

Sierra Vista City Council
Work Session Minutes
September 26, 2023

1. Call to Order

Mayor McCaa called the September 12, 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 – absent
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
Don Foster, Fire Marshall
Laura Wilson, Leisure, Parks, and Library Director
Sharon Flissar, Public Works Director
Matt McLachlan, Community Development Director
Jeff Pregler, Planner
Kennie Downing, Chief Procurement Officer
Barbara Fleming, Human Resources Manager
Adam Curtis, Marketing and Communications Manager
Tony Boone, Economic Development Manager

2. Presentation and Discussion:

A. August 14, 2023 Council Meeting Agenda Items ([agenda attached](#))

Mayor McCaa stated that the agenda starts with the call to order, roll call, invocation led by Reverend Donna Smith, followed by the Pledge Allegiance led by Council Member Johnson, proclamations, and an award by the Economic Development Commission presented by Council Member Johnson.

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

In response to Mayor McCaa, Mr. Potucek reported that the construction of the ADA paths at Garden Canyon Wash and Saint Andrews will be rebid. The first costs came in about double what they are supposed to; therefore, staff redid the scope, and the project is going back out for bidding to see if it can do better the second time around. The land purchase behind Fire Station II is now complete; therefore, there will need to be plans made on how that property is going to be used in the future. Also, the July sales tax report came in and month over month, the City is up 15.33 percent.

Mr. Potucek explained that those numbers were flat during the last couple of months, but he thinks that there could be a reporting problem from one of the major retail outlets in the community, which may have skipped a month. This is not unusual, but those are wild gyrations in the numbers. This puts the City up 9.55 percent year over year.

Mayor Pro Tem Umphrey asked if this is unusual. Mr. Potucek stated that it is not unusual for somebody to skip a reporting period, but Mr. Felix is going to investigate. However, he will not be able to find who because there is confidentiality involved in that, but he can get an idea if that is indeed going on.

Council Member Johnson asked if it could be online purchases. Mr. Potucek stated that it is not because the big change was in the retail; therefore, it must be in that area.

Item 2.1 Discussion and Possible Action of the Work Session Meeting Minutes of August 22, 2023 – There was no discussion.

Item 2.2 Discussion and Possible Action of the Regular City Council Meeting Minutes of August 24, 2022 – There was no discussion.

Item 2.3 Discussion and Possible Action of Resolution 2023-069, Appointment of Douglas Phillips, Aaron Hennequin, and Rebecca Smith to the Tourism Commission, said terms to expire April 30, 2025 – There was no discussion.

Item 2.4 Discussion and Possible Action of Resolution 2023-070, Donation of Four Surplus Vehicles to Sister City Cananea, Sonora, Mexico – There was no discussion.

Item 3 Discussion and Possible Action of Resolution 2023-071, Development Agreement between the City of Sierra Vista, Sierra Charter LLC, and Castle and Cooke Arizona, Inc. – Mr. McLachlan stated that the American Leadership Academy is endeavoring to build a new school campus in the Tribute Specific Plan area. They have acquired a 36.6-acre parcel on northeast corner Buffalo Soldier Trail and Ben Franklin Boulevard, a future north, south collector street, about 1/4 mile east of State Route 92.

Sierra Charter LLC is the entity responsible for the development and is planning to start construction around the first of the year and finish by early summer to be open for the 2024 school year. To accommodate this fast track and achieve cost efficiencies with the construction, the Department is proposing a development agreement that gives Sierra Charter the responsibility to design, construct, and finance the required public improvements to Buffalo Soldier Trail with appropriate checks and balances by the City.

The City Council budgeted \$2,000,000 for this project and under the proposed agreement, the developer will be reimbursed by the City at 25 percent intervals in accordance with the progress of the construction for the actual verifiable costs up to this amount. If the construction bids exceed the budgeted amount, staff will confer with Sierra Charter to determine whether modifications can be made to the construction plans to bring it into budget or see if additional funding can be obtained to cover the difference.

There will be close coordination between the outside engineering firm McIntosh and Associates and the City's engineering staff in developing the construction plans. The Department will review and approve the terms of construction contract and the City's inspectors will be overseeing the

construction to make sure the work conforms to the City's requirements. Any defects will be cured prior to acceptance and will be party to a two-year warranty on materials and workmanship. Upon full and final completion of the BST improvements, Castle and Coke will be obligated to dedicate and convey the right-of-way parcel for the City's acceptance. The proposed agreement has been reviewed by all parties and has been determined to be acceptable.

Mayor Pro Tem Umphrey asked about a threshold. Mr. McLachlan stated that they are going to do their best to keep it under \$2 Million. The superintendent for construction felt comfortable with that budget amount, but it will not be known until the construction documents are prepared and goes out for bid. However, if there is a budget amendment, that would have to go through the Council.

Mr. Potucek stated that he thinks this is a beneficial development agreement to both parties. The school wants to be able to move in as quick a fashion as possible and this will allow them to do that. They will already be mobilized with their equipment and everything out on the site. Therefore, this is an excellent chance that they could bring this project in under the price that the City could do it for. Lastly, he stated that he thinks that there is a better chance of getting under that \$2 million by doing this development agreement as opposed to the City doing itself.

Item 4 Discussion and Possible Action of Resolution 2023-072, - Mr. Potucek stated that he can present if Mr. Slania is unable to attend.

B. Report on Recent Trips, Meetings and Future Meetings

Mayor Pro Tem Umphrey stated that Council attended the League Conference. Council Member Rodriguez reported that they took the Youth Commission, which was awesome. They got to participate in the youth portion of it and associated with that, one of the Youth Commissioner is also going to be part of the State Youth Commission Board for mental health awareness for youth.

In response to Mayor Pro Tem Umphrey, Mr. Rodriguez stated that Sophia Rosa, Youth Commission Chair, will represent the City's Youth Commission at the State's level. He added that hopefully some of the Youth Commissioners will be able to attend the National League Conference in March to represent Sierra Vista.

Mayor McCaa stated that they had a great time, an opportunity to meet the mayors and other city council members from around the globe. He added that there were great meetings on water, and he learned a lot.

C. Future Discussion Items and Council Requests

In response to Mayor McCaa, Ms. Yarbrough stated that she has three things tracking for the next work session, special event policy, presentation on six-month review of the free transit fares, and the final report on the previous Strategic Plan.

3. Adjourn

Mayor McCaa adjourned the September 12, 2023, work session of the Sierra Vista City Council at 3:09 p.m.

Clea McCaa, Mayor

Minutes prepared by:

Attest:

Maria G. Marsh, Deputy Clerk

Jill Adams, City Clerk