledged before me
me this _____ day of _____, 2020,
by:

This instrument was acknowledged before
this _____ day of _____, 2020,
by:

Notary Public
My commission expires:

Notary Public
My commission expires:

APPROVAL AS TO FORM:

NATHAN J. WILLIAMS
City Attorney

JILL ADAMS
City Clerk

EXHIBIT A

LOCATION MAP MOUNTAIN VISTA MOBILE HOME PARK 700 SOUTH CARMICHAEL AVENUE



LEGAL DESCRIPTION:

POR OF LOT 6 BY M&B: BEG AT SWCOR LOT 7; THN N89DEG 58MIN E86.20' NODEG 03MIN E1822.35' TO TPOB; THN S89DEG 57MIN W694.47' N21DEG 24MIN W889.12' N89DEG 57MIN E1019.66' SODEG 03MIN W828.06' TO TPOB SEC 3 22 20



Council Executive Report

Charles P. Potucek, City Manager

November / December 2019

Highlights

- ➔ For the 48th year of the Sierra Vista Firefighters Christmas drive, SVFMS assisted 523 children and 258 families!
- ➔ The EAA provided flights to 113 young people in the annual Fly-In at the Airport on November 2nd.
- ➔ 75 members of the community participated in the first Rec 'N' Roll event on November 9th! Rec 'N' Roll is designed to highlight recreational activities in our neighborhood parks.
- ➔ Sierra Vista hosted the Trip Sisters, a video team from Chicago. The team featured Sierra Vista on their radio program and shared the episode as a podcast. Both videos were accepted by Travel + Leisure and NatGeo, reaching millions of viewers!

Departments

	Page
Police	3
Fire and Medical	7
Community Development	8
Leisure & Library	12
Public Works	18
Economic Development	23
Marketing & Communications	30
Administration	34

City Manager's Message

A Happy New Year once again to everyone! I hope your 2020 is peaceful and prosperous. There is much to look forward to City-wise, starting with the budget process. Staff are scheduling a mid-year budget review for a February work session where I expect to have positive news to share about where the City ended up for FY2018-2019, our projections for FY2019-2020, and priorities for FY2020-2021. An executive session will also be schedule with the first meeting in February; please keep an eye out for the meeting request coming shortly. Staff will also share the budget timeline with Council in the next few weeks.

City Manager Highlights

- 🏠 The SEACOM meeting in December was canceled, but I'm pleased to report once again that Allen Smith began work as the new SEACOM director in mid-December. A retired police officer from the Phoenix Police Department, Allen has made a positive impact on operations at SEACOM already. Staffing remains a challenge, but interviewing candidates and training new employees is ongoing. I expect the new Emergency Medical Dispatching system to be installed and launched in the next few months.
- 🏠 I believe we had a successful meeting with our state legislators, Representative Gail Griffin and Representative Becky Nutt, in mid-December. The City has been scheduling a December meeting for a few years now, and it has been a good opportunity to share the City's legislative agenda and hear their priorities.
- 🏠 As often happens in November and December, the City celebrated a handful of retirements at the end of the year. City staff who retired at the end of 2019 included long-time employees Alan Humphrey (Public Works),

Upcoming Council Meetings

(City Hall Council Chambers except where noted)

Jan. 20 – City offices CLOSED in observance of Martin Luther King, Jr. Day

Jan. 21, 3:00 p.m. – Work Session

- City Manager Update

Jan. 23, 5:00 p.m. – Council Meeting

Feb. 11, 3:00 p.m. - Work Session

- City Manager Update

Feb. 13, 5:00 p.m. – Council Meeting

Feb. 17 – City offices CLOSED in observance of Presidents Day

Feb. 25, 3:00 p.m. – Work Session

- City Manager Update

Feb. 27, 5:00 p.m. – Council Meeting

Other Meetings and Events

Feb. 20, 3:00 p.m. – Sierra Vista Metropolitan Planning Organization Work Session @ City Hall

City Manager's Office Contacts

Charles.Potucek@SierraVistaAZ.gov
Victoria.Yarbrough@SierraVistaAZ.gov
Jennifer.Osburn@SierraVistaAZ.gov
520-439-2147
www.SierraVistaAZ.gov

Cindy Huff (Finance), and Gil Schwantes (Public Works). My best wishes to everyone for a wonderful and well-deserved retirement.

As always, please don't hesitate to reach out with any questions or concerns.

Chuck Potucek, City Manager

Police Department

Uniform Crime Report (UCR)

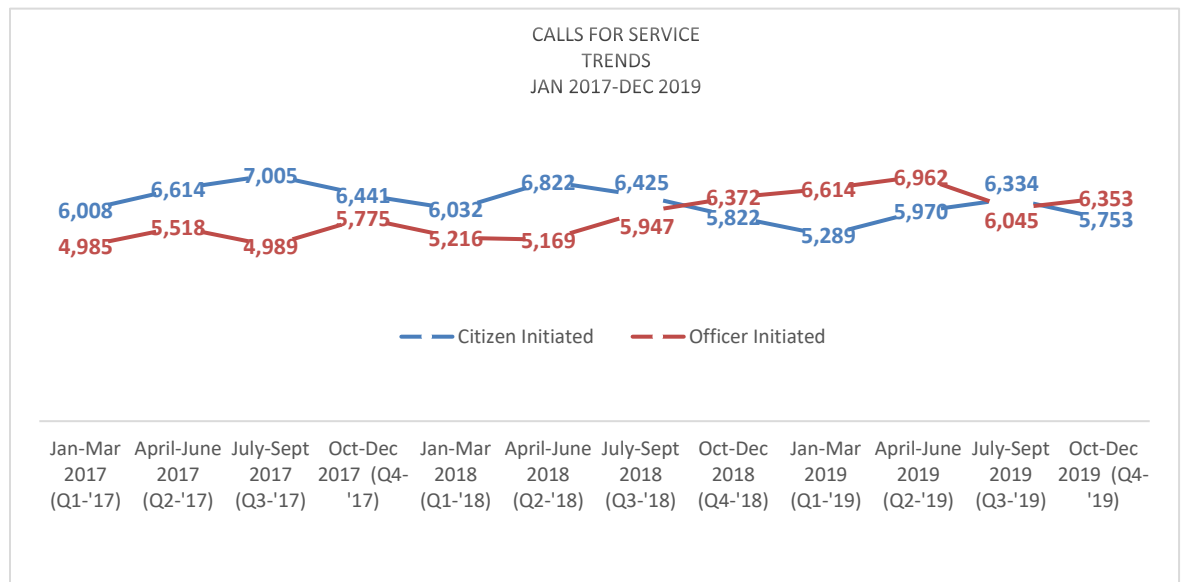
The chart to the right represents a preliminary comparison of UCR Part I crimes for 2018 and 2019. Please note that the statistics for 2019 are preliminary only and can change as the department completes audit processes. In addition, some increases and/or decreases in specific crime categories from 2018 to 2019 may be a result of clarification of crime class definitions by the Federal Bureau of Investigation and the Arizona Department of Public Safety. As an example, some assaults that were once classified as “simple assaults” may be counted as “aggravated assaults” after clarification of the definition for UCR purposes. Based on the preliminary statistics, there has been a 7% decrease in total Part I crimes compared to 2018 and 20% decrease compared to 2017.

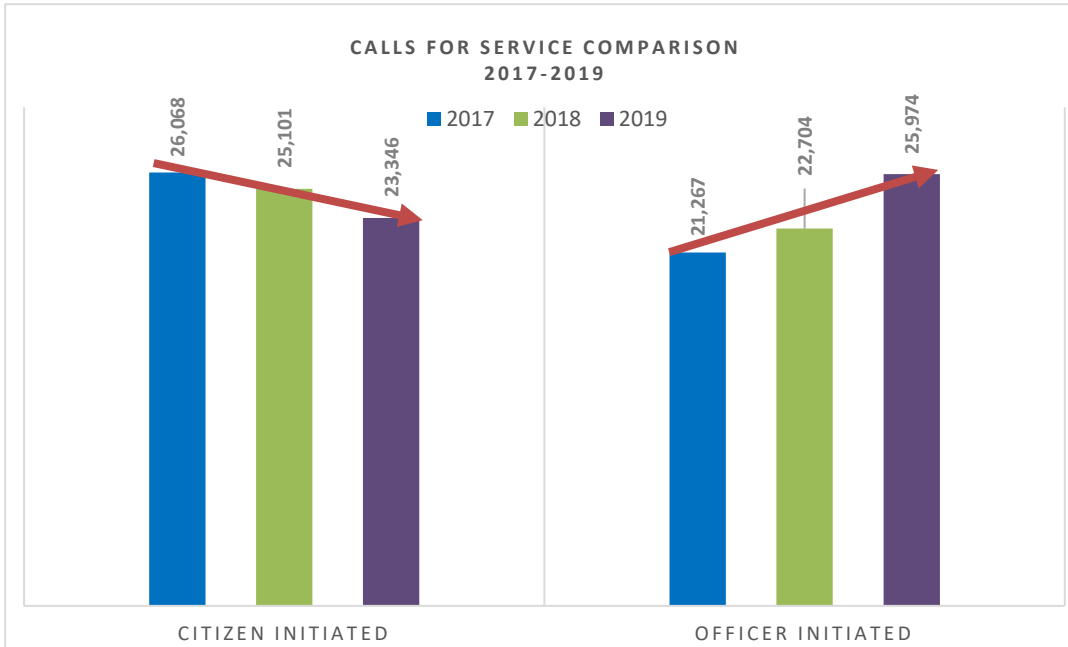
	2018	2019*	% Change
Homicide	3	2	-33%
Forcible Rape	24	10	-58%
Robbery	13	16	+23%
Aggravated Assault	57	98	+72%
Burglary	154	126	-18%
Larceny-Theft	926	817	-12%
Motor Vehicle Theft	46	68	+48%
Arson	2	3	+50%
Total	1,225	1,140	-7%
Officers Assaulted	28	15	-46%
* 2019 statistics are preliminary only			

UCR Part I crimes statistics only count the top eight crime classes (see chart above) and do not adequately demonstrate all that is occurring in a community. A significant amount of officers’ time is spent responding to calls for service not reported in the UCR Part I statistics. Below is an examination of some of these other types of calls for service. It should be noted that these represent calls for service as reported to the department’s dispatch center and do not represent whether or not the officers determined an actual crime was committed.

Calls for Service

In Q4-2019, officer-initiated calls for service outpaced citizen-initiated calls for service. Officers proactively generated 6,353 calls for service and recorded 5,753 citizen-initiated calls for service. In total, the department handled 49,320 calls for service in 2019 with officer-initiated calls for service accounting for 53% of total calls for service and citizen-initiated calls for service accounting for 47%.



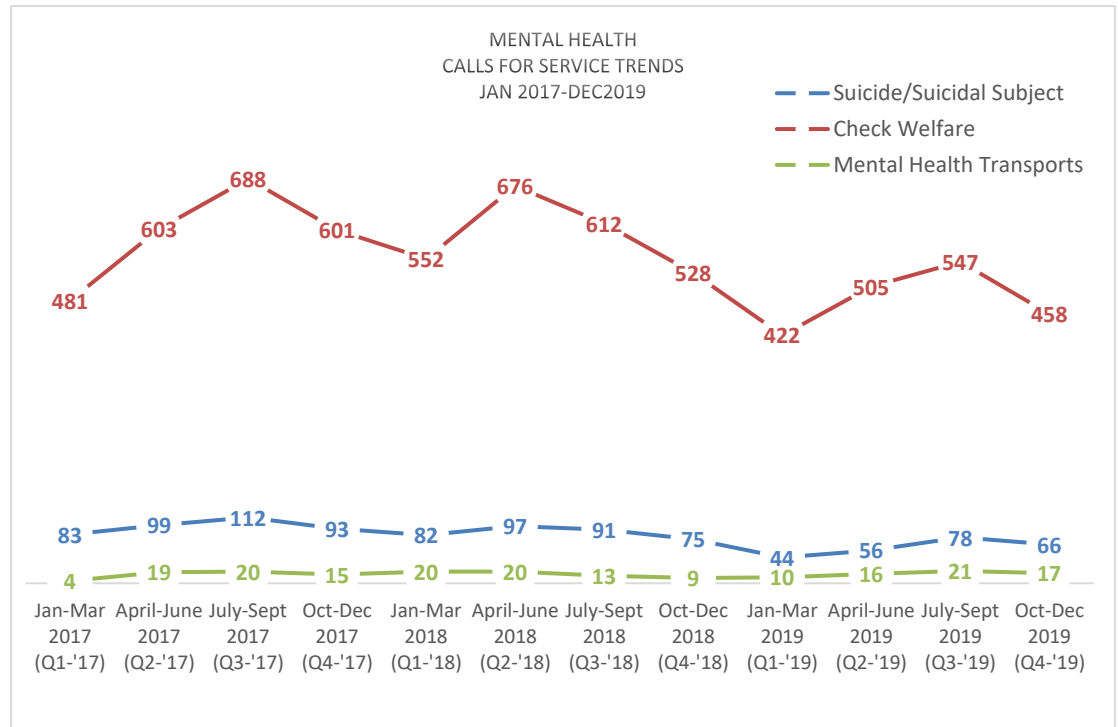


The chart to the left compares calls for service over the last three years. The comparison suggests that officer-initiated calls for service may have an impact by reducing the number of citizen-initiated calls for service and overall crime. Between 2017 and 2018 there was an increase of officer-initiated calls for service of 6.8% with a decrease of citizen-initiated calls for

service of 3.7%. Between 2018 and 2019 there was a 14.4% increased of officer-initiated calls for service with a decrease of citizen-initiated calls for service of 6.9%. During the same time frame there was a reduction in UCR Part I crimes of 14.1% and 6.9% respectively. The department believes the increase in proactive, officer-initiated calls for service is due to the increase in filling vacant officer positions and increased emphasis on proactive activity over the last two years. The benefit of increased proactive officer activity is a decrease in other types of calls for service that pose a greater safety risk to officers and require more investigative time and resources. The department will continue to review the correlation between these two factors over the next few years.

