



Sierra Vista City Council
Meeting Agenda
June 9, 2022

Call to Order

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

Roll Call

Invocation – Brian Loieselle, Desert Grace Church

Pledge of Allegiance

Item 1 Acceptance of the Agenda

Presentations and Awards

2021 Police Department Awards

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

Item 2 – Consent Agenda

Item 2.1 Discussion and Possible Action of the Special City Council Meeting Minutes of May 24, 2022

Item 2.2 Discussion and Possible Action of the Regular City Council Meeting Minutes of May 26, 2022

Public Hearing

Item 3 Discussion and Possible Action of Resolution 2022-033, New Series 10 Liquor License for Brenda E. Sallard on behalf of Family Dollar, Inc. dba Family Dollar Store #24189 located at 21 E Fry Boulevard, Sierra Vista, Arizona

New Business

Item 4 Discussion and Possible Action of Resolution 2022-034, Addendum to the City Attorney's Contract

Item 5 Discussion and Possible Action of Resolution 2022-035, Amendment to the City Council Policy and Procedure Guidelines

Item 6 Discussion and Possible Action of Resolution 2022-036, Intergovernmental Agreement between the City of Sierra Vista, the Cochise County Sheriff's Office, and the Cochise County Community College District

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.

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.

Sierra Vista City Council
Special Meeting Minutes
May 24, 2022

1. Mayor Mueller called the May 24, 2022, City Council Special Meeting to order at 1:31 p.m., City Hall, City Manager's Conference Room, 1011 N. Coronado Drive, Sierra Vista, AZ

Mayor Rick Mueller – present
Mayor Pro Tem Rachel Gray – present
Council Member William Benning – present (arrived at 1:33 p.m.)
Council Member Gregory Johnson – present
Council Member Angelica Landry – present
Council Member Mark Rodriguez – present
Council Member Carolyn Umphrey - present

Others Present:

Chuck Potucek, City Manager
Victoria Yarbrough, Assistant City Manager
Nathan Williams, City Attorney
Jill Adams, City Clerk
Tony Boone, Economic Development Manager

Item 1 Acceptance of Agenda

Council Member Landry moved that the agenda for the Special City Council Meeting of May 24, 2022, be approved as written. Council Member Johnson seconded the motion. The motion passed by a unanimous vote of 6/0, Mayor Mueller, Mayor Pro Tem Gray, Council Members Johnson, Landry, Rodriguez, and Umphrey.

New Business

Item 2 The purpose of the meeting is to call an executive session in accordance with:

Arizona Revised Statute §38-431.03(A.2), discussion or consultation for legal advice with the attorney or attorneys of the public body regarding a potential broadband project.

Arizona Revised Statute §38-431.03(A.7), discussions or consultations with designated representatives of the public body to consider its position and instruct its representatives regarding negotiations for the purchase, sale, or lease of real property – Parcels 106-67-016A, 106-67-014F, 106-67-014J, 106-67-004, 106-67-014H, 106-67-003.

Arizona Revised Statute §38-431.03(A.1), discussion regarding personnel issues – city attorney compensation.

Arizona Revised Statute §38-431.03(A.4), obtain legal advice from the attorney or attorneys of the public body concerning a possible court agreement with Cochise County.

Council Member Rodriguez at 1:33 p.m. moved to adjourn into Executive Session in accordance with Arizona Revised Statute §38-431.03(A.1), §38-431.03(A.2), §38-

431.03(A.4), and §38-431.03(A.7). Mayor Pro Tem Gray seconded the motion. The motion passed by a unanimous vote of 6/0, Mayor Mueller, Mayor Pro Tem Gray, Council Members Johnson, Landry, Rodriguez, and Umphrey.

At 2:33 Mr. Boone exited the Executive Session.

Item 3 Adjournment

Mayor Mueller adjourned the May 24, 202 Sierra Vista City Council Executive Session at 3:02 p.m.

Mayor Mueller adjourned the May 24, 2022 Special Meeting at 3:03 p.m.

Mayor Frederick W. Mueller

Minutes prepared by:

Attest:

Maria G. Marsh, Deputy Clerk

Jill Adams, City Clerk

Sierra Vista City Council
Meeting Minutes
May 26, 2022

Mayor Mueller called the May 26, 2022, 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 Gregory Johnson - present
Council Member Angelica Landry – present
Council Member Mark Rodriguez - present
Council Member Carolyn Umphrey - present

Others Present:

Chuck Potucek, City Manager
Victoria Yarbrough, Assistant City Manager
Adam Thrasher, Police Chief
Brad Dever, Deputy Fire Chief
Sharon Flissar, Public Works Director
Laura Wilson, Parks, Recreation, and Library Director
Gabriel Squires, Public Works Internal Operations Manager
Jill Adams, City Clerk
Nathan J. Williams, City Attorney
Tony Boone, Economic Development Manager
Judy Hector, Marketing and Communications Manager
David Felix, Chief Financial Officer
Mike Hoerig, CPA, HeinfeldMeech

Invocation - Michael Sanders, Village Baptist Meadows Church, led everyone present in prayer.

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

[Item 1](#) Acceptance of the Agenda

Council Member Benning moved that the agenda for the Regular City Council Meeting of May 26, 2022, be approved. Council Member Johnson seconded the motion. The motion unanimously carried, 7/0. Mayor Mueller, Mayor Pro Tem Gray, Council Members Benning, Johnson, Rodriguez, Landry, and Umphrey voting in favor.

Presentations and Awards

Proclamation declaring the Month of May as Nurse's Month – Mayor Mueller stated that it is his pleasure to present the proclamation and shared that most people are not aware that his mother was a registered nurse; therefore, he holds a special spot in his heart for nurses. Ms. Malone on behalf of the nursing community in Sierra Vista, thanked Mayor Mueller for his support of Nurse Appreciation Month in the City of Sierra Vista. She also thanked Mayor Pro Tem Gray and City Council Members for their support as well. She noted that many times nurses will collaborate tirelessly with a patient for hours in a hot gown to protect themselves, their loved ones, and

someone will come in and say oh, “they are just the nurse.” Therefore, nurses have decided to take that phrase and turn it around. She encouraged everyone to use their voice for the nursing community using hashtag yes, I am just the nurse with stories of what the nursing community means to them. Lastly, she stated that if anyone ever feels that they want to show their appreciation to a nurse, they love food, and they will gladly accept it.

Auditor Presentation per [ARS §9-481\(H\)](#) – Mayor Mueller stated the City does an audit every year and has an audit team. It is usually several different people on the audit team that come in and specifically meet with the City Manager and the Mayor before they start the audit. They ask if there is anything specific and explain what they are looking at. They ask if there is anything else that needs to be looked at or if there are any concerns. Those conversations are held once they do the audit and, in the past, they have gone back and filled out a report and sent it back to the City in the mail. He further stated that the City has had clean audits for the last couple of years. Therefore, that has not been a concern. However, one fellow citizen(s) in the Valley, when they were going through their process, found stuff and for some reason did not make it public, which upset a couple of people in the Legislature. Therefore, everyone is required to make sure that the audit is out to the public in a public meeting forum rather than being on the internet as it used to be.

Mayor Mueller noted that the City’s previous audits have all been posted on the internet and this will be the first time that the auditor will brief Council during a Council Meeting, a new procedure which is required by the legislature, and the item is not a part of the Consent Agenda.

Mr. Hoerig, CPA with HeinfeldMeech, stated that the new statute states that within 90-days of the auditor’s issuance, the auditor must present the audit to the Council in person. He noted that this will be an annual meeting to cover what is in the reports, which has always been in the reports that they have issued. However, the presentation is the new piece and that is why he is present. There are assorted reasons for the audit. They are ensuring that the financial statements are correctly stated. The City issues its financial statements to a number of stakeholders and the City is demonstrating its fiscal responsibility, federal or state grant requirements, bond covenants, etc. There is a number of reasons why these audits are done. The audit process itself is a long one that starts in August. The Auditor does some onsite work in October/November, and a lot of work in between and after November.

Mr. Hoerig displayed a slide with the list of the City’s stakeholders and the various procedures that the auditor performs. The financial statements are issued in March; however, this year the City received the financials and the annual expenditure limitation report in March. He also presented a slide listing the various reports that the City’s staff prepares, and that the auditor issues an opinion on. The communication, the governance, is a report that the auditor has always issued, which is almost the same thing as the presentation that the statute now requires to be in a public setting by the auditor; but they have always communicated these things to Council as well as the annual comprehensive financial report, the single audit reporting package that is the City’s federal compliance related to the federal monies that the City expends, ELR that is the spending limit, and the HURF compliance examination to determine whether the City spent that money in accordance with State Statute.

The communication letter was displayed that talks about a number of items. The financial statements are only as good as the estimates that are involved. For instance, Public Safety, ASRS, pension and OPEP - a big estimate. As estimates change, the financial statements will change, which is all that this letter is trying to convey and explain in that they had no difficulties in performing the audit, that they had no disagreements with management, that they had no

audit adjustments of the financial information that was provided. It further conveys that the auditor had no material, nor did they detect material errors, and those numbers are all things that are a part of this letter that they are required to communicate to Council, absent the Statute that requires the auditor to be before Council. Finally, there is the engagement letter as well as the management representation letter which are attached to that document that are prepared at the beginning of the audit and at the end of the audit that are also included in that document just for transparency purposes.

The audit opinion was a clean, unmodified audit opinion in fiscal Year 2021. The ACFR has been submitted to GFOA for their award program. Some minor reclassifications of fiduciary activities are due to new accounting pronouncements, GASB 84 for Fiscal Year 2021, things that used to be called an agency fund and are now called a custodial fund, but otherwise there were no significant changes in accounting principles. Overall, a net increase of \$11.6 million in the City's net position because of coronavirus relief funding, the one-time CARES Act money that came from the Governor's Office, which was about \$5 million of that, and the changes in TPT.

It was explained that as any government spends at least \$750,000 in federal money, the single audit is triggered (slide of a list of all the different federal grants that the City received, and how much was spent on each was displayed). Covid-19 was a big piece of it and the City spent about \$7.3 million in federal monies, \$6.1 million of that was Covid-related, whether it is coronavirus relief, CDBG, Airport; but of the \$7.3 million of federal expenditure, \$6.1 million is COVID, \$5 million of the \$6.1 million Coronavirus relief.

As the single audit is performed, the auditor identified major federal programs and Coronavirus relief was one that was looked at, and the federal transit cluster was another one that was looked at. Also in that report, the auditor indicates on page ten that any audit findings that they came across had something related to cash reconciliations. There were no material misstatements in the financial statements. However, the issue that the auditor had was with cash reconciliations due to timeliness, but eventually staff got done. The auditor believes that there was turnover, and COVID issues during Fiscal Year 2021. Eventually, it all got done and there were no material misstatements. The finding is really-more rooted in the timeliness of that key internal control. Lastly, management does provide a response on pages 12 and 13, where it shows that the City is on its way to making that correction in the fall, which is when it is anticipated to being back up to speed.

Mr. Hoerig thanked everyone on City staff and stated that an audit is not a fun experience, and the auditors ask a lot of questions, but everybody at the City is always friendly to work with, they respond quickly, they put aside their day-to-day stuff when the auditors are on site, and make the auditor a priority, which is huge for the auditors, and they appreciate that. The GASB 87 is another change that will take effect for Fiscal Year 2022. This will require research on the City staff's part to find all the contracts that have been entered into and determine whether they fit under the new classification - lease under GASB 87 standard.

Mr. Potucek stated that the audit that the City goes through every year is very comprehensive and a lot of time and effort go into that, both on the part of the auditors and on the staff. He added that this is not something to be feared like an IRS audit, and he welcomes the audit process because he views them as partners in the process. He added that he likes to see where the auditors can identify and make recommendations as to where the City can improve its financial operations and internal controls. The City has had particularly good audits; therefore, he appreciates Mr. Hoerig having come in and presenting.

Mayor Mueller stated that with regards to internal controls, people need to understand that this is what allows the City to say that the tax money is being spent where it is supposed to be spent, and that the City is not pilfering off or making mistakes or spending frivolously on things that have not been approved. The City is doing things legally and effectively and that is important for the public to know.

Mr. Felix presented ARS §9-481H approved by the State Legislature and read for the record the last half of a sentence, "...and the governing body shall demonstrate compliance with section 1494 of Section 41 of the revised statutes."

Mr. Felix noted that there has not been any discussion, nor guidance on what a city/town is supposed to do to show compliance. He added that the League does not know, and he has talked with the City Attorney on this; hence, the verbal report that should satisfy the statute. The City is not spending any money or mandating that any employee go on any training that tries to assess any sort of blame on society or events in a society based on race, creed, color, religion. He stated that he suspects that something happened back east, and this is the Legislature's reaction to it. The City does not have a plethora of money to spend. All travel and training are job-related, departments are tight, and department heads manage money very carefully. The City's only mandatory training has been in the past anger management training and there has never been any sort of empathy training. It is not something that the City would be spending money on, and no department head would ever want to even try and spend money on this when there are much more important things to spend their budget on. The City follows the law and State Statutes.

City Manager's Report: Mr. Potucek stated that the next work session is scheduled for June 7, 2022 at 3:00 p.m. in the Council Chambers and the next regular Council Meeting will be on June 9, 2022 at 5:00 p.m. also in the Council Chambers. The primary budget work session for the fiscal year is scheduled for Monday, June 13, 2022 at 3:00 p.m. in the Council Chambers, and then if needed, sessions have been scheduled for June 14 and 15 also at 3:00 p.m. He reported that the solicitation for the Cashless Farebox ticketing and Kiosk System for the City's Transit System closed on Wednesday, May 25, 2022. The City received two proposals that are currently in evaluation. The bids for the GPS for Transit and the on-board video surveillance camera systems for the busses and refuse trucks are due on June 3, 2022. The Construction Manager At Risk and Design Engineering Services for the Animal Control Center improvement and expansion project's kickoff meeting will occur on June 8, 2022 to get that process started. There are also several road projects out at Avenida Escuela starting after Memorial Day, the Charleston Road Improvement Project will be beginning at that point, with some traffic rerouting. The EMS Substation will hopefully be substantially finished in June so that there can be a temporary certificate of occupancy issued to at least start operating out of the building, but there are still a few things, i.e., the backup generators and HVAC systems that the City is still waiting for. Full completion will probably occur during July or August, but the EMS Substation should be able to start operating sooner than that, and there will be a ribbon cutting ceremony when that occurs. Finally, he reported that he had a meeting with the County representatives on the Rate Review Advisory Board and the Tourism Council. There will be no changes recommended to the Board of Supervisors for tipping fees and the Solid Waste System is operating in a smooth financial manner. The biggest issue that is being dealt with is the increasing cost of diesel fuel, but they have a handle on where to break even. The Cochise County Tourism Council reported that the City of Benson has voted to take themselves out of the consortium, which is unfortunate; but the rest of the group has indicated a desire to continue. Therefore, they will do that in hopes that they will come back later. In closing, he stated that the City offices will be

closed on Monday, May 30, 2022 in observance of Memorial Day. Therefore, Monday's refuse pickup will be on Tuesday and Tuesday's pickup will be on Wednesday. There will be no special pickups that week. He reminded everybody to drive safely and noted that the City will be participating in the DUI Task Force; therefore, people may want to also be cognizant of that while they are out driving. He encouraged people to be safe and to remember those who gave their all for the freedoms.

