



EXTRAORDINARY SKIES.
UNCOMMON GROUND.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minute summary of the work session of the City Council of Sierra Vista held on the 7TH day of November 2023. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 14TH day of December 2023

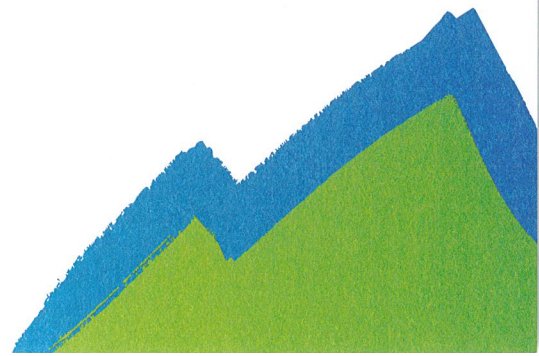
SEAL

A handwritten signature in black ink, appearing to read "Maria G. Marsh", written over a horizontal line.

Maria G. Marsh
Deputy City Clerk

A handwritten signature in blue ink, appearing to read "Jill Adams", written over a horizontal line.

Jill Adams
City Clerk



Sierra Vista City Council
Work Session Minutes
November 7, 2023

1. Mayor McCaa called the November 7, 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 (arrived 3:05 p.m.)
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:

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
Matt McLachlan, Community Development Director
Jeff Pregler, Planner
Blake Fisher, Planner
Jennifer Dillaha, Budget Officer
Adam Curtis, Marketing and Communications Manager
Jill Adams, City Clerk

2. Presentation and Discussion:

- A. November 9, 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, Graceful Passages for Vets, and the Pledge of Allegiance led by Council Member Rodriguez.

In response to Mayor McCaa, Ms. Yarbrough stated that Mr. Potucek is out all week, and reported that the SEACOM Board Meeting has been moved to next week, Thursday, November 16, 2023 at 9:00 a.m.

Item 2.1 Discussion and Possible Action of the Work Session Meeting Minutes of October 24, 2023 – There was no discussion.

Item 2.2 Discussion and Possible Action of the Regular City Council Meeting Minutes of October 26, 2023 – There was no discussion.

Item 2.3 Discussion and Possible Action of Resolution 2023-082, Acceptance of Pre-annexation

Agreement for Parcel # 106-71-181A

In response to Mayor Pro Tem Umphrey, Mr. McLachlan stated that the Department has a routine procedure that is gone through for pre-annexations that delegates authority to the City to proceed on the owner's behalf on any future annexation petition. He further stated that he received a question about the commercial property on Fry, one of the pre-annexation agreements, and like any other pre-annexation agreement, staff reviews and assesses the potential for following up with the annexation petition when there is a grouping of properties in the vicinity that comply with the State statutory requirements for contiguity and configuration of the annexation area. The City could certainly proceed with the one property on Fry and bring that into the City as a subsequent action to the pre-annexation agreement if there is a consensus and desire of Council to move in that direction.

Mayor Pro Tem Umphrey stated that she was curious why the City is not moving forward with the annexation if they are already surrounded by the City. Mr. McLachlan stated that ideally there would be multiple properties that the City would take in with an annexation petition. There is a process involved and expense as well. However, based on it being commercial and tax revenue that it would provide, there could be justification for proceeding individually with just that one parcel. The pre-annexation agreement streamlines the process and provides certainty during the annexation process because the City then has power of attorney to proceed on the owner's behalf with the annexation petition, which could be one parcel or more depending on the disposition of the property owners around it. Council could expect an annexation petition to follow, and it could be that commercial property individually, or some of the other residential pre-annexation properties where the City already has pre-annexation agreements. The Department is proactively reaching out to those property owners that previously expressed interest to try to obtain pre-annexation agreements, but it is a process.

Council Member Rodriguez asked if the area where the Little Playhouse, Black Rose Tattoo, and the vacant commercial lot behind it zoned for general business only and not zoned for apartment-style living. Mr. McLachlan stated that he is unsure under the County's zoning, but it would come over as General Commercial, closest equivalent. The General Commercial Zoning District allows multi-family housing, but it would nonetheless be grandfathered due to its existence at the time of the annexation.

