



Sierra Vista City Council
Meeting Agenda
September 22, 2016

Call to Order

5:00 p.m., City Hall Council Chambers, 1011 N. Coronado Drive, Sierra Vista, Arizona

Roll Call

Invocation

Pledge of Allegiance

Item 1 Acceptance of the Agenda

Awards and Presentations

Proclamation declaring October 9 through 15, 2016 as Fire Prevention Week

Proclamation declaring September 26 through October 2, 2016 as Diaper Need Awareness Week

Savvy Award for the Sierra Vista Selfie Sunglasses and Selfie Sunglasses campaign in the category "Marketing Tools – Best Use of a Promotional Item"

Silver Circle Award for the Sierra Vista Economic Development Employee Attraction Video, population category 41,000-55,000

Sierra Vista City Council Businesses of the Month for July – The Confident Brewer

Presentation and announcement of Mural Selection

City Manager's Report: Upcoming Meetings, Bid Openings and Bid Awards

Public Hearing

Item 2 Resolution 2016-076, application for a new license, Series 12, Individual-type of ownership for Oleg Ivanovich Murashka for Z's Steakhouse, 3637 S. Highway 92, Sierra Vista, Arizona

Item 3 Resolution 2016-077, Opening a Public Hearing and Approving the Submission of the US Housing and Urban Development (HUD) Consolidated Annual Performance Evaluation Report (CAPER) for the CDBG Program Years 1 (2014 funding) and 2 (2015 funding)

For special needs and accommodations, please contact Jenifer Thornton, Management Analyst, Department of Community Development, 72 hours prior to the meeting or activity. Ms. Thornton can be reached at (520) 458-3315 or through the Arizona Relay Service at 1-800-367-8939, or by simply dialing 7-1-1.

New Business

Item 4 Resolution 2016-078, Modification Agreement and Estoppel Certificate related to Coronado Commons subdivision Development Agreement

Item 5 Resolution 2016-079, Intergovernmental Agreement with Cochise County Community College District for a Joint Program to train Emergency Medical Services and Fire Science Students

Item 6 Approval of the City Council Meeting Minutes of September 8, 2016

Item 7 Approval of the City Council Special Meeting Minutes of September 12, 2016

Item 8 Resolution 2016-080, Reappointment of Larry Hampton to the Parks and Recreation Commission, said term to expire November 20, 2018

Call to the Public

Comments and Requests of the Council

Adjournment

For special needs and accommodations, please contact Jenifer Thornton, Management Analyst, Department of Community Development, 72 hours prior to the meeting or activity. Ms. Thornton can be reached at (520) 458-3315 or through the Arizona Relay Service at 1-800-367-8939, or by simply dialing 7-1-1.

August 24, 2016

MEMORANDUM TO: Honorable Mayor and City Council

THRU: Charles P. Potucek, City Manager

FROM: Jill Adams, City Clerk

SUBJECT: REQUEST FOR AGENDA ITEM PLACEMENT
Resolution 2016-076, application for a new license, Series 12,
Individual-type of ownership for Oleg Ivanovich Murashka for Z's
Steakhouse, 3637 S. Highway 92, Sierra Vista, Arizona

RECOMMENDATION:

The City Manager recommends approval of this license.
The City Clerk recommends approval of this license.

INITIATED BY:

Oleg Ivanovich Murashka
Z's Steakhouse
3637 S. Highway 92
Sierra Vista, AZ 85650

BACKGROUND:

The City received an application for a new license, Series 12, individual-type of ownership for Oleg Ivanovich Murashka for Z's Steakhouse. The license is for non-transferable, on-sale retail privileges liquor license that allows the holder of a restaurant license to sell and serve all types of spirituous liquor solely for consumption on the premises of an establishment which derives at least forty percent (40%) of its gross revenue from the sale of food at 3637 S. Highway 92, Sierra Vista, Arizona.

The Police Department has performed a background investigation and has given its approval for this license.

State law on liquor licenses requires the applicant to apply for a liquor license from the Arizona Department of Liquor License and Control. That department then sends a copy of the liquor license application to the municipality for their approval. A notice of public hearing must be posted on the premises for 20 days prior to the public hearing. A public hearing notice was posted and to date, no responses, either in favor or against, have been received. The Council's decision concerning this liquor license application will be forwarded to the State Department of Liquor Licenses and Control, who will then issue the liquor license if no objections were received. If objections were received, that department will conduct a hearing regarding the license.

BUDGET APPROPRIATION: Not applicable.

RESOLUTION 2016-076

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; REAFFIRMING SETTLED POLICY BY RECOMMENDING APPROVAL FOR A NEW LICENSE, INDIVIDUAL-TYPE OF OWNERSHIP FOR A SERIES 12 LIQUOR LICENSE FOR OLEG IVANOVICH MURASHKA FOR Z'S STEAKHOUSE; TO THE STATE DEPARTMENT OF LIQUOR LICENSES AND CONTROL; AND AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY OR THEIR DULY AUTHORIZED OFFICERS AND AGENTS TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

WHEREAS, an application for a Series 12 new license, individual-type of ownership Liquor License for Oleg Ivanovich Murashka on behalf of Z's Steakhouse, 3637 S. Highway 92, Sierra Vista, Arizona; and

WHEREAS, Arizona Revised Statutes §4-112 requires local municipalities to grant approval or disapproval of all liquor licenses being applied for within their jurisdiction; and

WHEREAS, the application has been posted on the premises of the business for twenty (20) days as required by State law; and

WHEREAS, it is the settled policy of the City Council that liquor licenses be recommended for approval if no objections are raised.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, AS FOLLOWS:

SECTION 1

The City Council reaffirms its settled policy on liquor licenses within City limits.

SECTION 2

The City Council of the City of Sierra Vista recommends approval of the application for a Series 12, new license, individual-type of ownership Liquor License for Oleg Ivanovich Murashka on behalf of Z's Steakhouse, 3637 S. Highway 92, Sierra Vista, Arizona, to the State Department of Liquor Licenses and Control.

SECTION 3

The City Manager, City Clerk, City Attorney, or their duly authorized officers and agents, are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this Resolution.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 22nd DAY OF SEPTEMBER 2016.

Frederick W. Mueller
Mayor

Approved as to Form:

Attest:

Nathan J. Williams
City Attorney

Jill Adams
City Clerk

Prepared By:
Jill Adams, City Clerk



16 AUG 8 11:47 Lic. #1024

Arizona Department of Liquor Licenses and Control
800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

Application for Liquor License
Type or Print with Black Ink

APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE
A service fee of \$25 will be charged for all dishonored checks (A.R.S. § 44-6852)

SECTION 1 This application is for a:

- Interim Permit (Complete Section 5)
New License (Complete Sections 2, 3, 4, 13, 14, 15, 16)
Person Transfer (Complete Section 2, 3, 4, 12, 13, 14, 16)
Location Transfer (Bars and Liquor Stores Only)
Probate/ Will Assignment/ Divorce Decree
Government (Complete Sections 2, 3, 4, 10, 13, 16)
Seasonal

SECTION 2 Type of Ownership:

- J.T.W.R.O.S. (Complete Section 6)
Individual (Complete Section 6)
Partnership (Complete Section 6)
Corporation (Complete Section 7)
Limited Liability Co (Complete Section 7)
Club (Complete Section 8)
Government (Complete Section 10)
Trust (Complete Section 6)
Tribe (Complete Section 6)
Other (Explain)

SECTION 3 Type of license

1. Type of License: 12 Restaurant LICENSE # 17023194 P1076706

SECTION 4 Applicants

1. Individual Owner/Agent's Name: MURASHKA Oleg Ivanovich
2. Owner Name: MURASHKA Oleg Ivanovich
3. Business Name: Z's STEAKHOUSE B1009772
4. Business Location Address: 3637 S. Hwy 92 Sierra Vista AZ 85650 Cochise
5. Mailing Address: 3637 S. Hwy 92 Sierra Vista AZ 85650
6. Business Phone: (520) 378-0005 Daytime Contact Phone: (520) 678-2412
7. Email Address: Russlanout@hotmail.com
8. Is the Business located within the incorporated limits of the above city or town? Yes
9. Does the Business location address have a street address for a City or Town but is actually in the boundaries of another City, Town or Tribal Reservation? No
10. Total Price paid for Series 6 Bar, Series 7 Beer & Wine Bar or Series 9 Liquor Store (license only) \$

Fees: Application \$100.00, Department Use Only \$50.00, Site Inspection \$35.00, Finger Prints \$185.00, Total of All Fees \$370.00
Is Arizona Statement of Citizenship & Alien Status for State Benefits complete? No
Accepted by: C.A. Date: 8/8/2016 License # 17023194

SECTION 5 Interim Permit

- If you intend to operate business when your application is pending you will need an interim permit pursuant to ARS § 4-203.01
- There **MUST** be a valid license of the same type you are applying for currently issued to the location or for the replacement of a Hotel/Motel license with a Restaurant license pursuant to A.R.S. § 4-203.01.

1. Enter license number currently at the location: _____

2. Is the license currently in use? Yes No If no, how long has it been out of use? _____

Attach a copy of the license currently issued at this location to this application.

I, _____ (Print Full Name)	declare that I am the CURRENT OWNER, AGENT, OR CONTROLLING PERSON on the stated license and location.
X _____ (Signature of CURRENT Individual Owner/Agent)	State of _____ County of _____ The foregoing instrument was acknowledged before me this _____
My commission expires on: _____ Date	_____ of _____ Day Month Year
_____ Signature of NOTARY PUBLIC	

SECTION 6 Individual, Partnership, J.T.W.R.O.S, Trust, Tribe Ownerships

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE, AN "APPLICANT" TYPE FINGERPRINT CARD AND \$22 PROCESSING FEE FOR EACH CARD.

Individual

Last	First	Middle	%Owned	Mailing Address	City	State	Zip Code
MURASHKA	Oleg	Ivanovich	100	3637 S. Hwy 92	Sierra Vista	AZ	85650

Is any person other than above, going to share in profit/losses of the business? Yes No

If Yes, give name, current address, and telephone number of person(s). Use additional sheets if necessary.