In response to Council Member Umphrey, Mr. Potucek stated that the City issues the temporary certificate of occupancy so that the EMS Substation will be able to operate out of the building, but the building needs to meet all appropriate safety codes. It is hoped that they can do this, knowing that there are still a couple of things to finish.

Public Hearing

[Item 2](#) Discussion and Possible Action of Resolution 2022-029, a location and owner transfer of a Series 6 Liquor License for Aaron Marshall Hennequin on behalf of Doc's Watering Hole Company, 1959 Frontage Road, Sierra Vista, Arizona

Council Member Rodriguez moved that Resolution 2022-029, a location, and owner transfer of a Series 6 Liquor License for Aaron Marshall Hennequin on behalf of Doc's Watering Hole Company located at 1959 Frontage Road, Sierra Vista, Arizona, be approved. Council Member Umphrey seconded the motion.

Ms. Adams stated that this is an application for a location and transfer of a Series Six Liquor License, which was previously held at the Sunset Saloon that Mr. Hennequin purchased and relocated to the City of Sierra Vista. The notice of the public hearing was posted on the facility more than the required twenty days, and no comments from the public have been received pro or con. A Police Department background check has been done and the Police Department has no objection to the application moving forward. If approved by Council, it will be returned to the State for ultimate action.

The motion unanimously carried, 7/0. Mayor Mueller, Mayor Pro Tem Gray, Council Members Benning, Johnson, Rodriguez, Landry, and Umphrey voting in favor.

[Item 3](#) Discussion and Possible Action of Resolution 2022-030, new license, Series 12 Liquor License for Dewayne Brewton on behalf of the Angry German, Inc., 355 W Wilcox, Sierra Vista, Arizona

Council Member Landry moved that Resolution 2022-030, a new license, Series 12 Liquor License for Dewayne Brewton on behalf of the Angry German, Inc., located at 355 W Wilcox, Sierra Vista, Arizona, be approved. Mayor Pro Tem Gray seconded the motion.

Ms. Adams stated this is an application for a new Series 12 Liquor License, a restaurant liquor license. The difference between the previous licenses and this one is that a restaurant liquor license is nontransferable; therefore, they are only allowed to get new licenses. The application is on behalf of the Angry German Restaurant located at 355 W. Wilcox. The notice of the public hearing was posted on the facility more than the required twenty days, and no comments have been received pro or con from the public. The Police Department has performed their background check on the applicant, and they have no objection to this license going forward. If approved, it will be returned to the State for ultimate action.

The motion unanimously carried, 7/0. Mayor Mueller, Mayor Pro Tem Gray, Council Members Benning, Johnson, Rodriguez, Landry, and Umphrey voting in favor.

[Item 4](#) Discussion and Possible Action of Resolution 2022-031, Codification of Code of Ordinances and declaring a 30-day Public Record

Council Member Umphrey moved that Resolution 2022-031, codification of the Code of Ordinances and declaring a 30-day public record, be approved. Council Member Benning seconded the motion.

Ms. Adams stated that this is a housekeeping item. It is the next to the last step in the ordinance process. This action usually takes place every year, or 18 months depending on how many ordinances Council passes. This process is done by a resolution that sets an open 30-day public comment period. At the end of the comment period, staff will come back before Council with an ordinance that will adopt all the ordinances passed in the period of 2021 through 2022 into the City Code of Ordinances. She further stated that this action officially adopts the ordinance into the City' record as the actual Code. She noted that the ordinances did become effective when they were passed, and this has absolutely no part in that. If approved, staff will come back in 30 days plus with an ordinance for adoption. Staff will then order final copies as this action only affects the hard copy books. However, the website ordinances are updated as the ordinances are passed.

The motion unanimously carried, 7/0. Mayor Mueller, Mayor Pro Tem Gray, Council Members Benning, Johnson, Rodriguez, Landry, and Umphrey voting in favor.

New Business

[Item 5](#) Discussion and Possible Action of the Regular City Council Meeting Minutes of May 12, 2022

Mayor Pro Tem Gray moved that the Regular City Council Meeting Minutes of May 12, 2022, be approved. Council Member Umphrey seconded the motion. The motion unanimously carried, 7/0. Mayor Mueller, Mayor Pro Tem Gray, Council Members Benning, Johnson, Rodriguez, Landry, and Umphrey voting in favor.

[Item 6](#) Discussion and Possible Action of Resolution 2022-032, Intergovernmental Agreement with the Palominas School District for Fleet Maintenance Services

Council Member Johnson moved that Resolution 2022-032, an Intergovernmental Agreement with the Palominas School District for Fleet Maintenance Services, be approved. Mayor Pro Tem Gray seconded the motion.

Mr. Squires stated that Fleet Intergovernmental Agreements help both the City, and the local governments maximize benefits and minimize costs. The Palominas Elementary School District reached out to the City to initiate an agreement. The Fleet Section has capacity and can service their needs; therefore, this resolution is to execute an Intergovernmental Agreement with the Palominas Elementary School District for maintenance and repair services.

Council Member Johnson asked about the various charges that will be provided to the Palominas Elementary School District. Mr. Squires stated that the Fleet Section currently breaks up the fees with the vehicle class, a light, medium, and the heavy. The light and medium have a

labor rate of \$89 an hour, and the heavy rate is a \$100 per hour; however, for the next fiscal year those rates are going to be increasing. The new rate for the light and medium labor will be \$109 dollars per hour and the heavy will be \$120 per hour.

Council Member Johnson stated that it is his understanding that if there are parts attached to that, it is a 15 percent up charge from what it costs the City. Mr. Squires stated that the Fleet Section has the 15 percent overhead market rate for all parts.

The motion unanimously carried, 7/0. Mayor Mueller, Mayor Pro Tem Gray, Council Members Benning, Johnson, Rodriguez, Landry, and Umphrey voting in favor.

Call to the Public – There was no response.

Comments and Requests of the Council

Council Member Johnson stated that Memorial Day is not to be confused with Veterans' Day. It is truly an American Holiday, observed the last Monday of May honoring the men and women while serving the country. It was originally known as Decoration Day that originated in the years immediately following the Civil War, which ended in the spring of 1865 that claimed more lives than any conflict in U.S. history. It created and required the establishment of the first National Veterans' cemeteries. He announced that the Southern Arizona Veterans Memorial Cemetery will have a Memorial Day Ceremony on Monday, May 30, 2022, at 8:30 a.m. In closing, he encouraged people as they begin the Memorial Day weekend to remember the sacrifices given by so many so that everyone could live in a free country. It is not a Happy Memorial Day; it is a solemn one.

Council Member Benning concurred with Council Member Johnson and thanked him for the history lesson because a lot of people confuse Memorial Day and Veterans' Day. He added that as a Veteran as well as his fellow Veterans on Council, they get thanked for their services, but that is not what Memorial Day is for as some gave all. He thanked his brothers and sisters in Arms for giving all and doing what they did for the country. He commented on his tour of the new Village Meadows Baptist Church that hosted the Prayer Breakfast and thanked them for their blessing. He announced that on Saturday, May 28, 2022 from 12:00 p.m. until 7:00 p.m. taking place will be the Wine, Beer, and Spirit Festival at Veterans' Memorial Park. Lastly, he thanked Edifying Pursuit who came out to the City as they do a lot of the events put on by the City. He also noted to Veronica that he put the word out for her, and he wants an invite to the special day. He shared that he has seen a lot of doctors in his 51 years of living, for a whole bunch of medical conditions, and the doctors come to the office for maybe ten twenty minutes or they conduct the actual procedure, but it is the nurses there that make sure everything is going well, and on top of that comforting the patient. He disagrees with the phrase, just a nurse, because they are the lifeline and the glue.

Council Member Rodriguez thanked fellow veterans, Council Member Johnson for reminding everyone what the weekend is for, the veteran organizations, i.e., the VFW and the Legion that do things to remember everybody i.e., putting up the crosses throughout the different cemeteries around the world. He asked people to remember the people of Uvalde, Texas, his home state, in dealing with recent tragedy. He announced the Buena High School Graduation, which he plans to attend as well as Project Graduation. He thanked all the volunteers as it is a good event that he enjoys volunteering for, being able to see all the first responders there all night, keeping everyone safe, and encouraged people to avoid Charleston Road if they do not have a parking pass to go to the Buena High School Graduation. He shared that his stepson is

graduating from Buena High School, and he is happy to support him. He also shared that on May 25, 2022, his twins graduated from Joyce Clark Middle School. He congratulated every graduate in town, the teachers, and parents who got them there. Lastly, he shared that he was honored to give the invocation at the NCO Academies Change of Responsibility for First Sergeant Rick Hollin, Change of Order for First Sergeant Cheresse Brumer, and stated that he agrees with Council Member Benning regarding the hashtag, "yes, I am just a nurse." From birth to hospice, the nurse is seen, and the doctor is seen every now and then and they do good things, but it is the nurses that really rock.

Council Member Landry thanked the nurses present and noted that it is great to have a Nurse's Month. She shared that almost a year ago, she had to deal with a whole lot of nurses, and they do so much, give regardless of being hungry and tired. She encouraged people to stop by the park during the weekend for Sips and Skys, where there will be beer, wine, and other things, but to make sure that they have somebody to drive them to be safe. She announced that at the animal shelter, the cat room has been closed off for a while as there are cats that are not feeling well. However, the shelter needs more dog walkers and if people want, they can make donations, cat food, cat treats, etc.

Council Member Umphrey thanked Council Member Johnson for his words about Memorial Day, announced that she plans to also be at Sips and Skys, and prior to that the Summit Challenge. She congratulated all the students graduating and stated that she is proud of her children, Liam, now an eighth grader, Lovey, now a Fifth grader, and niece, Kiersten, a Sophomore at Buena High School. She thanked all the teachers, staff, and parents. Lastly, she stated that before Ms. Malone explained where the nurses got the hashtag, she thought, because of her experience with nurses, that it was because everyone mistook them for superheroes. She voiced her appreciation for everything that nurses do, especially during the pandemic.

Mayor Pro Tem Gray echoed everyone's sentiments about Memorial Day, added that most everyone has people in their lives that have served and that a debt of gratitude is owed, and encouraged people to take a few minutes between the barbecues and all the things that happen on Memorial Day to remember them. She thanked Ms. Malone, and the Mayor for doing the proclamation, and shared that her health care provider is a nurse practitioner, who is amazing. She thanked the nurses for all their sacrifices and everything that they do. In closing, she voiced her appreciation at Council Member Landry's comments, and noted that she cannot have any more foster puppies in her house; therefore, she encourages people to help the shelter by adopting some of the cats and dogs.

Mayor Mueller stated that everyone is saddened by the actions in Uvalde, Texas as it is very disturbing for many. He further stated that he has asked the City Manager to direct the Police Chief to contact the Sierra Vista School Board, Sierra Vista Superintendent of Schools as well as the private schools in the area and help in going through all security plans and training since things have changed/added over the years. He added that he would like for the Police Chief to work with the churches and any commercial kindergartens to do whatever training is necessary to get everyone educated on how to protect the community's kids. He noted that the City Police Department goes out on a regular basis and trains these situations along with the Sheriff Department and Fort Huachuca so that tactical teams are ready to manage these situations. The training is the easy part, but the tough part is the mental health part; therefore, he recommended identifying and seeking help for individuals struggling early so that there are not series of acts like Uvalde, where someone acts in a heinous manner towards his own grandmother and young children. He encouraged people to think about what is going on because everyone needs to love one another, take the time to understand, and get folks to the

right people that can help with mental health, a challenge in Cochise County due to the number of beds at the hospital. In closing, he stated that the country band concert in the park was canceled, but the next concert, Pops Americana, will be by the Sierra Vista Symphony Orchestra in Veterans' Memorial Park for free. He mentioned the Summit Challenge that will take place over the weekend as well as the Wine and Beer Festival, announced the Southern Arizona Veterans Memorial Day services at the cemetery at 8:30 a.m., the Post ceremony at 11:00 a.m., and a ceremony at 10:00 a.m. at the cemetery on the east side of town. In closing, he congratulated all the graduates, and encouraged people to be safe while travelling during the weekend and not to be drinking excessively because the friends in blue will be out there.

Adjournment

Mayor Mueller adjourned the May 26, 2022 meeting of the Sierra Vista City Council at 5:51 p.m.

Mayor Frederick W. Mueller

MINUTES PREPARED BY:

ATTEST:

Maria G. Marsh, Deputy Clerk

Jill Adams, City Clerk

June 3, 2022

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 2022-033, New Series 10 Liquor License for Brenda E. Sallard on behalf of Family Dollar, Inc. dba Family Dollar Store #24189 located at 21 E Fry Boulevard, Sierra Vista, Arizona

RECOMMENDATION:

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

INITIATED BY:

Brenda E. Sallard
Family Dollar, Inc.
500 Volvo Parkway
Chesapeake, VA 23320

BACKGROUND:

The City received an application for a New Series 10 Liquor License for Brenda E. Sallard on behalf of Family Dollar, Inc. dba Family Dollar Store #24189 located at 21 E Fry Boulevard, 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 public hearing notice was posted on the premises, and to date, there has been no response, either in favor or against.