Council Member Rodriguez asked if the other property is off 7th Street, the old baseball card shop, and the empty buildings on that lot. Mr. McLachlan stated that he is correct.

Item 2.4 Discussion and Possible Action of Resolution 2023-083, Acceptance of Pre-annexation Agreement for Parcel # 106-70-111 – Discussed under Item 2.3.

Item 2.5 Discussion and Possible Action of Resolution 2023-084, Acceptance of Pre-annexation Agreement for Parcel # 106-71-159 – Discussed under Item 2.3.

Item 2.6 Discussion and Possible Action of Resolution 2023-085, Acceptance of Pre-annexation Agreement for Parcel # 106-70-132 – Discussed under Item 2.3.

Item 2.7 Discussion and Possible Action of Resolution 2023-086, Acceptance of the resignation of Patrick Murphy, and Appointment of Joelle Buffa to the Sierra Vista Environmental Stewardship Commission, said term to expire April 30, 2025 – There was no discussion.

Public Hearing, Item 3 Discussion and Possible Action of Ordinance 2023-010, Request for a

Zoning Map Amendment, Designation of Recreational Vehicle Park Overlay District, 405 S. Garden Avenue - Garden Grove Manufactured Home Park

Mr. McLachlan stated that this is a request to assign the RV Park Overlay District to the Garden Grove site firmly known as Garden Canyon Mobile Home Park. The property consists of two tax parcels encompassing just over 14 acres of property located between South Garden Avenue and South Carmichael Avenue, South of Wilcox. The property is bordered by the Garden Terrace single family neighborhood to the South, Sterling Point Apartments and The Edge Townhomes to the east, a mix of commercial uses to the north, and Fort Huachuca to the West. The property was acquired by GL Garden Canyon LLC in August 2020.

Under the previous ownership, the site sat virtually idle for many years. Most of the units on the property were pre-HUD homes that were substandard to current housing codes. The units were boarded up to prevent vandalism, and there were several arson fires on the property that went unresolved over the past couple years. The property has been cleared out and new landscaping has been installed as well as electrical upgrades.

A slide of what the park looks like currently was displayed. The northern row of spaces is occupied by recreational vehicles. The park has 231 spaces currently under the Manufactured Home Residence Zoning District, and the maximum percentage of spaces that could be devoted to recreation vehicle use is 30 percent that equates to 69 spaces. They are under the 69-space cap but have a desire to transform this property into an RV resort and that is why they are making application for the RV Overlay District.

A slide was displayed of the park from South Garden Avenue showing the recreational vehicles along the north property line. The current land use on the property is High Density Residential and the zoning is MHR that allows for manufactured home residences. The review criteria that will guide consideration on this application are the need and justification for the change. The rezoning is compatible with Vista 2030 and whether the rezoning benefits the public welfare and does not constitute a special privilege.

In looking at the suitability of the site, the need and justification for the rezoning is to facilitate its redevelopment, revitalization, repositioning of a once largely abandoned manufactured Home Park that has been an eye sore, blight, and criminal nuisance activity for many years. Manufactured homes have gotten larger since the park was originally developed and existing sites are not designed for modern homes without them being combined. Recreational vehicles use the same hookups and utilities as manufactured homes using a smaller footprint, making them a more economically viable use. The RV spaces will fit vehicles up to 55 feet in length. They already have concrete pads, electrical service, water and sewer hookup, and Wi-Fi. The property is on the West End, close to restaurants, retail, services, and the main gate of Fort Huachuca. The property is relatively flat and located outside the 100-year flood zone.

In terms of access to the property, there are four driveways that connect with South Garden Avenue, which is a local street that parallels Buffalo Soldier Trail, designated as a Major Arterial on the Traffic Circulation Plan, and there are also two driveways that connect with South Carmichael Avenue, a collector street with capacity available to accommodate the anticipated trips resulting from this redevelopment.

The Department is currently in the procurement stage for installing new sidewalks along South Carmichael Avenue that will provide pedestrian access between the Garden Grove and nearby parks and community uses. It is anticipated that those sidewalks will be completed the first part

of next year with increased accessibility to transit stops as well.