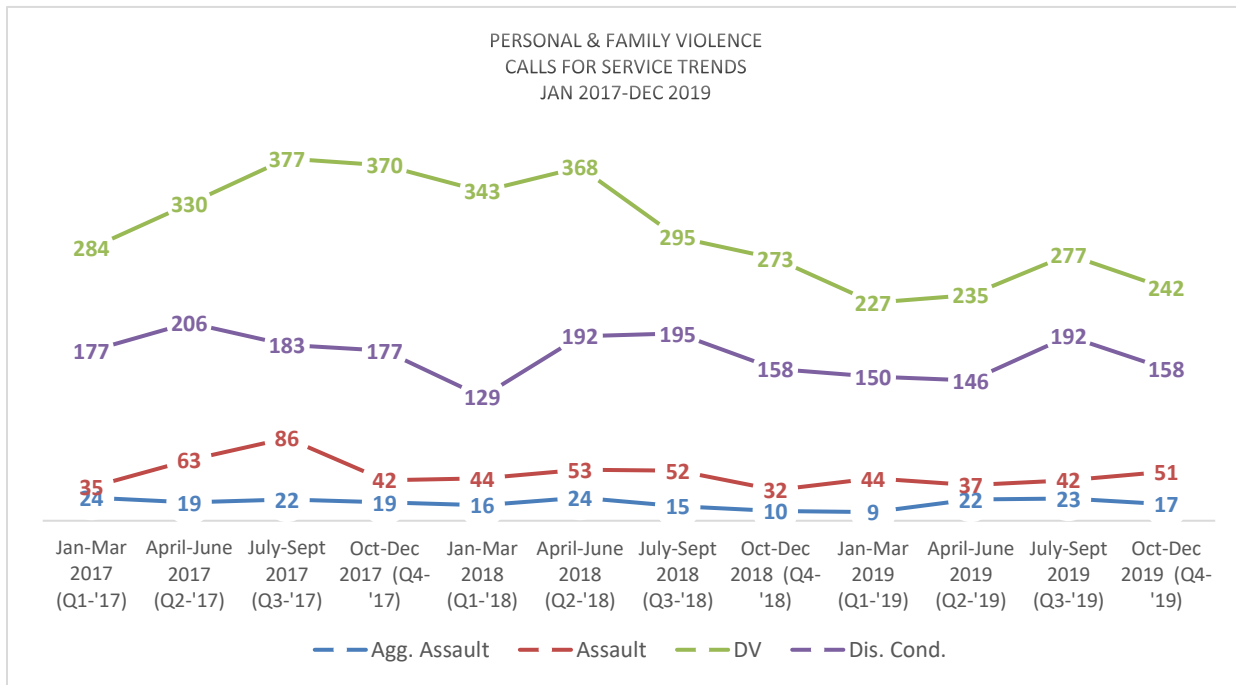
Mental Health Calls for Service

Mental health related calls for service continue to be of serious concern for the department; however, there is a decrease in each call category during Q4-2019. Overall, these calls for service have slightly decreased since 2018. These calls for service continue to take up a significant amount of time for responding officers with overall trends showing an increase over time; however, the department is hopeful the recent decreases will continue.



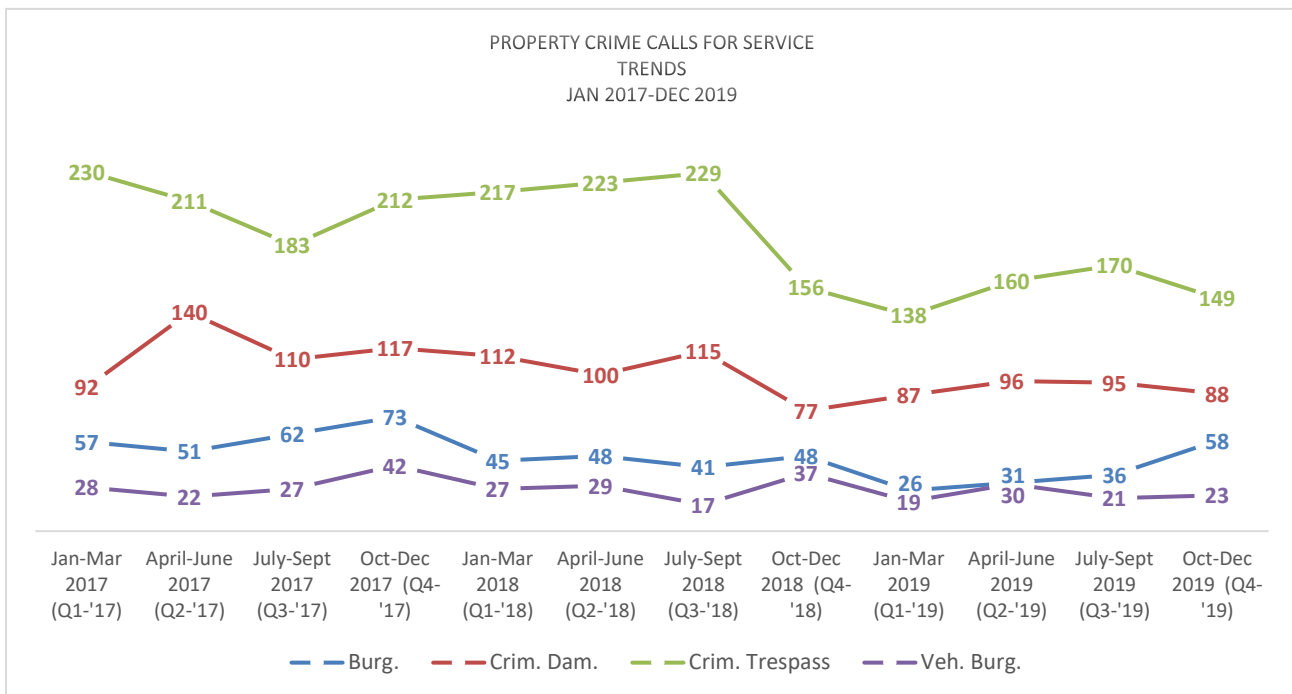
Personal & Family Violence Related Calls for Service

The three-year trend for calls related to domestic violence show an overall decrease, with a significant decrease in 2019. The trends for disorderly conduct, assault, and aggravated assault calls for service have remained relatively steady over the last three years.

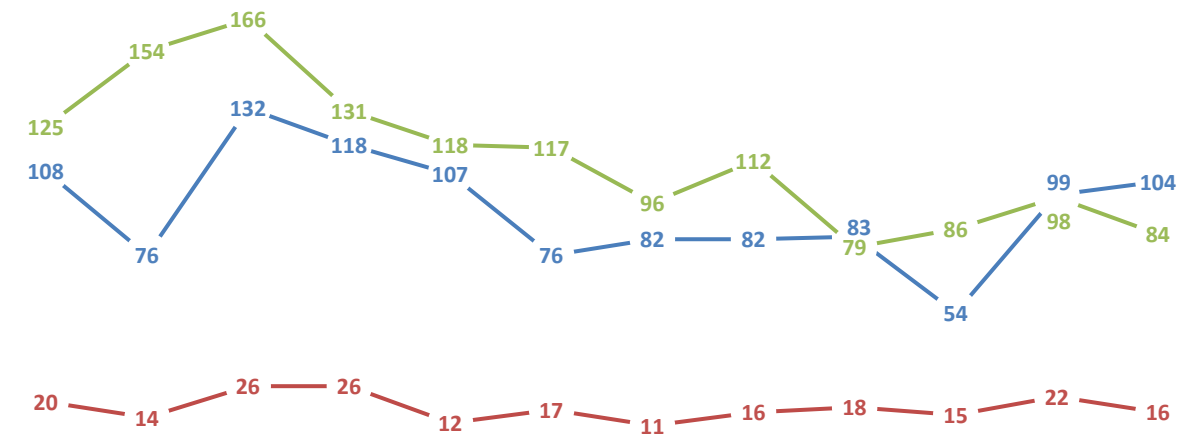


Property Crime Calls For Service

Property crimes continue to be a large portion of the calls for service in which the department responds, however decreases were reported for criminal damage, criminal trespass, theft, and stolen vehicle calls for service in Q4-2019. While there were increases reported for burglary, vehicle burglary, and shoplifting calls for service in Q4-2019, the three-year trend for these crimes shows these calls for service are declining.



PROPERTY CRIME CALLS FOR SERVICE
TRENDS
JAN 2017-DEC 2019



Jan-Mar 2017 (Q1-'17) April-June 2017 (Q2-'17) July-Sept 2017 (Q3-'17) Oct-Dec 2017 (Q4-'17) Jan-Mar 2018 (Q1-'18) April-June 2018 (Q2-'18) July-Sept 2018 (Q3-'18) Oct-Dec 2018 (Q4-'18) Jan-Mar 2019 (Q1-'19) April-June 2019 (Q2-'19) July-Sept 2019 (Q3-'19) Oct-Dec 2019 (Q4-'19)

— Shoplift. — Stolen Veh. — Theft

Sierra Vista Fire and Medical Services (SVFMS)

Sierra Vista Firefighter’s Christmas Drive

Sierra Vista Firefighters completed their 48th year of the Sierra Vista Firefighter’s Christmas Drive. This program could not be possible without the generous donations of this community. With those donations, SVFMS were able to assist 258 families, including 523 children.



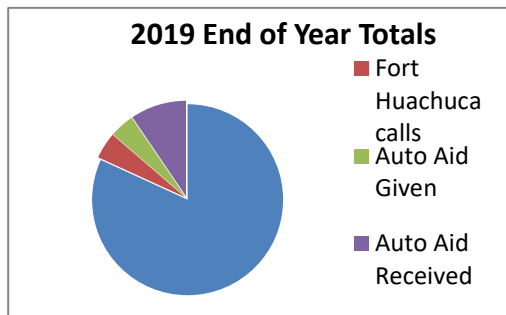
Incident Numbers Totals

December

Sierra Vista Fire and Medical total calls:	692
SVFMS calls on Fort Huachuca:	20
SVFMS auto aid given:	31
SVFMS auto aid received:	62

2019 End of Year Total Incidents

Sierra Vista Fire and Medical total calls:	7719
SVFMS calls on Fort Huachuca:	423
SVFMS auto aid given:	395
SVFMS auto aid received:	895



Nature Code:

Shortness of Breath

The highlighted nature code for November / December is Shortness of Breath. A Shortness of Breath receives a Priority 1 response (1 Engine and 1 Ambulance). The Shortness of Breath nature code is specific to an acute type of illness that potentially requires advanced forms of treatment, to include medication and advanced airway interventions. Having an Engine and Ambulance crew response allows personnel to accomplish these tasks efficiently and effectively. SVFMS personnel responded to 778 Shortness of Breath incidents in 2019. The 778 incidents accounted for 10% of the 7719 total responses within city limits.

Community Development

Planning & Administration

- **Planning and Zoning Commission FY 19-20 Work Program.** Through a series of work sessions, Staff worked with the Commission to identify regulatory amendments necessary to: (1) ensure regulations are clear, internally consistent, easy to follow, and rationally related to achieve a clear public purpose consistent with state and federal laws; (2) ensure permitting processes are efficient and do not require more information than is necessary to determine compliance with applicable codes; and/or (3) minimize the use of special exceptions in the site plan/building permit approval process.

