

Sierra Vista City Council  
Meeting Minutes  
June 8, 2023

Mayor McCaa called the June 8, 2023, City Council Regular Meeting to order at 5:00 p.m., City Hall Council Chambers, 1011 N. Coronado Drive, Sierra Vista, Arizona.

Roll Call:

Mayor Clea McCaa II – present  
Mayor Pro Tem Carolyn Umphrey – present  
Council Member William Benning – present  
Council Member Gregory Johnson - present  
Council Member Angelica Landry – present  
Council Member Marta Messmer - present  
Council Member Mark Rodriguez – present

Others Present:

Chuck Potucek, City Manager  
Victoria Yarbrough, Assistant City Manager  
Chris Hiser, Deputy Police Chief  
Brian Jones, Fire Chief  
Don Foster, Fire Marshall  
Laura Wilson, Leisure, Parks, and Library Director  
Gabriel Squires, Public Works Internal Operations Manager  
Jonathan Kramer, Building Official  
Barbara Fleming, Chief Human Resources Officer  
David Felix, Chief Financial Officer  
Tony Boone, Economic Development Manager

Invocation – Rev. Donna Smith, Graceful Passages for Vets, led everyone present in prayer.

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

[Item 1](#) Acceptance of the Agenda

Council Member Landry moved that the agenda for the Regular City Council Meeting of June 8, 2023 be approved. Council Member Benning seconded the motion. The motion unanimously carried, 7/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Benning, Johnson, Landry, Rodriguez, and Messmer voted in favor.

Awards and Presentations:

Deputy Police Chief Hiser presented the Sierra Vista Police Department's 2022 Award Winners:

- Volunteer of the Year Alternate: Erin O'Hara
- Volunteer of the Year: Rick Tutor
- Client Service Award: Tracy Grady
- Civilian of the Year Alternate: Tammy Gould-Berry
- Civilian of the Year: Lilly Perry
- Supervisor of the Year: Paul Youman
- Police Officer of the Year Alternate: Michael Arellano
- Police Officer of the Year Alternate: John Andela

- Police Officer of the Year: Antonio Chavez

City Manager's Report: Mr. Potucek announced that the upcoming budget meetings will start on June 12, 2023 at 3:00 p.m. in the Council Chambers. June 13, 2023 and June 14, 2023 are also scheduled for budget and other requested items, if these are needed. City offices will be closed on June 19, 2023 in observance of Juneteenth, therefore, refuse schedules will move from Monday/Tuesday to Tuesday/Wednesday. He also reported that the bids for the Airport Fuel and Refueler Supplier, important especially during fire season, are due on June 27, 2023; the Roadrunner Park Design Project was awarded to the firm of Wheat Design, and that contract is pending; the Sierra Vista Municipal Planning Organization/Sierra Vista Pavement Conditions Survey was awarded to the firm of IMS Infrastructure, and they are starting to develop their work schedule; the Animal Control Center Improvement and Expansion Project's design is expected to be completed by the end of July, and construction will begin in August (item is in the budget); the Garden Avenue Improvements Design Project is being re-engineered because the costs on that one are coming in high according to the estimates, but the design is also scheduled to be completed by the end of the month; Fleet's restroom out at the Public Works Yard, Pedro Castro Center should be completed by June 30, 2023. Lastly, he stated that the April sales tax report, which is following along with the March report, has an overall increase of .12 percent. He noted that a trend is starting to show and most concerning about that is that the City's regular retail food sales tax was down three percent for the month of April. However, the City is still up over eight percent year to date, 2022/2023.