In reviewing the request against the City's General Plan, the City met the system participation requirement through the notification process and the neighborhood meeting that was held by the applicant. Providing access between the site and connections to alternative transportation such as multi-use paths, sidewalks, continuing the City's commitment to revitalize and redevelop the West End, and making Sierra Vista the hub for tourist activities in Southeastern Arizona. The Department is recommending some conditions with the rezoning. The Development Code requires that recreation vehicle spaces over the 30 percent threshold provide at least one washer and dryer per 25 spaces, one men's and women's shower per fifty spaces, that storage units be installed on 25 percent of the designated recreation vehicle spaces above the 30 percent threshold. There are no less than 180 cubic feet in size, and all this was developed into the RV Overlay District that was passed by the Council two years ago to provide Manufactured Home Park owners flexibility in terms of repositioning their properties to accommodate a higher percentage of recreation vehicle based on the market while preserving the underlying zoning to revert without the need for a subsequent rezoning. If the market does not pan out, they could go back to a Manufactured Home Park use.

The Department has a preliminary site plan, and the applicant is in the process of preparing building permits for the clubhouse and the bath houses. This will be a continuous project, but up front they are going to be doing the building portion and then follow up with the pool. The landscaping will be included as part of the building construction, a question posed by the Planning Zoning Commission.

A slide was displayed of a conceptual rendering of what the site could look like upon development. The green space across the RV parking drive aisle is a dog park that is currently fenced, not landscaped nor has the equipment been installed; however, it has been designated and they intend to create a dog park at that location on the property. Another slide was shown depicting the outdoor area behind the clubhouse.

The Department notified property owners within a 500-foot radius of the property and did receive a comment from a resident on Witt Drive concerned about the increase in people and RVers bringing their dirt bikes and ATVs with them. Mr. McLachlan spoke with Good Venture, the business affiliated with the property owner, and was told that most of their clientele are contract workers that are in Sierra Vista for a job. They are trying to expand the marketing to bring in more tourists to the property, but they do not anticipate even a minor percentage bringing in ATVs and dirt bikes with them and driving them off site through the neighborhoods. If anything, they would probably visit the trails associated with the mountain range. They held a virtual meeting and no members of the public attended that one. On Monday, October 30, 2023, the Planning and Zoning Commission held a public hearing, and no public attended that meeting.

Mr. McLachlan stated that he spoke with Ms. Mills to clarify her concern about an increase in population, explaining that the site does have potential for manufactured homes which would bring in people. Her concern is the level of commitment of those people to the neighborhood. The renters would be there year-round versus tourists coming for short periods of time, a more transient nature, and maybe not having the same affiliation or sense of community as a Manufactured Home Park. Ms. Mills plans to attend the meeting on Thursday, November 9, 2023 to elaborate on that.

Mayor Pro Tem Umphrey stated that she is impressed with the work that they have done

because the site is getting cleaned up, all the lots are clean, and they take good care of their site. Therefore, she does not feel hesitant moving forward to expand their offering of RV sites.

Council Member Rodriguez voiced his appreciation at what the Department has put together, and noted that in going out there, he found that it looks amazing from where it was years before. There is no longer an eyesore and there are no more arsons going on because there are no longer empty trailers. He noted that the left side is full of RVs all the way down to where they have those tiny homes. He further noted that he spoke to some residents that live there and they are appreciative and are using the dog park. They have showers already set up and, in the meantime, laundering is free, which everybody loves. Lastly, he stated that he looked at every RV there and he did not see a bunch of ATVs nor dirt bikes, but he did see these on Carmichael Road in the neighborhood; therefore, those are probably coming from Carmichael Road not from Garden Grove. He especially likes this park, when it comes to affordable housing, a good way to go in the meantime for people and those in the military.

Item 4 Discussion and Possible Action of Resolution 2023-087, Amendment to Development Agreement with Ticor Title Agency of Arizona, Inc., related to the Buffalo Soldier Ranch Subdivision

Mr. Pregler stated that this is a request for reviewing Buffalo Soldier Ranch Final Plat. The location of the plat is located east of the Holiday Retreat Subdivision, east of the traffic circle that connects Canyon De Flores and Golden Acres Drive, northwest of the Golden Acres Subdivision, and Highway 92 further West.

