



EXTRAORDINARY SKIES.
UNCOMMON GROUND.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minute summary of the regular meeting of the City Council of Sierra Vista held on the 14TH day of October, 2021. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 28TH day of October 2021

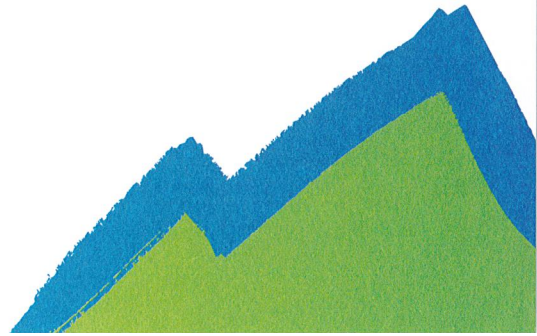
SEAL

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Maria G. Marsh
Deputy City Clerk

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

Jill Adams
City Clerk



Sierra Vista City Council
Meeting Minutes
[October 14, 2021](#)

Mayor Mueller called the October 14, 2021, 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 (telephonically)
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
Jon Kosmider, Deputy Police Chief
Brad Dever, Deputy Fire Chief
Laura Wilson, Parks, Recreation and Library Director
Sharon Flissar, Public Works Director
Tony Boone, Economic Development Manager
Nathan J. Williams, City Attorney
Jill Adams, City Clerk

Invocation – Father Del McCune, St. John the Divine Church, led everyone present in prayer.

Pledge of Allegiance - Council Member Rodriguez 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 October 14, 2021, be approved. Council Member Benning seconded the motion. The motion unanimously carried, 7/0. Mayor Mueller, Mayor Pro Tem Gray, Council Members Benning, Johnson, Landry, Rodriguez, and Umphrey voting in favor.

Awards and Presentations

Ms. Hector and her team were recognized for their Silver Circle Award from 3CMA for the [Save the Santa's Campaign](#).

Mayor Mueller presented the Silver Circle Award to Ms. Hector for the most creative activity, with the least dollars spent, for the Save the Santa's Campaign. He explained that the City had several Santa Clauses in the park for a few years that got worn out because of the weather that lasted about 10-11 years. A campaign was established by Ms. Hector and her team along with the Parks Department to make sure that they could be refurbished. People adopted Santa Clauses, the community got motivated, and the City was able to reproduce all the Santa

Clauses, which has continued to grow. There is also a program where every year there are two Santa ornaments for sale.

Ms. Hector voiced her appreciation to the community for supporting the great program. She added that she is aware that the Santa's have meant so much to people over the years and she was so delighted and really humbled by the community's support to continue this tradition. She noted that her staff was not able to be present, and thanked Barry Midgorden, who did the graphic design, and Adam Curtis for his work with public relations to get the word out to the community. She also thanked the Parks Department who helps make sure that the Santa's are placed every year and they have something to hold them up and some lights too.

A [Proclamation](#) declaring October as National Domestic Violence Awareness Month was presented to Corporal Boltinghouse.

Corporal Jordan Boltinghouse stated that he serves as the Co-chair of the Cochise County Sierra Vista Regional Domestic Violence and is a member of the Cochise County Family and Community Coalition. He thanked Mayor Mueller, his staff as well as the Council for the proclamation declaring Domestic Violence Awareness Month for the City of Sierra Vista. He noted that domestic violence is a real thing that is seen all day, every day by law enforcement as well their advocates. He challenged everyone to start learning the signs of domestic violence, and to start figuring out what resources are readily available because as leaders of the community, he thinks that there is a responsibility in making sure that they are watching for those and helping victims become survivors. He further noted that the Coalition is trying to target offenders as well, because if they do not focus on the offenders and get them, sometimes the help that they need will not be provided and they are only going to continue to go out there and reoffend. Lastly, he stated that the Police Department is lit up in purple because purple is the color designated for domestic violence awareness. The Department has an informational display table in the lobby, and one is also put up at the Sierra Vista Mall.

Ms. Briana Schnaithman, Lead Advocate for Catholic Community Services/Forghach House stated that she provides emergency shelter services at the Forghach House in Sierra Vista as well as the House of Hope in Douglas. She noted that this year alone, Arizona has had 59 deaths related to domestic violence. Catholic Community Services has provided emergency shelter services to 142 men, women, and children, and they have a 24-hour hotline available to help even if they do not need emergency shelter services.