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 2022-033

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; REAFFIRMING SETTLED POLICY BY RECOMMENDING APPROVAL FOR A NEW SERIES 10 LIQUOR LICENSE FOR BRENDA E. SALLARD ON BEHALF OF FAMILY DOLLAR, INC. DBA FAMILY DOLLAR STORE #24189 LOCATED AT 21 E FRY BOULEVARD, SIERRA VISTA, ARIZONA, 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 a New Series 10 Liquor License for Brenda E. Sallard on behalf of Family Dollar, Inc. dba Family Dollar Store #24189 located at 21 E Fry Boulevard, Sierra Vista, Arizona has been filed with the Arizona Department of Liquor Licenses and Control; 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 a New Series 10 Liquor License for Brenda E. Sallard on behalf of Family Dollar, Inc. dba Family Dollar Store #24189 located at 21 E Fry Boulevard, Sierra Vista, Arizona; 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 9th DAY OF JUNE 2022.

Frederick W. Mueller
Mayor

Approved as to Form:

Attest:

Nathan J. Williams
City Attorney

Jill Adams
City Clerk

Prepared By:
Jill Adams, City Clerk

State of Arizona
Department of Liquor Licenses and Control

Created 05/11/2022 @ 04:45:37 PM

Local Governing Body Report

LICENSE

Number:	Type:	010 BEER AND WINE STORE
Name:	FAMILY DOLLAR STORE #24189	
State:	Pending	
Issue Date:	Expiration Date:	
Original Issue Date:		
Location:	21 E FRY BOULEVARD SIERRA VISTA, AZ 85635 USA	
Mailing Address:	500 VOLVO PARKWAY CHESAPEAKE, VA 23320 USA	
Phone:	(757)321-5493	
Alt. Phone:	(520)260-0276	
Email:	AB-LICENSING@DOLLARTREE.COM	

AGENT

Name:	BRENDA E SALLARD
Gender:	Female
Correspondence Address:	500 VOLVO PARKWAY CHESAPEAKE, VA 23320 USA
Phone:	(520)260-0276
Alt. Phone:	
Email:	AB-LICENSING@DOLLARTREE.COM

OWNER

Name:	FAMILY DOLLAR INC	
Contact Name:	VARIOUS AGENTS	
Type:	CORPORATION	
AZ CC File Number:	F08710462	State of Incorporation: NC
Incorporation Date:	11/17/1997	
Correspondence Address:	500 VOLVO PARKWAY CHESAPEAKE, VA 23320 USA	
Phone:	(757)321-5493	
Alt. Phone:		
Email:	AB-LICENSING@DOLLARTREE.COM	

Officers / Stockholders

Name:
FAMILY DOLLAR STORES INC
PETER ALLAN BARNETT
HARRY RASHAD SPENCER
ROGER WAYNE DEAN

Title:
Shareholder
President
ASST SECRETARY
VP/TRES

% Interest:
100.00

FAMILY DOLLAR INC - VP/TRES
FAMILY DOLLAR STORES INC - VP/TRES

Name: ROGER WAYNE DEAN
Gender: Male
Correspondence Address: 500 VOLVO PARKWAY
CHESAPEAKE, VA 23320
USA
Phone: (757)321-5354
Alt. Phone:
Email: RDEAN@DOLLARTREEE.COM

FAMILY DOLLAR INC - Shareholder

Name: FAMILY DOLLAR STORES INC
Contact Name: VARIOUS AGENTS
Type: CORPORATION
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: 500 VOLVO PARKWAY
CHESAPEAKE, VA 23320
USA
Phone: (850)577-6962
Alt. Phone:
Email: ALYSSA.DICKINSON@GRAY-ROBINSON.COM

FAMILY DOLLAR STORES INC - Shareholder

Name: DOLLAR TREE INC
Contact Name: BRENDA E SALLARD
Type: CORPORATION
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: 500 VOLVO PARKWAY
CHESAPEAKE, VA 23320
USA
Phone: (520)260-0276
Alt. Phone:
Email: AB-LICENSING@DOLLARTREE.COM

FAMILY DOLLAR STORES INC - PRESIDENT

Name: PETER ALLEN BARNETT
Gender: Male
Correspondence Address: 500 VOLVO PARKWAY
CHESAPEAKE, VA 23320
USA
Phone: (757)428-2789
Alt. Phone:
Email: PBARNETT@FAMILYDOLLAR.COM

FAMILY DOLLAR INC - ASST SECRETARY FAMILY DOLLAR STORES INC - ASST SECRETARY

Name: HARRY RASHAD SPENCER
Gender: Male
Correspondence Address: 500 VOLVO PARKWAY
CHESAPEAKE, VA 23320
USA
Phone: (757)321-5000
Alt. Phone:
Email: AB-LICENSING@DOLALRTREE.COM

FAMILY DOLLAR INC - President

Name: PETER ALLAN BARNETT
Gender: Male
Correspondence Address: 500 VOLVO PARKWAY
CHESAPEAKE, VA 23320
USA
Phone: (757)428-2789
Alt. Phone:
Email: PBARNETT@FAMILYDOLLAR.COM

MANAGERS

Name: RALPHAEL SEAN PICHE
Gender: Male
Correspondence Address: 500 VOLVO PARKWAY
CHESAPEAKE, VA 23320
USA
Phone: (520)252-3372
Alt. Phone:
Email: RPICHE@FAMILYDOLLAR.COM

Name: BRENDA E SALLARD
Gender: Female
Correspondence Address: 500 VOLVO PARKWAY
CHESAPEAKE, VA 23320
USA
Phone: (520)628-0121
Alt. Phone:
Email: AB-LICENSING@DOLLARTREE.COM

Name: JORGE OJEDA
Gender: Female
Correspondence Address: 500 VOLVO PARKWAY
CHESAPEAKE, VA 23320
USA
Phone: (760)222-7332
Alt. Phone:
Email: JOJEDA7@FAMILYDOLLAR.COM

Name: MICHELLE RENEE BROWN
Gender: Female
Correspondence Address: 500 VOLVO PARKWAY
CHESAPEAKE, VA 23320
USA
Phone: (928)533-8145
Alt. Phone:
Email: MBROW748@FAMILYDOLLAR.COM

Name: WILLIAM HENRY CONLEY
Gender: Male
Correspondence Address: 500 VOLVO PARKWAY
CHESAPEAKE, VA 23320
USA
Phone: (480)707-3499
Alt. Phone:
Email: WICONLEY@FAMILYDOLLAR.COM

Name: MICHAEL JACKSON GOHN
Gender: Male
Correspondence Address: 500 VOLVO PARKWAY
CHESAPEAKE, VA 23320
USA
Phone: (682)321-4589
Alt. Phone:
Email: MGOHN@FAMILYDOLLAR.COM

Name: STEVEN JOHN HARRIS
Gender: Male
Correspondence Address: 500 VOLVO PARKWAY
CHESAPEAKE, VA 23320
USA
Phone: (928)278-9098
Alt. Phone:
Email: SJOHNHARRIS1573@OUTLOOK.COM

Name: CARLOS GABRIEL FAVELA
Gender: Male
Correspondence Address: 500 VOLVO PARKWAY
CHESAPEAKE, VA 23320
USA
Phone: (928)892-5240
Alt. Phone: (602)694-3203
Email: CGFAVELA@FAMILYDOLLAR.COM

APPLICATION INFORMATION

Application Number: 195341
Application Type: New Application
Created Date: 04/08/2022



QUESTIONS & ANSWERS

010 Beer and Wine Store

- 1) Are you applying for an Interim Permit (INP)?
No
- 2) Provide name, address, and distance of nearest school and church.
(If less than one (1) mile note footage)
Move City Church, 200 North Ave, Sierra Vista, AZ 85635, 518.83 feet
- 3) Are you one of the following? Please indicate below.
Property Tenant
Subtenant
Property Owner
Property Purchaser
Property Management Company
Property Tenant
- 4) Is there a penalty if lease is not fulfilled?
No
- 5) Is the Business located within the incorporated limits of the city or town of which it is located?
Yes
- 6) What is the total money borrowed for the business not including the lease?
Please list each amount owed to lenders/individuals.
None
- 7) Is there a drive through window on the premises?
No
- 8) Does the establishment have a patio?
No
- 9) Is your licensed premises now closed due to construction, renovation or redesign or rebuild?
No

DOCUMENTS

DOCUMENT TYPE	FILE NAME	UPLOADED DATE
MISCELLANEOUS	ABC 24189 - APP - DRAFT (02294128xBE13C).pdf	04/08/2022
ALIEN STATUS	ABC 24189 - APP - DRAFT (02294128xBE13C).pdf	04/08/2022
DIAGRAM/FLOOR PLAN	ABC 24189 - APP - DRAFT (02294128xBE13C).pdf	04/08/2022
QUESTIONNAIRE	ABC 24189 - APP - DRAFT (02294128xBE13C).pdf	04/08/2022

Family Dollar, Inc. Flowchart

Dollar Tree, Inc.
(100% Stockholder)
NASDAQ: DLTR



Family Dollar Stores, Inc.
(100% Stockholder)

Controlling Officers:
President: Peter Barnett
Vice President: Roger Dean
Assistant Secretary: Harry R. Spencer



Family Dollar, Inc.
(100% Stockholder)

Controlling Officers:
President: Peter Barnett
Vice President: Roger Dean
Assistant Secretary: Harry R. Spencer

Dollar Tree, Inc.
(100% Stockholder)
NASDAQ: DLTR



Family Dollar Stores, Inc.
(100% Stockholder)



Family Dollar, Inc.
(100% Stockholder)

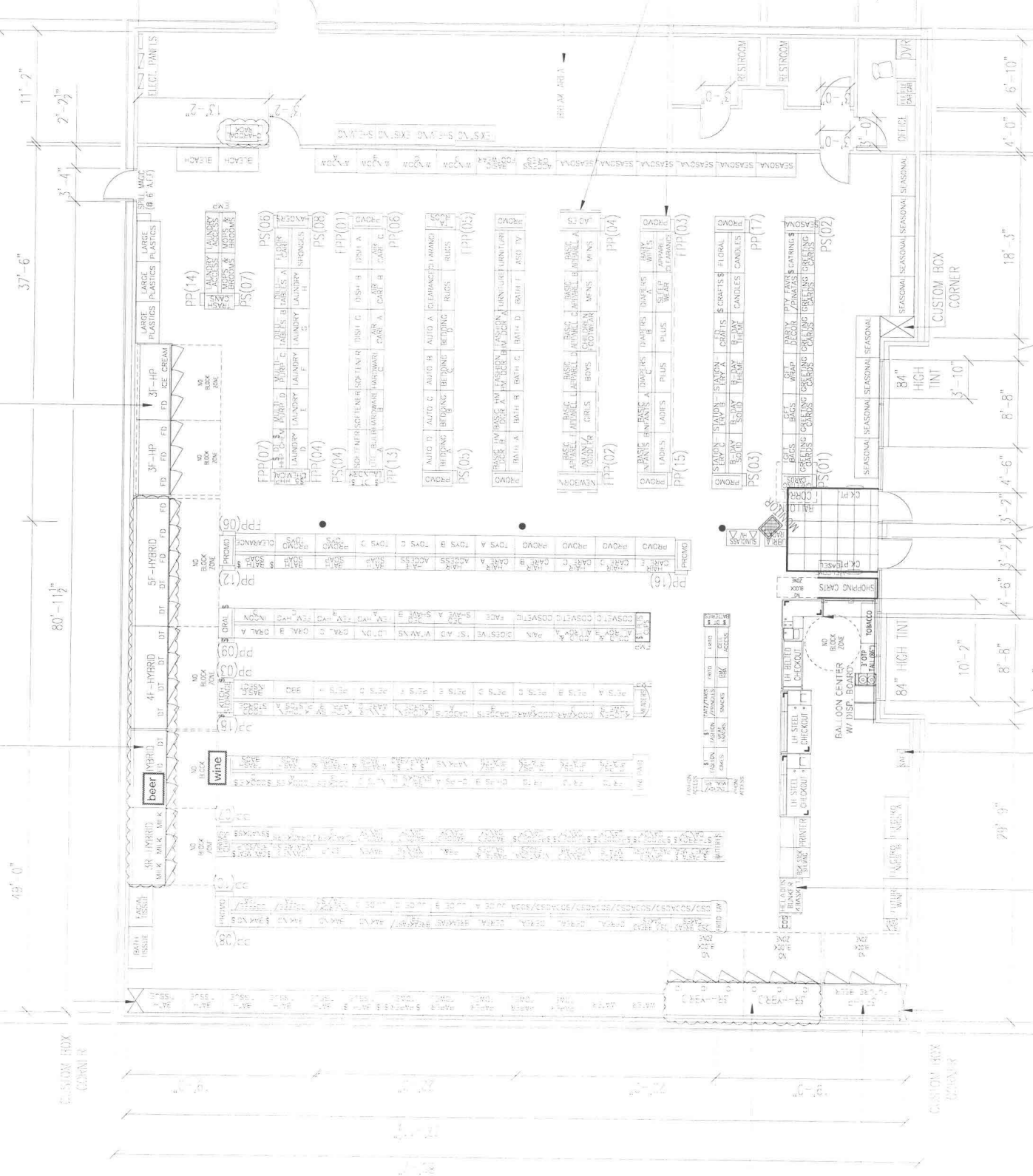
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NEW COOLERS

EXISTING COOLERS TO BE RELOCATED

CUSTOM BOX CORNER

CUSTOM BOX CORNER



100'-3"

97'-11 1/2"

80'-11 1/2"

49'-0"

37'-6"

11'-2"

3'-4"

2'-2 1/2"

11'-2"

4'-0"

6'-10"

11'-2"

18'-3"

2'-3"

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THIS SPACE FOR USE BY RECORDING OFFICIAL

Prepared by and mail after recording to: Family Dollar, Inc.
Post Office Box1017
Charlotte, NC 28201-1017
Attn: Vice resident of
Real Estate

STATE OF ARIZONA

SHORT FORM LEASE

COUNTY OF COCHISE

THIS LEASE is made and entered into this 10th day of April, 2000, by and between ROYAL SEAL INVESTMENTS, INC., a Texas corporation, (hereinafter called "Landlord"), and FAMILY DOLLAR, INC., a North Carolina corporation (hereinafter called "Tenant");

W I T N E S S E T H:

In consideration of the covenants hereinafter contained, to all of which Landlord and Tenant agree, Landlord hereby demises and lets to Tenant, and Tenant hereby rents and hires from Landlord the following described premises situated on the north side of Fry Boulevard (Highway 90) east of Carmichael Avenue and west of the intersection of Canyon Drive and Fry Boulevard (Highway 90), in the City of Sierra Vista, County of Cochise, State of Arizona, and being that property containing approximately 29,243.37 (175.11' x 167') square feet fronting 175.11 feet on Fry Boulevard (Highway 90) and extending north 167 feet to the rear, of the property, as shown outlined in red on Exhibit B - Site Plan attached hereto and made a part hereof.