The preliminary plat for this project was submitted in May of 2005 and after that the preliminary plat and the development agreement were approved by City Council on May 25, 2006. A year later, the final plat was submitted in March of 2007 and then once again in 2010. In 2010, the developer requested that the review be postponed due to the market conditions and the property has remained vacant ever since. The owner during that time received a letter of water adequacy from the Arizona Department of Water Resources on June 6, 2011. The property has recently been or will be purchased by a new property owner, Canyon Vista LLC, and they have resubmitted this final plat and the public improvements for final approval. The improvement plans have been conditionally approved by Public Works, and in 2010 there were one or two items outstanding before the final plat could be taken to City Council. City staff has reviewed these items and the plat has been found to be satisfactory meeting all City and Development Code requirements. Approval of the plat by City Council will allow the development of the subdivision.

Council Member Johnson asked if the letter of water adequacy from the ADWR still valid. Mr. Pregler stated that the water adequacy letter from Pueblo Del Sol Water Company has an expiration date of 2032. The ADWR letter for the subdivision does not have an expiration date on it.

The developer is asking for three specific requests. One is requesting the City Council to consider an amendment to the development agreement as some of the conditions are no longer applicable; consideration of a phasing plan that will be an amendment to the preliminary plat because the final plat must be consistent with the preliminary plat; and finally considering approval of the final plat.

The land use designation for the property is Medium Density Residential, the zoning is Single Family Residence 8, and they are proposing single family detached homes on the property. The

lot sizes range from 8,000 to 15,000 square feet and there is a total of 349 lots. The total gross acreage is 110 acres. The developer is proposing to phase the property into five separate phases and drainage will generally flow east and there are six detention basins with additional drainage channels. All washes, basins and drainage ways will be dedicated to the City. Any offsite drainage will meet Development Code requirements. The roadways themselves will be 34 feet in width and will all be public and dedicated to the City. There are three total accesses on the property, two accesses off Canyon De Flores/Golden Acres Drive, and one access will be north to Buffalo Soldier Trail.

A slide was displayed of the proposed phasing plan on the project. The developer is proposing five separate phases. Phase one will have 47 lots, Phase 2, 86 lots, Phase 3, 88 lots, Phase 4, 64 lots, and Phase 5, 64 lots as well. The build out for each of the phases is two years. Ultimate build out will be a 10-year build out. Each of the phases has its own individual basin, Basin A for Phase 1, Basin C for Phase 2, etc., a requirement from Public Works to ensure that there is appropriate drainage for each phase of the subdivision.

The development agreement has three conditions, but two will be removed, and one condition will be amended. Condition 3 on the agreement will tie the completion of the landscaping on Canyon De Flores Drive to the inspection of public improvements of Phase 1 of the final plat. The current agreement states that the landscaping is tied to the extension of the Canyon De Flores Roadway, but this was completed back in 2013 with the ADOT Safety Project, which is no longer applicable. Therefore, it was revised to state that the landscaping must be completed at the time that public improvements for Phase 1 are expected. Condition 4 was removed from the development agreement because this was specific to the Canyon De Flores extension, and it has already been completed. Condition 5 was also removed as it relates to offsite drainage. The Development Code currently addresses offsite drainage, but at the time the development agreement was written, there was nothing in the Development Code that addressed off site drainage. Also, a security is no longer needed, provided they meet all the Development Code requirements.

Condition one in the development agreement will require the developer to provide a six-foot block wall along the rear of the lots because it is adjacent to Light Industrial Zoning District. RDI is directly north of the subdivision and to buffer some of these homes from the industrial uses to the north, the City is requiring the developer to construct a six-foot block wall, add landscaping to the backyards, and to disclose to the potential home buyer that they will be residing next to a Light Industrial use. Condition 2 requires the developer to construct and provide a 10-foot-wide multi-use path along the drainage way that will connect to the drainage way in the Holiday Retreat Subdivision to the West, a nice connection all the way from Great Basin Lane to ultimately Splendor Drive. Condition 3 has to do with the area that will be required to be landscaped prior to the acceptance of the Phase One public improvements. Condition 4 is that by the 150th building permit issuance, that this third access be constructed and connected to the Buffalo Soldier Trail. The Development Code currently requires two access per 100 lots and so they will be meeting that with the first phase as it will encompass both accesses. The third access will be constructed with that 150th building permit as well; therefore, they will be meeting the requirements, both in the Code and the development agreement for accesses. Condition 5 requires that the developer provide an eight-foot-wide multi-use path on Splendor Drive which will connect not only the subdivision and the multi-use path and the drainage way, but also connected to Buffalo Soldier Trail as well.