Last	First	Middle	Mailing Address	City	State	Zip Code	Phone #

Partnership

Name of Partnership: _____

General-Limited	Last	First	Middle	%Owned	Mailing Address	City	State	Zip Code
<input type="checkbox"/>								
<input type="checkbox"/>								
<input type="checkbox"/>								
<input type="checkbox"/>								

J.T.W.R.O.S (Joint Tenant with Rights of Survivorship)

Name of J.T.W.R.O.S: _____

Last	First	Middle	Mailing Address	City	State	Zip Code

SECTION 6 - continued

TRUST

Name of Trust: _____

Last	First	Middle	Mailing Address	City	State	Zip Code

TRIBE

Name of Tribal Ownership: _____

Last	First	Middle	Mailing Address	City	State	Zip Code

SECTION 7 Corporations/ Limited Liability Co

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE, AN "APPLICANT" TYPE FINGERPRINT CARD AND \$22 PROCESSING FEE FOR EACH CARD.

Corporation Complete Questions 1, 2, 3, 4, 5, 6, and 7

L.L.C. Complete Questions 1, 2, 3, 4, 5, 6, and 7

O.M

1. Name of Corporation/ L.L.C.: _____

2. Date Incorporated/Organized: _____ State where Incorporated/Organized: _____

3. AZ Corporation or AZ L.L.C File No: _____ Date authorized to do Business in AZ: _____

4. Is Corp/L.L.C. Non Profit? Yes No

5. List Directors, Officers, Members in Corporation/L.L.C:

Last	First	Middle	Title	Mailing Address	City	State	Zip Code

(Attach additional sheet if necessary)

6. List all Stockholders / percentage owners who own 10% or more:

Last	First	Middle	%Owned	Mailing Address	City	State	Zip Code

(Attach additional sheet if necessary)

7. If the corporation/ L.L.C are owned by another entity, attach an Organizational **FLOWCHART** showing the structure of the ownership. Attach additional sheets as needed in order to disclose the Officers, Directors, Members, Managers, Partners, Stockholders and percentage owners of those entities.

SECTION 13 Proximity to Church or School

Questions to be completed by all in-state applicants.

A.R.S. § 4-207. (A) and (B) state that no retailer's license shall be issued for any premises which are at the time the license application is received by the director, within three hundred (300) horizontal feet of a church, within three hundred (300) horizontal feet of a public or private school building with kindergarten programs or grades one (1) through (12) or within three hundred (300) horizontal feet of a fenced recreational area adjacent to such school building.
The above paragraph DOES NOT apply to:

- a) Restaurant license (§ 4-205.02) Series 12
- b) Hotel/motel license (§ 4-205.01) Series 11
- c) Microbrewery Series 3
- d) Craft Distillery Series 18

- e) Government license (§ 4-205.03) Series 5
- f) Fenced playing area of a golf course (§ 4-207(B)(5))
- g) Wholesaler Series 4
- h) Farm Winery Series 13

1. Distance to nearest School: 0.8 miles Name of School: Huerfano Mountain Element
 (If less than one (1) mile note footage) Address: 3228 St. Andrews, SV, AZ, 85650

2. Distance to nearest Church: 1.3 miles Name of Church: Thunderbird Mountain
 (If less than one (1) mile note footage) Address: 4300 Golden Acres drive SV, AZ, 85650

SECTION 14 Business Financials

1. I am the: Lessee Sub-lessee Owner Purchaser Management Company

2. If the premise is leased give lessors: Name: _____
 Address: _____
Street City State Zip

3. Monthly Rent/ Lease Rate: \$ _____

4. What is the remaining length of the lease? Yrs. _____ Months _____

5. What is the penalty if the lease is not fulfilled? \$ _____ or Other: _____
(Give details-attach additional sheet if necessary)

6. Total money borrowed for the Business not including lease? \$ 0
 Please List Lenders/People you owe money to for business.

Last	First	Middle	Amount Owed	Mailing Address	City	State	Zip

(Attach additional sheet if necessary)

7. What type of business will this license be used for (be specific)?
Restaurant

8. Has a license or a transfer license for the premises on this application been denied by the state with in the past (1) year? Yes No If yes, attach explanation.

9. Does any spirituous liquor manufacture, wholesaler, or employee have an interest in your business? Yes No

10. Is the premises currently license with a liquor license? Yes No

If yes, give license number and licensee's name:
 License #: _____ Individual Owner /Agent Name: _____
(Exactly as it appears on license)

SECTION 15 Restaurant or hotel/motel license applicants

1. Is there an existing Restaurant or Hotel/Motel Liquor License at the proposed location? Yes No O.M
2. If the answer to Question 1 is YES, you may qualify for an Interim Permit to operate while your application is pending; consult A.R.S. § 4-203.01; and complete SECTION 5 of this application.
3. All Restaurant and Hotel/Motel applicants must complete a Restaurant Operation Plan form provided by the Department of Liquor Licenses and Control.
4. As stated in A.R.S. § 4-205.02. (H)(2), a Restaurant is an establishment which derives at least forty (40) percent of its gross revenue from the sale of food. Gross revenue is the revenue derived from sales of food and spirituous liquor on the licensed premises. By applying for this Restaurant Hotel/Motel, I certify that I understand that I must maintain a minimum of forty (40) percent food sales based on these definitions and have included the Restaurant Hotel/Motel Records Required for Audit form with this application.

Oleg Murasynka
 (Applicant's Signature)

5. I understand it is my responsibility to contact the Department of Liquor Licenses and Control to schedule an inspection when all tables and chairs are on site, kitchen equipment, and, if applicable, patio barriers are in place on the licensed premises. With the exception of the patio barriers, these items are not required to be properly installed for this inspection. Failure to schedule an inspection will delay issuance of the license. If you are not ready for your inspection 90 days after filing your application, please request an extension in writing; specify why the extension is necessary; and the new inspection date you are requesting.

[Handwritten initials]
 (Applicant's Initials)

SECTION 16 Diagram of Premises

Check ALL boxes that apply to your business:

- Entrances/Exits Liquor storage areas **Patio:** Contiguous
 Walk-up windows Drive-through windows Non Contiguous

1. Is your licensed premises currently closed due to construction, renovation or redesign? Yes No O.M
 If yes, what is your estimated completion date? 8/28/2016 O.M
 Month/Day/Year

2. **Restaurants and Hotel/Motel** applicants are required to draw a detailed floor plan of the kitchen and dining areas including the locations of all kitchen equipment and dining furniture. Place for diagram is on section 16 number 6.
3. The diagram (a detailed floor plan) you provide is required to disclose only the area(s) where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored on the premises unless it is a restaurant (see # 3 above).
4. Provide the square footage or outside dimensions of the licensed premises. Please do not include non-licensed premises such as parking lots, living quarters, etc.
5. **As stated in A.R.S. § 4-207.01 (B), I understand it is my responsibility to notify the Department of Liquor Licenses and Control when there are changes to the boundaries, entrances, exits, added or deleted doors, windows, service windows or increase or decrease to the square footage after submitting this initial diagram.**

O.M
 (Applicant's Initials)

SECTION 16 Diagram of Premises – continued

6. On the diagram please show only the areas where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored. It must show all entrances, exits, interior walls, bars, hi-top tables, dining tables, dining chairs, dance floor, stage, game room, and the kitchen. DO NOT include parking lots, living quarters, etc. When completing diagram, North is up ↑.

If a legible copy of a rendering or drawing of your diagram of the premises is attached to this application, please write the words "DIAGRAM ATTACHED" in the box provided for the diagram on the application.

DIAGRAM OF PREMISES

Diagram Attached

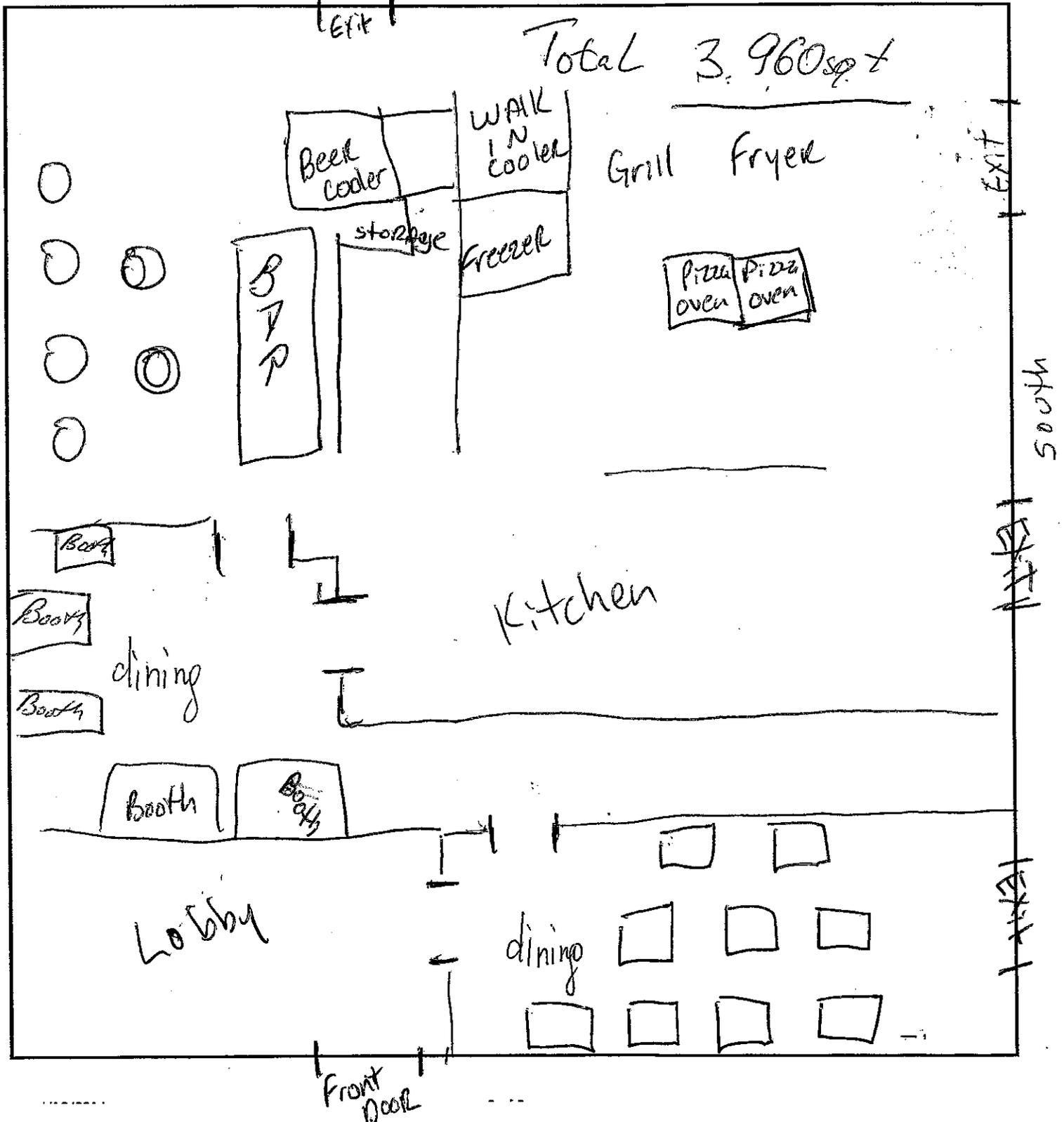
SECTION 16 Diagram of Premises – continued