#### Item 2 Consent Agenda

[Item 2.1](#) Discussion and Possible Action of the City Council Work Session Minutes of May 23, 2023

[Item 2.2](#) Discussion and Possible Action of the Regular City Council Meeting Minutes of May 25, 2023

[Item 2.3](#) Discussion and Possible Action of Resolution 2023-040, Appointment of Chanse Frenette to Commission on Disability Issues, said term to expire April 30, 2025

[Item 2.4](#) Discussion and Possible Action of Resolution 2023-041, Appointment of Shelly Short to Environmental Stewardship Commission, said term to expire April 30, 2025

[Item 2.5](#) Discussion and Possible Action of Resolution 2023-042, Appointment of Anthony Isom to Transportation Commission, said term to expire April 30, 2025

Mayor Pro Tem Umphrey moved that the Consent Agenda consisting of the City Council Work Session Minutes of May 23, 2023, the Regular City Council Meeting Minutes of May 25, 2023, Resolution 2023-040, appointment of Chanse Frenette to the Commission on Disability Issues, Resolution 2023-041, appointment of Shelly Short to the Environmental Stewardship Commission, and Resolution 2023-042, appointment of Anthony Isom to the Transportation Commission, said terms to expire April 30, 2025, be approved. Council Member Johnson seconded the motion. The motion unanimously carried, 7/0. Mayor McCaa, Mayor Pro Tem Umphrey, Council Members Benning, Johnson, Landry, Rodriguez, and Messmer voted in favor.

#### Public Hearing

[Item 3](#) Discussion and Possible Action of Resolution 2023-043, Amendments to Chapters 150 and 152 of the Sierra Vista Code of Ordinances Adopting by reference certain Building, Mechanical, Plumbing, Energy Conservation, Fire, Fuel, Gas, Residential, Existing Building, Swimming Pool, and Accessibility, Fire Codes Regulating and Governing the Construction,

## Conditions, and Maintenance of all Property, Buildings, and Structures in the City, and Declaring a 30-day Public Comment Period

Council Member Johnson moved that Resolution 2023-043, amendments to Chapters 150 and 152 of the Sierra Vista Code of Ordinances, adopting by reference certain building, mechanical, plumbing, energy conservation, fire, fuel, gas, residential, existing building, swimming pool, and accessibility, fire codes regulating and governing the construction, conditions, and maintenance of all property, buildings, and structures in the City, and declaring a 30-day public comment period, be approved. Mayor Pro Tem Umphrey seconded the motion.

Fire Marshal Foster stated that the resolution is to request approval to start the 30-day public comment period, adopting the Building and Fire Codes, going from the 2015 to the 2018 edition. This involves amendment to Chapter 150 and 152 of the Code of Ordinances, which adopts them by reference as the Building and Fire Codes for the City. The I Codes are model building codes published by the International Code Council, a nonprofit organization established in 1994. The I Codes are updated by Code Council every three years. The Department's recommendation is to follow the State best practices and move up every other code cycle. If the resolution is approved, the Department will be proposing the next update in a couple years and will go to the 2024 I Codes.

Fire Marshall Foster stated that he, the building official, and the inspectors have reviewed the changes between the additions and found they are relatively minor and should have minimal impact on the current building practices. At the same time, they used the opportunity to review and edit the current amendments and deleted anything that was unnecessary, which provided less deviation from current practices. He noted that in the agenda backup material, staff provided the rationale for each of the local amendments to facilitate review. Approving the update will bring the City into alignment with the State and the local partners that the City has inspection agreements in place for both the manufactured home and the Fire Marshall inspections for State regulated facilities to include Cochise College, University Arizona, and all the public schools. The Department has also been in close communication with the City's counterparts at the County and the goal is to achieve parity on building codes to the extent where there is reciprocity in accepting approved building plans for residential homes between jurisdictions. Another point to consider is that training has been phased out for the 2015 I Code; therefore, the inspectors who must maintain their certifications must have a way to advance their knowledge to stay current. Finally, the age of the City Codes may have some bearing on how insurance rates are determined based on the scoring matrix that they use. Periodically staff fills out a survey that gets factored in the evaluation. No changes are being proposed to the fee schedule except for a \$100 fee for residential solar with the battery system.

In response to Mayor Pro Tem Umphrey, Fire Marshall Foster stated that 2015 was eight years ago, and when the ICC puts out the new codes, they also provide training that helps the employees stay current because they can explain it person to person instead of the employee trying to read the codes. The ICC does not do that for eight years in the past, they do it every code cycle.