A slide was displayed of the aerial showing where the proposed ALA School is going to be located. Buffalo Soldier Trail is going to be improved up to about this point and there will be

curb, gutter, sidewalk, and pavement. It is going to be half with right-of-way improvements, just the north side that will have all the improvements. The third access for the subdivision is located near the ALA School and the Buffalo Soldier trail improvements. This is the 10-year build out and by then there might be more additional improvements along Buffalo Soldier Trail.

The Development Review Committee recommended approval of the final plat on November 3, 2023. The plat is consistent with the General Plan, Goal 2-1, encourage open space areas and recreational amenities for new developments; Goal 3-2, ensure local roads allow a pedestrians and bicycle connections to washes, parks, open space, and multi-use paths. In addition to the resolution approving the final plat, Council will also be accepting a Subdividers Agreement and a Third-Party Trust Agreement. The Subdividers Agreement is the developer's obligations in terms of the timing for the public improvements and the Third-Party Trust is that security to ensure that these public improvements are completed. In addition to the Subdividers Agreement, Council will have a cost estimate from an engineer which identifies the costs of all the public improvements for phase.

Mr. Pregler noted that there is a blank in the Subdividers Agreement when it comes to the actual cost estimates because the cost estimates are broken down per phase and it is easier to attach it as an exhibit rather than fill in the blank in terms of the amount in the Subdividers Agreement itself.

Council Member Rodriguez voiced concern with the third access because currently that is to the east of that traffic circle, a one-way that gets to that entrance; however, coming out, there is no way to turn right, and coming in from the traffic circle, they are on the other side of the road and will need to go down to Golden Acres, turn around and come back. He pointed out that going towards Golden Acres the road splits and there is a big grass median on the left and you cannot turn left into the proposed entrances. The \$2,000,000 is only going to go so far that the City already roped into already for the Buffalo Soldier Trail extension and noted that another concern he has is what is currently occurring on Highway 92 and Buffalo Soldier Trail because all the trucks come out of the industrial place pushing gravel out onto Highway 92, which makes it unsafe. Mr. Pregler stated that in terms of the development agreement itself, that can always be amended. If it looks like the 10-year mark is approaching and there are not any improvements along Buffalo Soldier Trail, an amendment may be made to the development agreement to adjust that condition accordingly. In terms of the accesses along Golden Acres Drive, there is a median in front of Buffalo Soldier Trail. Therefore, in that case a request for a right-of-way permit to add a curb cut along there, if possible, may be necessary. Ms. Flissar stated that she reviewed the subdivision 15 years ago and there were improvement plans for Golden Acres Drive that included a median cut, and the Public Works Department would not have an issue with approving a median cut in that location to facilitate access to the neighborhood, especially since this area has been redone with the traffic circle.

Ms. Yarbrough stated that as far as the Buffalo Soldier Trail extension goes, they will not need to build that access into the development for approximately four to five years if their phasing goes as planned. It would give the City time to plan for extending the pavement on that road, but it does not affect it today. There will be no access from Buffalo Soldier Trail for approximately five years.

Mayor Pro Tem Umphrey stated that she cannot remember the numbers from the Planning and Zoning work session last month, but there was a proposed narrowing of the residential streets in the Code. Mr. Pregler stated that the new roadway design manual proposes to reduce some of those local roadways from 34 feet to 32 feet. In this case, their improvement plans back in 2010

had proposed 34 feet and they are continuing to propose 34 feet. They will be exceeding the minimum width standards for roadways. The preliminary plat shows 34 feet and the improvement plans have indicated 34 feet that has been in place for about 10 years; they could go back and amend that. Mr. McLachlan stated that the roadway design manual is still in the proposed stage. It was presented during a work session to the Planning and Zoning Commission; however, this application is currently before Council and the Department cannot deviate from the adopted Code standards. However, after they take effect, assuming they clear the Planning and Zoning Commission and Council, they could potentially amend those improvement plans to reduce the pavement width.

