

Sierra Vista City Council
Work Session Minutes
August 8, 2023

1. Call to Order

Mayor McCaa called the August 8, 2023, City Council Work Session to order at 3:00 p.m., Council Chambers, City Hall, 1011 N. Coronado Drive, Sierra Vista, Arizona.

Mayor Clea McCaa – 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, Police Chief
Brian Jones, Fire Chief
Laura Wilson, Leisure, Parks, and Library Director
Sharon Flissar, Public Works Director
Gabriel Squires, Public Works Internal Operations Manager
Jennifer Dillaha, Budget Officer
Adam Curtis, Marketing and Communications Manager
Tony Boone, Economic Development Manager
Mike Cline, Management Analyst

2. Presentation and Discussion:

A. August 10, 2023 Council Meeting Agenda Items ([agenda attached](#))

Mayor McCaa stated that the Agenda starts with the call to order, roll call, invocation led by Pastor Youngblood, followed by the Pledge Allegiance led by Mayor Pro Tem Umphrey.

Item 1 Acceptance of the agenda – There were no changes needed.

Presentations – Mayor McCaa stated that there are two presentations, one by Mr. Michael Hoerig, and one by Mr. Felix.

Mr. Potucek explained that the Legislature has mandated that city councils get a public report from their auditors every year. Therefore, this will be an annual event.

In response to Mayor McCaa, Mr. Potucek stated that the Realtime Crime Center should be done by August 25, 2023, a very impressive thing, and if Council Members would like a tour, he can arrange that, and Police Chief Hiser can take the Council Members through. He noted that this is a good project and worth the time to see. He further stated that there will be JPA

SEACOM Board Meeting on Thursday, August 10, 2023, which he will report about during the Council Meeting on Thursday, August 10, 2023. Lastly, he reported that the sales tax report for June was flat, but the total report was up three percent. Also, the residential rental tax, which is about a \$500,000 to the City's General Fund budget, was caught up in a swap for allowing Maricopa County to vote on their transportation tax. The Governor backed off on her initial veto of that bill and it appears that in Fiscal Year 2025, the City of Sierra Vista will lose that revenue source. Of more concern is the fact that the bill was initially vetoed and brought back as part of a swap deal. Therefore, staff is very concerned about the food tax going forward. This hits around the same time that the City of Sierra Vista loses its share of the State shared income tax because of the reduction and income tax rates in the State.

Item 2 Consent Agenda – There was no discussion.

Item 2.1 Discussion and Possible Action of the Special Meeting Minutes of July 25, 2023

Item 2.2 Discussion and Possible Action of the Work Session Meeting Minutes of July 25, 2023

Item 2.3 Discussion and Possible Action of the Regular City Council Meeting Minutes of July 27, 2022

Item 3 Discussion and Possible Action of Ordinance 2023-007, Fiscal Year 2023-2024 Property Tax Levy - Ms. Dillaha stated that the City held a public hearing on the Fiscal Year 2024 Primary Property Tax levy on July 27, 2023 in accordance with State Statute. There have been no public comments. The rate will be set at .1056 per \$100.00 of assessed value, which will generate an estimated \$382,261.00 this fiscal year. This will finalize the budgeting process for Fiscal Year 2024 and the final budget book will be available to Council in mid-October at the earliest.

Item 4 Discussion and Possible Action of Resolution 2023-061, Funding Agreement with the Arizona Department of Emergency and Military Affairs in the amount of \$108,000.00 for the purchase of five (5) P25-Compliant in-car dual band radios and eight (8) grappler devices with associated installation costs and replacement nets – Police Chief Hiser stated that this resolution is to approve the acceptance of an award in the amount of \$108,000 from the Arizona Department of Emergency Military Affairs. The Department had a submitted a request for funding, specifically for the purchase of five in-car radios, dual band radios that will be used in the Department's vehicles as well as eight grappler devices, and some replacement grappler nets. The grappler devices are an up-and-coming law enforcement tool used to safely end vehicle pursuits. It is a bumper mounted system with similar material to a tow strap tethering system that the law enforcement vehicle, when it gets close enough to the vehicle being pursued can deploy. It will literally wrap around the rear tire and cease movement slowly and safely and tethered the vehicle being pursued to the law enforcement vehicle. He added that there are some good videos provided by the company online, a Phoenix-based company. The purchase of these items will help the Department with the failure to yields and the pursuits that the Department has been dealing with on a regular basis to be able to end them safely. The Department would also like to purchase replacement grappling nets.