City Manager's Report: Mr. Potucek announced that the next City Council Work Session is scheduled for Tuesday, October 26, 2021, at 3:00 p.m. in Council Chambers, which will be the normal update work session along with a couple of other items. On Thursday, October 28, 2021, will be the next regularly scheduled Council Meeting. 5:00 p.m. in the Council Chambers. He reported that the pile of dirt at the airport, affectionately known to the City as Mount Dooley, is now being leveled; therefore, the City looks forward to getting that finished to help with future development efforts at the airport. The Airport Apron and Taxiway J Rehabilitation Project is underway and is scheduled to be completed on November 17, 2021. The EMS Substation design build is also underway with scheduled completion by the end of April 2022. Lastly, he reported that he attended on behalf of the City, the Joint Powers Authority SEACOM Board Meeting for dispatch. Two items of discussion, one is changes and clarifications that are being made to the intergovernmental agreement with the County regarding the JPA and SEACOM that will have to come to the Council for a vote. The other big concern and topic of discussion continues to be staffing at SEACOM that is reaching a critical stage. Therefore, a few things are being done, including maybe using National Guard Troops to help sit in while this is rectified and

hopefully get people attracted to be dispatchers in Sierra Vista. This is an ongoing issue as it is in other parts of the City as well, but more acutely at SEACOM.

Item 2 Consent Agenda

[Item 2.1](#) Discussion and Possible Action of the Regular City Council Meeting Minutes of September 23, 2021

[Item 2.2](#) Resolution 2021-065, Discussion and Possible Action on the Acceptance of Public Improvements for Summit Heights Phase 2, Lots 97-187, Release of Third-Party Trust and Subdivider's Agreement

[Item 2.3](#) Resolution 2021-066, Discussion and Possible Action on the Acceptance of Public Improvements for Canada Vista, Phase 1, Lots 1-29, Release of Third-party Trust and Subdivider's Agreement

[Item 2.4](#) Resolution 2021-067, Discussion and Possible Action on the Reappointment of Wesley Hewitt and Berlynda Schaaf to the Parks and Recreation Commission, said terms to expire December 31, 2023

Council Member Johnson moved that the Consent Agenda consisting of the Regular City Council Meeting Minutes of September 23, 2021; Resolution 2021-065, acceptance of public improvements for Summit Heights Phase 2, lots 97-187, release of third-party trust and subdivider's agreement; Resolution 2021-066, acceptance of public improvements for Canada Vista, Phase 1, lots 1-29, release of third-party trust and subdivider's agreement; and Resolution 2021-067, reappointment of Wesley Hewitt and Berlynda Schaaf to the Parks and Recreation Commission, said terms to expire December 31, 2023, be approved. Council Member Benning seconded the motion. The motion unanimously carried, 7/0. Mayor Mueller, Mayor Pro Tem Gray, Council Members Benning, Johnson, Landry, Rodriguez, and Umphrey voting in favor.

New Business

[Item 3](#) Resolution 2021-068, Discussion and Possible Action on Approval of the proceedings of the Industrial Development Authority of the City of Sierra Vista regarding the issuance of its Economic Development Revenue Bonds, and declaring an emergency

Council Member Umphrey moved that Resolution 2021-068, proceedings of the Industrial Development Authority of the City of Sierra Vista regarding the issuance of its Economic Development Revenue Bonds, and declaring an emergency, be approved. Council Member Benning seconded the motion.

Mr. Potucek stated that this item was discussed at great length during the work session on Tuesday, October 12, 2021. He further stated that the Industrial Development Authority of Sierra Vista, represented by Mr. Frank Moro, is proposing to issue economic development bonds for a project in Seattle, Washington. He explained that Industrial Development Authorities can do that and once they are created by a city, in this case the City of Sierra Vista, which was probably about 40 years ago, it then exists as a separate entity from the city. However, because it issues tax-exempt bonds, it requires a council vote to approve their bonds when they move forward. The project itself is in detail laid out by Mr. Michael Slania who was present on Tuesday, October 12, 2021, and explained the terms of how the deal and the bonds are structured.