15 AUG 8 Lic. Lic. AM1024

6. On the diagram please show only the areas where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored. It must show all entrances, exits, interior walls, bars, hi-top tables, dining tables, dining chairs, dance floor, stage, game room, and the kitchen. DO NOT include parking lots, living quarters, etc. When completing diagram, North is up ↑.

If a legible copy of a rendering or drawing of your diagram of the premises is attached to this application, please write the words "DIAGRAM ATTACHED" in the box provided for the diagram on the application.

DIAGRAM OF PREMISES





SECTION 17 SIGNATURE BLOCK

NOTARY

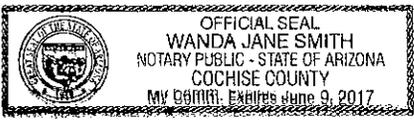
I, (Print Full Name) Ivanovich Oleg MURASHKA, hereby declare that I am the Owner/Agent filing this application as stated in Section 4 # 1. I have read this application and verify all statements to be true, correct and complete.

X [Signature]
(Signature of CURRENT Individual Owner/Agent)

State of ARIZONA County of Cochise
The foregoing instrument was acknowledged before me this

My commission expires on: June 9, 2017
Date

1st of July, 2016
Day / Month Year



Wanda Jane Smith
Signature of NOTARY PUBLIC

A.R.S. § 41-1030. Invalidity of rules not made according to this chapter; prohibited agency action; prohibited acts by state employees; enforcement; notice

B. An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

D. THIS SECTION MAY BE ENFORCED IN A PRIVATE CIVIL ACTION AND RELIEF MAY BE AWARDED AGAINST THE STATE. THE COURT MAY AWARD REASONABLE ATTORNEY FEES, DAMAGES AND ALL FEES ASSOCIATED WITH THE LICENSE APPLICATION TO A PARTY THAT PREVAILS IN AN ACTION AGAINST THE STATE FOR A VIOLATION OF THIS SECTION.

E. A STATE EMPLOYEE MAY NOT INTENTIONALLY OR KNOWINGLY VIOLATE THIS SECTION. A VIOLATION OF THIS SECTION IS CAUSE FOR DISCIPLINARY ACTION OR DISMISSAL PURSUANT TO THE AGENCY'S ADOPTED PERSONNEL POLICY.

F. THIS SECTION DOES NOT ABROGATE THE IMMUNITY PROVIDED BY SECTION 12-820.01 OR 12-820.02.



September 22, 2016

Memorandum to: Honorable Mayor and City Council

Thru: Charles P. Potucek, City Manager
Mary Jacobs, Assistant City Manager
Matt McLachlan, AICP, Director, Dept. of Community Development

From: Jenifer Thornton, Management Analyst
Community Development

Subject: REQUEST FOR AGENDA ITEM PLACEMENT
RESOLUTION 2016-077
Opening a Public Hearing and Approving the Submission of the US
Housing and Urban Development (HUD) Consolidated Annual
Performance Evaluation Report (CAPER) for the CDBG Program
Years 1 (2014 funding) and 2 (2015 funding)

STAFF RECOMMENDATION:

The City Manager recommends approval.
The Assistant City Manager recommends approval.
The Director of Community Development recommends approval.

INITIATED BY: City of Sierra Vista

BACKGROUND:

HUD requires three documents be in place before releasing CDBG grant funding to entities.

- Five-Year Consolidated Plan (ConPlan)
- Annual Action Plan (AAP)
- Consolidated Annual Performance and Evaluation Report (CAPER)

CONPLAN. The Five-Year Consolidated Plan (ConPlan) identifies how the entity plans to meet HUD's national objectives—(1) Low/mod Area Benefit, (2) Slum/blight Area Basis, and (3) Urgent Need. The ConPlan also identifies how the entity plans to meet the community's goals, as identified in public meetings, while meeting HUD's national objectives.

All City annual projects must fall into one of the three goals.

GOALS SUMMARY INFORMATION (as identified in ConPlan)								
Sort Order	Goal Name	Start Year	End Year	Category	Geo-graphic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Infrastructure Improvements	2014	2019	Public Improvements, ADA Improvements, and Infrastructure	Low/Mod Areas	Improve Quality of Life	CDBG	Number of Street/Sidewalk Improvements, Accessibility Improvements
2	Owner Housing Rehabilitation, Emergency Repairs, Rental Assistance	2015	2019	Housing Rehabilitation, Rental Assistance, Homeownership	Low/Mod Areas	Affordable Housing, Homeless Prevention	CDBG	Number of Households Assisted
3	Provision of Needed Services Primarily for Youth and Elderly	2016	2019	Community Services Special Needs Homeless Services	Low/Mod Areas	Improve Quality of Life	CDBG	Number of Persons Served

The City's ConPlan is valid July 2014 to June 2019.

AAP. The City submits its Annual Action Plan (AAP) to HUD by May 15th each year. This Plan also serves as the application for funding. The AAP specifically identifies how the entity plans to accomplish the projects or programs while meeting the national objectives during the funding cycle. The City has two years on each AAP to complete and expend all funding. All City projects or programs funded meet the goals identified in the ConPlan.

The City must have their AAP submitted to HUD by May 15th of each year.

CAPER. The CAPER basically closes the loop on the cycle of the grant's life. The CAPER describes the activities undertaken and goals met for each AAP. HUD's intended goal with the CAPER is to ensure that entities complete their approved projects/programs in a timely manner and the City appropriately expended the funding.

The City's CAPER year is July 1st through June 30th of each year.

The City has two CAPERs this year.

Program Year 1 (2014 funding) second-year report. Program Year 1 was the Veterans Memorial Park project that added ADA accessibility to the park. This project was completed in the spring of 2016. The Program Year 1, second-year CAPER accounts for the \$206,330 CDBG funding.

Program Year 2 (2015 funding) first year report. Program Year 2 is \$216,244 reserved for curb, gutter, and sidewalk along Taylor Dr., ADA accessibility into Solders Creek Park, and five streetlights. The project is in its design and contracting phase and is planned completion day before April 2017, within the two years allotted for completion.

Program Year 3 (2016 funding) was approved by Council in May 2016 for fiscal year 2017 and does not require a CAPER this year. Program Year 3 slated the funding for streetlights, a roof at Good Neighbor Alliance, and emergency home repairs (Habitat for Humanity).

Public Hearing. This is a Public Hearing where council receives public comments and authorization the submission of the CAPERs. The draft CAPER was available for the required 15-day review period, between September 2, 2016, and September 21, 2016. The City advertised the 15-day public review period and this public hearing in the Sierra Vista Herald on August 31, 2016, posted the *Notice* at the City approved sites, and the City website. Copies of the draft CAPERs were available on the website, at the public library, and in Community Development.

CDBG Public Notice Summary per the Citizen				
Type of Document	Public Hearing	Hearing Notice	Public Comment Period	Notices in Public Areas
Annual Performance Report/CAPER	1	Run a display notice in newspapers at least 14 calendar days prior to the hearing or at the beginning of the public comment period whichever is first	15-day public comment period ending upon SVCC approval of the item	Post the notice identifying purpose of hearing, comment period, and location of drafts for public review and comment. The City posts at the City Hall, Oscar Yrun Community Center, and the Sierra Vista Public Library.

Approval to Submit. The City will submit the CAPER with any changes and all public comments to HUD via the IDIS (Integrated Disbursement and Information System, a HUD software program) prior to September 30, 2016.

RESOLUTION 2016-077

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; TO APPROVE THE SUBMISSIONS OF THE PROJECT YEAR 1 (2014 CDBG FUNDING) AND PROJECT YEAR 2 (2015 CDBG FUNDING) CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPERS).

WHEREAS, the City of Sierra Vista obtains Community Development Block Grant (CDBG) funding directly from the Department of Housing and Urban Development (HUD); and

WHEREAS, HUD requires that participating jurisdictions prepare a Consolidated Annual Performance Evaluation Report (CAPER) in order to fulfill the HUD requirements for using funding;

WHEREAS, the Council requires the public be allowed to comment on the CAPERs prior to submitting the CAPER to HUD; and

WHEREAS, in order to fulfill the spirit of the CAPER regulations, Council has allowed for a 15-day review period, received copies of all comments, allowed for public comments before Council, and requested changes to the draft CAPER prior to approving the CAPER for submission.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA AS FOLLOWS:

SECTION 1

That the City of Sierra Vista desires to continue receiving CDBG funding directly from HUD.

SECTION 2

The City approves the submission of the Program Year 1 (2014 CDBG funding) and Program Year 2 (2015 CDBG funding) CAPERs to HUD.

SECTION 3

That the City Manager, City Clerk, City Attorney, or their duly authorized officers and agent are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this Resolution.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 22ND DAY OF SEPTEMBER 2016.