Code Amendments Approved by City Council in November/December 2019:

- *Ordinance 2019-007 (Adopted on 11/14/19). Removed redundant regulations regarding trash and debris from development code; removed minimum size requirement for panels on multi-tenant/shopping center signs.*
- *Ordinance 2019-008 (Adopted on 12/12/19). Amended use permissions for accessory dwelling units from conditional to permitted in single-family residential zoning district; established certain use, development and design requirements and review and approval procedure.*

Code Amendments for consideration in Process:

- *Amend use permissions for schools of general education from conditional to permitted in certain zoning districts including single-family residential (on one-acre site or larger). This amendment will equalize private schools with public schools as required by A.R.S. 41-1493.03 (Free Exercise of Religion). This statute prohibits government from imposing or implementing a land use regulation that treats a religious assembly or institution on less than equal terms with a non-religious assembly or institution, regardless of a compelling government interest. The City Attorney recommends this change be made. The Planning and Zoning Commission held a work session on November 19, 2019, and a public hearing on December 17, 2019, and unanimously recommended Staff proceed with the amendment. The item will be scheduled for City Council consideration on January 23, 2020.*
- *General Update to Subdivision Regulations. On November 19, 2019, the Planning and Zoning Commission held a work session to review proposed amendments to the City's subdivision platting procedures and requirements. Public hearings on this matter are scheduled for January 28, 2020 (Planning and Zoning Commission) and City Council on February 13, 2020).*

Building & Inspection Services

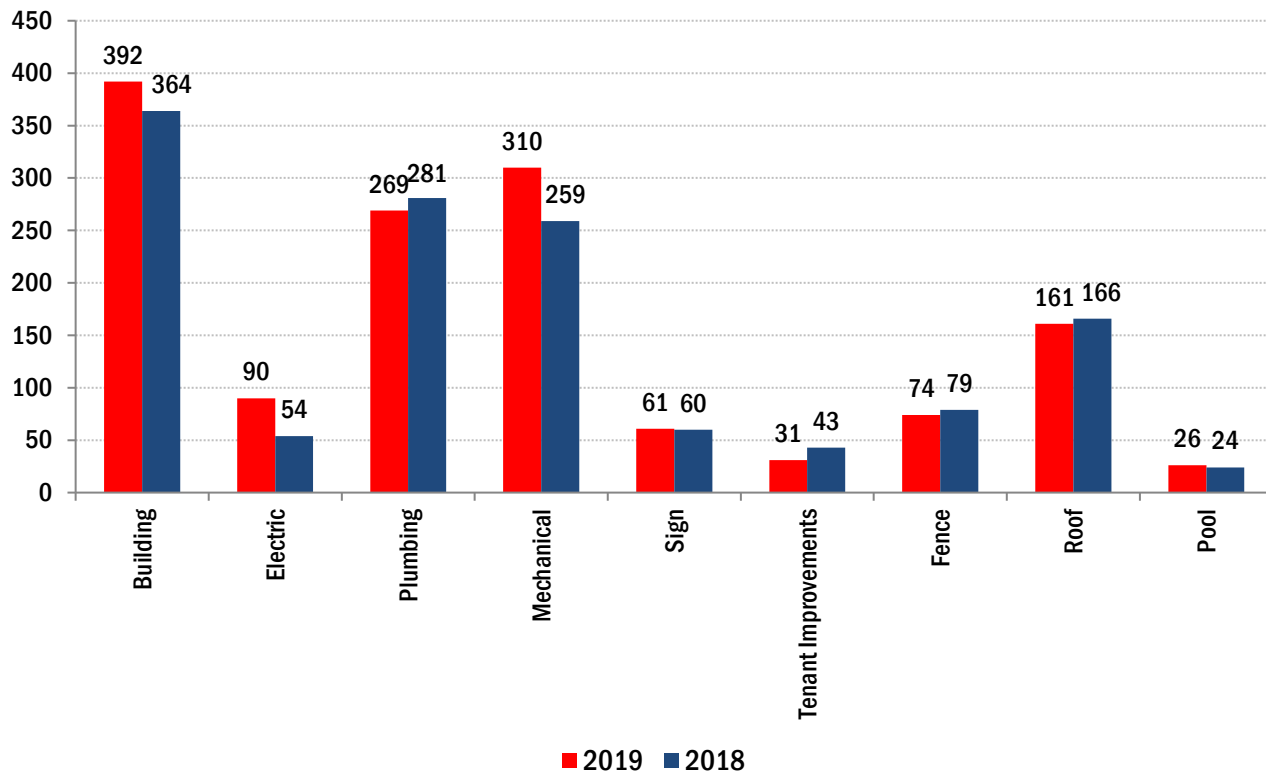
During November/December 2019, Staff worked on the following projects:

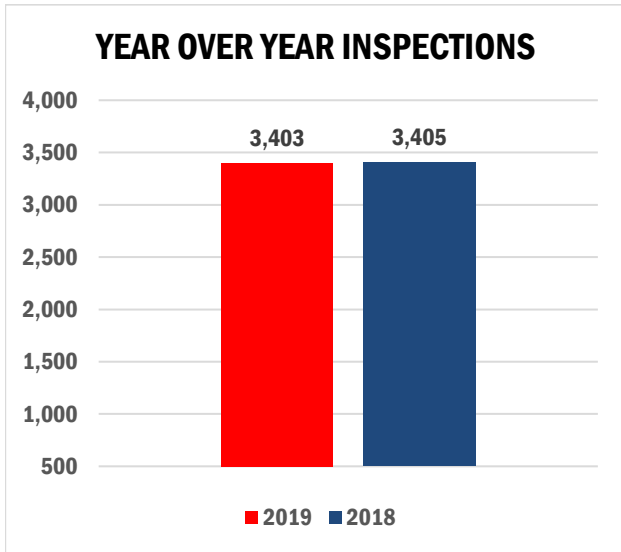
PLANS UNDER REVIEW		
PROJECT NAME	PROJECT TYPE	PROJECT ADDRESS
SV Chiropractic	Tenant Improvement	247 S 7th Street, #B
PDS Multipurpose Building	Commercial New	5130 Paseo Las Palmas
Pamper Me Suites	Tenant Improvement	1965 Frontage Road
APPROVED PLANS		
PROJECT NAME	PROJECT TYPE	PROJECT ADDRESS
USAA Drive Up ATM	Accessory Commercial	493 N Highway 90
Vanilla Shell	Tenant Improvement	135 S Highway 92, #A
143 Street Tacos	Tenant Improvement	124 W Fry Blvd
PROJECTS UNDER CONSTRUCTION		
PROJECT NAME	PROJECT TYPE	PROJECT ADDRESS
Buena High School Theater Expansion	Commercial Addition	5225 Buena School Blvd
Community Baptist Church Outreach Center	Tenant Improvement	1763 Paseo San Luis
U-Haul - Interior Renovations (Phase 2)	Tenant Improvement	2011 E fry Blvd
U-Haul - Outside Storage Units	Accessory Commercial	2011 E Fry Blvd
KFC	Tenant Improvement	1060 E Fry Blvd
Freedom Automotive	Tenant Improvement	297 E Fry Blvd
AAA Fort Storage RV Shade	Accessory Commercial	255 W Kayetan Drive
Carmichael Elementary	Addition Commercial	701 N Carmichael Ave
PDS - Restroom Renovations	Tenant Improvement	5130 Paseo Las Palmas
Town and County - Restroom Renovations	Tenant Improvement	1313 S Lenzner Ave
Village Meadows - Restroom Renovations	Tenant Improvement	905 El Camino Real
Church of Christ Freestanding Ramada	Accessory Commercial	4960 E Highway 90
AT&T Wireless	Cell Tower Modifications	1045 S Lenzner Ave
Buena High School - Bus Enclosure	Tenant Improvement	5225 Buena School Blvd
T-Mobile	Cell Tower Modifications	260 N Garden Ave
Pepsi Freestanding Cover	Accessory Commercial	175 W Kayetan Drive
Verizon Wireless	Cell Tower Modifications	4253 Enterprise Way
Schlotzsky's Deli - Patio Covers	Tenant Improvement	3900 E Fry Blvd
SV Lutheran Church - Parking Lot Upgrades	Site Improvement	101 N Lenzner Drive
CSV Composting Facility	Tenant Improvement	--
Culver's - Flagpole	Accessory Commercial	632 S Highway 92
Via Elegante - Convert to Alzheimer's Facility	Tenant Improvement	4255 Calle Vista
AT&T	Cell Tower Modifications	240 N Highway 90
Chill Factor Hookah Lounge	Tenant Improvement	833 E Fry Blvd, #D
American Family Insurance	Tenant Improvement	999 E Fry Blvd, #110
Oasis Apartments	Tenant Improvement	4250 E Busby Drive
PC's Lounge	Tenant Improvement	4700 E Highway 90

PROJECTS COMPLETED

PROJECT NAME	PROJECT TYPE	PROJECT ADDRESS
Properties Plus	Commercial New	664 Bartow Drive
Tiffany Plaza	Tenant Improvement	1618 E Fry Blvd
Northrup Grumman - Restroom	Tenant Improvement	4067 Enterprise Way
T-Mobile	Cell Tower Modifications	2047 S Highway 92
AT&T	Cell Tower Modifications	2047 S Highway 92
Food City	Tenant Improvement	85 S Highway 92
Dish Wireless	Cell Tower Modifications	4253 Enterprise Way
Verizon	Cell Tower Modifications	3616 E Little Hill Lane
Schlotzsky's Deli	Tenant Improvement	3900 E Fry Blvd
Canyon Vista	Cell Tower Modifications	151 Colonia de Salud, #B
Buena High School Theater Expansion	Commercial Addition	5225 Buena School Blvd
Laus Deo	Tenant Improvement	550 W Fry Blvd
City Nails	Tenant Improvement	3676 E Fry Blvd
Jo 2 Go	Accessory Commercial	40 S Avenida Escuela
Damingo Paiz Light poles	Tenant Improvement	3020 E Tacoma St
CAS - Shade Structures x3	Accessory Commercial	900 Carmelita Drive
SSVEC - Remodel PSR Station	Tenant Improvement	311 E Wilcox Dr, 201
Properties Plus	Commercial New	No Physical Address
U-Haul - Indoor Storage Facility	Tenant Improvement	2011 E Fry Blvd

YEAR OVER YEAR PERMIT HISTORY





CONSTRUCTION TYPE	NEW CONSTRUCTION	
	2018	2019
SINGLE-FAMILY UNITS	68	75
SINGLE-FAMILY ADDITIONS	6	16
MANUFACTURED HOME UNITS	2	1
MULTI-FAMILY UNITS	0	0
COMMERCIAL (SQ. FT.)	20,000	0
INDUSTRIAL (SQ. FT.)	0	0
INSTITUTIONAL (SQ. FT.)	27,009	1,650
OFFICE (SQ. FT.)	24,394	0

Code Enforcement

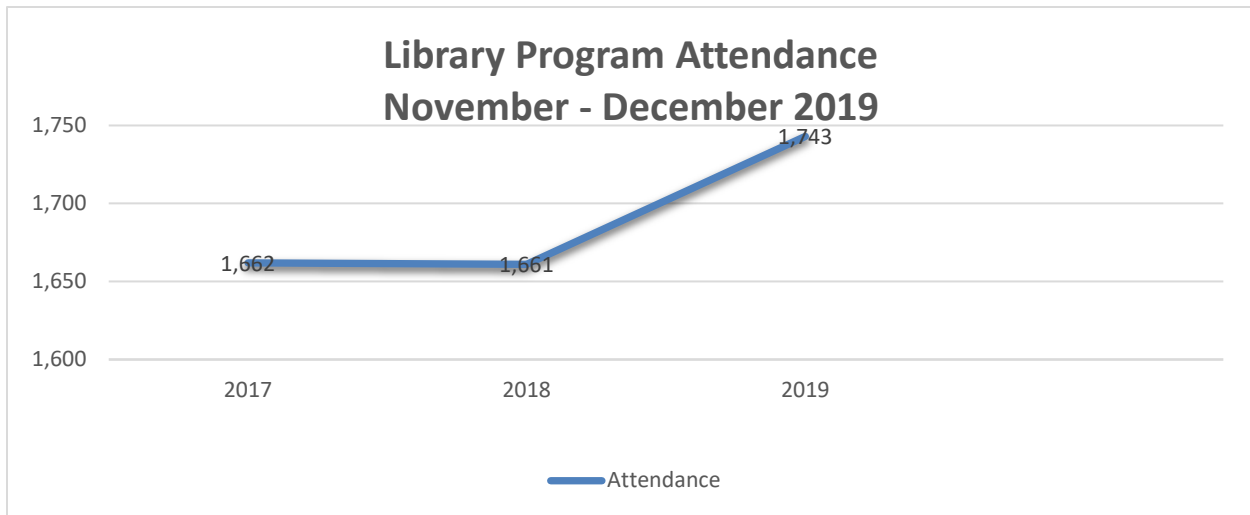
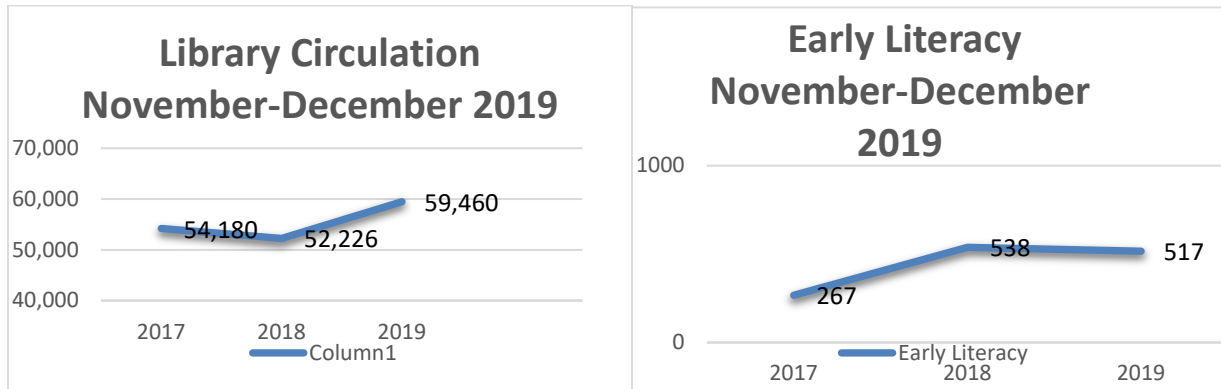
During the reporting period, significant activities include:

- 161 cases were initiated, with 123 closed due to compliance;
- 4 property abatements were completed;
- 2 demolitions were carried out;
- Provided support to streets workers in clearing out vegetation impeding visibility of street signs at 70 intersections;
- Assisted streets and sanitation departments on illegal dumping cases including the installation of a barrier at the end of Avenida Del Sol to prevent unauthorized vehicle access.

