



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 22nd day of October 2015. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 12th day of November 2015

SEAL

Maria G. Marsh
Deputy City Clerk

Jill Adams
City Clerk

Sierra Vista City Council
Meeting Minutes
October 22, 2015

Mayor Mueller called the October 22, 2015 City Council Meeting to order at 5:00 p.m., City Hall Council Chambers, 1011 N. Coronado Drive, Sierra Vista, AZ

Roll Call

Mayor Rick Mueller – present
Mayor Pro Tem Bob Blanchard – present
Council Member Alesia Ash – present
Council Member Gwen Calhoun – present
Council Member Rachel Gray – present
Council Member Hank Huisking – present
Council Member Craig Mount – present

Others Present:

Mary Jacobs, Assistant City Manager
John Kosmider, Commander, Police Department
Ron York, Fire Chief
Sharon Flissar, Public Works Director
Richard Cayer, Interim Transportation and Environmental Services Director
Victoria Yarbrough, Leisure and Library Services Director
Matt McLachlan, Community Development Director
Abe Rubio, IT Director
Judy Hector, PIO
Pam Weir, Management Analyst
Jill Adams, City Clerk
Nathan Williams, City Attorney

Invocation – Pastor Atticus Register, Shiloh Christian Ministries, conducted the invocation.

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

Item 1 Acceptance of the Agenda

Council Member Gray moved that the agenda for the Regular City Council Meeting of October 22, 2015, be approved. Mayor Pro Tem Blanchard seconded the motion. The motion carried unanimously, 7/0.

Awards and Presentations:

A proclamation declaring the month of October 2015 as DeMolay Month was presented to Master Councilor Trevor Valenzuela.

Councilor Valenzuela introduced and thanked adult members which helped to make possible DeMolay in the City. He also explained DeMolay and its importance.

A proclamation declaring October 24, 2015, as Empty Bowls Project Day was presented to Barry Midgorden.

Mr. Midgorden introduced Volunteer Judy Fitzsimons and stated that this is the 8th Empty Bowls Project and the theme is, "Working together, Everyone Eats".

A proclamation declaring the month of November 2015 as Sierra Vista Recycles Month was presented to Richard Cayer, Interim Transportation and Environmental Services Director.

Mr. Cayer thanked Council on behalf of the Transportation and Environmental Services Department and talked about the recycling program and its expansion. Mayor Mueller thanked Mr. Cayer for his leadership and all of the staff at the Transportation and Environmental Services Department.

City Manager's Report - Ms. Jacobs made the following announcements:

- Three veterinarian services providing services to Animal Control that will be available for use by other government entities through cooperative agreements;
- Awarded the MPO-05, Fry Blvd West End Corridor Study to J2 Engineering and Environmental Design and scheduled if a joint work session with the County to discuss the project;
- Council Work Session on November 10, 2015 at 4:30 p.m. in City Hall Council Chambers regarding City Manager Update;
- City Hall facilities will be closed on November 11, 2015 in observance of Veterans' Day;
- Encouraged people to attend the Veterans' Day Parade on November 11 at 9:00 a.m.; and
- City Council Meeting on November 12, 2015 at 5:00 p.m. in City Hall Council Chambers.

In response to Council Member Calhoun, Ms. Jacobs stated that the parade will be held on Wednesday, November 11, 2015 at 9:00 am and ends at Veterans' Memorial Park. Parade Participants and spectators are invited to attend the Veterans' Ceremony immediately following the parade.

In response to Council Member Huisking, Ms. Jacobs stated that she is not sure on all of the details but the following veterinarians are providing services:

- New Frontier Medical Center;
- Jackson Veterinary Services; and
- Coronado Veterinary Hospital.

New Business

Item 2 Approval of the City Council Regular Meeting Minutes of September 24, 2015

Council Member Calhoun moved that the City Council Regular Meeting Minutes of September 24, 2015, be approved. Council Member Huisking seconded the motion. The motion carried unanimously, 7/0.

Item 3 Approval of the City Council Special Meeting Minutes of October 8, 2015

Council Member Huisking moved that the Council Special Meeting Minutes of October 8, 2015, be approved. Council Member Gray seconded the motion. The motion carried unanimously, 7/0.

Item 4 Resolution 2015-101, Countywide Emergency Mutual Aid Agreement (MOA)

Mayor Pro Tem Blanchard moved that Resolution 2015-101, Countywide Emergency Mutual Aid Agreement, be approved. Council Member Gray seconded the motion.