Together with a building containing approximately 8,000 (100' x 80') square feet, to be provided by Landlord, as hereinafter provided, on the above-described premises along with the paved, marked, lighted parking, service and access areas shown on Exhibit B - Site Plan (said premises and the building and other improvements thereon, upon completion of construction, are hereinafter called the "demised premises").

TO HAVE AND TO HOLD the demised premises for an initial term ending on the 31st day of December, 2010, upon the rents, terms, covenants and conditions contained in a certain Lease Agreement between the parties and bearing even date herewith (hereinafter

Landlord's Address:
Royal Seal Investments, Inc.
3207 Justin Road
Flower Mound, TX 75028

Tenant's Address:
Family Dollar, Inc.
P. O. Box 1017
Charlotte, NC 28201-1017
Attn: Lease Administration
Department

IN WITNESS WHEREOF, this indenture has been duly executed by said parties in manner and form provided by law, this the day and year first above written.

ATTEST:
Donna L. Smith
Secretary

LANDLORD
ROYAL SEAL INVESTMENTS, INC.
By: K. Engle
President

ATTEST:
Thomas E. Schoenheit
Thomas E. Schoenheit
Assistant Secretary

TENANT
FAMILY DOLLAR, INC.
By: Gilbert A. LaFare
Vice President

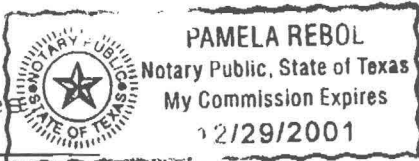
STATE OF Texas
COUNTY OF Denton

NOTARY

I, Pamela Rebol, a Notary Public in and for the aforesaid State and County, do hereby certify that K. Eugui Colle personally appeared before me this day and that by the authority duly given and on behalf of ROYAL SEAL INVESTMENTS, INC., the foregoing instrument was signed and executed by him for the purposes therein expressed.

WITNESS my hand and notarial seal this the 13 day of April, 2000.

My Commission Expires 12-29-01



Pamela Rebol
Notary Public

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

NOTARY

I, Ann M. Diel, a Notary Public in and for the aforesaid State and County, do hereby certify that GILBERT A. LAFARE and THOMAS E. SCHOENHEIT, Vice President and Assistant Secretary, respectively, of FAMILY DOLLAR, INC., personally appeared before me this day and that by the authority duly given and as the act of the corporation, the foregoing instrument was signed and executed by them for the purposes therein expressed.

2F

2G

2A

Approximate Location of Family Dollar Dumpsters
6'x10' CONC. SLAB

175.06'

EXISTING 20' EASEMENT

FAMILY DOLLAR (8,000 SF)

2' 18' 30' 20' 100.00' 5'

30' CITY ROW

CONC. SIDEWALK

PAVED, MARKED AND LIGHTED PARKING AREA

NEW 30' DRIVE

175.11'

NEW 30' DRIVE

FRY BLVD. (HWY 90)

← CARMICHAEL AVENUE,

CANYON DRIVE →

SIERRA VISTA, AZ
FRY BOULEVARD

FEB. 09. 2000



PRELIMINARY SITE PLAN

SCALE: 1" = 40'

PROPOSED SITE = 29,243.37 S.F. PARKING SHOWN = 42 SPACES



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

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

FP Current
12-17-2021

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#: 195341

1. Check the Appropriate Box

Form with checkboxes: Controlling Person, Agent (checked), Premises Manager (complete all questions except #12)

2. Name: Sallard Brenda E. Birth Date: [Redacted]

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

4. Place of birth: Hermosillo Sonora Mexico Height: 5'4 Weight: 133 Eyes: Brown Hair: Black

5. Name of current/most recent spouse: Moreno Sallard, Jr. Abel Fernando Birth Date: [Redacted]

6. Are you a bona fide resident of Arizona? Yes No If yes, what is your date of residency: 2009

7. Daytime telephone number: 520-260-0276 E-mail address: ab-licensing@dollartree.com

8. Business Name: Family Dollar Store #24189 757-321-5493

9. Business Location Address: 21 E Fry Blvd. 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)

(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
6/20	CURRENT	177 Avenida Oshon Rio Rico, AZ 85626
12/19	5/20	171 La Camino-espada Sahuarita, AZ 85629

(ATTACH ADDITIONAL SHEET IF NECESSARY)

12. As a Controlling Person or Agent, will you be physically present and operating the licensed premises? Yes No
If you answered YES, then answer #13 below. If NO, skip to #14.
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) Brenda E. Sallard 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: Brenda E. Sallard, State of Arizona County of Pima
The foregoing instrument was acknowledged before me this

My Commission Expires on: 08-26-2024 18 Day of March 22
Day Month Year



OFFICIAL SEAL
Melissa Smaniego
Notary Public - Arizona
Pima County - Comm # 583481
My Comm. Exp. Aug 26, 2024

Melissa Smaniego
Signature of Notary

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

PRINT NAME: Harry Spencer SIGNATURE: [Signature]



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) Brenda E. Sallard

SECTION II - CITIZENSHIP OR NATIONAL STATUS DECLARATION

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

If **Yes**, indicate place of birth:

City HERMOSELLO State (or equivalent) Sonora Country or Territory Mexico

If you answered **Yes**, 1) Attach a legible copy of a document from the attached list.
2) Name of document: _____
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.

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.

Brenda E. Sallard

Individual Owner/Agent Printed Name

Brenda Sallard

Individual Owner/Agent Signature

3/18/22

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.


Arizona DRIVER LICENSE USA

1 CLASS D
 2 END NONE
 3 REST NONE
 4 SALLARD
 5 BRENDA E
 6 177 AVENIDA OSTI...
 RIO RICO, AZ 85648
 7 EXP 11/23/2028 8 ISS 11/23/2020
 9 SEX F 10 EYES BRO
 11 HGT 5'-04" 12 HAIR BLK
 13 WGT 129 lb
 14 DONOR 
 15 DD 023302C87S104705



CLASS: D-Operator
 ENDORSEMENTS: None
 RESTRICTIONS: None
 Rev 02/14/2014
 You Must Report a
 Change of Address
 Within 10 Days



70426AZ0096637080301

22 MAY 11 Lique. Lic. PM 2 01

Certificate # 52M-52985

Certificate of Completion
For
Title 4 MANAGEMENT Liqueur Law Training

A Certificate of Completion must be in accordance with the rules and regulations of the Department of Liquor Law Enforcement. Certificate will expire 12 months after the date of completion. The holder of this certificate is not authorized to sell, transport, or possess liquor. This Title 4 training is a prerequisite for licensure under Title 4. A person who fails to complete the training for Title 4 is not eligible for licensure. The Department of Liquor Law Enforcement will not issue a license to a person who has not completed the training. A person who fails to complete the training will be subject to the same penalties as a person who fails to complete the training. A person who fails to complete the training will be subject to the same penalties as a person who fails to complete the training.

Student Information
Brenda E. Ballard
Full Name (Print Name)

09/13/2019 09/13/2022
Date of Completion Date of Expiration

Training Provider Information
360training.com Inc.
Company Name

4801 N Capital of Texas Pkwy, Ste 1, Suite 200, Austin, TX 78711
Training Address

(877) 681-3238
Display Contact Phone Number

I, Stephanie Marshall certify that the above named individual did successfully complete Title 4 MANAGEMENT training in accordance with A.R.S. §4-112(G)(2) and Arizona Administrative Code (A.A.C.) R19-3-103 using training course content and materials approved by the Arizona Department of Liquor Law Enforcement 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. R19-3-103(B) and (F).

[Signature]
Instructor Signature

09/13/2019
Date Issued

Persons required to complete SAQ 7 & ADMINISTRATION Title 4 training: (1) owners actively involved in the daily business or operations of a liquor licensed business of 5 or more seats below; (2) managers, agents and managers actively involved in the daily business operations of a liquor licensed business of 5 or more seats below.

In-club Microbrewery Series (1) Government Series (2) Bar (Series 4) Beer & Wine Bar (Series 7)
Convenience Series (5) Liquor Store Series (6) Night Club Series (8) Non-alcohol sales agent Series (3)
Restaurant Series (12) 20-24/24 Hours Winery Series (10) Beer & Wine Store Series (10)

Liquor license applications (initial or renewal) are not complete until valid Certificates of Completion for all required persons have been submitted to the Department of Liquor Law Enforcement.
The questionnaire (which designates the manager or proprietor) and the signed change form (which designates a new agent) for the liquor license are not complete until valid Certificates of Completion for all required persons have been submitted to the Department of Liquor Law Enforcement.

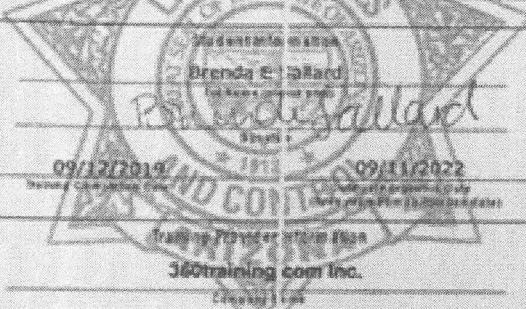
Certificate # AZB-0FF-04747

Certificate of Completion
For
Title 4 BASIC Liquor Law Training

- On-sale
- Off-sale
- On- and off-sale

22 MAY 11 11:49 AM '01

A Certificate of Completion must be on a form approved by the State of Texas. Certificates are completed by a state-approved provider and, when issued, are subject to the provisions of the Texas Alcoholic Beverage Code. The State requires that the training be conducted in accordance with the provisions of the Texas Alcoholic Beverage Code. Persons required to have BASIC Title 4 training are listed in the Texas Alcoholic Beverage Code. The State requires that the training be conducted in accordance with the provisions of the Texas Alcoholic Beverage Code. The State requires that the training be conducted in accordance with the provisions of the Texas Alcoholic Beverage Code.



Participant Name

Brenda E. Ballard

Participant Signature

Brenda E. Ballard

Participant ID

09/12/2019

09/11/2022

Issue Date

Expiration Date

Training Provider Name

360training.com Inc.

Provider ID

4801 N Capital of Texas Hwy, Ste 1, Suite 200, Austin, TX 78721

Mailing Address

(877) 881-2235

Daytime Contact Name Number

I, Samantha Morfobongo, certify that the above-named individual did successfully complete

the above-named training.

Title 4 BASIC training in accordance with A.B.C. 34-122(3)(2) and Texas Administrative Code (T.A.C.) 2019-1-123 using training course content and materials approved by the Texas Department of Liquor Licenses and Control. I understand that misuse of the Certificate of Completion will result in the revocation of State approval for the Title 4 Training Provider named in this section as provided by A.A.C. 2019-1-122(3) and (4).

Samantha Morfobongo

Provider Signature

09/12/2019

Day Mo Year

Persons required to complete BASIC & MANAGEMENT Title 4 training: 1) are who actively involved in the daily business operations of a liquor store and holder of a certificate below
2) are who actively involved in the daily business operations of a liquor store and holder of a certificate below
3) are who actively involved in the daily business operations of a liquor store and holder of a certificate below

- | | | | |
|--------------------------------|---------------------------------|-----------------------|--|
| In-state Wine Store (pages 20) | Wine Store (pages 21) | Bar (pages 22) | Beer & Wine Bar (pages 23) |
| Convenience Store (pages 24) | Liquor Store (pages 25) | State Club (pages 26) | Hotel/Motel with bar/restaurant (pages 27) |
| Restaurant (pages 28) | In-state Farm Winery (pages 29) | | Beer & Wine Store (pages 30) |

Out-of-state 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 questions which comprise a manager's test and the application change form (which require a new agent for each liquor license) are not complete until valid Certificates of Completion for all required persons have been submitted in the State of Texas.

July 11, 2019



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

*22 4 12 Liq. Admin AM10:09

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

FP Current
 12-17-2021

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 UNED 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#: 195341

1. Check the Appropriate Box →

Controlling Person Agent Premises Manager
 (complete all questions except #12)

2. Name: Barnett Peter Allen^{ca} Birth Date: [REDACTED]
Last First Middle (NOT a public record)

3. Social Security: [REDACTED] Driver License#: [REDACTED] State: Virginia

4. Place of birth: Chicago, Illinois, US Height: 6' Weight: 225 Eyes: Hazel Hair: Grey
City State COUNTRY (not county)

5. Name of current/most recent spouse: Barnett Yvonne Izan Birth Date: [REDACTED]
Last First Middle (NOT a public record)

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

7. Daytime telephone number: 757-321-5000 E-mail address: Pbarnett@familydollar.com

8. Business Name: Family Dollar Store # 24189 Business Phone: 757-321-5493

9. Business Location Address: 21 E Fry Blvd Sierra Vista AZ Cochise 85635
Street (do not use PO Box) City State County Zip

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

FROM Month/Year	TO Month/Year	DESCRIBE POSITION OR BUSINESS	EMPLOYERS NAME OR NAME OF BUSINESS (Street Address, City, State & Zip)
08/2013	CURRENT	Sr. VP	Dollar Tree/ Family Dollar 500 Volvo Pkwy, Chesapeake, VA 23320 1604

(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
05/19	CURRENT	329 Cavalier Dr. Virginia Beach, Virginia 23451
08/18	05/19	332 Laskin Rd. #507 Virginia Beach, Virginia 23451
10/13	08/18	314 Cawdor Xing, Chesapeake, Virginia 23322

(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) Peter A. Barnett 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: *P.A. Barnett*

State of Virginia City Chesapeake
County of Chesapeake
The foregoing instrument was acknowledged before me this

My Commission Expires on: 1/31/25

24 Day of January, 2022
Day Month Year

JENNIFER LEE TACKETT
NOTARY PUBLIC
REGISTRATION # 7941018
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
JANUARY 31, 2025

Jennifer Lee Tackett
Signature of Notary

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

PRINT NAME: _____ SIGNATURE: _____

EXHIBIT A - Peter Barnett

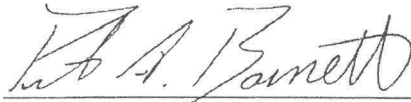
Question 18: Has an entity in which you are or have been a controlling person had an application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S.§4-202(D).