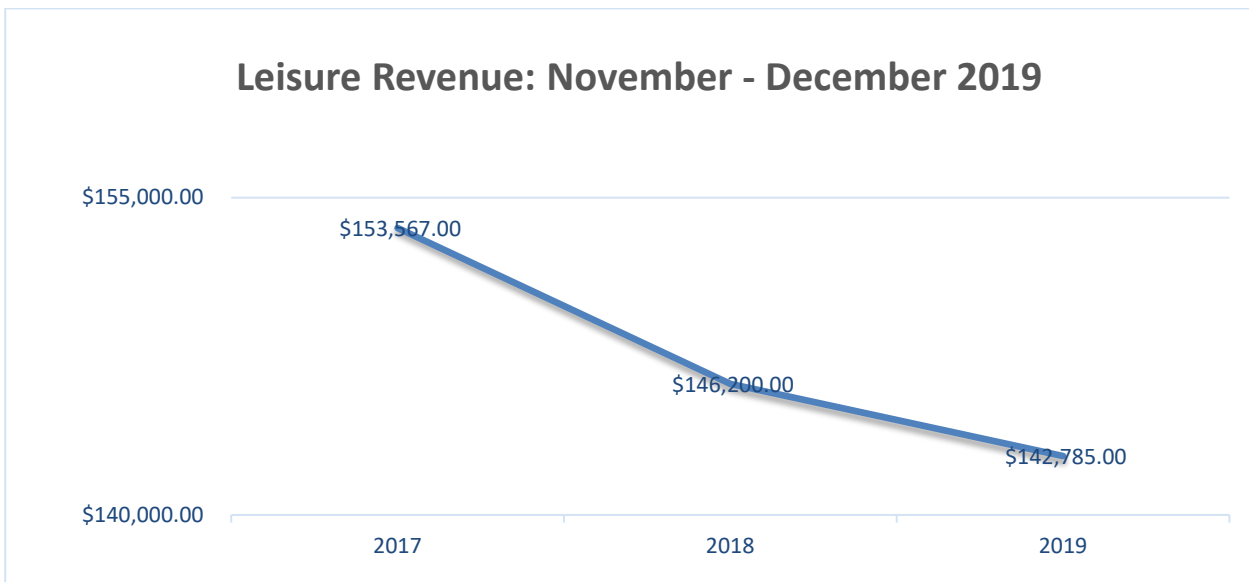
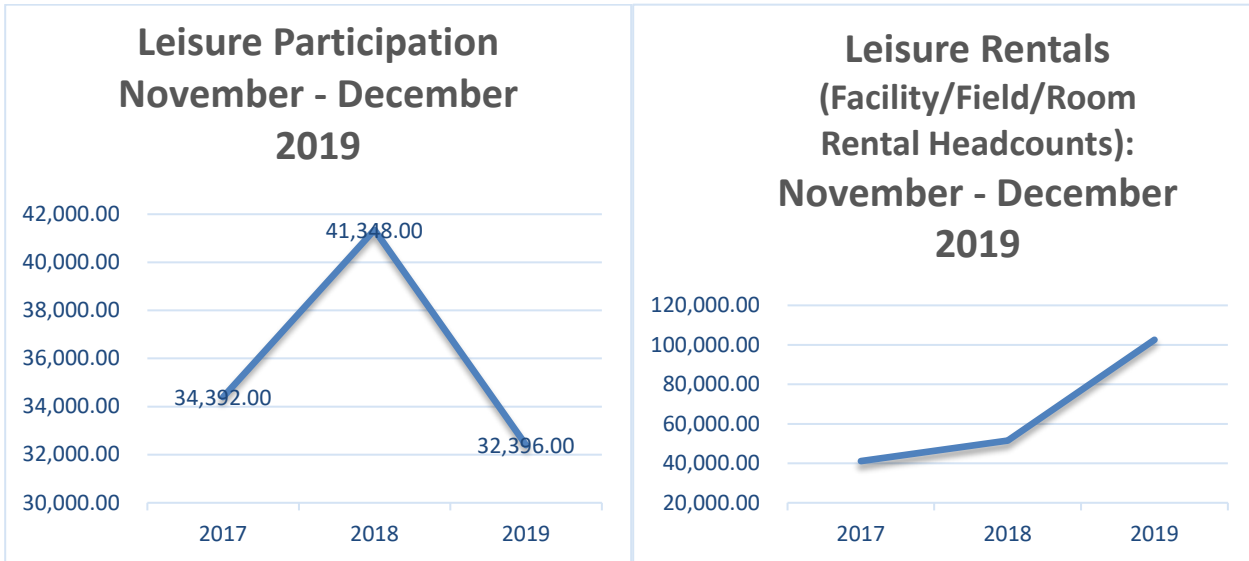
Leisure and Library Services Department

November—December Dashboard (Years: 2017 vs. 2018 vs. 2019)

Library Circulation: November - December	59,460
Library Program Attendance: November - December	1,743
Early Literacy Attendance: November - December	517



Leisure Revenue: November - December	\$142,785
Leisure Program Attendance: November -December	32,396
Rentals: November - December	102,561



2019 Senior Holiday Dinner

The Senior Holiday Dinner was well received with over 100 guests this year! The dinner has been a tradition in the department for over 20 years and it's always a great time. Staff and volunteers prepared and served this year's traditional holiday meal at the Ethel Berger Center. The guests enjoyed the food, the ambience, and the entertainment.

Pooch Pool Pawty

The Cove shut its doors for annual maintenance on November 17th, but not before the first annual Pooch Pool Pawty on Sunday, November 16. Over 60 dogs registered and attended the event with their families, creating an awesome atmosphere and a lot of wagging tails! Dogs and owners alike enjoyed wading through the water, frolicking while chasing tennis balls, other dog toys, and enjoying the community.



Annual Tree Lighting: A Light to Remember



The annual tree lighting ceremony was expanded to include some extra holiday magic this year! Families, neighbors, and friends, both old and new, came out to celebrate the arrival of the season. They enjoyed almost 2,500 cookies and over 800 cups of cocoa, while listening as the Community Band play holiday music. Then, the large crowd joined the Mayor to light up the big trees in Veteran's Memorial Park. Families were able to enjoy the refurbished Santas once again and had the opportunity to purchase collectable ornaments to remember the evening.

Children received a gift from Santa, talked with him about their Christmas wishes, and smiled for free pictures. They also had the opportunity to win various prizes by playing carnival style games with a holiday twist. The giant inflatable gingerbread house obstacle course captured the interest of the kids throughout the night! The artificial skating rink quickly became a fan favorite from start to finish. Kids and adults strapped on a pair of skates and enthusiastically took their turns on the synthetic ice. The artificial snow brought the biggest smiles to children of all ages during the event! This year's Tree Lighting was certainly a 'Light to Remember.'



2019 COVE Aquatics Center Shutdown

The Annual Cove shutdown is producing some marvelous results. The long closure provided the Schneider Energy Efficiency Project the opportunity to replace the boiler system for a more energy efficient and more comfortable water temperature. Additional work, such as chipping out and re-pebble teching the surface of the warming pool, a full interior paint-job, and a thorough cleaning, has the Cove looking and feeling like a completely different place! It is brighter and gives off an energetic vibe, which will pave the way for exciting new programming coming to the Cove in 2020. Staff looks forward to re-opening the doors in early February for all to see the amazing work that has been done these last few months!



Rec 'N' Roll – One in the books

The first iteration of Rec 'N' Roll was held on November 9th. Rec 'N' Roll is a pop-up recreation event designed to highlight recreational activities in our neighborhood parks. The event, put on by the Sports Division, was held at Soldiers Creek Park. 75 members of the community came out and participated in various games and activities. On site were hula-hoops, soccer and kick balls, and our very own Sierra Vista branded corn-hole boards. The younger crowd enjoyed a Thanksgiving craft and, of course, the big hit of the afternoon was the bouncy house. The event was a great success and staff looks forward to putting the next event on in March!



Upcoming Events:

January 9: Dine-A-Night: -4:30 PM
Landmark Cafe

January 11: Wine and Food Pairing –
1:30 PM, EBC

January 22: Domingo Paiz Soccer Fields
Grand Re-Opening – 5:30 PM Domingo
Paiz Soccer Fields

January – March: – Youth Recreation
Basketball League – Rothery and JCMS
gyms

February 13: Dine –A-Night-4:30 PM
Hibachi Grill

February 14: Desert Swing's Swinging
Valentine Dinner and Dance – 6:00 PM
EBC

February 22: Senior Expo – 10:00 AM
EBC

Therapeutic Recreation Christmas Show

The Therapeutic Recreation Christmas Show took place on Saturday, December 21 to much fanfare and acclaim! This annual event is one of the participant's favorites--and once again everyone chose their own song to perform on stage for the entire TR family. Families and friends came out to support their loved ones and went home with a full stomach after an enjoyable potluck after the show. If you haven't already attended one of these shows, we encourage you to attend next year! The event is not only festive, it displays the enjoyment that TR adults have performing for their peers and families.



Little Library Bookstore Luncheon & Donation

The LLB, as it's fondly referred to at the Library, had its annual volunteer appreciation luncheon on December 20th. All library employees were invited to join them for a potluck to ring in the New Year. At the luncheon, the group donated a \$5,000 check to the Library—bringing the total amount of donations received by the Library division to over \$16,000 in a little over a year. With that donation money, the Library has been able to purchase a new water fountain (complete with bottle filler), replace several worn out pieces of furniture, purchase a new conference room table and chairs, and keep up with electronic book orders—which are very expensive and increasing in demand in the community. The Library is very grateful for their support. The LLB has gathered enough community support in just over a year to regularly donate to the Library. We can't thank them enough! Not only does the store stock movies and books—they also sell gift certificates which are perfect for the book lover in your life!

Upcoming Events:

January 14: Tuesday Talks—Native American Signs & Symbols, 1:00 PM, SVPL

January 15: Preschool Storytime, 10:20 AM, SVPL

January 16: Stacks After Sunset: Paint Night, 6:00 PM, SVPL

January 18: Youth Chess Club, 10:30 AM, SVPL

January 23: Kids Code, 4:30 PM, SVPL

January 24: Socrates Café, 10:30 AM, SVPL

January 25: Brain STEM: Air Powered Show, 1:30 PM, SVPL

January 27: Conversational Spanish, NOON, SVPL

January 31: Teen Paint Night, 5:30 PM, SVPL

Public Works

Engineering

Old Yard Demolition. The demolition of the Old Yard was completed late last year. After sitting vacant and increasingly becoming an eyesore, all of the buildings have been removed. All that remains are a few trees, concrete curbs, and foundations. The site will now be less maintenance intensive and is available for future development opportunities, including a planned expansion to Eddie Cyr Park. Prior to the expansion, the site can be used as a staging area and for overflow parking for the newly improved park area.