Mayor Pro Tem Umphrey asked if a new one is needed once deployed. Police Chief Hiser stated that for safety reasons, it must be replaced with a new device. The Department has in the budget replacement nets. There is also training that comes along with the purchase from the company that is going to be required.

Council Member Rodriguez stated that he noticed that these devices are very popular in the US; therefore, he wonders about the backlog. Police Chief Hiser stated that it is in high demand. The City needs to get on that list like as soon as possible because they are looking at about a year out. He added that he asked for an extension for the grant because funding was going to end soon.

Council Member Johnson asked for an explanation for the need of five radios. Police Chief Hiser stated that the Department has five Tahoes in its fleet that do not have mobile radios in them. The officers have been using portable radios, and those are the command staff vehicles. The shortage of radios came about a couple years back when he was a commander and he needed to put updated radios into the mobile command post. Therefore, he shorted a few radios to get that done. The command staff at the time decided to travel about using portable radios. However, it is important that the Department get those Tahoes outfitted with these mobile radios for better coverage.

Item 5 Discussion and Possible Action of Ordinance 2023-008, Amendments to Chapter 94, Section 94.03, Park Hours, of the Code of Ordinance – Ms. Wilson stated that this item recommends edits to the City Code of Ordinances, Chapter 94 in relation to park hours. The requested edits established closure hours for a variety of sports fields and their adjacent parking lots. The fields and parking lots would be closed at dusk if not in use or one hour after the last reservation. It will also establish closure hours for the pickleball and tennis courts between the hours of 10:00 p.m. and 5:00 a.m. This item was presented to council originally on June 22, 2023 during a regular council meeting as a public hearing item and established a 30-day public comment period. There have been no public comments received about the proposed changes and the edits have been reviewed and unanimously recommended for approval by the Parks and Recreation Commission.

Council Member Rodriguez asked about paragraphs B and C, the hour difference. Ms. Wilson stated that people cannot be at the pickleball courts and the tennis courts between 10:00 p.m. and 5:00 a.m. The other ones are for the regular sports fields that have established regular hours, i.e., the field located at Veterans Memorial Sports Complex. However, this is for the fields that normally do not have reservations and when it gets dark people go out to loiter, etc.

Council Member Rodriguez state that he wanted clarification so that when they are patrolled, to enforce the hours, they understand the difference and there is no confusion by the public or the people trying to enforce them.

Item 6 Discussion and Possible Action of Resolution 2023-062, Accepting a Grant from the Federal Aviation Administration (FAA) for a Master Plan Update – Ms. Flissar stated that this agenda item will accept a grant from the Federal Aviation Administration for an update to the City's Airport Master Plan. The Master Plan is required to be updated every 10 years and the last Master Plan and Airport Layout Plan was completed by the City and accepted by the FAA in April 2014. The purpose of the Master Plan is to provide the City with guidance for revisions to existing infrastructure and opportunities for future development at the airport. Typical elements of the Master Plan include an inventory of existing conditions, forecast for future air traffic and development, facility requirements and alternatives analysis, recommended development, and a capital improvements and financial program. The Master Plan has a 20-year horizon associated with it. The project list is of particular interest to the City and the FAA as it identifies grant eligible projects for the yearly Airport Improvement Program grant process. The FAA has accepted the project as eligible for AIP funding and has offered the City a planning grant in the amount of \$510,000, which includes \$464,406 of federal funding from the FAA, \$22,797 from

the Arizona Department of Transportation as a state match, and a \$22,797 match from the City of Sierra Vista. This project was included in the City's Fiscal Year 2024 budget with the potential matches. The time frame for the master plan would be about a year and a half, and there will be multiple opportunities for stakeholder involvement during that time.