FREDERICK W. MUELLER
MAYOR

ATTEST:

APPROVED AS TO FORM:

JILL ADAMS
CITY CLERK

NATHAN J. WILLIAMS
CITY ATTORNEY

Prepared by:
Jenifer Thornton, Management Analyst

**COMMUNITY DEVELOPMENT BLOCK GRANT
PROGRAM**

**CONSOLIDATED ANNUAL PERFORMANCE
AND EVALUATION REPORT
(CAPER)**

Based on
**Five-Year Consolidated Plan
(July 2014 - June 2019)**

**PROGRAM YEAR 2
First Year Report**

**The City of Sierra Vista's 2015, second year,
Community Development Block Grant (CDBG)
Consolidated Annual Performance and Evaluation Report (CAPER)**

**For more information on the report contact:
(Si necesita esta informacion en español, llame al:)**

**Jenifer Thornton
Management Analyst / CDBG Administrator
Department of Community Development
City of Sierra Vista
1011 N. Coronado Drive
Sierra Vista, AZ 85635**

520.439.2200



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CDBG 34

DRAFT

ACRONYMS

AAP	Annual Action Plan
ADOH	Arizona Department of Housing
AI	Analysis of Impediments to Fair Housing Choice
CAPER	Consolidated Annual Performance and Evaluation Report
CDBG	Community Development Block Grant
City	City of Sierra Vista Municipal Government
ConPlan	Five Year Consolidated Plan (for 2014-2019)
CofC	Continuum of Care
CPP	Citizen Participation Plan
HUD	U.S. Department of Housing and Urban Development
LIHTC	Low-Income Housing Tax Credits
P&P	Policy and Procedure Manual
MSA	Metropolitan Statistical Area
RBHA	Regional Behavior Health Authority
SEAGO	SouthEastern Arizona Governments Organization
SVCC	City of Sierra Vista City Council

DRAFT

INTRODUCTION

This Consolidated Annual Performance and Evaluation Report (CAPER) describes the activities undertaken for the 2015 Annual Action Plan (AAP) during the program year beginning July 1, 2015, and ending June 30, 2016, using Federal funds allotted to the City of Sierra Vista (City) by the U.S. Department of Housing and Urban Development (HUD) under the Community Development Block Grant (CDBG) program. Activities and accomplishments described in this report primarily benefit low- to moderate-income individuals/residents of the City.

A draft of this report was available for public review and comment for a 15-day period beginning September 2, 2016, culminating with a Public Hearing before the Sierra Vista City Council (SVCC) on September 22, 2016. The City advertised the availability of the report as required by the provisions of the City's Consolidated Plan Citizen Participation Plan. The draft was available to the public on the City's website and in print form at the offices of the City Clerk, the City Community Development Department, and the Sierra Vista Public Library.

CDBG Public Notice Summary				
Type of Document	Public Hearing	Hearing Notice	Public Comment Period	Notices in Public Areas
Annual Performance Report/CAPER	1	Run a display notice in newspapers at least 14 calendar days prior to the hearing or at the beginning of the public comment period whichever is first	15-day public comment period ending upon SVCC approval of the item	Post the notice identifying purpose of hearing, comment period, and location of drafts for public review and comment. The City posts at the City Hall, Oscar Yrun Community Center, and the Sierra Vista Public Library.

*Sierra Vista Five-Year Consolidated Plan 2015-2019

AREA BACKGROUND

Sierra Vista is located 70 miles southeast of Tucson, Arizona, and serves as the retail hub of Cochise County and northern Sonora, Mexico. With the construction of the new Canyon Vista Regional Hospital and the expansions of Cochise College and the University of Arizona South, the City has also solidified its role as the regional center for health care and education. Fort Huachuca United States Military Institution is the largest employer in the County and City; however, they have recently undergone staff reductions.

POPULATION GROWTH				
	2015	2014	Change	% Change
Arizona	6,758,251	6,667,241	91,010	1.4
Cochise County	129,112	129,628	-516	-0.4
Sierra Vista	44,183	44,286	-103	-0.2

Source: Arizona Office of Employment and Population Statistics and Cochise College Center for Economic Research

Since the CDBG entitlement program allocates annual grants to develop viable communities by providing decent housing, a suitable living environment, and to expand economic opportunities, principally for low- and moderate-income persons, the following statistics, from the Cochise College, Center for Economic Research, provides the following relevant information on the City's low- to moderate-income population.

*According to recent U.S. Census Bureau data, Cochise County's poverty rate over the five-year period from 2010 through 2014 was 17.5 percent; statistically lower than the statewide rate of 18.2 percent, but higher than the national rate of 15.6 percent. Within Cochise County, poverty rates vary widely—**Sierra Vista had a poverty rate of 12.6 percent** which is the lowest rate in Cochise County—considerably below state and national levels.*

INDIVIDUALS IN POVERTY		
	2000	2010-2014
United States	12.4%	15.6%
Arizona	13.9%	18.2%
Cochise County	17.7%	17.5%
Sierra Vista	10.5%	12.6%

*Three factors stand out as primary influences over whether one will live below the poverty line: family structure, age, and education. In Cochise County, families led by single moms are nearly three times as likely to live in poverty as married-couple families with children. From 2010 through 2014, more than 40 percent of Cochise County households headed by single mothers lived in poverty. The situation is even worse for single-mother families with small children (those under 5 years old), where nearly 60 percent lived in poverty. For married-couple families with children, the poverty rate in Cochise County is 14.3 percent; for married couples with small children it is only 9.1 percent. Countywide, 24.8 percent of all children live in poverty compared to 25.9 percent statewide and 21.9 percent nationwide—**Sierra Vista has the lowest***

childhood poverty rate at 16.2 percent. Sierra Vista and Willcox are the only cities to have childhood poverty rates below the countywide average.

Due to social insurance programs such as Social Security and Medicare, seniors tend to have lower poverty rates than the general population. Nevertheless, from 2010 to 2014, Cochise County had a 10.9 percent rate for ages 65 and up living below the poverty line; in Sierra Vista, the percentage was 8.2 percent. However, the countywide senior poverty rate was higher than the statewide (8.6 percent) and nationwide (9.4 percent), but Sierra Vista fared better than the County, State, and nationwide rates.

Sierra Vista has a high school graduation rate of 93 percent in the adult population of 25 years old and this is the highest in the county, as is the bachelor's degree or higher rate at 31.4 percent. Sierra Vista has the second largest share of college or graduate school enrollees at 31.4 percent.

By most measures of economic wellbeing, individuals and households in Cochise County were worse off in 2014 than in 2013, and were worse off than they were in 2007—the year before the nationwide Great Recession began.

According to recent U.S. Census Bureau data, median household income in Cochise County was \$45,688 in 2014—down 3.6 percent from 2013 after adjusting for inflation. After the inflation adjustment, the county's median household income in 2014 was down more than 10 percent from 2007. Other measures of income saw similar trends. Median family income, which was \$54,167 in 2014, was down 6.3 percent from 2013 and 11.2 percent from 2007, after adjusting for inflation. Per capita income countywide in 2014 was \$23,507, down 4 percent from 2013 and 6.1 percent from 2007.

UNEMPLOYMENT RATE (%)				
	Sierra Vista	Cochise County	Arizona	United States
2011	7.9	9.8	9.5	8.9
2012	7.7	9.0	8.3	8.1
2013	7.7	9.0	7.5	7.4
2014	7.1	8.4	6.8	6.2
2015	6.3	7.4	6.1	5.3
2015 (Dec)	5.7	6.8	5.8	5.0

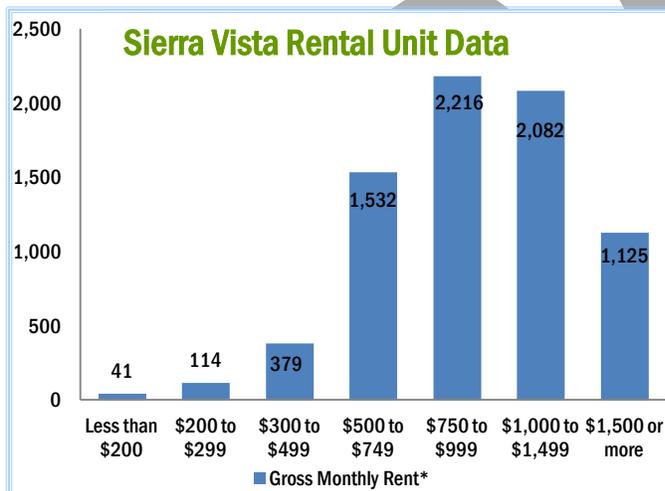
In 2014, 3.4 percent of Cochise County households received cash public assistance income, up from 3.3 percent in 2013 and 2 percent in 2007. Of Cochise County households, 15.2 percent received food stamp assistance in 2014, up marginally from 15.1 percent in 2013, but up significantly from 9.3 percent in 2007. In Cochise County, 10.3 percent of the population was without health insurance in 2014. That was down from 12.2 percent in 2013, but up from 9.9 percent in 2009, the first year of published data. The uninsured rate for children in Cochise County was 7.7 percent in 2013, down from 11.1 percent in 2013, but up from 6.3 percent in 2009.

One of the signs of financial success and hallmarks of the American Dream is home ownership, which has been on the decline in Cochise County. The homeownership rate countywide in 2014 was 67.1 percent, down from 70.4 percent in 2013 and 69.8 percent in 2007.

The median value of owner-occupied homes in Cochise County in 2014 was \$144,800, down from \$150,000 in 2013 and \$156,100 in 2007—before the housing market crash.

SIERRA VISTA HOUSING STATISTICS	
Total Housing Units	19,756
Occupied Housing Units (%)	85.6
Owner-Occupied (%)	53.7
Renter-Occupied (%)	46.3
Homeowner Vacancy Rate (%)	4.2
Rental Vacancy Rate (%)	14.3
Median Monthly Owner Cost (2014 dollars)*	1,377
Homeowners Paying 30% or More of Income for Housing (%)	24.7
Median Monthly Gross Rent (214 dollars)	939
Renters Paying 30% or More of Income for Housing (%)	42.5
*Includes only homes with a mortgage. Source: US Census Bureau (2010-2014 American Community Survey 5-Year Estimates).	