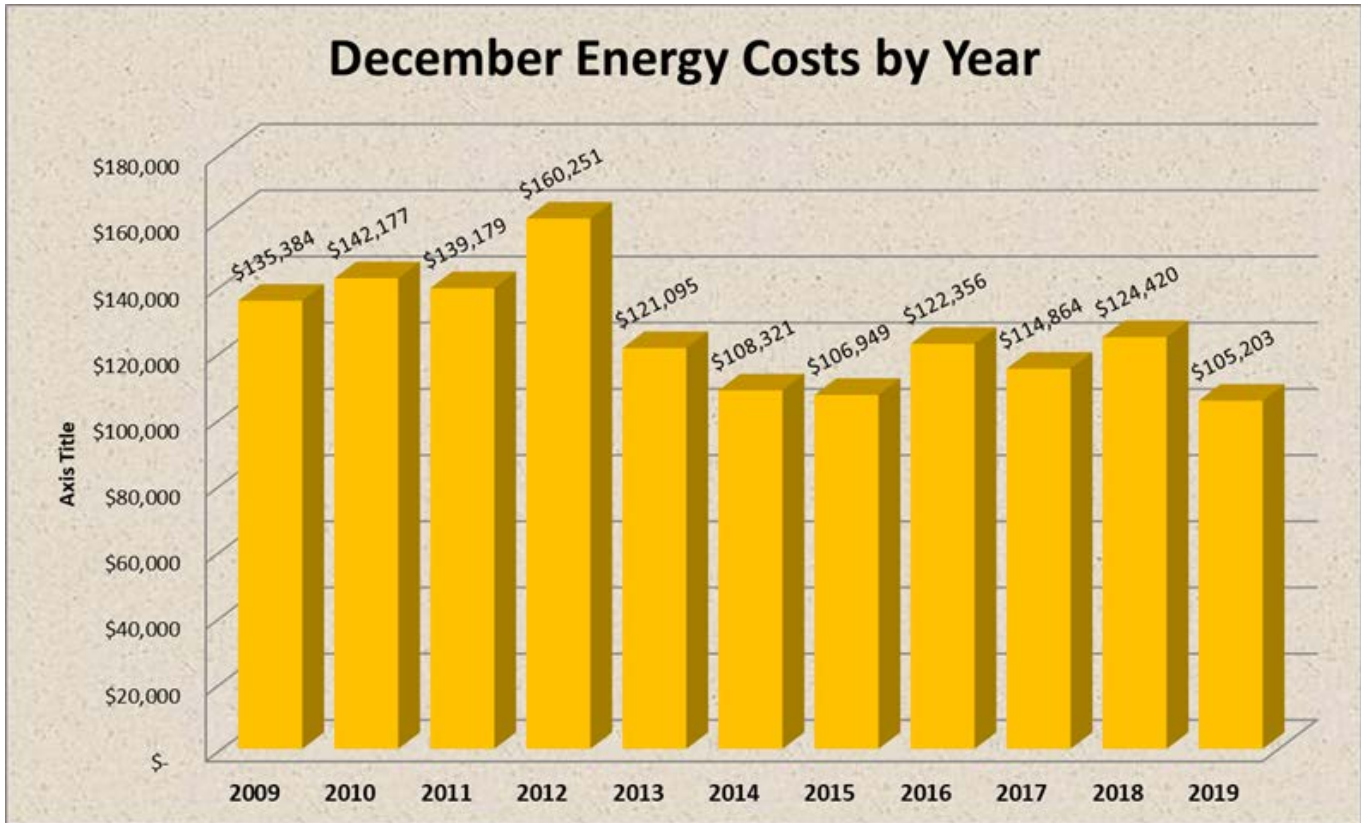
Fry / North Garden. The design process for the Fry and North Garden improvements is continuing, and two public meetings were held in mid-November. The meetings were very well attended, with 100 people signing in at the reception area. The format of the meeting was largely unstructured, which allowed attendees the opportunity to view display boards at their leisure and ask questions of consulting team members and staff stationed at each set of boards. Each attendee who signed in was given plastic tokens to “vote” at each set of boards and a feedback form to record any additional comments or concerns. Comments from the meetings have been consolidated, and feedback was generally positive. Some of the concerns included funding, maintenance, and safety issues in general. The consultant has reviewed the feedback from the meeting and is moving forward with developing the top-ranking ideas. An additional round of public meetings will be held in the future to refine the overall design concept prior to moving into full-scale design. This project will create a new, cohesive look for the West End of Sierra Vista, which will in turn spur economic development opportunities. Funding is through the Sierra Vista Metropolitan Planning Organization (SVMPO).

Upcoming Projects. Engineering has several projects which are either getting ready to bid or recently had bids opened including the Effluent Water Reuse, Security Gate Improvements, Adaptive Signal Control, Annual Street Maintenance, Airport Helipad Erosion Repair, and two Community Development Block Grant projects. The spring construction season is going to be busy! Additional details will be provided in future reports as the projects move into construction.

Facilities

Schneider Project. The Schneider Energy Efficiency Project is going well, with some aspects of the project now nearing completion. From a Public Works perspective, some of the most notable changes to date have been to replace existing lighting at all City facilities with more energy efficient LED fixtures. The chart below is a great example of what staff is starting to see on our monthly energy reports. Despite this December being relatively cold, the City spent less in electricity in December 2019 than in any December in the past ten years. This is all the much more remarkable considering there have been rate increases since 2009, which would lead to the City paying more now for the same amount of electricity.

December Energy Costs by Year



Refuse

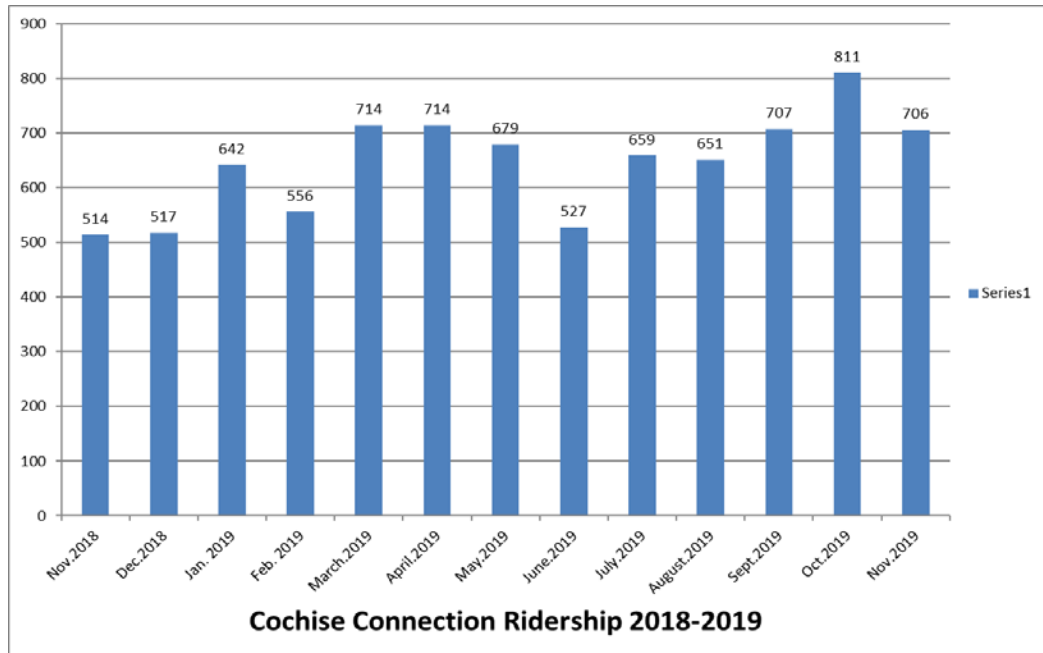


Recycling Changes. The City is currently in the middle of a 30-day public comment period on a proposal which would open curbside recycling collection to private vendors. Since the City ended curbside recycling in July, several vendors with an interest in providing the service have reached out. However, regulations currently prohibit anyone besides the City providing residential pick-up. If approved, the change would allow private vendors to begin offering recycling pick-up within City limits. The service would be fee based, with the cost being set by the individual vendor. The change would also likely lead to the closure of the City's recycling center since both drop-off and pick-up recycling services would be provided by other entities in the area. Staff will have an implementation plan ready to share for the potential closure of the recycling drop-off site. Although the recycling center has grown in popularity since its opening, it is a manpower

intensive operation which handles only a fraction of the volume which was formerly accepted curbside.

Transit

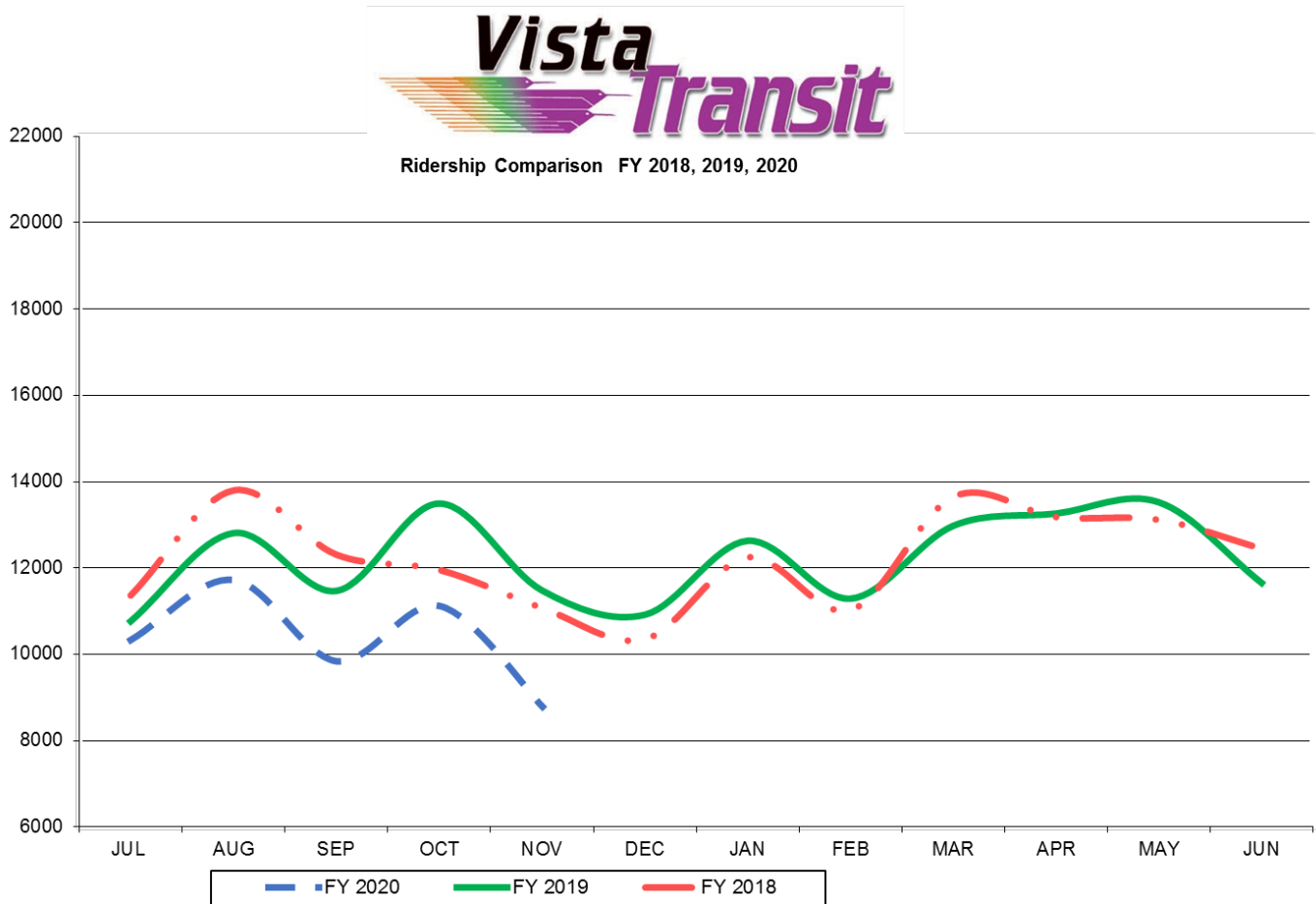
Cochise Connection. The Cochise Connection is continuing to see strong ridership with steady growth and substantial year over year increases.



New Buses. Two new paratransit buses recently arrived at Public Works, and they will be out on the road soon! The new buses are smaller and are mounted on a standard axle. As a result, they will get better gas mileage and will be less expensive to operate overall. They also have reduced seating more appropriate for the City's paratransit services but still provide two wheelchair spaces as well as several standard seats for companions or other passengers.



Vista Transit Ridership Data. Statistics for the current and previous two grant years are shown below. Since ridership appeared to be trending below previous years, staff took a deeper dive into the data. As it turns out, the perceived decrease is actually the result of operational improvements made in July. The ridership numbers shown below reflect the total of all riders, including transfers. In other words, if a passenger makes multiple transfers, they are counted again each time. However, the recent route changes focused on providing more single seat rides. Instead of passengers on the West End having to transfer at the Transit Center to do their shopping, they are now able to take one bus directly to their destination. Since transfers have decreased, ridership numbers have also decreased. Based on staff experience, though, the number of passengers is roughly the same. Buses are also fuller since there are fewer loops and they operate on longer intervals. It is therefore difficult to compare FY 2020 ridership data with previous years. Starting in FY 2021, year over year comparisons will again be possible.