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

New Business

[Item 4](#) Discussion and Possible Action of Resolution 2023-044, Approving the Designation of the City of Sierra Vista's Chief Financial Officer as the City of Sierra Vista's Agent for completing all Documentation for Receiving Donations

Council Member Rodriguez moved that Resolution 2023-044, designation of the City of Sierra Vista's Chief Financial Officer, David Felix, as the City of Sierra Vista's agent for completing all documentation for receiving donations, be approved. Mayor Pro Tem Umphrey seconded the motion.

Mr. Felix stated that the City receives donations either from individuals, trusts, businesses, but since the City is not a nonprofit organization, the IRS regulations allow for a special code, 170 that allows people to make tax deductible donations. The City does get quite a few trusts after people have passed away and given to the City. The perfect example as it relates to this item, the Nancy J. Brua Animal Care Facility. This person donated over \$1,000,000 from her estate to the City and that helped to construct the facility at that time. Unfortunately, one of the challenges that comes up, especially with the Animal Care Facility is that people do not know what is with the City. The City is currently receiving a donation from an estate for a person which is going through JPMorgan Chase, and in their due diligence, they are looking for an authorized signature that has been approved by the Board within the last 12 months to complete the documentation and receive the donation. The Finance Department has provided them with the fact that this is a City facility, that the City Council named it, but in going through the documentation, the City has nothing within the last 12 months that authorizes any City employee to officially act in this capacity. This will allow the Department to fill the grant paperwork out to make it easy for the next year, and possibly continue this. Also, named off are all the other facilities that get donations and can get donations in case the donation is made out to that entity instead of the City itself.

The Animal Care Facility and the Library are the two biggest donation receivers for anything else in the City. Within the last month the City received from a person's estate \$51,000 to the Library and \$51,000 to Animal Care Facility.

Council Member Johnson noted that Council Member Rodriguez's motion mentioned David Felix as the City's Chief Financial Officer, the resolution leaves it open and does not name David Felix. The resolution states the Chief Financial Officer as the authorized agent.

Council Member Rodriguez stated that he is thankful for the people in the community that want to donate to keep the City growing and thriving.

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

[Item 5](#) Discussion and Possible Action of Resolution 2023-045, Approval of the Retiree Health Insurance Benefit

Council Member Messmer moved that Resolution 2023-045, a Retiree Health Insurance Benefit, be approved. Mayor Pro Tem Umphrey seconded the motion.

Ms. Fleming stated that this resolution is for retiree health insurance benefits. This is a plan that would allow a full-time employee that is on the ASRS or the PSPRS that reach normal retirement to remain until they are eligible for Medicare on the State Insurance Plan, which would be reimbursed by the City to tremendous benefit. This is a benefit that the City saw long

term success with. As discussed, the recruitment and retention specifically within the public safety realms has been a challenge. The Human Resources Department is looking for tools to put in the toolkit to help set the City apart, provide something that others do not. This has been highly requested and there has been a lot of discussion about it.

Mayor Pro Tem Umphrey asked if this was something that came out of the Employee Council. Ms. Fleming stated that as people go to discuss retiring, staying, moving on, promoting or whatever, this has been the most discussed benefit. They consider it a valued benefit, and the people do not want to leave, even if they get other opportunities. Therefore, the Department spent time researching cost, etc.; but this issue has been talked about in various employee and council meetings, and this has been in the works as far as pulling the data for budgetary purposes. This has been well received, and there has not been any negative comments from any employee regarding the benefit. Mr. Potucek added that although this did not specifically come out of the Employee Council, this was brought up to Ms. Yarborough, and he at a meeting that they had in the Fire Department with the Chiefs and Captains. They mentioned how this might be very helpful in terms of retention of employees, and how this is a good benefit for public safety employees, so. Therefore, the Department started the analysis in January for this.

Council Member Johnson asked about the years of service that an employee must give before the benefit kicks in. Ms. Fleming stated that it depends on which plan they are on, but the Department says 20 years and it scales up, five percent per year. Five percent towards payment and five, ten, fifteen, twenty would make the 100 percent payment. However, the Department has realized that some of them must reach normal retirement, might be 25 years. It is a two-tier, a minimum of 20 years of service for the 100 percent otherwise it scales up and then reach normal retirement for their plan.