Fire Chief York stated that the mutual aid agreement is designed to support emergency operations wherever needed across Cochise County. In 2008 the Fire Department joined a Countywide Mutual Aid Agreement for fire and emergency medical services in case of large scale emergencies and recently while working with the County Emergency Manager, it was suggested that such an agreement be expanded to include the law enforcement and Public Works support because some of the local past experiences have proven that although fire and

police may be initial responders, the first people there, Public Works really has long term implications to the communities. The City has historically assisted other communities in cases of emergency regardless of the nature even without any formal mutual aid agreement; but the documents formalizes the relationships with the organizations in order to provide a unified approach to protecting Cochise County residents. By signing the agreement, it will align the City with 31 other entities of both governmental and public safety agencies throughout Cochise County to provide support to each other during major events.

Council Member Gray stated that while reviewing the background information she noticed that not all of the agencies have signed and asked how that would be handled and how it would impact aid. Fire Chief York stated that the call is up to the City Manager; but historically, the City has provided anything that anybody needs.

Mayor Mueller stated that it is his understanding that as the City is updating this so are the other entities and potentially there would be more coming on board. Ms. Jacobs stated that she believes that the agreement is making its way around the communities and staff will follow up with them as sometimes it takes a couple of months to get them on various agendas.

Ms. Jacobs also stated that it is her understanding, that in the past all of the communities have signed on in the past and she expects that to be the case.

The motion carried unanimously, 7/0.

Item 5 Resolutions 2015-102, Amendment A to the Intergovernmental Agreement between the City of Sierra Vista and Cochise County Regarding Funding of a Consultant to Promote Retention and Expansion of Missions of the U.S. Army at Fort Huachuca

Council Member Ash moved that Resolution 2015-102, Amendment A to the intergovernmental agreement between the City of Sierra Vista and Cochise County regarding funding of a consultant to promote retention and expansion of missions of the U.S. Army at Fort Huachuca, be approved. Council Member Huisking seconded the motion.

Ms. Jacobs stated that the City is in a partnership with the Fort Huachuca 50 and Cochise County when it comes to jointly funding a consultant that is assisting the City and the region in retaining and expanding missions on Fort Huachuca. This is a ministerial action on Council's part. The intergovernmental agreement that was previously approved with Cochise County is narrow and it specified a certain payment amount to the City based upon the cost of a consultant that is no longer the Consortium's consultant. The cost has gone down and this is necessary in order to provide the flexibility required now and for the duration of the five-year contract. This simply makes it broader allowing for the city manager or his designee or the county administrator or his designee to work out the payment details at whatever time is required.

In response to Mayor Pro Tem Blanchard, Ms. Jacobs stated that the Consortium recently retained the services of The Niemeyer Group which consists of, at this time, Principal Lee Niemeyer, a former staff member of Senate Armed Services Committee as well as working for Senator McCain. He resides in Washington, D.C. and he has been retained as of September 1st and he is already hitting the ground running. The cost for the total services is \$90,000 for the year and the City's share is \$30,000.

Mayor Pro Tem Blanchard asked if there is the possibility of multiple consultants. Mayor Mueller stated that an RFP was put out and there were at least five applicants, two that were clearly about the rest that were interviewed; but he does not see an additional consultant with this issue coming on board. Mr. Niemeyer does have the capability to partner with other folks that may assist the City and if there is an additional cost it would have to be discussed ahead of time.

The motion carried unanimously, 7/0.

Item 6 Resolution 2015-103, rescinding the Provision of City Council Resolution 729 establishing the number of Board Members on the Sierra Vista Industrial Development Authority (IDA)

Council Member Mount moved that Resolution 2015-103, rescinding the provision of City Council Resolution 729 establishing the number of board members on the Sierra Vista Industrial Development Authority, be approved. Council Member Gray seconded the motion.

Mr. Williams explained that the intent of the resolution is to clarify and to bring into statutory scheme of the relationship between the City and the Industrial Development Authority (IDA), which was created in March 1981. Pursuant to City Council Resolution 729 in 1981, the number of members of the board for the IDA was established at seven. Several years later, the IDA adopted bylaws that are not governed or approved by the Council that allowed the IDA to adjust that number of board members. However, with the City's resolution hanging out there, there arose a conflict between what the IDA needed to do as an independent statutory body and what the City Council was doing. This resolution would pass the authority of the IDA to establish its board according to its bylaws to the IDA as opposed to retaining that authority with the City Council, which the City Council did not have that statutory authority to retain anyway.