Huachuca City Bus Service. Huachuca City recently received a grant from the Legacy Foundation to help re-establish their bus service which was ended about a year ago. Previously, Huachuca City was providing services which were redundant with other Federal Transit Administration (FTA) providers, including Vista Transit, so they were not eligible for FTA funding. Operational expenses were paid solely from their general fund. Under the new model, Huachuca City will be partnering and sharing resources with the Town of Tombstone. Their busses will travel to Sierra Vista three days per week and drop passengers at the Transit Center to connect with Vista Transit. Service is anticipated to begin in March. There are no fiscal impacts to Sierra Vista as a result of this agreement. Vista Transit's role will be to assist with schedule coordination and provide a dedicated bay at the Transit Center for the Huachuca City bus, similar to the partnerships which are already in place with Greyhound and the Cochise Connector. An IGA outlining the terms of the agreement will be presented to Council soon.

Airport

Fly-In. The annual Fly-In was held at the Airport on November 2nd. The event is a cooperative endeavor of the Experimental Aircraft Association Chapter 776 and the City of Sierra Vista. The event has been held in our community for more than twenty years and has provided first flights for thousands of children. This year's event looked a bit different in that it was held on Saturday only. Previous years had taken place on both Friday and Saturday, but Friday was reserved for school groups. Circumstances change over time, though, and it was noted that the school groups were bringing fewer chaperones in recent years, potentially leading to liability issues. There were also a growing number of kids without signed permission slips who were therefore unable to fully participate in the day's events. The new format seemed to work fairly well, and the EAA provided flights to 113 young people.

Economic Development

Strategic Plan

Empower 1.3 Create opportunities for business incubation

Economic Development staff held an initial meeting with the Chamber of Commerce to begin discussion of home-based business demand to support the potential of a virtual incubator. Discussions will be scheduled in the coming weeks as the new Executive Director is now in place, but additional partners will be researched to meet this goal.

Empower 1.5 Look for partnership opportunities with higher education to enhance workforce development.

Staff provided support to University of Arizona's College of Applied Science and Technology effort for a spring Intelligence Forum on main campus for Administration Faculty, and Staff to highlight the tremendous potential of this first of its kind program. Staff also supported Cochise College's AZ Legislative engagement on October 31 to review potential new programs between the College and Fort Huachuca.

Empower 1.7 Partner with chambers of commerce and other organizations to create and implement a plan that encourages shopping locally.

Staff intends to leverage the presentation at Good Morning Sierra Vista presentation by Local Arizona First director Kimber Lanning. In coordination with the Chamber of Commerce, staff will engage local businesses to identify their support for a buy local campaign. Coordination has been ongoing with the Alliance of Arizona Nonprofits on the potential implementation with an AmeriCorps VISTA (Volunteers in Service to America) to lead the buy local campaign. Technical support, training, and expertise would be provided by Local Arizona First who has provided such support in other communities across Arizona. Execution of the buy local campaign is dependent on funding for the VISTA, program costs, and then availability of a VISTA to begin the effort. Staff will begin meetings with the Sierra Vista Chamber of Commerce to determine the way forward in 2020.

Empower 3.2 Evaluate solutions to create a space for small business incubation on the West End, and implement where feasible.

Ongoing discussion and coordination of the Sonoran Mercado remains a staff priority effort with alternative solutions being identified to meet the original intent. Staff held a meeting with key stakeholders to explore a new course of action to bring this concept to reality.

Economic Framework Strategy Development

Maximize Economic Impact of the Municipal Airport

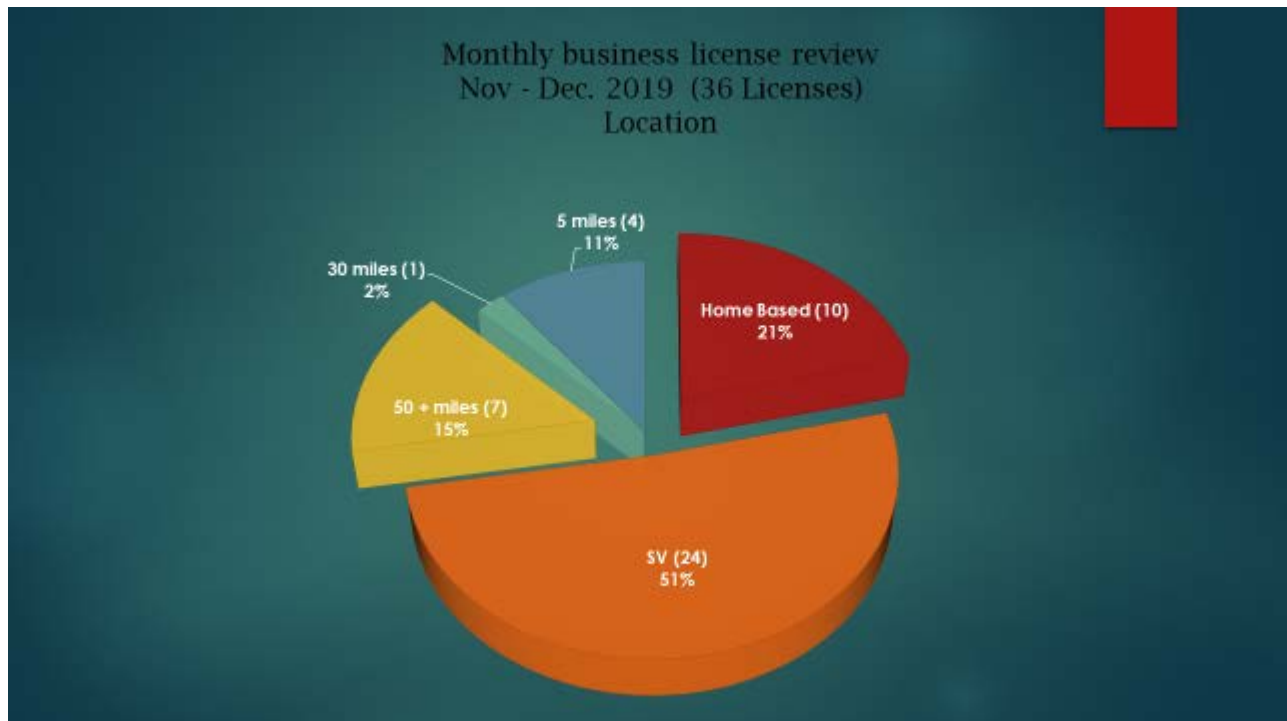
Economic Development Staff continues to pursue attracting business at the municipal airport. Staff released the Notice to Proceed (NTP) on October 23 to C&S Engineers Inc. to conduct engineering and construction documents to support future development at the airfield. The intent is to maximize the buildable area, recommend utility location, and cost estimate for the construction phase at the airport to prepare buildable pads for hangar construction. Ultimately the City would like to be positioned to demonstrate the ability to expedite construction for potential business therefore attracting new jobs. A kick-off meeting was held November 1st. The primary site inspection was completed and site testing and ground boring will be completed during the first

week of January 2020. Staff will then be able to recommend construction costs to Council in the 2020-2021 budget cycle.

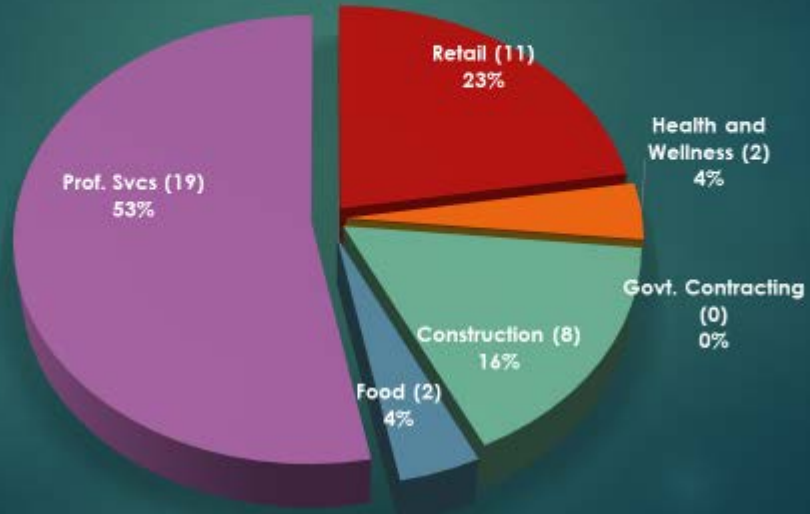
November / December 2019 Business License Analysis

There were a total of 36 new business licenses issued between November - December. Of the new licenses, 10 were home based businesses. 12 of the licenses were out of town businesses. 4 were within five miles of the City, 1 was within 30 miles and 7 were greater than 50 miles from Sierra Vista. The remaining licenses were for a variety of services based on categories.

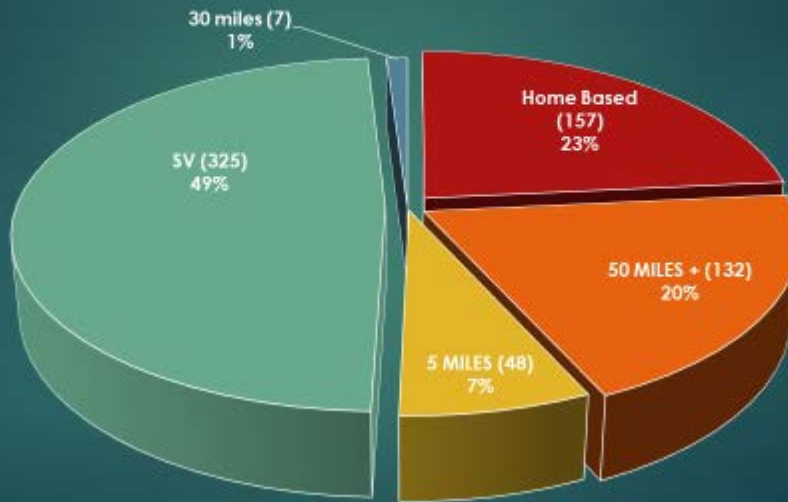
- 11 – Retail
- 1 – Health and Wellness
- 0 – Govt. Contracting
- 8 – Construction
- 2 – Food
- 19 – Professional Services



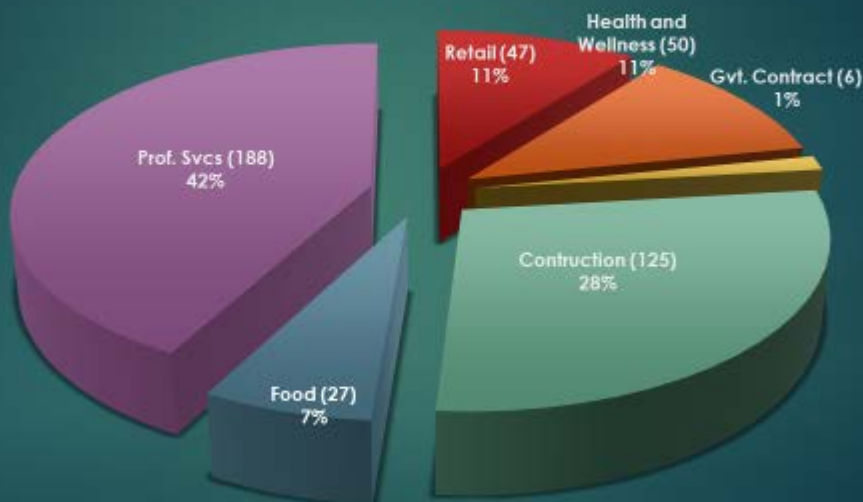
Monthly business license review
 Nov- Dec 2019 (36 Licenses)
 Category



FY 2018 / 2019 YTD
 BUSINESS LICENSE REVIEW
 LOCATION



FY 2018 / 2019 YTD
BUSINESS LICENSE REVIEW
TYPE



Economic Development Activities and key engagements

- 11/01 Airport engineering kickoff teleconference
- 11/05 Telephonic coordination meeting with opportunity zone specialist
- 11/06 Participated in the Canyon Vista community partners meeting
- 11/07 Carmichael Neighborhood Meeting
- 11/07 Participated in the Superintendent's Roundtable on education across Cochise County
- 11/08 Hispanic Chamber function
- 11/12 Good Morning Sierra Vista
- 11/13 Women's Council of Realtors
- 11/13 Fry Blvd West End Improvement Project Public Participation Open House
- 11/18 Rural ED telecom
- 11/20 AAED Luncheon Tucson
- 11/20 Jacobs Open House and Hiring Event
- 11/20 Opportunity Zone discussion with Cochise College
- 12/3 Douglas world trade Conference
- 12/4 Served as a panel member for the Rural Caucus at Legislative Forum
- 12/9 Rural ED telecom
- 12/9 West End Commission Meeting
- 12/11 Moderated the business panel for the SV Chamber's leadership event
- 12/12 Attended the Mexico-United States International Cross-Border Workshop
- 12/12 Az@Work Board Meeting
- 12/13 Cochise County ED teleconference
- 12/16 Airport site survey
- 12/19 Sonoran Plaza Mtg. at Mall at SV
- 12/19 Attended a Joint Meeting with AREDF and ACA

Housing report

In the Sierra Vista area, November 2019 active inventory was 392. This is a 15% decrease from the same period in 2018. There were 139 closings in November 2019, a 2% increase from November 2018.

Months of Inventory was 2.8, down from 3.4 in November 2018. Median price of sold homes was \$190,000 for the month of November 2019, up 18% from November 2018.