Answer: Yes. See below chart for details.

Citation Date	Agency	Licensed Entity	Disposition	Suspension Dates	Reinstatement Date
12/30/2019	Texas Alcoholic Beverage Control	Family Dollar Stores of Texas, LLC	License Suspension - 8 Days	1/8/2020 - 1/15/2020	1/16/2020
2/22/2020	Texas Alcoholic Beverage Control	Family Dollar Stores of Texas, LLC	License Suspension - 8 Days	12/16/2020 - 12/23/2020	12/24/2020
3/4/2020	Virginia Alcoholic Beverage Control Authority	Family Dollar Stores of Virginia, Inc.	License Suspension -25 Days	5/14/2020 - 6/7/2020	6/8/2020
6/4/2021	Texas Alcoholic Beverage Control	Family Dollar Stores of Texas, LLC	License Suspension -8 Days	9/8/2021 - 9/15/2021	9/16/2021

To Whom It May Concern:

I, Peter Barnett, President of Family Dollar Stores, Inc., provide this signed statement in support of its application for liquor license. I am the Controlling Person who completed the Questionnaire to be submitted with the application. The attached Exhibit A provides the details concerning my "Yes" answer to Question 18. This statement and the attached Exhibit A are true, correct, and complete, to the best of my knowledge.



By: Peter Barnett

As: President, Family Dollar Stores, Inc.



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

FP Current
12-17-2021

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 UNED 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#: 195341

Check the appropriate box

Form with checkboxes: [x] Controlling Person, [] Agent, [] Premises Manager (complete all questions except #12)

Name: Spencer Harry R. Birth Date: [REDACTED] (NOT a public record)

Social Security #: [REDACTED] Driver License #: [REDACTED] State: Virginia

Place of birth: Chicago, Illinois, US Height: 6'1" Weight: 220 Eyes: Brown Hair: Black

Name of current/most recent spouse: Spencer Janeine Birth Date: [REDACTED] (NOT a public record)

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

Daytime telephone number: 757-321-5000 E-mail address: ab-licensing@dollartree.com

Business Name: Family Dollar Store # 24189 Business Phone: 757-321-5493

Business Location Address: 21 E Fry Blvd Sierra Vista AZ Cochise 85635

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 Director at Family Dollar, Amazon, and Mars Chocolate.

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
01/19	CURRENT	509 Woodards Ford Road, Chesapeake, VA 23322
01/16	01/19	31 Walton Court, East Brunswick, NJ 08816
01/10	01/16	716 Blazing Star Drive, Lawrence, KS 66049

(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) Harry R. Spencer 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 Virginia City of Chesapeake

The foregoing instrument was acknowledged before me this

My Commission Expires on: _____

Date

25 Day

Day of

January Month

2022 Year

JENNIFER LEE TACKETT
NOTARY PUBLIC
REGISTRATION # 7941019
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
JANUARY 31, 2025

Jennifer Lee Tackett
Signature of Notary

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

PRINT NAME: _____

SIGNATURE: _____

EXHIBIT A - Harry Spencer

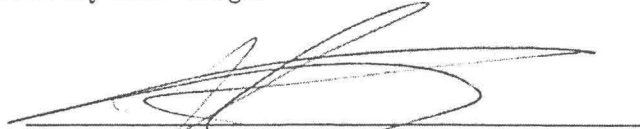
Question 18: Has an entity in which you are or have been a controlling person had an application or license rejected, denied, revoked or suspended in or outside of Arizona within the last five years? A.R.S. §4-202(D).

Answer: Yes. See below chart for details.

Citation Date	Agency	Licensed Entity	Disposition	Suspension Dates	Reinstatement Date
12/30/2019	Texas Alcoholic Beverage Control	Family Dollar Stores of Texas, LLC	License Suspension - 8 Days	1/8/2020 - 1/15/2020	1/16/2020
2/22/2020	Texas Alcoholic Beverage Control	Family Dollar Stores of Texas, LLC	License Suspension - 8 Days	12/16/2020 - 12/23/2020	12/24/2020
3/4/2020	Virginia Alcoholic Beverage Control Authority	Family Dollar Stores of Virginia, Inc.	License Suspension -25 Days	5/14/2020 - 6/7/2020	6/8/2020
6/4/2021	Texas Alcoholic Beverage Control	Family Dollar Stores of Texas, LLC	License Suspension -8 Days	9/8/2021 - 9/15/2021	9/16/2021

To Whom It May Concern:

I, Harry Spencer, Assistant Secretary of Family Dollar, Inc., provide this signed statement in support of its application for liquor license. I am the Controlling Person who completed the Questionnaire to be submitted with the application. The attached Exhibit A provides the details concerning my "Yes" answer to Question 18. This statement and the attached Exhibit A are true, correct, and complete, to the best of my knowledge.

A handwritten signature in black ink, appearing to be 'Harry Spencer', written over a horizontal line.

By: Harry Spencer

As: Assistant Secretary, Family Dollar Inc.



'22 4 12 Ligr.Admin AM10:10

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

FP Current
12-17-2021

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#: 195341

1. Check the Appropriate Box

Form with checkboxes: Controlling Person (checked), Agent, Premises Manager (complete all questions except #12)

2. Name: Dean Roger W. Birth Date: [Redacted]

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

4. Place of birth: Roanoke, Virginia, US Height: 5'9" Weight: 150 Eyes: Hazel Hair: Brown

5. Name of current/most recent spouse: Dean Deanna Kathleen Birth Date: [Redacted]

6. Are you a bona fide resident of Arizona? Yes No (checked) If yes, what is your date of residency:

7. Daytime telephone number: 757-321-5000 E-mail address: ab-licensing@dollartree.com

8. Business Name: Family Dollar Store # 24189 Business Phone: 757, 321 5493

9. Business Location Address: 21 E Fry Blvd 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: 10/1999, CURRENT, VP, Treasurer, Dollar Tree / Family Dollar, 500 Volvo Pkwy Chesapeake Va 23320

(ATTACH ADDITIONAL SHEET IF NECESSARY)

11. Provide your residence address information for the last five (5) years: A.R.S. §4-202(D) *22 4 12 Liq.Admin AM10:10

FROM Month/Year	TO Month/Year	RESIDENTIAL Street Address
05/12	CURRENT	2904 Ryan Court Virginia Beach, Virginia 23456

(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

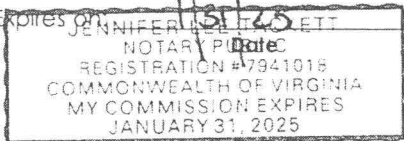
I (Print Full Name) Roger W. Dean hereby declare that I am the Agent/ Controlling Person / Premises Manager filing this application. I have read this document and verify the contents and all statements are true, correct and complete to the best of my knowledge.

Signature: [Signature]

State of Virginia City Chesapeake
County of Chesapeake
The foregoing instrument was acknowledged before me this

My Commission Expires on 1/31/25

25 Day of January, 2022
Day Month Year



[Signature]
Signature of Notary

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

PRINT NAME: _____ SIGNATURE: _____

To Whom It May Concern:

I, Roger Dean, Vice President and Treasurer of Family Dollar, Inc., provide this signed statement in support of its application for liquor license. I am the Controlling Person who completed the Questionnaire to be submitted with the application. The attached Exhibit A provides the details concerning my "Yes" answer to Question 18. This statement and the attached Exhibit A are true, correct, and complete, to the best of my knowledge.



By: Roger Dean

As: Vice President and Treasurer, Family Dollar Inc.

EXHIBIT A - Roger Dean

Question 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).

Answer: Yes. See below chart for details.

Citation Date	Agency	Licensed Entity	Disposition	Suspension Dates	Reinstatement Date
12/30/2019	Texas Alcoholic Beverage Control	Family Dollar Stores of Texas, LLC	License Suspension - 8 Days	1/8/2020 - 1/15/2020	1/16/2020
2/22/2020	Texas Alcoholic Beverage Control	Family Dollar Stores of Texas, LLC	License Suspension - 8 Days	12/16/2020 - 12/23/2020	12/24/2020
3/4/2020	Virginia Alcoholic Beverage Control Authority	Family Dollar Stores of Virginia, Inc.	License Suspension -25 Days	5/14/2020 - 6/7/2020	6/8/2020
6/4/2021	Texas Alcoholic Beverage Control	Family Dollar Stores of Texas, LLC	License Suspension -8 Days	9/8/2021 - 9/15/2021	9/16/2021

April 5, 2022

MEMORANDUM TO: Honorable Mayor and City Council

FROM: Charles P. Potucek, City Manager

SUBJECT: REQUEST FOR AGENDA ITEM PLACEMENT
RESOLUTION 2022-034, Addendum to the City
Attorney's Contract

BACKGROUND

The City Attorney was appointed by City Council on August 22, 2013 by contract. The Mayor and City Council elect to amend the contract regarding annual base salary to correlate with the FY22 market salary of a Cochise County Chief Deputy Attorney.

BUDGET APPROPRIATION

As per contract terms.

Attachment

RESOLUTION 2022-034

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; AMENDING THE CONTRACT OF THE CITY ATTORNEY; 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 THE RESOLUTION.

WHEREAS, pursuant to Chapter 31.07 (C), the selection and appointment of the City Attorney is reserved for the Mayor and City Council; and

WHEREAS, the Mayor and City Council negotiated a contract with Nathan J. Williams as City Attorney on August 22, 2013; and

WHEREAS, the City Council elects to amend the City Attorney's contract.

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

Section 1

The policy of the City of Sierra Vista relating to executing and amending a contract for City Attorney, most recently affirmed by Resolution 2013-084, be, and hereby is, reaffirmed.

Section 2

The City Attorney's contract is amended as outlined in Exhibit A, Addendum to the City Attorney Contract, attached and made a part hereof by this reference.

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 9TH DAY OF JUNE 2022.

Frederick W. Mueller
Mayor

Approval as to Form:

Attest:

Nathan J. Williams
City Attorney

Jill Adams
City Clerk

PREPARED BY:
Victoria Yarbrough
Assistant City Manager

ADDENDUM to AGREEMENT
between the
City of Sierra Vista and Nathan Williams
Dated August 22, 2013

This ADDENDUM is attached to and forms part of the Agreement between the City of Sierra Vista and Nathan Williams as of *July 1, 2022*. To the extent that any of the terms or conditions contained in this ADDENDUM may contradict or conflict with any of the terms or conditions of the original agreement, it is expressly understood and agreed that the terms of the original AGREEMENT shall take precedence and supersede this Addendum.

The parties hereto amend the Agreement dated August 22, 2013 thereto as follows:

1. That **Section 6. Salary and 457 Deferred Compensation** of said agreement is amended which provides as follows:

Employer agrees to pay Employee for his services rendered pursuant hereto an annual base salary of One hundred and thirty-five thousand, two hundred seventy-three Dollars and No Cents (\$135,273) payable in regular installments at the same intervals as other employees of the Employer are paid.

Employer agrees to match Employee's contribution into a City sponsored 457 deferred compensation plan. Maximum City contribution is \$8,500 annually.

2. Nothing contained herein is intended to modify or supersede any provisions contained in the City Code of the City of Sierra Vista, and any conflict between the provisions contained herein and the City Code shall be governed by the provisions set forth in the City Code as they appear on date hereof. That except as otherwise modified herein, the remaining terms and conditions contained in the Agreement dated August 22, 2013, shall remain in full force and effect.

The City of Sierra Vista of Cochise County, Arizona has caused this addendum to be signed and executed in its behalf by its Mayor, and fully attested by its City Clerk, and the Employee has signed and executed this addendum.

Dated this _____ day of April 2022.

Frederick W. Mueller, Mayor

Approved as to Form:

Attest:

Nathan J. Williams, City Attorney

Jill Adams, City Clerk

June 9, 2022

MEMORANDUM TO: Honorable Mayor and City Council

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

FROM: Jill Adams, City Clerk

SUBJECT: Request for Agenda Item Placement
Resolution 2022-035, Amending the City of Sierra Vista
City Council Practice and Procedure Guidelines

Recommendation:

The City Manager recommends approval.

Background

On September 26, 2013, Council approved adoption of a Practice and Procedure Guidelines for use by members. It was agreed that the guidelines would be reviewed every two years, with interim updates and amendments as needed. The last update was approved by Council on November 18, 2021.

The proposed update to the City Attorney section was requested by Council following the May 24, 2022 executive session. The primary change is the addition of a contract review during the annual litigation update.

Minor formatting corrections were also made.

Fiscal Impact

None

RESOLUTION 2022-035

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; AMENDING THE CITY OF SIERRA VISTA CITY COUNCIL PRACTICE AND PROCEDURES GUIDELINES; 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 Mayor and City Council adopted Practice and Procedures Guidelines on September 26, 2013 via Resolution 2013-098; and

WHEREAS, the Council desired to gather, in one document, information regarding policies, procedures, State Statutes, and City Ordinances that guide or govern their performance as Council Members; and

WHEREAS, these guidelines are designed to assist and educate the Mayor and Council, the City Staff, and the citizens of Sierra Vista on the duties and responsibilities of the members of the Council;

WHEREAS, it is the desire of the Mayor and City Council that these guidelines be reviewed every two years or as needed to be updated to reflect any changes in the procedures and statutory responsibilities as necessary; and

WHEREAS, the guidelines were last updated on November 18, 2021.

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

Section 1

The Mayor and City Council hereby approves and adopts the City of Sierra Vista City Council Practice and Procedures Guidelines attached hereto.

Section 2

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 9TH DAY OF JUNE 2022.

Frederick W. Mueller
Mayor

Approval as to Form:

Attest:

Nathan J. Williams
City Attorney

Jill Adams
City Clerk

Prepared by:
Jill Adams, City Clerk

CITY OF SIERRA VISTA CITY COUNCIL
PRACTICE AND PROCEDURES GUIDELINES

Adopted September 26, 2013
Amended May 28, 2015
Amended April 13, 2017
Amended November 18, 2021

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CHAPTER 1 INTRODUCTION

These Practice and Procedure Guidelines are designed to assist the City Council and City Staff by providing:

- (1) top-down guidance to the City Manager on Council requirements and expectations
- (2) a source of documentation regarding best practices and procedures used by Council and City Staff for administration and governance
- (3) improved transparency.