On the cost side, housing constitutes the largest share of costs for most households. Housing that costs more than 30 percent of gross household income is generally regarded as unaffordable. About 29.7 percent of homeowners with a mortgage in Cochise County paid 30 percent or more of their income toward housing costs in 2014, up from 27.7 percent of homeowners in 2013.



Gross rent includes contract rent plus utilities. Note: Includes occupied rental units only; figures expressed in 2014 dollars. Source: U.S. Census Bureau (2010-2014 American Community Survey 5-Year Estimates) and Cochise College Center for Economic Research

Housing costs affect renters even more. Nearly 47 percent of renters countywide paid 30 percent or more of their income toward housing costs in 2014, which was down, however, from 52 percent the year prior due to lower rental rates. The median monthly rent in Cochise County in 2014 was \$783, which includes utilities—that was down from \$802 in 2013.

Sierra Vista has two project-based Section 8 apartment complexes and seven Low Income Housing Tax Credit project complexes:

APARTMENT COMPLEXES FOR LOW- TO MODERATE INCOME PERSONS IN SIERRA VISTA

NAME	UNITS	BEDROOMS
Project-Based Section 8 Complexes		
Bonita Vista Senior Apartments	99	1
Mountain View Apartments	80	2, 3, & 4
Low-Income Housing Tax Credit Complexes		
Casa Del Sol Senior Apartments	88	1 & 2
Crossing Point Villas	60	2, 3, & 4
Crystal Creek Townhomes	77	2 & 3
Las Palomas Village	88	3 & 4
Santa Fe Springs	48	3 & 4
San Pedro Apartment	63	2 & 3
Sun Crest Apartments	79	2 & 3

One final statistic on the economy of Sierra Vista is the area's cost of living

SIERRA VISTA/DOUGLAS MSA AREA COST OF LIVING

	Composite Index	Grocery Items	Housing	Utilities	Transportation	Health Care	Misc. Goods & Services
2011	99.6	95.6	99.6	92.0	108.8	98.0	100.9
2012	102.5	97.8	102.8	103.4	106.6	99.5	102.7
2013	98.0	91.3	95.4	99.2	101.1	97.4	101.4
2014	97.3	94.7	93.6	102.8	102.6	96.5	98.1
2015	95.3	94.3	93.7	103.8	99.3	94.7	93.2

Note: The Sierra Vista/Douglas MSA (Metropolitan Statistical Area) is a statistical area designation for all of Cochise County. Source: Council for Community and Economic Research (2ER), Cost of Living Index

The City has experienced declining revenues and that has directly affected how it spends infrastructure funding in low- to moderate-income neighborhoods.

REVENUES (Includes Governmental and Business-type Activities)				
	2012	2013	2014	2015
Charges for services	\$16,214,184	\$15,724,566	\$16,205,521	\$14,254,900
Operating Grants and Contributions	\$1,522,872	\$1,282,624	\$1,783,822	\$2,010,368
Capital Grants and Contributions	\$4,778,676	\$1,201,037	\$5,364,746	\$2,147,475
Property Taxes	\$400,517	\$397,349	\$390,759	\$371,634
Sales Taxes	\$16,757,320	\$16,192,020	\$16,650,008	\$17,555,028
Franchise Fees	\$620,157	\$0*	\$0*	\$0*
State Shared Revenues	\$11,712,579	\$12,775,428	\$13,494,847	\$14,369,609
Other Revenues	\$1,154,004	\$789,674	\$648,058	\$990,238
Investment Income	\$14,763	\$35,631	\$21,877	\$15,870
Total revenues	\$53,175,072	\$48,398,329	\$54,559,638	\$51,715,122
Sales tax was increased in November 1, 2015 from 1.75 percent to 1.95 percent State Share Revenues increased because the state had increased revenues *Franchise Fees were wrapped into the Charges for services.				

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SIERRA VISTA BECOMES A HUD ENTITLEMENT COMMUNITY

In May 2013, HUD offered the City the opportunity to become a CDBG entitlement community, which was unusual since the City had not reached the standard *entitlement community population threshold* of 50,000. City Management and SVCC deliberated and decided that it was, in fact, in the City's best interest to receive CDBG funding directly from HUD. Prior to 2014, the City received CDBG funds through the Arizona Department of Housing (ADOH) which then filtered down through the SouthEastern Arizona Governments Organization (SEAGO) before disbursement to Cochise County and incorporated communities. Funding was only available to The City every two years. By The City going entitlement, the City receives CDBG funding on an annual basis. Currently, HUD limits the City's program grant funding to just CDBG.

The City hired a consultant to write the (1) Five-Year Consolidated Plan (ConPlan) (valid from 2014 to 2019), (2) Analysis of Impediments for Fair Housing Choices (AI), (3) Citizen Participation Plan (CPP), and (4) Policy and Procedure Manual (P&P); these are all requirements to receive CDBG funding. The first year's Annual Action Plan (AAP) is also part of the initial ConPlan.

Extensive public participation is required to complete a ConPlan. The City held three focus groups (Government, Social Service Providers, and Business and Financial Institutions), one public meeting, two public hearings, a survey, opened a 30-day public document review, and offered an interactive web-based program for a community discussion to collect comments. For further information, please refer to the ConPlan on the City's website at www.SierraVistaAZ.gov.

The ConPlan's *Summary Of The Objectives And Outcomes Identified In The Plan Needs Assessment Overview*, was written using the information received during the Public Participation Process.

The needs in the target areas are numerous and varied. The principal needs are: 1) housing rehabilitation for both owner and renter units, 2) public improvements to improve/revitalize neighborhoods, 3) rental assistance for extremely low-income households threatened with homelessness, 4) programs for youth and the elderly, and 5) assisting the homeless.

Public Improvements and Infrastructure receive a HIGH ranking here because they are a means to make significant improvements in the quality of life in the distressed neighborhoods. With proper planning and coordination, the City can leverage CDBG funds with both the State and other federal programs to provide the funds needed for these projects.

The City believes that rehabilitation of both rental- and owner-housing units is a High priority, as these efforts keep people in affordable housing and, especially for extremely low-income and elderly homeowners may serve to prevent homelessness. The City will focus on multiple efforts including rental assistance and homeowner repair to provide affordable housing and in many instances prevent homelessness.

While the City supports programs for affordable homeownership, the opportunities for homeownership among the City's low-income residents are limited by the poor economy, job uncertainty, strict lending criteria, and significant down payment requirements.

Because of the difficult economic situation in parts of the City, the provision of Public Service Programs receives a High priority rank. The need for a wide range of services, including programs for seniors and youth, feeding programs, and childcare is present in each of these areas. However, the City must develop the necessary policies, procedures, and capacity to receive applications, make selections, and monitor activities before undertaking projects in this area.

PRIORITY NEEDS AS IDENTIFIED DURING THE PUBLIC PARTICIPATION PROCESS			
Priority Need Name	Priority Level	Population	Goals Addressing
Public Improvements/Infrastructure	High	Extremely low, very low, and low-income neighborhoods	Neighborhood Revitalization Improve Quality of Life ADA Compliance
Provide Affordable Housing Opportunities, including Rental Assistance, Homeowner Rehabilitation	High	Extremely low-income, Elderly, Families, Chronic Homeless, Disabled persons	Affordable Housing Homeless Prevention
Homeless Activities, including Homeless Prevention, Emergency Shelters, and Transitional Housing	Medium	Chronic Homeless, Persons threatened with homelessness, Families with children, Elderly, Youth, the Disabled, Mentally Ill, Persons with HIV/AIDS, Victims of domestic violence, persons with Alcohol or other addictions	Affordable housing Homeless prevention Services for at-risk populations Improved quality of life
Public Service Programs, especially for the Elderly, and for Healthcare	Medium	Extremely low, very low, and low-income, Families with children, Elderly, Youth, the Disabled, Mentally Ill, Persons with HIV/AIDS, Victims of domestic violence, Persons with Alcohol or other addictions	Quality of Life Provide Services
Rental Acquisition and Rehabilitation; New Rental Construction	Low	Extremely low-income, Elderly, Families, Chronic Homeless, Disabled persons, Persons with HIV/AIDS	Affordable Housing Homeless Prevention And Housing Neighborhood Revitalization Lead based Paint abatement
Economic Development, including job training	Low	Extremely low, very low, and low-income, Youth	Increase employment opportunities Strengthen local economy Develop new businesses
Public Facilities	Low	Extremely low, very low, and low-income, Elderly, Youth	Neighborhood Revitalization Improve Quality of Life Means to provide services
Fair Housing	Low	All residents	Fair Housing

2015 ANNUAL ACTION PLAN (AAP) - GOALS AND OUTCOMES

The ConPlan identified two goals for the City was to meet with its 2015 AAP–(1) Infrastructure improvements and (2) Owner Housing Rehabilitation, Emergency Repairs, and Rental Assistance. HUD requested that the City again limit projects to infrastructure project due to the learning complexity of the HUD system.

GOALS SUMMARY INFORMATION (as identified in ConPlan)								
Sort Order	Goal Name	Start Year	End Year	Category	Geo-graphic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Infrastructure Improvements	2014	2019	Public Improvements, ADA Improvements, and Infrastructure	Low/Mod Areas	Improve Quality of Life	CDBG	Number of Street/Sidewalk Improvements, Accessibility Improvements
2	Owner Housing Rehabilitation, Emergency Repairs, Rental Assistance	2015	2019	Housing Rehabilitation, Rental Assistance, Homeownership	Low/Mod Areas	Affordable Housing, Homeless Prevention	CDBG	Number of Households Assisted
3	Provision of Needed Services Primarily for Youth and Elderly	2016	2019	Community Services Special Needs Homeless Services	Low/Mod Areas	Improve Quality of Life	CDBG	Number of Persons Served

The City's CDBG Consultant wrote the initial AAP and met all requirements for public outreach.