Year-to-date 2019 there were 1,628 closings, a 1% increase from year-to-date 2018. Months of Inventory was 2.8, down from 3.4 in November 2018.

This information is based on sales across the defined community to include all realtors. The entire report can be viewed at the following address.

www.longrealtyonline.com/HousingReportSelect.asp?Agent=2013654&Area=SV&SubArea=&Report=hr-sv&Source=CRM

Arizona – Mexico Economic indicators

- AZ exports to MX at \$2.0 billion in Q3 2019 up 9.7% from 2018 Q3
- Total US trade from MX via AZ \$6.5 billion total goods Q3 2019 up 8.3% from Q3 2018
- 5.9 million “Persons” crossing northbound AZ border in Q3 2019, down 2.3% from Q3 2018
Recent declines in persons crossing have reversed a long upward trend since 2012, likely due to longer wait times crossing, declining value of the peso and increased online shopping.
- 2.2 million “Vehicles” crossing northbound AZ border in Q3 2019 down 6.6% from Q3 2018.
Commercial truck traffic has remained consistent.
- 19.43 peso/\$US exchange rate average in Q3 2019 which translates into a 2.4% decrease in the peso’s value from Q3 2018

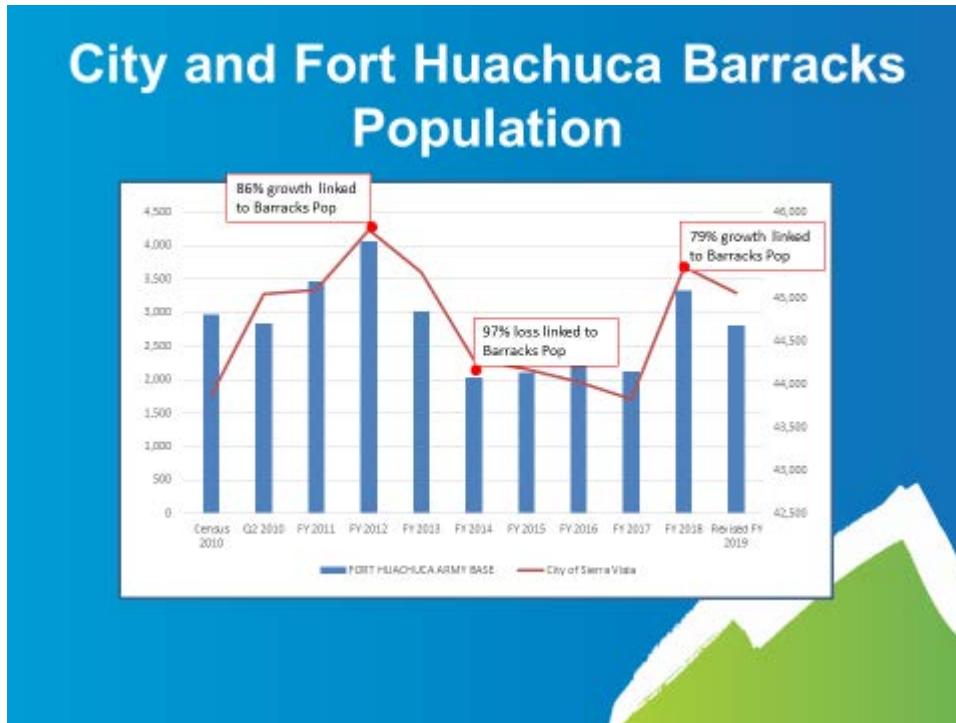
Economic and Business Research Center, Eller College of Management, The University of Arizona

Broader Economic indicators

- Overall the Economic indicators remain mixed for the City of Sierra Vista and the Sierra Vista-Douglas MSA (Cochise County)
 - Housing Market is positive and trending up
 - County Population estimates are generally flat
 - Job Growth is lagging Arizona as a state, but does exceed the U.S. Average
 - Hour Wage Growth in Cochise County is outpacing the U.S. and Arizona Average
- The Office of Economic Opportunity (OEO) published the estimated July 1, 2019, population data for cities and counties across Arizona. In the estimate, the State demographer included a 3% drop in population, or 1,324 residents for the City of Sierra Vista. Staff identified the issue in the Fort Huachuca barracks population estimate and is working to fix the data with SEAGO and the State Demographer. Staff confirmed the barracks population

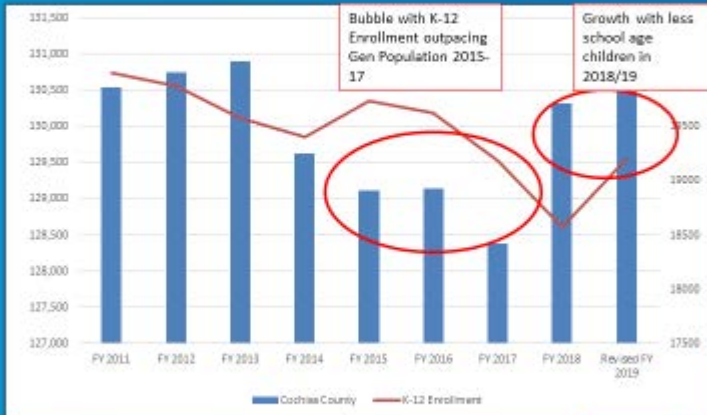
as of June 1, 2019, was 2,809, not the originally reported 1,779, bringing the overall City of Sierra Population to 45,065 for a net loss of 294 residents. With the updated number the MSA and Cochise County overall grew by 489 residents. Accurate data and estimates drive business decisions on growth and expansion, so it is critical that the information is accurate.

Staff identified the correlation of barracks population and the growth and decline of the overall City of Sierra Vista Population. Staff will meet with Fort Huachuca key leaders and SEAGO to ensure we have a consistent methodology and communication for collecting additional data. Furthermore the 2020 census will be a significant event for the City and County driving political representation and revenue sharing.



- Staff reviewed the overall Cochise County K-12 Population from 2011 through 2019 enrollment. Staff selected the overall County numbers as they more accurately reflect the MSA and eliminates the movement of enrollment by school district. There was a slight bubble with additional students enrolled in 2015-2017 while the overall population came down. Additionally, the growth in 2018 and 2019 of population trends with K-12 enrollment but does not keep pace with the overall growth. Staff will continue to monitor as the community health and future depends on the growth of families with children.

County Population to K-12 Enrollment



- OEO also published the employment data as of November 2019 at <https://laborstats.az.gov/sites/default/files/documents/files/emp-report-slides.pdf>
 - Key findings included that the Sierra Vista-Douglas MSA employment growth over the month gains slightly outpaced (.6%) the U.S. average of .4%, but fell short of Arizona overall (1.1%) and the MSAs of Yuma (1.8%), Lake Havasu City–Kingman (1.3%), Tucson, Phoenix-Mesa-Scottsdale (1.0%), and Prescott (.7%).
 - Hourly gains/loss by MSA put Sierra Vista-Douglas in third overall at (7%) in hourly earnings growth trailing Yuma (16.2%), Flagstaff (12%), but ahead of Arizona’s average of 5.4% as well as Phoenix-Mesa-Scottsdale (5.1%), Tucson (4.8%), Prescott (3.9%), and the U.S. average of 3.2%.

Marketing & Communications

Tourism marketing as a catalyst for economic development. Several studies have demonstrated the correlation between tourism marketing and economic development. Oxford Economics, one of the world's leading providers of economic data and advice, published a report in November 2014 entitled "[Destination Promotion: An Engine of Economic Development.](#)" The report concludes that visitor attraction results in the following economic impacts:

- A visitor economy supports amenities and standards of living that are valued by residents—and are important in attracting investment in other sectors;
- Destination promotion builds awareness, familiarity, and relationships in commercial sectors that are critical in attracting investment and strategic events;
- Destination promotion raises the destination profile among potential new residents, supporting and attracting a skilled workforce growth;
- Destinations with a higher concentration of visitors can enhance transportation networks;
- Cities with a higher concentration of visitor-related industries tend to grow faster than average;
- Structural shifts in the visitor economy are followed in subsequent years by sustained changes in growth in other parts of the economy;
- Net changes to jobs in hospitality and tourism exceed gains in other economic sectors, including aerospace, defense, and information technology among others (1998-2012).



The catalytic impacts of destination promotion drive a community's economic growth. (Oxford Economics, Nov. 2014).



One of the top-performing digital ads.

To that end, the Marketing & Communications division has been working closely with the Economic Development division, and in this fiscal year the divisions are pooling advertising dollars to fund a digital campaign targeting geographic visitor markets. These markets are the same ones targeted for business and employee attraction. The campaign launched in mid-November. As of December 30, 2019, the campaign has included 2.08 million impressions, generating a 0.20% click-thru rate, which is about average for the industry. The agency contracted to manage the campaign is refining the marketing to increase results in the coming months. The best-performing creative includes outdoor activities (hiking and bicycling) and visiting nearby wineries.

Sober driving video. Cpl. Scott Borgstadt approached the Marketing & Communications division with an idea. He wanted to share his personal experience of losing his daughter Abby to the carelessness of a drunk driver—and he wanted to video in time for the holidays. The division's video team developed the storyboard, improvised lighting equipment, shot the interview, and edited the footage in record time, releasing a poignant video in time for the New Year's Eve weekend, offering surprising statistics backed with Borgstadt's personal story. The video reached 11,000 viewers in two days and was shared 143 times.



Cpl. Borgstadt shares the real cost of a DUI in this emotional video created by the Marketing & Communications staff.

National Tour Association Travel Exchange. The annual Travel Exchange (Trex) presents an opportunity for destination marketing organizations (DMOs) like the City of Sierra Vista to meet one-on-one with tour operators and present the community as a potential stop or destination for tour groups and agents recommending itineraries for independent travelers planning for 2021-22. Sierra Vista attended the event in Fort Worth in mid-December. Prior to the event, 19 meetings were scheduled; additional contacts were made during the event. The marketing specialist for Cochise County Tourism Council also attended, giving a greater opportunity to represent the region, network with operators and other DMOs, and presenting the region as a destination. The Arizona Office of Tourism also attended, leading a Southern Arizona mission during which Sierra Vista presented along with Yuma, Tucson, and Cochise County to a dozen additional operators. The group presentation positioned southern Arizona as a destination, with stops in represented communities. As a follow up, southern Arizona DMOs will be working together to develop proposed regional itineraries to present at similar events in the future.



TREX permits the distribution of one, one-page flyer during interviews. This info-packed sheet was distributed at the event.

In the media. In November, Sierra Vista hosted the Trip Sisters, a video team from Chicago featuring Colleen Kelly and Catie Keogh. The duo visited several Sierra Vista attractions, including enjoying a wine-tasting tour aboard ATVs, exploring Coronado Cave, and visiting the Patterson Observatory. Along the way, the sisters posted several Instagram posts and videos. After the trip, the team featured Sierra Vista on their radio program in the Chicago area, and archived the episode as a podcast to reach a greater audience. Part of the package included a pitch to Travel + Leisure and NatGeo, and both videos were accepted by these national outlets, reaching millions of viewers.



The online version of Sweden-based American Trails is distributed in the U.S., Canada, Scandinavia, the UK, and Ireland.

Another result from travel media hosted in last fiscal year appeared in October 2019, in [American Trails](#). While the first issue spoke to Sierra Vista's unique offering of international cuisine, this article went into detail about Sierra Vista's western history, with a long look at cowboy poetry, featuring Steve Conroy, who performed for the writer at the Arizona Folklore Preserve. The article also promotes the Cowboy Poetry & Music Gathering, reaching more than 100,000 people in the U.S. and Canada.

Closer to home, Roger Naylor included a segment on the original McDonalds drive-thru location, here in Sierra Vista at 7th and Coronado. The article appeared in the Dec. 12 issue of the [Arizona Republic](#).

Visitor Data

The table to the right totals the visitor source for individuals contacting the Visitor Center for information. For tax revenue changes in the Extended Stay and Restaurant & Bar categories, please see the Finance Department report. In October 2018, we discontinued delivering visitor literature to hospitality-related businesses due to staffing limitations. This change is noticeable in the decreased volume tallied in the Literature Racks year over year.