Mr. Moro stated that the project is in Georgetown, a couple blocks outside of Seattle. He noted that it is in a different direction than the block that was shut down, chop zone. Mr. Ben Rankin, a principle of the Development Authority, has explained to the Industrial Development Authority that it is a stable neighborhood. They currently have a 60,000-person waiting list for affordable housing and the project is an accumulation of land and homes that are developing warehouses and homes into a downtown revitalization project for artisans. Also attached to this are some employment opportunities for new companies to locate and an affordable component, not necessarily a portion of this bond project, but later the third floor of the project's affordable housing. The unique thing about this project in Georgetown is that there are two authorities in the State of Washington. One authority can issue bonds for commercial projects, but not housing. The local authority that is within proximity to this development can issue bonds for housing, but not commercial projects. Therefore, not one authority can issue these bonds. There is also a taxable leg to these bonds which facilitates the covering of the cost of administration in structuring the bond deal. The State does not allow taxable legs on these bond issues; therefore, they went out to look for an authority. They went to the State of Arizona, Phoenix, and Pima County IDA, but none of those authorities could move fast enough to get this project done. The Sierra Vista Industrial Authority has been beat out by them five or six times in the last five years alone on bond deals over fees. The Sierra Vista Industrial Authority has been in the game trying to do these bond projects because this is one of the resources for the IDA to generate funds as the IDA passed a resolution to create an Economic Development Fund, and it is an Economic Development Incentive Fund designed specifically for the creation of jobs, and this is how the IDA plans to fund this account. The capitalization from these bond issues gives the IDA about \$100,000 with half of this going into this fund, potentially all of it. The City of Phoenix did this a while back maybe starting ten years ago and amassed 20 or \$30 million and did quite a few projects with that money for economic development. The Sierra Vista Industrial Development Authority wants to get into the game and take advantage of this opportunity.

Council Member Umphrey stated that she knows that it is \$100,000 up front and asked if there is going an annual fee on top of that. Mr. Moro stated that typically the administration fees are structured to be five basis points annually over the life of the bond. They also could accelerate those and take a present value of that cash flow and accept one payment up front. It is possible that they probably could have made more money on this project, but there were other competitors at the table, and it is difficult to dial these in when competing. Normally they would not take it up front, but annually. However, in this case, it kind of gives them a good start on a project with these funds.

Council Member Umphrey stated that she is grateful for the IDA's decision that start to economic development, because Mr. Potucek stated on Tuesday, October 12, 2021, the IDA is going to be able to compliment the City's efforts in ways that the City cannot.

Council Member Johnson asked if the City has any ongoing liability if these bonds are defaulted on with respect to the project. Mr. Moro stated that the city has no liability, and the IDA has no liability for these obligations. The fees on something like this are about five to seven percent, a couple \$1,000,000. There is a team of attorneys that are doing due diligence on this project, and they are all taking their piece. The IDA is a very small piece of that cost of issuance, and Bond Counsel renders a legal opinion to make sure that these bonds are sound and that the organization can repay the bonds.

Council Member Landry thanked Mr. Moro for being present and explaining. She added that there was good discussion during the work session as the information provided was great and

noted that it is good to hear that this is going to benefit a lot of different people, all the parties that are involved, because affordable housing is currently a big issue.

Council Member Benning also thanked Mr. Moro for being present and clarifying some things for him. He agreed with Council Member Landry in that this is going to be a good thing for both parties involved, and he looks forward to this.

Mayor Mueller voiced his appreciation to Mr. Moro for all his work with the IDA.

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

[Item 4](#) Resolution 2021-069, Discussion and Possible Action to Authorize the Acceptance of the Arizona Governor's Office of Highway Safety Grant Funding, Contract #2022-AL-034

Council Member Benning moved that Resolution 2021-069, acceptance of the Arizona Governor's Office of Highway Safety Grant Funding, Contract #2022-AL-034, be approved. Council Member Umphrey seconded the motion.

Deputy Police Chief Kosmider stated the Police Department has been a member of the Southeastern Arizona DUI Task Force for over 20 years. The Task Force operates DUI and impaired driving enforcement deployments throughout the County. Most of those deployments occur in and around Sierra Vista and during the deployments, officers are committed to focusing on DUI impaired, and aggressive driving. They are not subject to handling regular calls while they are engaged in the DUI deployments because they are strictly working on DUI enforcement. The Police Department's ability to participate in these task forces is only made possible by virtue of the officers volunteering to work overtime to do that.