Council Member Rodriguez stated that he is glad that this has been brought back. It is unfortunate that it was voted to be taken away in 2012. Therefore, anybody that retired between then and now, unfortunately was not able to get this benefit, and he is sure that there is no retroactivity back that far. This is a recruiting tool as well, and he agrees that this is a tool that can keep people in the City, one more thing that will make them stay.

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

[Item 6](#) Discussion and Possible Action of Resolution 2023-046, Approving the proceedings of the Industrial Development Authority of the City of Sierra Vista regarding the Issuance of its Education Facility Revenue Refunding Obligations (San Tan Montessori School Project), Series 2023 in an amount not to exceed \$18,000,000

Council Member Landry moved that Resolution 2023-046, proceedings of the Industrial Development Authority of the City of Sierra Vista regarding the issuance of its education facility revenue refunding obligations, San Tan Montessori School Project, Series 2023 in an amount not to exceed \$18,000,000, be approved. Mayor Pro Tem Umphrey seconded the motion.

Mr. Potucek stated that this is a refunding of two series of bonds in the amount not to exceed \$18,000,000 for the San Tan Montessori School Project. IDAs are allowed to fund projects outside of their jurisdiction, and in fact the IDA has done out of state projects recently as Council is aware as well. As a result of doing this, refunding the IDA can make money off the fees based on the process of refunding the bonds. The Montessori School benefits by improving their interest rate and payment schedules as a result.

Mr. Potucek stated that the IDA is a separate entity from the City of Sierra Vista, but there are two touch points with the Council. One is the actual appointment of IDA members and the second one is the approval of any bonds or financings that they do, which is provided for by Statute. The City of Sierra Vista is under no obligation to make a repayment on these bonds.

Council Member Benning acknowledged Dimitri Simonton with the IDA. Mr. Simonton had no comments.

Council Member Rodriguez noted that the City is not liable with respect to any of these bonds that are going to be issued. Council Member Benning added that the money that the IDA receives goes into things like the University of Arizona Innovation Center's incubator center, back into things that helps the community. There is self-funding by doing these grants and it goes a long way.

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

#### Call to the Public

Angie Allred and Molly Danneker, Sierra Vista Tsunami Swim team Board Members, stated that they are a 501C3, providing the youth with a year-round competitive swim opportunity for the last 30 years. They currently have more than sixty youths swimming on the team, and they practice for two hours a day, five days a week and attend competitive swim meets all over the State representing Sierra Vista. They are proud of their kids because they do an excellent job, and they would like to bring the competitive swim community, which is huge to Sierra Vista for weekend meets. This would bring economic benefits to Sierra Vista in the in the form of hotel stays and restaurant patronage.

Ms. Allred asked Council to consider a different rate structure for their practice hours at the Cove because they currently pay more than the public. They have had a quadrupling of their hourly rate since before COVID. In the last half year, they ended up staying up at Barns and swimming there because the charge there was much less. However, they would love to keep their money in the City and stay at the City's pool. They used to pay between \$2.50 and \$2.75 per lane per hour for their swimmers to swim, and they must rent at least six lanes at a time when they swim. Currently they are paying \$10 per lane per hour. In closing, she stated that it is hard for them to remain solvent as a 501C3, and keep good coaches, kids in the pool, and attend the weekend meetings, which usually costs their team about \$1,000 a weekend to have a coach there and support the kids at the at the meets.

#### Comments and Requests of the Council

Council Member Benning congratulated Deputy Police Chief Hiser, to all the Police Department's 2022 Award Winners, Officer Chavez, Officer Youman, who used to work for him, noted that it is good to see him come a long way and excelling in the police force. He is doing amazing stuff. He also thanked Angie Allred and Molly Danneker for coming out to talk to Council, and all the new commissioners for their service to the City.

Council Member Johnson had nothing to report.