Revisions of these Practice and Procedures Guidelines may be made as necessary and will be reviewed by the Council every two years.

CHAPTER 2 ROLES AND RESPONSIBILITIES

The City Council for the City of Sierra Vista is comprised of seven members, which include a Mayor and six Council Members, one of whom serves as the Mayor Pro Tem. The Mayor appoints the Mayor Pro Tem; the Mayor Pro Tem serves at the pleasure of the Mayor.

A. Duties of the Mayor

The Mayor is recognized as the elected head of the City government.

As set forth in City Code § 30.17¹ "The Mayor shall preside at all regular and special meetings of the Council; provided that in the absence of the Mayor, the Mayor Pro Tem shall be the presiding officer and in the absence of both, a majority of the Council Members present shall elect a temporary presiding officer." "During the first regular meeting of the newly elected City Council, the Mayor shall appoint the Mayor Pro Tem from among the council for a two-year term. The appointment of Mayor Pro Tem will be approved by Council Resolution.

¹ [City Code § 30.17](#)

B. Council - Manager Form of Government

The City of Sierra Vista functions with a Mayor / Council - Manager form of government.

This form of government model combines the strong political leadership of elected officials with the strong managerial experience of an appointed City Manager.

The elected City Council is the City's legislative and policy-making body. Power is centralized in the elected City Council. The City Council also focuses on the community's goals, major projects, and such long-term considerations such as community growth, land use development, capital improvement and financing, and strategic planning.

City Manager

The City Manager is hired to serve the City Council and the community and brings to City the benefits of his or her education, training, and experience in administering municipal projects and programs. Council Members rely on the City Manager to provide complete and objective information about local operations, discuss the pros and cons of alternatives, and offer an assessment of the long-term consequences of their decisions. The City Manager serves at the pleasure of the City Council. The City Council performs an evaluation of the City Manager on an annual basis. The City Manager can be terminated by a majority vote of the Council consistent with local and state laws (A.R.S. 9-303)² or any employment agreements he or she have entered into with the City Council. The City Manager is bound by whatever action the City Council takes, and control is always in the hands of the elected representatives of the people. Details of the City Manager responsibilities are found in City Code § 31.07³.

² [A.R.S. 9-303](#)

³ [City Code § 31.07](#)

City Attorney

The City Council also directly appoints the City Attorney via an employment contract. The City Attorney is the legal advisor for the City Council and City Manager. The City Attorney also serves as the Parliamentarian for the City Council. The City Attorney does not represent individual members of Council, but the City Council as a whole.

The general legal responsibilities for the City Attorney are to: (1) provide legal assistance necessary for formulation and implementation of legislative policies and projects; (2) represent the City's interest, as determined by the City Council, in litigation, administrative hearings, negotiations and similar proceedings; (3) prepare ordinances, resolutions, contracts, and other legal documents to best reflect and implement the purposes for which they are prepared; and, (4) keep City Council and the City Manager apprised of court rulings, impending or ongoing litigation against the City or any City employee regarding their officials duties, and legislation affecting the legal interests of the City.

On no less than an annual basis, during a special meeting called for the purpose of adjourning into executive session, the City Attorney shall update Council on pending or ongoing litigation involving the City. During this meeting, Council will also review the City Attorney contract in advance of the new fiscal year.

C. INTERACTION WITH

The City Manager serves as the equivalent of Chief Executive Officer of the City.

The City Manager is an employee of the City (appointed by the City Council) and has an employment agreement that specifies certain terms of employment including an annual evaluation by the City Council. Except for this position and the City Attorney, the City Manager hires all other Staff. City ordinance 31.08(A)⁴ specifies that the Mayor and Council Members shall deal with the administration of the City only through Manager, except for the purpose of inquiries.

⁴ [City ordinance 31.08\(A\)](#)

Instructions and direction are provided to the Manager via duly convened meetings of the Council.

City Council Members may make inquiries through City Staff, but such inquiries should be directed to Management Staff. Inquiries will be processed according to the following section.

D. Council Inquiries and Dissemination of Other Materials and Information

Council requests and inquiries are to be forwarded to, and handled through, the City Manager's Office for Staff response. These inquiries and requests may be made via e-mail, written request, or in person.

The City Manager disseminates the inquiries to the appropriate department(s) for response and then generates the formal response.

Council Members are notified via email when responses are placed in an electronic reading file system within the City's network. Council Members can access council inquiries, policies and procedures, reports, memos and more at the online Council Reading Room. To access documents, log in using your assigned username and password. Documents are added to the site as they become available, and Council will be notified via email when new documents are added. If you need login assistance or have questions about documents or content, please contact the City Manager's Staff. Each Council Member will have secure access to review these responses.

At the City Manager's discretion, if a request requires a substantive Staff effort to complete, the Manager may place the item on a Council work session for discussion and direction by the full elected body.

E. Fort Huachuca Protocol

The Mayor shall be the primary contact with the Commanding Generals of Fort Huachuca and IMCOM (Installation Management Command). The City Manager shall be the primary contact with the Fort Huachuca Garrison Commander. When meetings or information from the Fort are requested by individual Council Members, such requests will be made through the City Manager's office who will

coordinate through the Garrison Commander or other appropriate commanders. Invitations to official Fort Functions are covered in the following section.

F. Invitations and Representing the City at Official Functions

The Mayor and Council Members are regularly invited to various community and Fort Huachuca functions. Except for fundraising events of any kind, the City shall pay for the Council Member's registration or meal costs of such events. When it is customary for a Council Member to attend a formal event with a spouse or escort, the City shall also pay the registration or meal costs of the Council Member's spouse or guest. Examples include Fort Huachuca's Military Intelligence Ball or Holiday Ball. Otherwise, Council Members are expected to pay the cost of their spouse or guest at the time of registration.

Invitations are typically sent to City Hall and disseminated through the City Manager's administrative Staff via email invitations. Staff will coordinate RSVP's and respond to the inviting body as appropriate. Council Members should provide the courtesy of an accept or decline email. Staff will periodically follow-up with Council via e-mail to confirm attendance where appropriate.

CHAPTER 3 MEETINGS, EXECUTIVE SESSIONS, WORK SESSIONS, RETREATS and MEET AND GREET

A. Regular Meetings

Pursuant to City Code § 30.15 - 16⁵, the Sierra Vista City Council holds two regular meetings, on the second and fourth Thursday of each month at 5:00 p.m. in the Council Chambers of City Hall located at 1011 N. Coronado Drive, Sierra Vista. The Sierra Vista City Council does not take any regularly scheduled breaks from the meeting schedule. However, if required, item D, below, identifies reasons for cancelling meetings. The regular meetings and work

⁵ [City Code § 30.15 - 16](#)

sessions are televised live on Cox Cable Channel 12 and via web streaming on the City's website. Web videos of Council Meetings are available through the City's website, www.sierravistaaz.gov.

B. Other Locations

The Council may elect to meet at other locations. Upon such election, the City Clerk shall give public notice of the date, time, and location of such meeting in accordance with all provisions of Arizona Revised Statutes.

C. Meeting Locations

1. Council meetings are held in Council Chambers in the City Hall, located at 1011 N. Coronado Dr., Sierra Vista, Arizona 85635.
2. Council work sessions are typically held in the Council Chambers.
3. If the Council Chambers are deemed unsafe in which to hold a meeting, the Mayor, Mayor Pro Tem, or City Manager may designate an alternative meeting place until the Council Chambers are declared safe.

D. Cancelled Meetings

1. When cancelling a regularly scheduled Council meeting, a Notice of Cancelled Meeting will be posted at least 24 hours in advance, as required by the state statutes.
2. Meetings are cancelled when the meeting falls on a legal holiday, there is a lack of a quorum, there is no business to be considered by Council, or there are special circumstances (special circumstances would be when the majority of Council Members are attending the Arizona League of Cities and Towns annual conference).
3. The Mayor, Mayor Pro Tem, or City Manager may choose an alternate date to make up the cancelled meeting if necessary City business requires.

E. Executive Sessions

1. Executive Sessions are governed by A.R.S. § 38-431.03⁶. Upon majority vote, the council may meet in a closed executive session. Executive sessions are scheduled as needed, in conjunction with special meetings.
2. Notices and agendas are prepared and posted for a Special Council Meeting in order to adjourn to executive session.
3. The subject of the executive session, along with statutory reference justifying the session, must be noticed on the agenda. Use of executive session is limited to specific subjects as outlined in the [A.R.S. 38-431.03](#).

F. Work Sessions, Special Meetings and Retreats

1. The Sierra Vista City Council holds two regularly scheduled work sessions each month on the Tuesday immediately preceding the City Council meetings.
2. By City Ordinance, a work session is limited to 1½ hours; however, upon agreement by a majority of Council Members present, a work session may be extended by up to one additional hour. If it is anticipated that a work session agenda will require more than the 1 1/2 hours due to length or complexity, the City Clerk may post two work sessions back-to-back to allow for a maximum of 3 hours instead.
3. Additional work sessions, special meetings or retreats are scheduled, as needed, at the request of Council or Staff. The City defines a special meeting as one in which official action of the City Council is required as part of its business. City ordinance 30.16 allows the Mayor to call a special meeting if requested by two members of the City Council; and a work session may be held upon request of any member of the City Council. Where possible, the City Council uses the regular work session for placement of

⁶ [A.R.S. § 38-431.03](#)

agenda items prior to scheduling an additional one, if time allowed within such work session will accommodate the discussion.

Public comment may be added to a specific work session item on a future agenda by request of and consensus of Council at a meeting where said topic has been discussed at least once, and where Council feels such comment would contribute to its deliberations prior to placement of an actionable item on a Council agenda. Such public comment will follow the protocol established at regular meetings. If an item is scheduled for formal action at a regular Council meeting, public comment on the item will be reserved for that meeting.

4. Retreats are generally scheduled for discussions that require more time than allowed at a normal work session. The Council typically holds retreats for purposes of discussing budget issues, strategic planning, or following the seating of a new Council.
5. Work sessions, special meetings and retreats are subject to the open meeting laws, are noticed and posted pursuant to A.R.S., are recorded, and summary minutes are prepared.
6. Work sessions and retreats are scheduled for discussion and presentations only and voting is not permitted at this type of meeting. Special meetings contain actionable items for the City Council's consideration.

G. Meet and Greet

Recognizing the value of public input, the Council has established a community outreach program, managed through the Public Affairs Office. All Council Members are encouraged to attend the periodic Meet and Greet events, which are held throughout the year at various locations.

H. Notices of Meetings

1. Notices and agendas of meetings and work sessions are posted pursuant to A.R.S. § 38-431.02. The City has designated the following locations as official posting locations for all City notices: City Hall, the Oscar Yrun Community Center, the Sierra Vista

Public Library, the Sierra Vista Aquatic Center, and on the City website at <https://www.sierravistaaz.gov/>

2. The City Clerk's Office prepares and circulates a monthly meeting calendar that lists city council meetings, work sessions, retreats, board and commission meetings, and holiday closure dates.

I. Quorum

Consistent with City Code § 30.18⁷, "A majority of the Council shall constitute a quorum for transacting business." In a body of seven members, four members constitute a quorum.

J. Electronic Participation

The City Council Chambers audio visual system now includes the capability to allow attendance via WebEx or via telephone. Council Members are encouraged to provide Staff as much advance notice as possible to set up the system.

Call to the Public: Members of the public who are unable to physically attend council meetings may participate either by submitting written comments in advance or by notifying the City Clerk's Office at least 48 hours prior to the meeting they want to participate electronically.

K. Minutes

1. The City Clerk's Office prepares the minutes for Council meetings, work sessions, and retreats. The Council must approve the Council meeting minutes, which will generally be on the next meeting's agenda for approval. The Mayor approves the minutes of the work sessions and retreats. The minutes represent a summary of discussions, presentations, motions, votes, and comments made during the meeting.

⁷ [City Code § 30.18](#)

2. Pursuant to the A.R.S. 38-431.01⁸, the City Clerk's office posts on the city's website a summary of actions taken at each meeting within 72 hours of the meeting. Approved minutes are posted on the website after the meeting at which Council votes to approve them.
4. The City Clerk's Office stores the recordings of the Council meetings for a minimum of one year after the approval of the minutes.
5. The City Clerk seals all audio recordings and summary minutes of Council Executive Sessions and retains them pursuant to A.R.S. 38-431.

L. Conduct at Meetings

1. The conduct of regular and special meetings of the City Council will be generally guided by parliamentary procedures outlined by "Roberts' Rules of Order⁹."
2. Obtaining the Floor: A member of the City Council shall first address the Mayor and gain recognition. Comments and questions should be directed through the chair and limited to the issue before the Council.
3. Interruptions: Once recognized, a Council Member is considered to "have the floor" and another Council Member may not interrupt the speaker except to make a point of order or inquiry. In such a circumstance, the Council Member holding the floor shall cease speaking until the point of order or inquiry has been resolved.
4. Discussion: A Council Member should not speak more than once on a particular subject until every other Council Member has had the opportunity to speak. The Mayor will normally allow other

⁸ [A.R.S. 38-431.01](#)

⁹ [Roberts' Rules of Order](#)

Council Members to speak first, then give his or her views and summarize.

5. Tabling procedure: Tabling an agenda item immediately stops discussion and causes a vote to postpone a matter indefinitely or to a time and date in the future. A motion to “continue” an agenda item has the same effect but is generally used when a scheduling problem arises or when insufficient time is available to address the matter thoroughly.

6. Right of protest: A Council Member is not required to state reasons for a dissenting vote.

7. Calling for the question: The Mayor normally “calls for the question” when he is satisfied that all Council Members have had an opportunity speak regarding an agenda item requiring a vote. The “call for the question” is to disallow further debate and to put the agenda item issue to an immediate vote. A Council Member may move to “call for the question” on an item being considered. This motion requires a second, is not debatable, and must pass by a four-fifths vote. If the motion carries, the item is no longer debatable, and the City Council must vote on the item.

M. Open Meeting Law (OML)

All meetings of the Sierra Vista City Council, at which a quorum of members is present are subject to the provisions of the Arizona Open Meeting Law, A.R.S. § 38-431¹⁰. Except as specifically provided for by the A.R.S. § 38-431.01¹¹ for executive sessions, all meetings and work sessions where a quorum of council is present (or expected to be present) shall be open to the public.