Mayor Pro Tem Umphrey stated that eventually the City will be taking ownership of the streets, but she does not want to delay approving this.

Council Member Johnson noted that there are a lot of lots, and he wonders if there are any provisions for parks within the subdivision. Mr. Pregler stated that there is no requirement for parks in the subdivision, but there is the multi-use path to the north. He explained that when this subdivision was originally going to be constructed, there was a tentative Ventana De Flores specific plan to the south that had several parks in it, and there was also the Tribute specific plan to the north that also had several parks in it. This is in the middle of both of those large areas which are going to dedicate public parks to the City. However, that has not happened over the years and Ventana De Flores still sits vacant, and no one knows is going to happen with Tribute. At the time that it was originally going to be platted, there was no need for additional parks.

Council Member Rodriguez referred to Phase 5 and stated that instead of being up against RDI as the backyard, it could be made into a park because those lines up right to the multi-path. People may not want to purchase a house if instead of a park, their property's backyard faces construction places. Unfortunately, the other neighborhood, which is no longer being constructed to the north, was going to have some parks. Things have changed since 2007. Ms. Yarbrough stated that one thing to keep in mind is that most of the developments over the course of the community's history were approved without parks. Only the largest proposed subdivision, Tribute, would have included several parks. One other newer subdivision, Chaparral Village, included one park. The community has looked at is large parks within proximity to many neighborhoods, Buffalo Soldier Ranch and Canyon De Flores. Also, the future Roadrunner Park is large, and it would serve a large area that will be right down the road on Canyon to Flores Drive. Most of the City's subdivisions do not have parks included in them. The way parks have developed around the community has been here and there. Therefore, a lot of these have not been planned over history with parks included in them.

Item 5 Discussion and Possible Action of Resolution 2023-088, Amendment to the Buffalo Soldier Ranch Preliminary Plat, Approval of a Phasing Plan for the Development and Dedication of Required Public Improvements – Discussed under Item 4.

Item 6 Discussion and Possible Action of Resolution 2023-089, Buffalo Soldier Ranch Final Plat – Discussed under Item 4.

Item 7 Discussion and Possible Action of Resolution 2023-090, Renewal of an Intergovernmental Agreement between the Sierra Vista Police Department and Phoenix Police Department/Arizona Internet Crimes Against Children (ICAC) Lead Agency for future Grant Funding

Police Chief Hiser stated that this resolution is to renew an existing intergovernmental agreement that the City has with the Phoenix Police Department. The Phoenix Police Department is the lead agency in the State for the Internet Crimes Against Children Task Force, which the Sierra Vista Police Department has belonged to for over five years. He shared that when he was a Detective Sergeant, the larger agencies in the valley were the hub for a lot of the crimes against children in internet cases if it was an Arizona case. It would go to them, and they determined the appropriate jurisdiction, and they would send it to the Sierra Vista Police Department if it was in Sierra Vista. Sierra Vista would be getting these cases anyway. Renewal of this intergovernmental agreement is not any extra workforce, but it allows the Department to have access to more resources from the Phoenix Police Department if the Sierra Vista Police Department has a big case that they would need assistance with. The other benefit to this is that in being a task force member makes the Sierra Vista Police Department eligible for an ICAC Grant that is critical. He further stated that the Department received unofficial confirmation that very soon, on the heels of this being approved, he will be able to present to Council another renewal of that grant that is used to pay for forensic computer equipment as well as computer forensic training. This is important to the Sierra Police Department because currently they have one dedicated detective who is the primary computer forensics detective. These cases are tough cases, and he has some other detectives interested in taking on that training to work these cases, and he needs to spread these cases out. Therefore, he is going to be pursuing that grant so that he can expand the ability to take on these cases amongst more than one detective.

Council Member Rodriguez voiced his appreciation at the hard work that the Department does, a tough job, but anything that can be done to save kids against horrible things that are being done. It is sad when it happens in the community, but he is glad that they put their faces out there to let people know who they are.