The Police Department applied for and was awarded a grant through the Arizona Governor's Office of Highway Safety to enhance the DUI impaired and aggressive driving enforcement throughout the City of Sierra Vista and surrounding areas. The grant funds will reimburse the City for the overtime costs associated with the deployments, which would be in the amount of \$21,549 as well as the employee related expenses in the amount of \$8,451. The grant funds will also reimburse the City for the purchase of four portable breath testers, which are used during a DUI investigation in the amount of \$2,400. The total amount of the award is \$32,400.

Council Member Landry stated that this is a really great thing, and it is important to be able to have people that can focus on this to keep everybody safe. She voiced her appreciation at the fact that the project measures the goals and objectives.

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

[Item 5](#) Resolution 2021-070, Discussion and Possible Action to Designate the City Attorney as the individual authorized to sign formal and binding documents related to the Arizona Opioid Settlement

Council Member Rodriguez moved that Resolution 2021-070, designating the City Attorney as the individual authorized to sign formal and binding documents related to the Arizona Opioid Settlement, be approved. Council Member Umphrey seconded the motion.

Mr. Williams stated that the State of Arizona has joined with several other governmental entities throughout the country in litigation against three opioid manufacturers and one distributor to recoup the costs incurred by cities and towns because of the opioid epidemic over the last couple of decades. The Arizona Attorney General's Office took the lead for cities and towns in this effort and a potential settlement has been reached. However, they are now at the point where cities and towns throughout the State must sign on to receive funds from that settlement.

The proposed resolution authorizes the City Attorney's Office to sign onto those settlement documents for and on behalf of the City. If the City signs on, then the City is set to receive a portion of the settlement proceeds. However, it is not yet known what those are, but those details will be coming as the settlements get finalized in the next few months. Approval of the proposed resolution would authorize the City Attorney to represent the City in finalizing these settlements for the City.

Council Member Rodriguez asked if cities that do not sign on eligible for the funding and what can they legally do. Mr. Williams stated that cities that do not sign on are still allowed to file their own suits against these companies, but that would cost money and time and it is a whole lot easier and more efficient for cities and towns to join with the State of Arizona in pursuing these settlements.

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

Call to the Public

Ms. Silver Seagal White Mountain stated that her signature greeting usually is no time for pleasantries in Austin because citizens are only given three minutes to speak at Call to the Public. They must sign up weeks ahead to speak, and some do not always get to speak. She added that she is visiting Sierra Vista and noted that the City gives the illusion of being very newly developed, at least to an outsider with no pollution, no traffic, no littering. She thanked everyone for giving her a break from the big city and talked about the damage to a water pipe due to the windstorm on Monday, October 11, 2021. Lastly, she thanked the water crew for repairing the water line and played the song, "Hero" for Council.

Comments and Requests of Council

Council Member Rodriguez thanked Sulphur Springs Valley Electric Company for their hard work during the week due to the storm because a lot of power lines were down along with damage to people's houses. It was good thing that the Santa's were not up yet because they would have ended up in Benson. Unfortunately, people who had up their Halloween decorations are no longer there. He noted that on Friday, October 15, 2021, he will be wearing purple in support of domestic violence awareness. He also thanked Corporal Boltinghouse and Ms. Schnaithman for their presentation about not only bringing awareness to domestic violence but providing resources. He announced that there is a walk to fight suicide next weekend, Saturday, October 23, 2021, at Veterans Memorial Park put on by the American Foundation for Suicide Prevention. People have already started teams because they are doing fund raising, and they can be reached via the website, <https://supporting.afsp.org/sierravista>. There is also the Boys and Girls Club's Great Futures Dinner on Saturday, October 16, 2021, at 5:30 p.m. at the Knights of Columbus, where they will be giving awards to their volunteers. There will be bull riding back in town next weekend over at Wren Arena at the Sierra Vista Riding Arena with great local sponsors i.e., Bone Dry who will be supplying the beverages.