Committees established by Council, regardless of the presence of a quorum of council, are also subject to the provisions of the Arizona OML.

¹⁰ [A.R.S. § 38-431](#)

¹¹ [A.R.S. § 38-431.01](#)

All newly elected Council Members shall be required to attend the OML training offered by the League of Arizona Cities and Towns at the Newly Elected Officials training. Updates, information and refresher videos relating to the OML will be posted on the City website.

CHAPTER 4 AGENDAS

As presiding officer, the Mayor is responsible to the Council for setting the agenda for all Council Meetings, Special Council Meetings, Work Sessions, and Retreats. The City Clerk's office generates, posts, and distributes the agendas.

Agendas for regular City Council Meetings include an invocation, pledge of allegiance to the American Flag, a report from the City Manager, a call to the public, and comments of the Council.

Agendas for regular work sessions include standing discussion items such as the upcoming Council Meeting and discussion of the Council Executive Report. Special topics are added to work session agendas by City Council Members or at the request of the City Manager. The City Council may determine other standing items to be added or deleted from regular work sessions at its discretion.

The Mayor and Council Members may request an item be placed on the agenda as set forth in Paragraph A.

A. Placement of Items on a Council Meeting / Work Session Agenda

Items are generally placed on an agenda under the following circumstances:

1. At the request of an individual or a non-quorum group of Council Members
2. At the request of Staff (subject to approval of the City Manager)
3. As a result of statutory requirements

B. The three primary types of agenda items

1. Consent Agenda. Items on the consent agenda, though listed separately, shall be considered collectively as a consensus agenda. An affirmative vote of the Council on the consent agenda will allow and be construed as an affirmative vote to take the recommend action on each item. Items placed on consent generally include minutes and resolutions that usually do not generate discussion or questions. Any item on the consent agenda may be removed upon request of any member of the council or the city manager. If removed, it will be set aside for separate discussion and remaining items will be voted on as a consensus agenda.
2. Public Hearing Items. Items placed on the Public Hearing agenda must be posted and/or advertised as public hearing items, usually to meet statutory requirements. The Mayor announces the opening and closing of the public hearings and noted, as such, in the minutes. Public hearing items are intended to provide additional opportunity for members of the public to comment before the Council.
3. New Business. All other items scheduled for consideration by the council. The exception to these types of items would be if an item were tabled during a meeting. Tabled items continue to remain on future agendas until removed by motion.

C. Agenda Preparation

1. The City Clerk's Office prepares the Council Meeting agendas and materials for distribution on the Friday prior to regular Council meetings. Meeting and work session packets are prepared, distributed, and posted by the City Clerk's Office no later than the close of business the Friday prior to the meetings. Agendas and all back-up materials are provided electronically to Council Members unless a paper copy is requested. A hard copy of the motion agenda will be provided to Council Members at the dais on the day of each meeting.

2. Staff prepares agenda items and sends them to the City Clerk's Office, who submits them to the city manager for approval. The deadline for inclusion in an agenda is 12:00 noon on the Thursdays, the week prior to the meeting.

CHAPTER 5 BOARDS & COMMISSIONS

- A. The City of Sierra Vista has 9 regulatory advisory bodies (Commissions), which include 2 commissions, 4 boards, a municipal property corporation, an employee benefit trust, and an industrial development authority. Council creates the Commissions to act as advisory bodies to provide them with advice and recommendations related to a specific subject.
 1. Most regulatory boards and commissions meet on an as needed basis.
 2. Council approves, by resolution, the appointments of the regulatory commission's voting members. Some of the commissions also have associate members; associate members are not appointed by Council and do not vote but are eligible to participate in all other activities of the commission and residency requirements are not applicable. The process for selecting appointees for Board and Commission vacancies is the Council solicits open applications, which remain on file for a period of one year. Members of the Commissions may screen, interview, and recommend applicants for appointment but it is not required.
 4. The City also has several non-regulatory commissions including the Airport Commission, Arts and Humanities Commission, the Cultural Diversity Commission, the Commission on Disability Issues, the Environmental Affairs Commission, the Library Advisory Commission, the Tourism Commission, the West End Commission and the Youth Commission. These commissions and Administrative Advisory Committees including the Traffic Safety Committee, and Design Review Committee are established to advise City Staff and do not require Council Liaisons.

- B. The guidelines for the administration of the City's boards and commissions were last amended by Resolution [2020-035](#)¹² (copy attached). These guidelines set forth the Council policy for creation, membership, terms, selection, and duties and responsibilities of each Regulatory commission.
1. Each advisory body has one Council Member acting as a liaison between the commission and the City Council.
 2. The Mayor appoints Council Members to the liaison positions to these bodies. Appointments are generally made at the beginning of new council terms.
 3. The role of a council liaison is to ensure the channels of communication remain open between the commissions and the Mayor and Council and City Management.
 4. Each advisory body is also assigned to a City Department and that department provides a Staff liaison and funding, if applicable. The council liaison works with the Staff liaison to ensure that each commission is receiving adequate support for their activities. With few exceptions, agendas, materials, and meeting minutes are prepared by the Staff liaison at the direction of the Commission Chairman.
- C. Non-Regulatory commissions are guided by a City Manager Administrative Directive (Copy Attached).
- D. City Regulatory Boards and Commissions are subject to the provisions of the Arizona Open Meeting Law. Meetings are open to the public, notices and agendas are posted, and minutes are prepared for each regular or special meeting at which a quorum is present. Non-regulatory Commissions are not subject to the Open Meeting Law, but those commissions will endeavor to meet the spirit of the law by providing public notice, agendas, and access to their meetings when scheduled.

¹² [Resolution 2007-153](#)

CHAPTER 6 OPEN MEETING AND PUBLIC RECORD LAWS

A. Open Meeting Laws

Members of the Sierra Vista City Council are subject to the provisions of the State of Arizona open meeting and public record laws. The open meeting law was enacted to ensure transparency of the activities of elected and appointed officials. A copy of the Arizona State Ombudsman's Open Meeting Law Handbook is included in these guidelines.

B. Public Record Laws

1. A.R.S. § 39-121.01¹³ requires Council Members to document and preserve records "reasonably necessary or appropriate to maintain an accurate knowledge of their official activities and of any of their activities and any of their activities which are supported by monies from this state or any political subdivision of this state." All documents created or maintained in the course and scope of the position as Council Member constitute public records and are subject to disclosure, unless deemed confidential by statute or attorney opinion, upon request. This includes documents created and maintained on personal computers, tablets, phones, or traditional files not maintained by City employees on behalf of the Council Members.
2. All public records have statutory and regulatory retention schedules. This includes all records created by the Mayor, Council Members, and Board and Commission members. Council Members may choose to transfer their records to the City Clerk's Office for retention, but it is not mandatory. Council Members are strongly advised to utilize city-issued equipment for the conduct of all City business and retention of all generated documents.
3. Use of Personal Electronic Equipment:

Council Members of the City of Sierra Vista AZ may have the opportunity to use their personal electronic devices for work purposes

¹³ [A.R.S. § 39-121.01](#)

with the concurrence of the IT CIO. Personal electronic devices include personally owned smartphones, tablets and/or laptops.

The use of personal devices may be limited based on compatibility of technology.

To ensure the security of City information, authorized individuals are required to have anti-virus and mobile device management (MDM) software installed on their personal mobile devices by the IT department. This MDM software will store all city-related information, including calendars, e-mails and other applications in one area that is password-protected and secure. The IT department must install this software prior to using the personal device for work purposes. Additionally, the MDM software will require the personal device to meet minimum operating system version requirements and hardware specifications to mitigate security risks to the network.

Employees may store city-related information only in this area. Employees may not use cloud-based apps or backup that allows city-related data to be transferred to unsecure parties. Due to security issues, personal devices may not be synchronized with other devices in Council Member homes. Making any modifications to the device or modifying city applications beyond authorized and routine installation updates, is prohibited unless approved by IT. Unsecure Internet sites may not be surfed.

Council Members using their personal devices should not expect any privacy except that which is governed by law. The City of Sierra Vista has the right, at any time, to monitor and preserve any communications that use the city's networks in any way, including data, voice mail, telephone logs, Internet use and network traffic. This also includes any FOIA requests for information.

Management reserves the right to review or retain personal and city-related data on personal devices or to release the data to government agencies or third parties during an investigation or litigation. Furthermore, no employee may knowingly disable any network software or system identified as a monitoring tool.

Council Members are expected to protect personal devices used for work-related purposes from loss, damage, or theft. To secure sensitive city data, Council Members are required to have "remote-wipe"

software installed on their personal devices by the IT department prior to using the devices for work purposes. This software allows the city-related data to be erased remotely in the event the device is lost, stolen, or compromised. Wiping city data may affect other applications and data.

The City of Sierra Vista will not be responsible for loss or damage of personal applications or data resulting from the use of city applications or the wiping of city information. Council Members should immediately notify IT in the event their personal device is lost, stolen or damaged, so that appropriate action can be taken to protect the city's network infrastructure.

B. Conflict of Interest Laws

1. A.R.S. [§38-501](#) through [38-511](#) establish the requirements of the Arizona Conflict of Interest Laws. Public Officers are required to declare a Conflict of Interest whenever that Officer or a member of their family has a substantial interest in any type of business of the City. If a conflict of interest exists, the Council Member is required to make the conflict public and refrain from participation in any vote or negotiation. The form to record the conflict is available from the City Clerk. Completed forms will become part of the public record of the City and will be retained accordingly.

CHAPTER 7 COMMUNICATIONS WITH MAYOR AND COUNCIL

A. Routine Communications

The City Manager will regularly provide the City Council with information regarding City operations, projects and issues. In addition to placing items on the Council agendas for discussion, the following routine documents are provided as specified:

Council Executive Report – Each month, City departments submit information to the City Manager's Office for inclusion in the Council Executive Report. This Report placed in the Council Reading Room

and is discussed as a standing agenda item on the second regularly scheduled work session each month.

Strategic Plan Update – As part of the City Manager’s Staff meeting, the strategic objectives are reviewed regularly. A detailed report of the status of each objective is compiled every six months and is distributed to the Council in by the first week of February and the first week of August each year. In addition, Staff regularly reports the status of active Council Strategic Objectives in the Council Executive Report.

Press Releases and Media Advisories -- The City Council is on the distribution list for receipt of all press releases and media advisories that are distributed to media outlets. The Council is notified via email when press releases and media advisories are placed in the Council’s electronic reading room.

Council Agendas and related items – The Council receives electronic versions of documents pertaining to upcoming meetings unless a hard copy is specifically requested. . This includes meeting calendars.

B. Reading File Information

Information of potential interest but not necessarily urgent or of interest to all Council Members is placed in the Council’s electronic Reading File. Council Members can access council inquiries, policies and procedures, reports, memos and more at the online Council Reading Room. Documents are added to the site as they become available, and you will be notified via email when new documents are added. If you need login assistance or have questions about documents or content, please contact the City Manager’s Staff. Each Council Member will have secure access to review these responses.

Regular items that appear in the Reading File include:

Council inquiries/requests

Press Releases and public service announcements

Legislative Issues – including League of AZ Cities and Towns monthly newsletter
National League of Cities information
USPP reports and water-related information
City sales tax monthly reports
City travel and training reports
City boards/commissions reports
Conference and community event information
News articles of interest
Letters/notes of interest

Other items that may be out of the ordinary are included as requested.

C. Other Periodic Notifications

The City Manager will provide other information to the Council as may be necessary, to include the following:

Reports submitted to federal or state agencies – The City has certain requirements to submit regular reports typically documenting status or actions related to grants. These reports are either placed in the electronic Reading File, or they are distributed to the Council in their boxes, depending on the urgency or length. Previous examples included quarterly reports on the recycling implementation as a result of receiving funds for the implementation of curbside pick-up; and annual reports to the state documenting the data collected at the Environmental Operations Park in response to grant requirements.

Master Plans -- The City has certain requirements to develop and implement master plans for a variety of programs. Typically, these plans are discussed in Council Work Sessions, but final plans are often distributed via the Reading File or in person, depending on the length. Examples include Transit, Airport, and Park Master Plans.

Information Distribution – E-mails or copies of documents will be forwarded to the Council Members to make them aware of local events or programs of interest. Examples include Chamber and SACA invitations; regional public meetings (ADOT, Independent

Redistricting Commission, etc.); invitations to City employee events and programs; etc.

Fort Huachuca Information or Invitations – The Council Members are regularly included in invitations to various Fort events and programs. Those are typically distributed in Council mailboxes, but sometimes done via e-mail. Other correspondence of a non-routine nature will be added to the Council reading file, including any formal notifications.

Legal Opinions – Periodically, the City Attorney will issue a memo to Council on a specific legal issue.

Legislative Information – Periodically, the Council may receive updates on the status of various bills, or summaries of other legislative information. Typically, this occurs during the spring legislative session.

Key Meeting Summaries – At the regular Tuesday work sessions of the City Council, the Mayor or City Manager will provide information on key, non-routine meetings as appropriate. These may include but are not limited to meetings with: Fort Huachuca officials; federal agencies; other local governments; state officials; USPP committees; and community leaders.

Intergovernmental Documents – City Staff will place in the Council reading file documents from other governmental organizations of a non-routine nature.

Organization Documents – City Staff will also place in the Council reading file key documents from non-routine, internal issues. Examples of such documents include final internal investigation report of major incidents, such as theft; significant City Manager-approved policies, to include changes to the Emergency Operations Plan; recall or citizen initiative petitions; etc.

Legal Claims and Other Lawsuits - Periodically as required, the City Manager will schedule an executive session with the City Council to review all notices of claim, the City's response to such

claims, and any other pending litigation as recommended by the City Manager and/or City Attorney.

Notices Received by the City Pursuant to the Worker

Adjustment and Retraining Notification Act (WARN)¹⁴ - The WARN Act is a U.S. labor law that requires most employers with 100 or more employees to provide sixty calendar day advanced notice of closing of facilities or mass layoffs of employees (managers, supervisors, hourly wage, and salaried workers). The WARN Act requires that notice also be given to the “local chief elected official” of the city or town impacted by closings or layoffs.