Item 8 Discussion and Possible Action of Resolution 2023-091, Appointment of Ann Lund as Hearing Officer

Mr. Williams stated that periodically, pursuant to the City's Code of Ordinances, certain issues and items must come before an administrative hearing officer for the City, i.e., Zoning, Property Maintenance Code, personnel matters sometimes come before a hearing officer. Since 2017, the City has utilized the services of John McKinnon as a hearing officer, but unfortunately, he passed away and as a result the City is in need a new hearing officer to hear these cases for the City. Staff has reached out to Ann Lund, who has previously served as a Justice of the Peace Pro Tem for Justice of the Peace Precinct Five and as City Magistrate for Huachuca City. Ms. Lund has quite a few years of hearing officer background and is familiar with court procedures, and she is willing to serve as the City's hearing officer for these cases that come up. The City only has about three to five cases a year that go before a hearing officer, but Ms. Lund is willing to for the City in that capacity. She would get paid for her services and monies have been budgeted in the City's budget for these services.

Council Member Johnson asked if the methodology was to reach out and ask Ms. Lund if she wanted to run or was this advertised to the legal community so that they might have a chance to serve as a hearing officer? Mr. Williams stated that this was not advertised to the legal community perse. Currently the City has a case that needs to be heard quickly; therefore, there was no discussion about reaching out to the community at large. However, staff did reach out to Retired Judge Charles Irwin and considered reaching out to Judge Jim Conlogue as well. However, Ms. Lund was available and willing to do it at this point. Ms. Adams added that staff also discussed, and it is their intent to have more than one hearing officer eventually; therefore,

staff can certainly reach out to the legal community. This appointment will serve the more immediate need and then staff can have more people to call when needed. Council Member Johnson explained that he did not want this appointment to look like a good old boy appointment.

Council Member Johnson asked about the fees that Ms. Lund would charge for her services. Mr. Williams stated Ms. Lund has not stated how much she would charge; however, the City had been paying Mr. McKinnon \$75.00 an hour and that is what is anticipated to be paid.

Council Member Johnson stated that he believes that it is fair and shared that he makes \$50.

Mayor McCaa asked if Ms. Lund is an attorney. Mr. Williams stated that she is not an attorney.

B. Briefing on Mary's Mission Football Camp

There was no one present to brief.

C. Report on Recent Trips, Meetings and Future Meetings

Council Member Rodriguez announced the National League of Cities in Atlanta, Georgia on November 16, 2023 through November 18, 2023.

Council Member Landry reported that the Transportation Commission met on November 1, 2023, where the commissioners talked about some of the comments from the people on the General Plan. The next meeting will be on Wednesday, December 6, 2023, at 3:30 p.m. in the second-floor conference room.

Council Member Messmer announced that the Tourism Commission will be meeting on Monday, November 13, 2023, at 1:00 p.m. in the City Manager's conference room, and the Arts, Humanity, and Culture Diversity Commission will be meeting on Wednesday, November 15, 2023, at 4:30 at the Oscar Yrun Community Center.

D. Future Discussion Items and Council Requests

In response to Mayor McCaa, Ms. Yarbrough stated that she is currently tracking for a Council Meeting the Council's executive report during the last meeting of the year in December and noted that the City traditionally invites the state legislators to come in and have a conversation with Council before the end of the year to discuss concerns of the City, and what the upcoming legislative session might be like. She announced the following tentative dates of November 29, 2023, or November 30, 2023. The session would most likely be a business working luncheon from 11:00 a.m. until 1:00 p.m., or 11:30 a.m. until 1:30 p.m.

Council Member Rodriguez announced the Future Leaders Town Hall on Wednesday, November 8, 2023 via Zoom from 9:00 a.m. until 11:00 a.m.

Council Member Rodriguez thanked his daughter Marissa for being in the audience, on his birthday to hang out with him.

3. Adjourn

Mayor McCaa adjourned the November 7, 2023, work session of the Sierra Vista City Council at

3:52 p.m.



Clea McCaa II, Mayor

Minutes prepared by:

Attest:



Maria G. Marsh, Deputy Clerk



Jill Adams, City Clerk