“Nice and helpful people (at the Visitor Center). Lots of brochures and maps for places to visit in and around Sierra Vista and Cochise County.”
~J.R. Wilson

Visitor Source	January		February		March		April		May		June	
	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019
Local-Not Identified	285	298	308	385	338	335	263	335	298	280	225	250
In-State	48	99	45	98	58	115	88	78	85	85	35	63
Out-of-State	598	528	755	660	688	680	488	550	228	233	138	213
Foreign	123	78	73	90	103	73	58	53	60	43	28	-
Phone Calls	266	300	293	230	270	240	240	230	260	245	228	178
Total Other Fulfillment	1041	1303	2103	1109	1724	935	1,417	897	1830	1,363	903	959
Fulfill Wpress/VC	551	436	396	354	388	310	403	202	323	253	310	281
Literature Racks	515	470	707	345	871	165	438	240	657	850	453	63
Groups, Mtgs, etc.	335	562	1000	410	465	460	576	455	850	260	140	615
TOTAL	3,764	2,771	3,577	2,572	3,569	2,378	2,554	2,143	2,761	2,249	1,557	1,663

Visitor Source	July		August		September		October		November		December	
	2018	2019	2018	2019	2018	2019	2018	2019	2018	2019	2017	2018
Local-Not Identified	275	285	298	250	255	223	258	288	253	195	205	250
In-State	50	118	65	88	20	80	63	140	33	43	48	35
Out-of-State	183	218	160	190	188	193	235	240	240	225	235	140
Foreign	45	5	38	0	13	20	18	20	40	43	18	90
Phone Calls	228	255	260	238	193	198	574	248	178	248	205	205
Total Other Fulfillment	1120	686	1724	890	955	673	1582	1,403	760	1,043	1,124	681
Fulfill Wpress/VC	319	286	297	250	265	238	271	233	240	193	288	241
Literature Racks	328	200	690	100	670	50	301	620	275	260	378	70
Groups, Mtgs, etc.	473	200	737	540	690	385	1010	550	245	590	458	370
TOTAL	1,901	1,567	2,545	1,656	3,249	1387	2,730	2,339	1,504	1,797	1,835	1,401

Administration

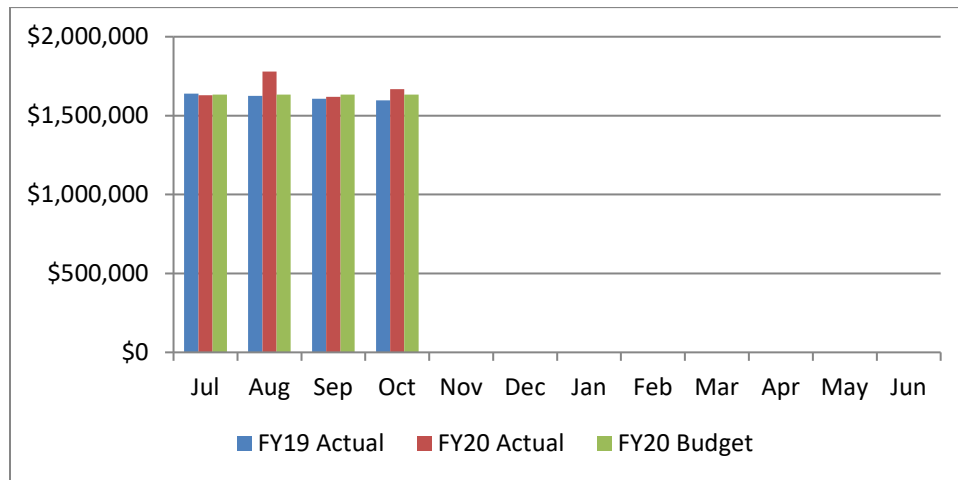
Sales Tax Collection. Gross privilege tax collections for September were up \$10,910, or 0.7%, from last July, and for October were up \$71,288, or 4.5% from last October.

Starting November 1, 2019, certain out-of-state businesses were required to start collecting and remitting City, County and State Transaction Privilege Tax. This implementation is on a tiered basis depending on the entity’s sales into the State as follows:

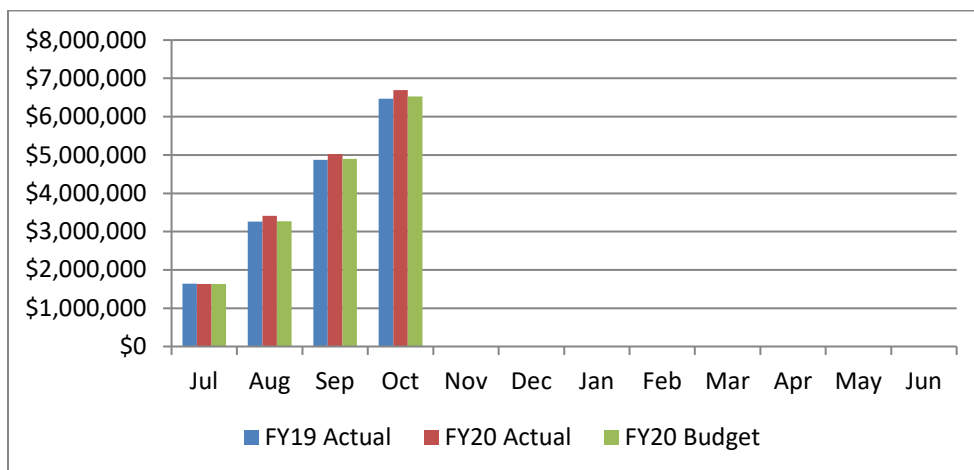
2019	Over \$200,000
2020	Over \$150,000
2021	Over \$100,000

Also, business facilitators with over \$100,000 in sales into the State also were required to start collecting and remitting City, County and State TPT on November 1, 2019.

The chart below provides a monthly comparison of FY20 actual, FY20 budget, and FY19 actual.



Through the end of October Privilege Taxes are 2.5% ahead of budget and 3.5% above last Fiscal Year. The chart below provides a monthly comparison of FY20 actual, FY20 budget, and FY19 for the complete Fiscal Year.



Description	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19
Utilities	92,107.71	82,377.68	94,966.76	108,468.99	92,296.70	101,402.73	82,829.63	86,762.75	88,249.27	23,926.77	187,370.65	103,067.90	87,268.57
Communications	20,188.44	18,361.51	18,763.06	19,587.86	20,152.78	21,345.50	20,869.86	21,194.04	20,179.29	20,392.32	20,258.24	20,609.07	20,427.16
Publication	3,342.50	108.84	5,956.99	63.01	6,939.99	2,783.30	2,441.00	3,135.80	2,721.41	2,867.66	2,291.44	3,837.74	3,281.19
Restaurant & Bar	187,538.02	177,010.90	194,846.19	179,706.84	188,749.87	230,881.44	215,375.98	220,230.13	214,270.26	207,715.16	205,262.40	197,415.00	189,395.23
Contracting - Prime	71,088.91	60,235.09	59,186.41	43,861.77	83,049.61	58,163.04	64,261.67	36,477.16	82,395.97	40,832.04	52,160.62	61,968.03	72,726.18
Retail Sales	776,195.96	877,541.53	1,055,079.08	724,796.65	756,807.90	913,556.94	864,912.82	841,040.53	844,565.20	861,120.18	866,499.67	801,748.59	825,142.63
Use Tax Purchases	77,924.63	100,784.30	63,809.44	63,007.53	55,468.32	64,278.41	68,490.98	50,042.36	63,700.78	75,668.81	60,909.14	58,101.37	61,061.36
Use Tax from inventory	170.94	447.47	934.45	252.66	573.48	1,139.88	(242.09)	357.13	1,371.46	842.70	523.60	1,276.30	(2,044.16)
Residential Rental	41,498.68	36,493.19	49,979.30	38,110.28	35,731.35	35,350.43	35,678.35	31,140.57	38,201.48	29,962.27	30,905.62	39,417.59	32,755.47
Retail Food for home consumption	189,759.34	192,075.18	277,420.21	198,620.93	192,578.63	204,064.23	199,897.86	213,827.50	194,974.51	208,471.22	201,153.54	198,627.20	197,856.92
Commercial Rental	27,286.47	30,390.81	33,917.16	27,969.22	31,967.96	32,336.58	33,368.66	31,452.70	31,613.39	30,004.35	25,380.53	27,777.78	30,920.86
Tangible Property Rental	18,909.50	18,598.24	17,709.39	21,432.01	47,426.15	13,846.63	21,274.61	20,106.66	22,059.78	21,197.63	20,393.41	19,716.15	21,474.10
Extended Stay	74,252.74	63,781.82	52,357.21	69,326.34	82,130.35	95,717.27	92,997.31	94,905.40	79,698.76	96,156.46	96,787.24	71,430.05	90,286.22
Other	16,143.61	8,916.75	8,389.67	4,232.45	15,285.04	14,604.17	8,591.89	9,903.86	18,694.66	10,890.87	8,562.47	13,327.04	37,143.26

Commission Restructuring

Concept Brief

(Update 1)



CONSENSUS

- **Current commissions go to five members**
 - Accomplished through attrition
 - Youth commission may be an exception
- **All meet not less than four times a year**
- **Parks and Recreations / Planning & Zoning remain commissions**
 - Regulatory
 - Authorized by Council
 - Council liaison
- **Others become committees**
 - Recommending body
 - Authorized by administrative directive
 - Department head is liaison



CONSENSUS

- **Commissions**

- Planning and Zoning
- Parks and Recreation

- **Committees**

- Youth *
- West End
- Tourism
- Arts and Humanities
- Cultural Diversity
- Ability Awareness
- Library
- Transportation Planning
- (Environmental Affairs)




Board & Commission Restructuring

Concept Brief

A stylized graphic of a mountain range in the bottom right corner. The mountains are rendered in shades of green and white, with a jagged, hand-drawn style. The background is a solid blue color.

Preparation

- Reviewed Commission Empowerment Plan (Jan 2016)
 - Reviewed tasking on City Commission restructuring (2016)
 - Reviewed Council Handbook
 - Reviewed Board & Commission Handbook
 - Conversations
- 

General Mission of Boards & Commissions

- Provide informed input to Council and staff in their area of expertise
- Assist staff, where appropriate, in drafting policy recommendations for Council



Statutory Boards & Commissions Unchanged

Boards

- Board of Adjustment
- Employee Benefit Trust
- Fire Pension Board
- Personnel Advisory Board
- Police Pension Board

Commission

- Planning & Zoning
- Parks & Recreation
- West End
- Tourism
- Youth*



Youth Commission

(Special Case)

Mission:

- *Provide informed input to Council on issues effecting the Youth*

Unique:

- *Should educate Youth about local government*
- *Commission should lead/participate in events that support/develop service/employee opportunities for Youth*
- *Commission should recommend/organize events/projects for City Youth*

Council:

- *Needs to approve/fund activities on a case by case basis*



Arts & Humanities and Cultural Diversity Commissions

Mission:

- *Combine mission of Arts & Humanities and Cultural Diversity*
 - *Develop new mission statement*

Council:

- *Council commits support to projects*
 - *Community Arts Awards*
 - *Student Arts & Crafts Fair (Cochise College)*
 - *Cultural Diversity Fair*
- 

Commission on Disability Issues (becomes) Ability Awareness Board

Mission:

- *Advises Director of Community Development on Ability Policy*
- *Acts as liaison between Disabled Community and the City*

Structure:

- *5 Members*
- *Staff Liaison: Community Development*

Meets:

- *Quarterly (at a minimum)*

Responsibilities:

- *Ability Awards*
- *Represent City at Ability Events in the Community*
- *Assist/Advise businesses on Ability Issues alongside Community Development*

Appointment:

- *Nominated by City Manager*
 - *Approved by City Council*
- 

Library Commission (becomes) Library Advisory Board

Mission:

- *Advises the Library Director on Library Issues*

Structure:

- *5 Members*
- *Staff Liaison: Library*

Meets:

- *Quarterly (at a minimum)*

Responsibilities:

- *Assist with Library Planning*
- *Monitor service to the public*

Appointment:

- *Recommended by City Manager*
- *Approved by City Council*



Transportation Advisory Board (New)

Mission:

- *Advise the Director of Public Works on Transportation Issues*

Structure:

- *5 Members*
 - *1 Airport Representative*
 - *1 Roads Representative*
 - *1 Transit Representative*
 - *1 Bicycle Representative*
 - *1 Safe Routes to Schools Representative*
- *Staff Liaison: Public Works*

Meets:

- *Quarterly (at a minimum)*

Responsibilities:


- *Reviews Multi Modal Transportation Plans*

Appointment:

- *Recommended by City Manager*
- *Approved by City Council*



Former Commissions

- **Airport Commission**
 - *Mission transferred to the Transportation Advisory Board*
 - *Potential planning Task Force*
 - **Cultural Diversity Commission**
 - *Mission added to Arts & Humanities*
 - **Environmental Affairs Commission**
 - *Issue Driven*
 - *Potential Task Force*
- 

Task Forces (as needed)

Potential Task Forces:

- **Airport Task Force**
 - *5 Year Airport Master Plan*
- **Library Task Force**
 - *Future Library Expansion*
- **Environmental Task Force**
 - *New Environmental Issues*
- **Citizen Advisory Task Force**
 - *Critical Future Issues*

Task Force established by:

- **City Manager recommendation**
 - **City Council appointment**
- 

Summary of Changes

Refocus:

- *Youth Commission*

Combine:

- *Arts & Humanities Commission and Cultural Diversity Commission*

Restructure:

- *Commission on Disability Issues*
- *Library Commission*

Establish:

- *Transportation Advisory Board*

Restructure:

- *Airport Commission*
 - *Potential TF/ Transportation Advisory Board*
- *Environmental Affairs Commission*
 - *Potential TF*