Notification When Fort Huachuca’s Armed Forces Disciplinary Control Board (AFDCB) is Considering Placing a Sierra Vista Business Establishment or Other Location “Off Limits” to

Military Personnel – Army Regulation (AR) 190-24¹⁵, Armed Forces Disciplinary Control Board and Off-Installation Liaison and Operations, 27 July 2006, provides the Garrison Commander of Fort Huachuca the authority to establish off-limits areas to help maintain good order and discipline, health, safety, morale, and welfare of Soldiers. Off-limits actions are also intended to prevent Soldiers from being exposed to or victimized by crime conducive conditions. These decisions are made via the local AFDCB.

Other Items of Interest to Council Members - Upon request to the City Manager, Staff will provide additional information or respond to specific questions of Council Members. Such requests may be submitted verbally or in writing, or Council Members are encouraged to schedule an appointment with the City Manager to discuss topics in more detail.

D. Urgent Notifications

City Council may be called and/or e-mailed, depending on level of urgency, when it is important to inform members as to issues that may come up. A good rule of thumb is when such information may

¹⁴ [WARN](#)

¹⁵ [Army Regulation \(AR\) 190-24](#)

appear in the local paper the following day, in which case the City Manager, Assistant City Manager or another key member of Staff may make direct contact to explain certain situations. Examples include but are not limited to officer-involved shootings; significant local emergencies; deaths of employees or local leaders; major City theft or accident; and notification of awards received by the City.

CHAPTER 8 ADMINISTRATION

A. Administrative Support

1. General Staff and administrative support to members of the City Council is provided through the City Manager's Office. Administrative services include scheduling appointments, taking messages, and providing clerical support as needed.
2. The Executive Secretary to the City Manager is primarily tasked with providing support services to the City Manager and Mayor; the Secretary to the Assistant City Manager provides support to the Assistant City Manager and Council Members. Council Members are encouraged to coordinate travel, appointments, or attendance at Council related functions with these Staff members.
3. Council Members may use City letterhead, postage and other official supplies when corresponding on official business. Staff will assist with finalizing letters, memos or other documents as appropriate. Where necessary, the Mayor will send all official letters representing policy, requests, or actions of the City. In addition, congratulatory, condolence, or other similar types of letters shall also be sent by the Mayor on behalf of the City.
4. In the budget, the Mayor and City Council have funds designated for their use. These expenditures include, but are not limited to, funds for Council Community Relations Activities, Professional Associations, Travel & Training, and Office & Specialized Supplies.

B. Travel

Council travel is subject to the requirements set forth in the Employee Travel Administrative Directive¹⁶ except that meal per diem will not be processed in advance of the travel.

When Council Members travel outside the State, travel will be approved by the Mayor. The Mayor's travel outside the state will be approved by the Mayor Pro Tem.

Council Members may opt to use their own POV or a city vehicle for travel.

Trip reports are recommended for all Council travel. Reports are required to be filed by Council Members when travel is out of state or when the total cost of travel exceeds \$1,000. Reports should be completed by the traveler(s) within two weeks of completion of travel. Reports will be posted by the appropriate administrative assistant to the electronic reading file. It is recommended that a summary of any trip report is used by the traveler(s) to report results to the Council and public during a regular work session.

City-paid travel is for official City business only. In general, Council Members are authorized to attend conferences or meetings of state agencies, the Arizona League of Cities and Towns, the National League of Cities, SEAGO, and other official bodies with which the City works. The City Council makes every attempt to plan travel for the following fiscal year within the regular City budgeting process.

Quarterly, the City Manager will compile a summary of travel expenses by Council Member and place in the reading file.

C. Supplies

Staff is available to assist Council Members with selection and ordering of various supplies. Staff will order business cards, name badges and other supplies for new Council Members to be available by the first official meeting of a new Council. Such supplies will meet design and format specifications as established by the City.

¹⁶ [Employee Travel Administrative Directive](#)

The City provides shirts and jackets embroidered with the City seal / logo and “Mayor” or “Council Member” to the City Council annually, or as needed. Staff will provide a catalog of choices with which to order, but Council Members may select alternate styles if appropriate and generally commensurate with cost.

D. Identification and Access Card

Council Members will be provided with a photo identification card that will also serve as an access card to City Hall. Cards are issued at the Public Works Department, and the assigned administrative Staff will make arrangements for Council Members to get their initial card. Loss or theft of cards shall be immediately reported to the City Clerk.

E. Vehicles

Council Members are encouraged, but not required, to use the City fleet vehicles for all City related travel. Vehicle reservations are made through the City Manager's Office.

If a Council Member chooses to use their own vehicle for City related travel, they can request mileage reimbursement through their assigned Staff member, which will be processed in accordance with City policy¹⁷. When using a private vehicle on official City business, the City's insurance is not primary for coverage in case of an accident. However, Council Members should contact the Office of the City Clerk as soon as possible if involved in an accident, regardless of whether vehicle is City or personal.

F. P-Cards

The City issues credit cards (P-Cards) to Council Members for use during their official duties and travel. The Staff of the City Manager's office will coordinate the paperwork to obtain cards for Council Members. Receipts must be turned in monthly to assigned support Staff, who will prepare the monthly statement for reconciliation by the Finance Division. P-Cards are used only for allowed City expenses, and other uses will require reimbursement to the City. Multiple uses

¹⁷ [Vehicles](#)

for non-City expenses may result in card being deactivated by the City Manager at the direction of the Mayor. Loss or theft of these cards shall be reported immediately to the City Clerk.

H. Council Reading Room and Mailboxes

The Council Reading Room is located in the Finance area at City Hall. The reading room is available for use by Council Members. There are also individual mailboxes for each Council Member. While most of the information and correspondence addressed to Council Members is emailed or placed in the electronic reading room, when possible, all mail addressed to Council Members will be placed in these boxes unopened unless otherwise specified by an individual Council Member. Each mailbox is individually locked, and Council Members shall be issued a key to their box. The City Manager's office retains a key to all boxes in order to place larger documents inside.

I. Computers, Phones, Email and Other City Equipment

City Council Members can request, and are encouraged to use, City issued laptops, tablets, and smart phones. The City creates email addresses for each Council Member in the City email system or on City issued equipment. Council Members can access their email accounts through the internet or with a City issued smart phone. While Council is not required to use City issued electronics, the preservation of Council Documents is more efficient when maintained within the City system. By using City issued computers, phones, and email, all city related information and documents is stored separately from personal information that may be placed on a private computer.

Set-up of smart phones and computers shall be in accordance with City administrative procedures¹⁸, and will be coordinated through the Information Technology Division. Smart phones may be used for personal use, as the value of the phone and its monthly charge is added as taxable income for all employees in accordance with federal IRS regulations. Those Council Members with a City-issued mobile phone will be provided with a copy of City administrative

¹⁸ [City Administrative Procedures](#)

directive governing use. Council Members will adhere to this directive.

Council Members shall turn in any City-issued equipment by the last day of the elected term, if leaving office, and shall be provided with a receipt.

CHAPTER 9 WEBSITES AND MEDIA RELATIONS

A. Website and Social Media Sites

1. Marketing & Communications maintains the City's website (<https://www.sierravistaaz.gov/>) and social media sites . The use of the website and social media enables the City to inform our citizens quicker and more economically.

The City will place a photo and bio of each Council Member of the City's website. Council Members may submit a bio to the City Manager's administrative Staff and update as needed. The City will arrange for a photographer to take a photo of the full Council, and each Council Member at the start of a new Council term.

2. Pursuant to the City Administrative Directive¹⁹ (copy attached), City supported social media sites are maintained and updated by web stewards trained by Marketing & Communications.
3. Council Members should consult Marketing & Communications if they have questions regarding content on the sites. City Council Members may maintain their own personal social media sites; City Staff does not maintain personal social media sites for Council Members. The information on Council Members' personal social media sites may be subject to the AZ Public Records Laws.

¹⁹ [City Administrative Directive](#)

C. Council Social Media Policy

While social media, with its use of popular abbreviations and shorthand, does not adhere to standard conventions of correspondence, the content and tenor of online conversations, discussions, and information posts and comments should model the same professional behavior displayed during Council meetings and community meetings.

Social media are not to be used by Council Members as mechanisms for conducting official city business other than to informally communicate with the public. Examples of business that may not be conducted through social media include making policy decisions, official public noticing, and discussing confidential City matters that have not been approved for release to the public. Council Members' social media site(s) should contain links directing users back to the City's official website for in-depth information, forms, documents, or online services necessary to conduct official city business.

Content maintained in a social media format, whether on a city-owned account or personal account, that is related to City business, including communication between an individual Elected Official and constituents or the general public, and a site's listing of "friends" or "followers," may be considered a public record subject to disclosure and retention under the state Public Records Laws.

Communication between Council Members via social media, as with telephone, text, and email, may potentially constitute a "meeting" under the AZ Open Meeting Law. For this reason, Councilmembers are prohibited from participating in social media discussions/threads regarding City business that involve a quorum of Council Members and are strongly discouraged from "friending" or "following" other Council Members or reacting to other Councilmember's posts.

It is also recommended Council Members include the following Disclaimer for posts:

The views expressed represent the views of the author and may not reflect the views of the Sierra Vista City Council.

D. Press Releases and Media Advisories

Marketing & Communications prepares and issues all press releases and media advisories, with the exception of those issued by the Police Department. Press Releases and Media Advisories are reserved for official City business and shall be generated and issued only by that office. Council Members who feel that a release on a specific subject is warranted are encouraged to discuss the topic first with the City Manager. Press releases promulgated by a Council Member will be reviewed by that Council Member prior to release, however, final format and content is subject to City standards and policies.

C. Media Relations

When an elected official is required to represent the City in a specific communications effort, the Mayor will serve as the official spokesperson for the City Council and the City of Sierra Vista as coordinated through Marketing & Communications. If the Mayor is unavailable, the Mayor Pro Tem may serve or designate another Council Member to represent the City. The elected spokesperson will be provided with briefing materials by the City Manager, Assistant City Manager or Marketing & Communications Staff prior to communicating with the media.

The Mayor and Council Members, when dealing with the media individually, need to be clear on the difference between settled Council policy and personal views on issues. The Mayor and Council Members will take care to ensure that phrases such as "...the City position is" or "...the City believes" will be limited to topics that have been approved as settled policy by a majority vote of the City Council.

CHAPTER 10 EMERGENCIES

A. Operation of the City During an Emergency

In the event of an emergency, the City Manager has the authority to activate the City's Emergency Operations Center and appoint an Incident Commander. In such an instance, the response to the

emergency shall follow all procedures of the City's Emergency Operations Plan.

The Mayor and City Council will be notified at the earliest possible time of such an emergency, depending on the nature of the emergency. The Council will further be advised if, during the emergency, the Mayor makes an emergency declaration or is considering governing by proclamation. Under the City's emergency operations plan²⁰, the Council will be kept periodically informed of the status of the emergency through the City Manager or his designee, all in accordance with the Open Meeting Law. The City Manager will designate one or two Staff members who will serve as the primary contact if such assistance is needed in order to free the Manager's time to assist in management of the emergency. It is the policy of the City Council that Council Members will not enter the Emergency Operations Center during an emergency without coordination with the City Manager or his or her designated representative. This restriction recognizes the need for the Incident Commander to not be distracted by the need for "VIP briefings."

Provided there is no effect on the use of electronic communications equipment as a result of the emergency, City Council Members are encouraged to send e-mails requesting information during such an event.

²⁰ [City's Emergency Operations Plan](#)

June 10, 2022

MEMORANDUM TO: Honorable Mayor and City Council

THRU: Charles P. Potucek, City Manager

FROM: Adam D. Thrasher, Chief of Police

SUBJECT: REQUEST FOR AGENDA ITEM PLACEMENT
RESOLUTION 2022-036, Authorization to proceed with
Intergovernmental Agreement between the City of Sierra
Vista, the Cochise County Sheriff's Office, and the Cochise
County Community College District.

RECOMMENDATION

The City Manager recommends approval.
The Chief of Police recommends approval.

INITIATED BY

Adam D. Thrasher, Chief of Police

BACKGROUND

Cochise County Community College District, the Sierra Vista Police Department and the Cochise County Sheriff's Office are continuing a partnership to operate the Southeastern Arizona Law Enforcement Training Academy (SEALETA) on the Cochise College – Douglas Campus. This resolution authorizes an Intergovernmental Agreement whereby one SVPD officer may serve as recruit training officers (RTO) at the academy when classes are in session (dependent on department staffing). In addition, Cochise College agrees to reimburse the City of Sierra Vista up to \$11,800 for overtime for the officer while assigned to the academy. SVPD also agrees to allow the academy to utilize the SVPD defensive tactics room for training when needed. The purpose of the agreement is to enhance law enforcement services by offering a locally available, cost effect, Arizona Peace Officer Standards & Training (AzPOST)-approved law enforcement training academy.

BUDGET APPROPRIATION

None.

RESOLUTION 2022-036

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; REAFFIRMING SETTLED POLICY TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH ANOTHER PUBLIC AGENCY; AUTHORIZING THE CITY TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE COCHISE COUNTY SHERIFF'S OFFICER AND THE COCHISE COUNTY COMMUNITY COLLEGE DISTRICT; 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 is authorized to enter into intergovernmental agreements with other agencies pursuant to Arizona Revised Statute 11-952;

WHEREAS, the City of Sierra Vista, the Cochise County Sheriff's Office, and Cochise County Community College District desire to enter into this agreement to enhance law enforcement services by offering a locally available, cost effect, Arizona Peace Officer Standards & Training (AzPOST)-approved law enforcement training academy through the cooperative efforts of all parties; and

WHEREAS, the City of Sierra Vista is able to meet the terms of the agreement; and

WHEREAS, the City of Sierra Vista desires to support and enhance law enforcement activities intended to provide AzPOST-approved basic training for new law enforcement officers.

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

SECTION 1

The policy of the City of Sierra Vista, relating to entering into intergovernmental agreements when in the best interest of the citizens hereby is, reaffirmed.

SECTION 2

An intergovernmental agreement attached and made a part hereof as Attachment A, between the Cochise County Sheriff's Office, the Cochise County Community College District, and the City of Sierra Vista hereby is approved.

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 9TH DAY OF JUNE 2022.

FREDERICK W. MUELLER
Mayor

ATTEST:

APPROVED AS TO FORM:

JILL ADAMS
City Clerk

NATHAN J. WILLIAMS
City Attorney

PREPARED BY:
ADAM D. THRASHER
Chief of Police