The 2015 AAP fulfills goal 1: Infrastructure Improvements. The Infrastructure Improvements are (1) curb, gutter, and sidewalk (accessibility) along the north side of Taylor Dr. from N. Garden Ave. to N. Carmichael, (2) correcting the access (not ADA accessible) into Soldier Creek Park which connects to Taylor Dr., and installing five solar lights in various locations. All construction will be in West Sierra Vista in low- to moderate-income neighborhoods.

This map is for the location of the sidewalk and pathway changes.



These two maps identify the general location of the new streetlights.



There was a fourth project identified that was to construct a pathway from Buffalo Soldier Multi-Use Pathway into Tompkins Park. Unfortunately, additional research into streetlight cost has proved they are a higher cost than was budgeted and the fact that Tompkins Park is in a more affluent neighborhood and even though the project was ADA, the City decided to cut this project to ensure funding is available for the streetlights.

The City's Department of Engineering scheduled the construction for the remaining projects to begin in January 2017.

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2014 FUNDS RECEIVED AND EXPENDED

In 2015, the City received \$216,244 in CDBG funding. HUD allows 20 percent of the funding, or \$43,248, for Grant Administration use. The remaining funding, \$172,996, was spent on the construction.

2014 CDBG FUNDING		
Total 2014 Funding	Construction Budget	Administration Budget
\$216,244	\$172,996	\$43,248

Due to a delay in HUD processing access to the software program required for the Environmental Review Process (ERR), the ERR has not been approved, as of this date. Until the City receives ERR approval, funding will not be released and the City has not charged any expenses to the Gran.

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MEETING NATIONAL AND LOCAL GOALS AND OBJECTIVES

HUD has three National Objectives

- ***Low Mod Area Benefit (LMI).*** *The area benefit category is the most commonly used national objective for activities that benefit a residential neighborhood. An area benefit activity is one that benefits all residents in a particular area, where at least 51 percent of the residents are LMI persons. Also included in the LMI category are Low Mod Limited Clientele (LMC). Activities in LMC provide benefits to a specific group of persons rather than everyone in an area. Examples of LMC include abused children, battered spouses, elderly persons, severely disabled adults, homeless persons, illiterate adults, persons living with AIDS, and migrant farm workers.*
- ***Slum Blight Area Basis (SBA).*** *This category covers activities that aid in the prevention or elimination of slums or blight in a designated area. Examples of activities that qualify when they are located within the slum or blighted area include rehabilitation of substandard housing located in a designated blighted area when the housing is brought to standard condition, infrastructure improvements in a deteriorated area, and economic development assistance in the form of a low-interest loan to a business as an inducement to locate a branch store in a redeveloping blighted area.*
- ***Urgent Need.*** *Use of the urgent need national objective category is rare. It is designed only for activities that alleviate emergency conditions.*

HUD Definition of Severely Disabled

Persons are considered severely disabled if they:

- If they use a wheelchair or another special aid for 6 months or longer;
- Are unable to perform one or more functional activities (seeing, hearing, having one's speech understood, lifting and carrying, walking up a flight of stairs and walking);
- Need assistance with activities of daily living (getting around inside the home, getting in or out of bed or a chair, bathing, dressing, eating and toileting) or instrumental activities of daily living (going outside the home, keeping track of money or bills, preparing meals, doing light housework, and using the telephone);
- Are prevented from working at a job or doing housework;
- Have a selected condition including autism, cerebral palsy, Alzheimer's disease, senility or dementia or mental retardation ;
- Are under 65 years of age and are covered by Medicare or receive Supplemental Security Income (SSI).

The 2015 CDBG project meets HUD goal number 1, Low- to Moderate-Area Benefit.

The AAP estimates the curb, gutter, and sidewalk and streetlights will benefit 1,000 of the area residents. Seventy percent of the 2015 is a benefit to low- to moderate-income neighborhoods and 30 percent as a citywide benefit (the ADA portion).

The pathway into Soldier Creek Park will benefit Limited Clientele (elderly and disabled). Therefore, this section of the ConPlan is being included in this 2015 CAPER.

Section NA-45, Non-Homeless Special Needs Assessment, under Disabled Persons states, *in 2012 the City had a disability ratio of 14.2 percent of population, or 5,774 persons. The 14.2 percent is above the national average of 12 percent. As for the physically disabled, the number of persons ages 18-64 with disabilities was 2,767 or 11.9 percent of the population. The number of disabled persons ages 65+ is 2,657 or 39.8 percent of that age group. The population of citizens between the ages of 60-85 yrs + is 9,394, or 20.9 percent of the City's total population (46,365) which is 2 percent higher than the US National Average.*

By using the above numbers, and realizing that some of the categories overlap, a fair estimate of 10,000 people can fall into the disability and elderly categories. All changes made to Soldier Creek Park are available to 100 percent of the persons with disabilities and or the elderly.

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RACIAL AND ETHNIC COMPOSITION IN SIERRA VISTA		
	Estimates	Percent
White	33,755	74.4
Black or African American	3,378	7.4
American Indian and Alaska Native	653	1.4
Asian	1,671	3.7
Native Hawaiian & Other Pacific Islander	178	0.4
Some Other Race	2,118	4.7
Two or more races	3,612	8.0
Total	45,365	100.0
Hispanic or Latino	9,997	22.0
Not Hispanic or Latino	35,368	78.0
*2010-2014 ACS 5-Year Estimates		

Extrapolating data from several different Census tables, the Soldier Creek Park project has the following race and ethnic population calculations.

SIERRA VISTA 'S PERCENTAGE OF RACE AND ETHNIC POPULATIONS IN SENIOR POPULATIONS											
	Pop of Senior Residents in Sierra Vista	% of City's Pop	White Pop - 74.4%	Black or African American - 7.4%	American Indian & Alaska Native - 1.4%	Asian - 3.7%	Native Hawaiian & Other Pacific Islander - .4%	Some Other Race - 4.7%	Two or more races - 8.0%	Hispanic or Latino - 22.0%	Not Hispanic or Latino - 78%
Ages 55-59	1,163	2.56%	865.3	86.1	16.3	43.0	4.7	54.7	93.0	255.9	907.1
Ages 60-61	451	0.99%	335.5	33.4	6.3	16.7	1.8	21.2	36.1	99.2	351.8
Ages 62-64	678	1.49%	504.4	50.2	9.5	25.1	2.7	31.9	54.2	149.2	528.8
Ages 65-66	415	0.91%	308.8	30.7	5.8	15.4	1.7	19.5	33.2	91.3	323.7
Ages 67-69	656	1.45%	488.1	48.5	9.2	24.3	2.6	30.8	52.5	144.3	511.7
Ages 70-74	829	1.83%	616.8	61.3	11.6	30.7	3.3	39.0	66.3	182.4	646.6
Ages 75-79	605	1.33%	450.1	44.8	8.5	22.4	2.4	28.4	48.4	133.1	471.9
Ages 80-84	477	1.05%	354.9	35.3	6.7	17.6	1.9	22.4	38.2	104.9	372.1
Ages 85+	417	0.92%	310.2	30.9	5.8	15.4	1.7	19.6	33.4	91.7	325.3
Total of	5,691	12.54%	4,234.1	421.1	79.7	210.6	22.8	267.5	455.3	1,252.0	4,439.0

ESTIMATED NUMBER OF DISABILITIES BASED ON NATIONAL AVERAGE BY RACE AND THE SIERRA VISTA POPULATION

	National Average			Adapted for Sierra Vista		
	White Alone, Not Hispanic	Black Alone, Not Hispanic	Hispanic or Latino	White Alone, Not Hispanic	Black Alone, Not Hispanic	Hispanic or Latino
Disability	22.1	24.3	15.8	7,459.9	820.9	1,579.5

*Universal Age-Adjusted and unadjusted Specific Measure of Disability by Race and Hispanic Origin: 2010

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The City received \$206,330 for its first entitlement CDBG funding and \$216,244 for the 2015 CDBG. When developing the ConPlan, the City estimated it would continue receiving annual funding at approximately \$200,000 or \$1,000,000 during the five years of the ConPlan.

The Anticipated Resources chart below does not have amounts for CDBG housing or Public Services because the City did not have any history on which to base the estimates.

ANTICIPATED RESOURCES FROM 2015 AAP AND PROJECTED EXPENSES								
Program	Source of funds	Uses of Funds	Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$	2015 CDBG Final Totals	Expected Amount Available Remainder of ConPlan \$
CDBG Program Administration	Federal	Administration	\$43,248	\$0	\$0	\$43,248	\$43,248	\$121,816
CDBG Public Improvements, Infrastructure	Federal	Public Improvements, Infrastructure	\$172,996	\$0	\$0	\$172,996	\$172,996	\$487,260
CDBG Housing	Federal	Housing Rehabilitation, Rental Assistance, Homeownership	TBD	\$0	\$0	TBD	\$0	TBD
CDBG Public Services	Federal	Community, services, Special Needs Homeless Services	TBD	\$0	\$0	TBD	\$0	TBD

The 2015 AAP benefits low- to moderate-income persons both low- to moderate- income neighborhoods and in the Limited Clientele category. The ConPlan discussed the *primary objective* of the non-housing community development is providing *suitable living environments and provisions of services for low- and moderate-income persons*, and as such, the project is considered a citywide benefit.

Leveraging funding:

The City does not use grant funding for its Fair Housing program. The City furthers fair housing by offering educational seminars, ensuring literature is available to the public, televises the SVCC Resolution vote on an annual basis, and publically, again televised, read a proclamation declaring April as Fair Housing Month. In 2015, the Executive Director of the Southwest Fair Housing Council received the Proclamation and made a short, informational speech regarding Fair Housing.

The City also uses its own professional staff for the design, administration, construction oversight, etc. While the City charges some of these associated costs to the Grant, it still pays a

majority of employee salary hours through general fund dollars. The City's goal is to ensure the majority of the funds go to the projects

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Year two in the ConPlan allows for housing considerations. However, the AAP does not have goals for affordable housing that is agreeable with HUD who recommended that the City only do infrastructure projects. Therefore, the City is meeting its Year Two Affordable Housing Goal.