Council Member Landry voiced her excitement about the Save the Santa's Award because it is a great part of the tradition that Sierra Vista does and if anybody is not getting the ornaments, putting them on their tree, or even in their house, then this is the year to start and share with everybody. She also voiced her appreciation about the discussion on domestic violence awareness and the Police Department having the purple lights out. She added that this is very serious, and she also appreciate the statistics that were shared, one in four women and one in seven men, which means that somebody up here has experienced domestic violence in their life and that is something that should not be suffered in silence. There are so many different resources out there and going out and talking to somebody is not a sign of weakness. There are so many people out there that are willing to provide whatever help and support that they can. She thanked Ms. White Mountain for visiting Sierra Vista and for sharing, and lastly, stated that in speaking of heroes, the animal shelter could really use some heroes. Currently they are at capacity. There are so many animals out there that could be a best friend; however, if a commitment cannot be made to them, then do not adopt. There are a lot of other things that can be done to help, i.e., walking the dogs, sharing with people if they are looking to adopt a dog or cat. Lastly, she stated that the animal control center is raffling a wagon full of fun prizes - \$20 for a wingspan of tickets.

Council Member Johnson stated that this time of year it seems that there are many activities and announced Helldorado Days starting on Friday, October 15, 2021, in Tombstone. He shared that he once got lucky during Helldorado Days and won a rifle that was being raffled off by the Vigilantes. There is also bull riding at the Shootout Arena, off Third Street in Tombstone. Also, this weekend in Wilcox is the Wilcox Wine Festival that takes place at Railroad Park with entertainment. Following the weekend is the Ameren Fall Festival that takes place at the Ameren Society, off I-10 on Saturday, October 23, 2021, from 10:00 a.m. until 4:00 p.m. and it is \$10 per vehicle.

Council Member Umphrey announced the Bearcat Pull for the Special Olympics on Sunday, October 17, 2021, at 9:00 a.m. in Veterans' Memorial Park, where there are going to be teams competing. She also announced that October is National Pregnancy and Infant Loss Awareness Month and starting next year the walk to remember will take place on the 15th. There is going to be a National Infant Loss Remembrance Day on Fort Huachuca at the Chapel Courtyard at 9:00 a.m. on October 15, 2021.

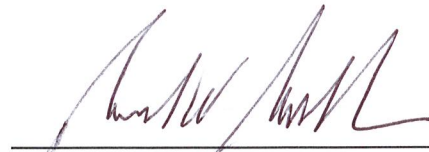
Council Member Benning apologized for not being present during the work session on Tuesday, October 12, 2021, and noted that he watched the work session via video. He voiced his appreciation at discussions because it helped clarify issues for him. He also thanked Ms. White Mountain for doing the right thing when no one is looking – the best thing to do. He congratulated Berlydna and Wes for joining the Parks and Recreation Commission for another two years and stated that they are a blessing to the City, and he loves having them on the Commission. He thanked the Parks and Recreation Commission in general and Ms. Wilson because behind the scenes for all those events that happen in Veterans Memorial Park, etc., the City's staff are the ones that get them ready to make sure everything is there and ready to use. He announced that on October 16, 2021, at 9:00 a.m., the Parks and Recreation commissioners will meet at Summit Park off Avenida Cochise to paint cement, backboards and cleaning up at the park. He encouraged people to come out and have some fun. He added that once a month the commissioners want to start cleaning the parks around the community as they are trying to bring back the Adopt a Park Program. Lastly, he wished Christy a happy birthday.

Mayor Pro Tem Gray had nothing to report.

Mayor Mueller stated that he was surprised that nobody mentioned the Relay for Life for the American Cancer Society in the park on Saturday, October 16, 2021. There will be music and the event will start at 4:00 p.m., but the kickoff will be at 6:00 p.m., and instead of walking for 24 hours, they are only going to walk a few hours to restart their fund drive; however, they will do a full force event next year. He further stated that Council's meetings are normally on the 2nd and 4th Tuesday and Thursday, but this year the calendar in November works out so that Veterans' Day is on the night where Council would hold its first meeting and Thanksgiving would be on the second Council Meeting; therefore, Council is going to split the difference and have a work session on November 16, 2021, and the Council Meeting on November 18, 2021.

Adjournment

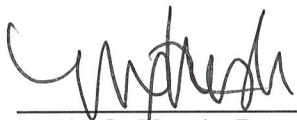
Mayor Mueller adjourned the October 14, 2021 meeting of the Sierra Vista City Council at 5:50 p.m.



Frederick W. Mueller, Mayor

Minutes prepared by:

Attest:



Maria G. Marsh, Deputy Clerk



Jill Adams, City Clerk