Mayor Mueller stated that the basic answer is that Council took a step too far and did not have the authority to require the established number of the IDA at that time. Mr. Williams stated that he would not say that they took a step too far; they just did not finish the process once the bylaws were adopted by the IDA.

Council Member Calhoun asked if it is established by Arizona Revised Statutes that City Councils do not have authority over the activities of an IDA other than the bonding part. Mr. Williams stated that to a certain extent, yes. The City Council still retains authority over the Articles of Incorporation of the IDA and so if there are any changes that are suggested that need to be made there, then the City Council retains authority in that regard; but over the day to day functioning, the City Council does not have any authority.

Council Member Calhoun asked what establishes the oversight of an IDA. Mr. Williams stated that the IDA's bylaws govern its functioning and if there were violations of those bylaws, any member of the IDA or any member of the public could raise that and it would be addressed that way.

Mayor Mueller stated that any governing body that is established in the State of Arizona, if they are not following the law, Arizona Revised Statutes, then they are subject to the Attorney General. Mr. Williams stated that he is correct.

Council Member Calhoun asked if a quorum would be three, if five members have been established. Mr. Williams stated yes and added that it would be addressed by their bylaws.

Council Member Mount noted that when he was appointed as the Council Liaison to the IDA, when a number of these questions would come up, he would meet with Mr. Williams, about three to five times to start the ball rolling. There was some oversight and when someone asked a question, he would bring that information to the city attorney to work it out.

The motion carried unanimously, 7/0.

Item 7 Resolution 2015-104, Appointment of Stephanie Fulton to the Library Advisory Commission, said term to expire June 30, 2017

Council Member Mount moved that Resolution 2015-104, appointment of Stephanie Fulton to the Library Advisory Commission, said term to expire June 30, 2017, be approved. Mayor Pro Tem Blanchard seconded the motion. The motion carried unanimously, 7/0.

Call to the Public

Andrae Newcomb, City resident, voiced his concerns about water and Buffalo Soldier Trail.

Comments and Requests of the Council

Council Member Mount thanked Mr. Williams for his assistance concerning the IDA; thanked Council for attending the Hospitality Event; thanked Ms. Fulton for willing to serve on the Library Advisory Commission; thanked the Huachuca 50 for their assistance with the Fort and BRAC; and thanked Ms. Yarbrough and Ms. Jacobs for their help concerning the Hog Rally.

Council Member Ash echoed Council Member Mount's comments; also thanked Ms. Fulton; voiced her appreciation for DeMolay and thanked Ms. Yarbrough concerning the Hog Rally.

Council Member Huisiking invited Council on behalf of the EAC on a tour on October 28th at 2:00 p.m. at TMAC; announced that the Sister Cities Commission has two vacancies; invited everyone on October 31st to the Library where the Community Gardeners will be in attendance to answer questions on gardening; and thanked Mr. Coxworth for his help concerning the crosswalk at Avenida Del Sol.

Council Member Calhoun had nothing to report.

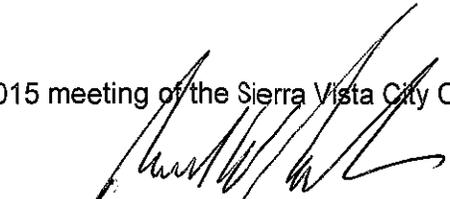
Council Member Gray had nothing to report.

Mayor Pro Tem Blanchard had nothing to report.

Mayor Mueller stated that he appreciates Council Member Mount's comments with regard to BRAC, especially since President Obama has veto the Defense Authorization Bill; announced that Verde Valley visitors are looking at the City's best practices as the City has come a long way on water conservation and the citizens should be proud. In closing, announced that with two holidays coming up, everyone should be cautious especially on Halloween night and encouraged everyone to join in the activities on Veterans' Day at Veterans' Memorial Park to thank a veteran.

Adjournment

Mayor Mueller adjourned the October 22, 2015 meeting of the Sierra Vista City Council at 5:44 p.m.



Mayor Frederick W. Mueller

Minutes prepared by:

Attest:



Maria G. Marsh, Deputy Clerk



Jill Adams, City Clerk