Item 7 Discussion and Possible Action of Resolution 2023-063, Proceedings of the Industrial Development Authority of the City of Sierra Vista regarding the issuance of its Education Facility Revenue Bonds (Champion Schools Project) Series 2023 in an amount not to exceed \$35,000,000 – Mr. Slania stated that this item is an Arizona-based school called Champion School. They are looking to acquire two of their facilities that they are currently leasing. They are intending to move forward with this on a public offering that will be a limited public offering from RBC, which used to be Rauscher, Pierce, Refsnes, then became Rauscher, Dane Rauscher, and lastly Royal Bank of Canada Dane Rauscher. They are very experienced with charter schools. This is a charter school that has done well, and they wish to release all the grades at a single time; therefore, it cannot be included in the offering documents or currently publicly released. However, they are expecting to be about a B school, if not better. Lastly, he stated that he cannot confirm or deny that this is going to be the case because they have not received that yet. This is an amount not to exceed \$35 million and for that the IDA will receive an annual admin fee, expected to be about \$24,000 a year.

Item 8 Discussion and Possible Action of Resolution 2023-064, Proceedings of the Industrial Development Authority of the City of Sierra Vista regarding the issuance of its Charter School Revenue Bonds (Delta Academy Charter School Project) Series 2023 in an amount not to exceed \$30,000,000 – Mr. Slania stated that this item is also a charter school. This school is in Nevada. They were looking for an out-of-state issuer because they were not successful in getting a Nevada issuer because there are not a lot of Nevada issuers. Therefore, they were looking for Arizona IDA, Sierra Vista IDA, and another Arizona IDA, because they can operate outside of the State of Arizona. This is the same underwriter RBC Capital Markets. It is currently a leased facility, and they are already in that site. They are looking to issue the bonds in short order probably in the next month or so.

Council Member Rodriguez commented that he read the charter for both schools. He noted that the one in Arizona has children that attend that fall into low income, students of color, English learners, children with disabilities, students experiencing homelessness, children in foster care. He further noted this is a great thing, anytime the City of Sierra Vista's name goes on anything, he investigates what Council is supporting. This is definitely a great thing to support, especially in Arizona. The other one, Nevada, is in Las Vegas, which he will gladly check into if Council would like him to do so to make sure that it is good. However, their goals are very refreshing to read where they are trying to help their people with lower academic skill levels, credit deficiency, history of poor attendance, behavior problems, and giving them a second chance. A lot of them have a lack of family and social support, addiction issues, legal problems, juvenile justice, and underlying disabilities. Their goal is to give an accurate measure of education achievement of pupils not based off academic test scores, but more on attendance behavior attitude and credits earned. Lastly, he stated that this reminds him of what the Buffalo Soldier Academy does at Buena High School. They may not necessarily have the best grades, but they are still going to get an achievement because of how they have grown throughout the year, and it is good to see charter schools doing something like that. A lot of times charter schools get a bad rap because of how they are funded.

Mr. Slania stated that an additional point, North Las Vegas is where this charter school is located is not right off the strip. It is one of the more affordable in areas of Las Vegas. The good

news is that the city there, under the tax rules for a 501C3 organization, like these bonds are going to be issued for this borrower, must have a TEFRA Hearing or a public hearing. The City of North Las Vegas will be having that hearing as well. There is support at that location for that charter school.

Mayor Pro Tem Umphrey asked how much the IDA would gain. Mr. Slania stated that this again is anticipated to be an annual payment because it is roughly going to be slightly less than the last one, \$20,000. The IDA receives a basis point annual fee. It is seven basis points on the outstanding principal amount of the bonds in any given year with a floor of \$3,000. By issuing these bonds for as many years as the bonds are outstanding, the IDA will receive that admin fee.

B. Report on Recent Trips, Meetings and Future Meetings

Council Member Rodriguez reported that the Youth Commission voted during their last meeting to change the meeting time to Sunday at 9:00 a.m. They talked about the upcoming League of Cities, and they will be there to represent the City and they are all going to hold with the Mayor.

C. Future Discussion Items and Council Requests

In response to Mayor McCaa, Ms. Yarbrough stated that the Code enforcement presentation is forthcoming during the next work session, the special event policy has not yet been scheduled for discussion, but staff has reached out to the Sierra Vista Veterans Memorial Foundation to present to Council; however, staff is waiting on confirmation.

3. Adjourn

Mayor McCaa adjourned the July 27, 2023, work session of the Sierra Vista City Council at 3:21 p.m.

Clea McCaa, Mayor

Minutes prepared by:

Attest:

Maria G. Marsh, Deputy Clerk

Jill Adams, City Clerk