HOUSEHOLDS ASSISTED		
	Two-Year Goal	Actual
Number of <i>homeless</i> households to be provided affordable housing units	0	0
Number of <i>non-homeless</i> households to be provided affordable housing units	0	0
Number of <i>special-needs</i> households to be provided affordable housing units	0	0
Total	0	0
Number of households support through <i>rental assistance</i>		
Number of households supported through the production of <i>new units</i>	0	0
Number of households supported through <i>rehab of existing units</i>	0	0
Number of households supported through <i>acquisition of existing units</i>	0	0
Total	0	0

The last Housing Assessment and Strategic Plan (2008) (The Drachman Institute and Arizona Department of Housing) listed six recommendations for Affordable Housing.

Based on the information collected and the findings derived from the data, the following set of recommendations for improving the availability, quality, and access to affordable and attainable housing in Sierra Vista is provided:

- *Reinvest in, and rehabilitate, existing poor condition housing stock*
- *Facilitate additions and expansions to existing housing stock in identified target areas to support reinvestment improvement goals*
- *Encourage the development of a vibrant West End with pedestrian-oriented shopping integrated with workplaces and affordable residential uses*
- *Enhance the physical context of older, deteriorated neighborhoods with streetscape improvements to maintain health, safety, and welfare standards*
- *Seek USDA funding in conjunction with Cochise County Housing Authority for the unincorporated county enclaves*
- *Annex county enclaves*
- *Encourage the creation of neighborhood organization "*

During 2015/2016, this reporting year, the City annexed the Sulger Subdivision, one of two target areas identified in the Plan. This is the neighborhood that several years ago the City

secured a grant to construct sewers in both the City and the County sections of the neighborhood.

This year the Carmichael Neighborhood Association formed in the northwest part of the City. The City is an active participant and supports the Association.

Goal No. 2 in the Goals and Strategies of the Housing Assessment states: Increase Affordable Housing Stock.

1. Create an overlay zone allowing mixed-use development
2. Give meaningful incentives for infill development and redevelopment
3. Utilize available sources of funding in the development of additional affordable housing

While, again, this is several years old, the City adopted an Infill incentive Policy. The Policy offers advantages, for example 50 percent of the Processing Review Fees, expedited permitting, and relief from Code issues not identified.

DRAFT

HOMELESSNESS AND OTHER SPECIAL NEEDS - CR-25 - 91.220(d), 91.32(d,e), 91.520(c)

(The following information is requested by HUD)

- *Reaching out to persons experiencing homelessness (especially unsheltered persons) and assessing their individual needs.*

HUD created the requirement for entities to have Continuum of Care Programs (CoC). The purpose and *design of the CoC is to assist all individuals, including unaccompanied youth and families, experiencing homelessness and to provide the services needed to help such individuals move into transitional and permanent housing with the goal of long-term stability.*

There was an active Cochise County CoC several years ago, but disbanded when ADOH began conducting regional quarterly meetings around the balance of state counties. Many participants and nonparticipants of the regional meetings, acknowledged that there was a lack of cohesiveness between agencies, particularly with the change in Regional Behavior Health Authority in the County, and asked that the Cochise County CoC be reestablished. The City has been instrumental in reconvening the local CoC.

GNA provides a number of services to assist the homeless.

- Guest Coaches, who work with guests to identify what they require to transition out of homelessness, provides referrals for services, physical and mental healthcare, education, and employment.
 - PATH (Projects for Assistance in Transition from Homelessness) funded by SAMHSA (Substance Abuse and Mental Health Services Administration). The PATH team identifies chronically homeless individuals and helps them engage in mental healthcare with the goal of stabilizing them and get them into housing.
 - Emergency Solutions Grant (ESG) provides financial assistance, case managing to get people re-housed and prevent homelessness in sustainable housing (HUD and Department of Economic Security (DES) program).
 - Arizona Department of Veterans Funding to assist veterans with re-housing and homeless prevention.
- *Addressing the emergency shelter and transitional housing needs of persons experiencing homelessness.*

The City has used several State CDBG funding cycles in assisting the Good Neighbor Alliance (GNA), the local Emergency Shelter. Funding provided to GNA includes (1) purchasing a modular building to be used as a services annex to free up space for additional beds in the shelter building, the Samaritan Station, (2) funded a volunteer coordinator for one-year, and (3) site improvements of the campus including wrought

iron fencing, new parking lot, and landscaping. GNA did not ask for funding during the 2014 AAP public process.

- *Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after being discharged from public funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or provide agencies that address housing, health, social services, employment, education, or youth needs.*

As was earlier stated there was an active Cochise County CoC several years ago but disbanded when ADOH began conducting regional quarterly meetings around the balance of state counties. Many participants and nonparticipants of the regional meetings, acknowledged that there was a lack of cohesiveness between agencies, particularly with the change in Regional Behavior Health Authority (RBHA) in the County, and requested the reestablishment of a Cochise County CoC. The City has been instrumental in reconvening the local CoC. Many of the regular agencies that participate in the CoC work directly in assisting individuals who fall into special needs and at risk categories. Many positives changes have occurred during the 2016, including a second City Police Officer has begun participating in the CoC monthly meetings and the Cochise County Sheriff has agreed to have the Jail Commander come to the monthly CofC meetings. Having law enforcement participate in the meetings is new for the Cochise County CoC.

Due to funding reductions for the ESG program, DES made a hard decision to eliminate funding to any Cochise County agencies. During the past year, GNA worked on a proposal to present for private funding for rental assistance.

- *Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experiencing homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals families who were recently homeless from becoming homeless again.*

Again, the City is instrumental in reconvening the Cochise County CoC. Since the City does not have a Housing Authority, Public Housing, owns or runs any social service agencies or housing agencies, or because of federal law, is allowed to financially support the agencies with general fund monies, it is limited to providing administrative

support, acting as a clearinghouse for information, and providing grant funding it receives.

The City has sponsored a full-day mini-summit with the Arizona Coalition for Military Families. The mini-summit had 50 attendees most of whom are service providers in the mental health industry and military-based organizations (Sierra Vista is home to Fort Huachuca, a United State Military Institution). The Arizona Coalition provides training for navigator training to help at risk individuals navigate through the systems.

Lori's Place, a family advocacy center funded primarily through private funding, opened in a County enclave section of the City. Additionally, Catholic Community Services operates the domestic violence shelter in Sierra Vista. The County's only youth-oriented shelter closed several years ago because of funding cuts; however, through the generosity of a local business-owner is reopening in late 2016.

The Wellness Connection, Southeastern Arizona Behavior Health Systems (SEABHS), and Cenpatico, the local RBHA, have housing or housing funds available to their clients. There must be a Serious Mental Illness (SMI) diagnosis to be eligible.

P.R.A.I.S.E. Ministries is active in Cochise County and in 2016 they opened homes for women and men in the area.

DRAFT

OTHER ACTIONS -

CR-35 - 91.220(j), 91.320(i, j)

(The following information is requested by HUD)

- *Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment.*

The City does not have policies or codes that serve as barriers to affordable housing. It uses the 2015 ICC building codes, which are more restrictive in certain areas, but does not discriminate. Zoning codes do not restrict affordable housing and there is ample vacant multi-family zoning within the City limits. In addition, the City has a low property tax rate, charging only \$.1146 per \$100 of assessed value.

The City waives Processing Review Fees for bona fide affordable housing programs as is stated in the Processing Review Fee Schedule, "*All bona fide affordable housing projects, monitored by the government for a minimum of 15 years, will receive a 50 percent reduction in applicable Processing Review Fees.*" The City has historically waived 100 percent of the fees. The City cannot waive the Development (Impact) Fees by law is able to delay payment of fees until a later date.

The City has not enacted growth limitations; however, a pending private lawsuit against the Arizona Department of Water Resources and their ability to approve water resources for developments has curtailed residential construction in the City, including an infill project.

- *Actions taken to address obstacles to meeting underserved needs.*

According to the ConPlan, the prime impediment to affordable housing revolves around the lack of federal and state resources for affordable housing initiatives. The lack of programs and resources to reduce excessive rent or mortgage burdens to qualified persons is a key factor. The City actively works with developers who desire to build LIHTC projects in the City but the financial resources available through ADOH has diminished in the past few years.

There are new programs available in Arizona such as the Pathway to Purchase Down Payment Assistance Program, HUD Good Neighbor Next Door Sales Program, Housing Choice Voucher Homeownership Program, and the Home Plus Home Loan Program. The City does not discourage any of these programs; however because these type of

programs are administered through lending agency or public housing or a housing authority, the City has little control.

The City continues to have lists available for low-income (LIHTC and project-based section 8) apartment complexes. Additionally, the City refers to Habitat for Humanity and Real Wishes for more emergency and immediate needs.

The HOME Investment Partnerships Program (HOME) provides formula grants to States and localities that communities use - often in partnership with local nonprofit groups - to fund a wide range of activities including building, buying, and/or rehabilitating affordable housing for rent or homeownership or providing direct rental assistance to low-income people. HOME is the largest Federal block grant to state and local governments designed exclusively to create affordable housing for low-income households. The City can submit a competitive application to ADOH HOME grants as it did when it received \$300,000 HOME grant in 2012; the City rehabilitated six homes. The City is not entitled to HOME grants through HUD.