Council Member Landry congratulated the Sierra Vista Police Department award winners, noted that it was great to see them, hear about them, great amazing people in Sierra Vista. She thanked everybody who came to the Council Meeting, thanked Angie Allred and Molly Danneker for sharing as it is always nice to hear from people. She gave a shout out to everybody who worked on the Summit Challenge, the staff who came in early for the people that did the Three Peak Challenge as they all had to be at the Cove at 4:20 a.m. to catch the bus. She noted that they were all in good spirits, took them out to Ramsey Canyon, provided snacks and words of encouragement. She added that the trails were clearly marked, and there were people up on every single peak that had hiked up there early so that they could give out the stamps and stickers. They were also tracking the bib numbers to make sure everybody was accounted for and not left behind. She shared that she had somebody come from out of state and they had a wonderful time, and she is looking forward to coming back and doing it again. She voiced her appreciation for all the care that went into taking care of the hikers and noted that the event at Veterans' Memorial Park was great with all the vineyards, beer, and music. In closing, she announced that the Animal Shelter would great appreciate donations of milk bones for the dogs. They are also sponsoring on June 17, 2023, Ramos Rummage Sale, another fantastic way to support the Animal Shelter as well.

Council Member Messmer shared that she attended the Hispanic Chamber Coffee and noted that the City is a member of the Hispanic Chamber, which means that all the employees are welcomed to attend the monthly mixers. She encouraged people to join the Hispanic Chamber because they are a great organization.

Council Member Rodriguez announced the Sierra Vista Symphony Summer Pops Concert at 6:30 p.m. following the Council Meeting and encouraged everyone to get over to Veterans' Memorial Park because the Symphony always puts on a good show, which the City is fortunate to have a good organization like that. He also announced that on Saturday, June 10, 2023, there will be a Father's Day Fashion Show at Dillard's, at 1:00 p.m. He congratulated the winners from the Police Department, noted that Chief O'Hara and her husband are veterans who served with him, Army battle buddies, and it is good to see them transition into afterlife and doing stuff in the community. He congratulated Officer Chavez, one of the many employees that lives out of town, but still does remarkable things for the City. Congratulated all the new commissioners and stated that he is looking forward to seeing them doing important things. In closing, he stated that there was a fatality accident last week in the City, lost two people from our City. He offered his condolences to their family and to the first responders that always must be there to see those things. Not only do the families feel loss, but the first responders deal with that for the rest of their lives that were first on the scene.

Mayor Pro Tem Umphrey stated that she is going to go after the Council Meeting to the Pops Concert because they always put on a great free show every year at the park. She congratulated the recipients of the FY22 SVPD awards and stated that the story about Officer Grady touched her heart because of everything that she did, to include making a call to the insurance company. She noted that when one is in a crisis, one might not even think to do that, and this makes her proud of Officer Grady and that she is a part of the Sierra Vista Police Department.

Council Member Rodriguez thanked Angie Allred and Molly Danneker for speaking during the Call to the Public. He explained that Council cannot speak during a Call to the Public; however, he noted that the biggest point that he got is that they have sixty youth that are involved from the community. He thanked them for that and noted that the youth is important, and he is for keeping them off the streets 100 percent, he is with them. He shared that he has kids and the

busier that he can keep them the better. Lastly, he stated that all 501C3s are doing what they can and doing what they must to do to fundraise, and he is sure that the rates will be looked at to see if there is anything that can be done.

Mayor McCaa thanked Mr. Potucek, Ms. Yarbrough, Deputy Police Chief Hiser, who represented the City well, and everyone who attended the roundtable on Wednesday, June 7, 2023 at Cochise College with Governor Ron DeSantis, and AG Ashley Moody. He announced that the U.S. Army Intelligence Center of Excellence appointed Norman S. Lawrence, a new civilian Deputy to the Commanding General on June 5, 2023, which he looks forward to working, and congratulated the 2022 Police Department Award Winners, and lastly, gave a shout out to Jeff in Streets for filling potholes.

#### Adjournment

Mayor McCaa adjourned the June 8, 2023, meeting of the Sierra Vista City Council at 5:50 p.m.

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Clea McCaa II, Mayor

Minutes prepared by:

Attest:

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Maria G. Marsh, Deputy Clerk

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Jill Adams, City Clerk