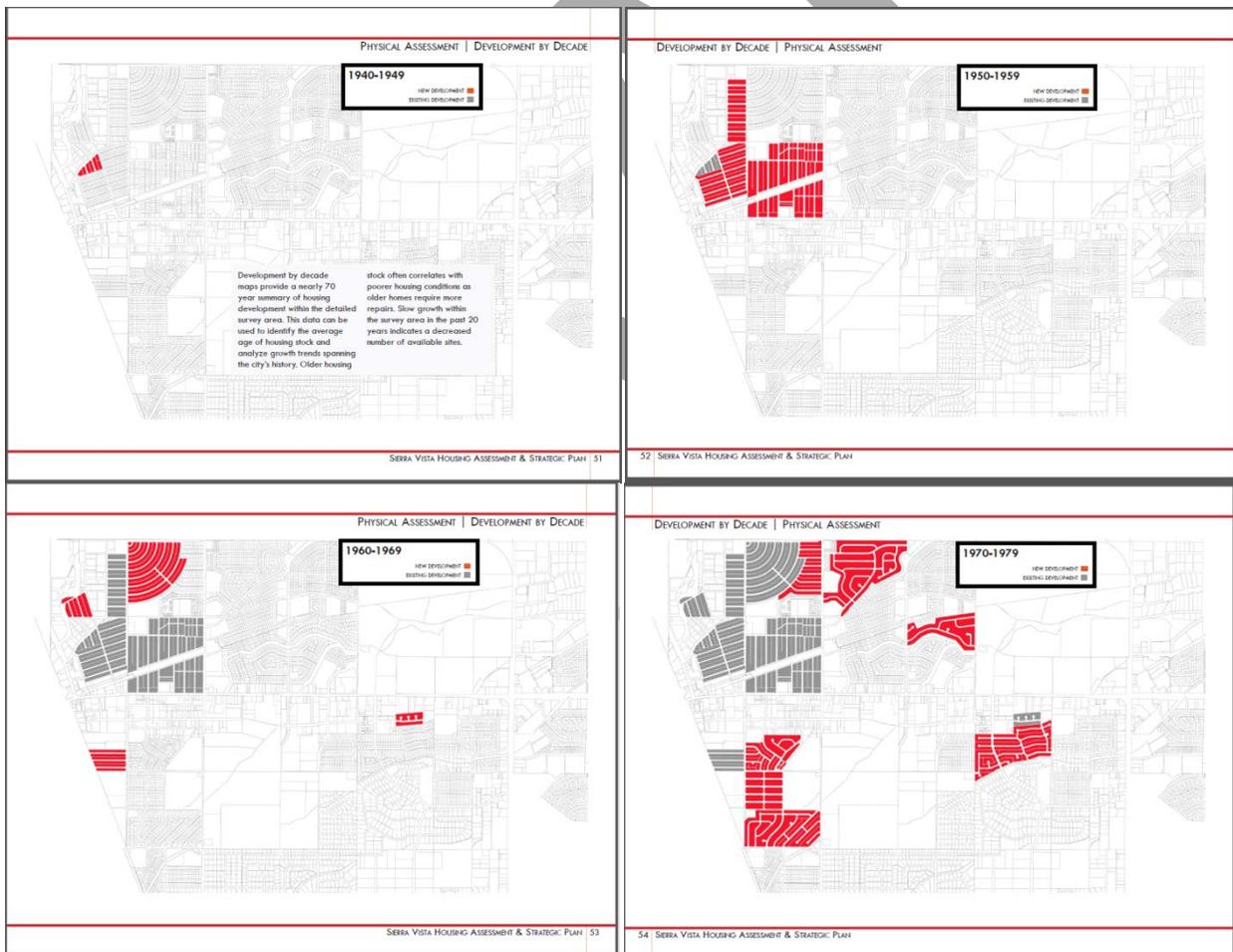
- *Actions taken to reduce lead-based paint hazards.*

HUD rules regarding lead-based paint hazards apply to all housing units assisted with CDBG funds, including single and multi-family units, whether publicly or privately owned. The requirements differ, however, depending on the activity - rehabilitation or acquisition.

PROPERTY EXCEPTIONS TO LEAD-BASED PAINT RULES
Properties built after January 1, 1978
Emergency work that is done to save the occupants or property from imminent danger (subsequent work is covered)
Existence of lead-based paint is unlikely - lead-based paint banned earlier than 1978 in the state, property already tested or treated
Human threat unlikely - unoccupied units to be demolished, not used as residence, rehab will not disturb paint
Child occupancy unlikely - zero bedroom units, elderly-only or special, single housing (except this exemption shall not apply if a child less than age 6 resides or is expected to reside in the dwelling unit)
Lead-based point requirements under CDBG and HOME

The Housing Authority of Cochise County (HACC) received a HUD grant strictly for the abatement of lead-based paint. HACC advertised in the City and abated all structures that applied and met the grant requirements. However, it is unknown how many homes could still qualify. Here are the statistics for the housing structures in Sierra Vista.

HOUSING STRUCTURES - YEAR BUILT	
Years Built	No. Units
Built 1939 or earlier	121
Built 1940 to 1949	90
Built 1950 to 1959	732
Built 1960 to 1969	1,288
Built 1970 to 1979	4,069
Built 1980 to 1989	4,591
Built 1990 to 1999	3,441
Built 2000 to 2009	4,982
Built 2010 or later	442
Total housing units	19,756
Total housing stock built prior to 1978	6,300
% of eligible housing stock	31.9
2010-2014 American Community Survey 5-Year Estimates	



In reviewing the 2010-2014 American Community Survey 5-Year Estimates, Selected Housing Characteristics, there are 953 households that moved into their units prior to 1979.

When the City had a HOME Grant from ADOH, the contractor tested all six homes, even though the unit occupants were in the exempt status, and there was no lead-based paint to abate.

- *Actions taken to reduce the number of poverty-level families.*

The local organizations in Sierra Vista addressing economic development include the City's Office of Economic Development, Arizona Regional Economic Development Foundation, Sierra Vista Industrial Development Authority, Sierra Vista Area Chamber of Commerce, Sierra Vista Metropolitan Planning Organization, Cochise College Center for Economic Research, Cochise College Small Business Development Center, SouthEastern Arizona Governments Organization, Arizona@Work, and Southeast Arizona Hospitality Association.

The City is closely monitoring the Vista Transit System because when the City became an MPO, funding sources for the small bus system changed. The City continues to subsidize the Transit System with general funding and prioritizes routes and times to be most beneficial for ridership. The City is aware that public transportation is a necessity for a number of low-income persons.

- *Actions taken to develop institutional structure.*

The City, along with the local homeless shelter, has reestablished the Cochise County CofC. The City for the past several years has participated in the Balance of State CofC that meets on a quarterly basis. However, the City and several of the not-for- and non-profit agencies saw a lack of coordination between agencies. All agencies, whether for homeless or not, have been invited to attend. The Cochise County CoC is actively working on the Gaps Analysis.

Prior to every AAP, the City extends an open invitation to all residents of Sierra Vista, social service agencies, educational institutions, governmental offices, etc., to conduct a *state of the City* type of public outreach meetings. The information gleaned from the meetings assist SVCC in assessing funding requests and choosing the projects.

- *Actions taken to enhance coordination between public and private housing and social service agencies.*

The City, along with the local homeless shelter has reestablished a local CoC. Since ADOH started the Balance of State CofC, the City has been an active participant.

- *Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice.*

The consultant hired to write the ConPlan, also wrote the Analysis of Impediments (AI) from interviews and comments at the public meetings he received. The consultant found no impediments to Fair Housing in the City.

Fair Housing Month is celebrated in the City with the SVCC passing an annual Resolution supporting Fair Housing and the proclaiming April as Fair Housing Month. The City televises all SVCC meetings. At that April 14, 2016, Council Meeting, the Southwest Fair Housing Council's Executive Director accepted the Proclamation and made a short speech regarding the Housing Council, education, and prevention. One City staff member is on the governing board for the Southwest Fair Housing.

The City has a kiosk in the City Hall's lobby stocked with literature, in English and Spanish, regarding Fair Housing.

Between July 2015 and June 2016, the City did not receive any Fair Housing complaints. If the City does receive a complaint, it refers the complainants directly to Southwest Fair Housing for investigation.

The City is still developing its monitoring standards and procedures. However, the City views its monitoring responsibilities as an ongoing process, involving continuing communication, evaluation, and follow-up. Since the overriding goal of monitoring is to identify deficiencies and promote corrections in order to improve and reinforce performance, the City will continue to hold meetings with stakeholders and gather information for bettering the program. It is also essential that the City assist smaller agencies (and businesses) to ensure that they have the capacity to be a sub-recipient or a contractor/subcontractor for projects.

The City will follow up monitoring activities and policies and procedures as outlined in the ConPlan, CPP, and P&P. The City has historically held more public meetings than required and will continue, if not expand, the trend.

The City documents any activities it undertakes in fulfilling the CDBG funding requirements.

- *Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.*

The SVCC adopted the CPP in June 2014.

CDBG Public Notice Summary

Type of Document	Public Hearing	Hearing Notice	Public Comment Period	Notices in Public Areas
Consolidated Plan and/or Annual Action Plan	1-2	Run a display notice in newspapers at least 14 calendar days prior to <u>each</u> hearing or at the beginning of the public comment whichever is first	30-day public comment period ending upon SVCC approval of the item	Post notice listing all meetings/hearings for the planning/adoption phase with enough detail for the public to recognize the purposes of the meetings, draft document locations, and dates for comment periods
Substantial Amendments to Consolidated Plan and/or Annual Action Plan	2 (Spring & Fall depending on the need)	Run a display notice in newspapers at least 14 calendar days prior to <u>each</u> hearing or at the beginning of the public comment whichever is first	30-day public comment period ending upon SVCC approval of the item	Post notice describing amendment items and location of drafts for public review & comment
Annual Performance Report/CAPER	1	Run a display notice in newspapers at least 14 calendar days prior to the hearing or at the beginning of the public comment whichever is first	15-day public comment period ending upon SVCC approval of the item	Post notice identifying purpose of hearing, comment period, and location of drafts for public review and comment
<ul style="list-style-type: none"> ▶ Display ads will be run in the adjudicated newspaper and/or in other key publications in the affected areas. ▶ Documents and drafts for public comment will be available on the Community Development Website, which will also provide updates to the process and links to other information. 				

A copy of the CPP can be found of the City's Website.

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

The City has not changed the program objectives.

DRAFT

September 22, 2016

MEMORANDUM TO: Honorable Mayor and City Council

THRU: Charles P. Potucek, City Manager
Mary Jacobs, Assistant City Manager
Matt McLachlan, AICP, Director, Department of Community Development

FROM: Jeff Pregler, AICP
Senior Planner

SUBJECT: REQUEST FOR AGENDA ITEM PLACEMENT FOR
MODIFICATION AGREEMENT AND ESTOPPEL CERTIFICATE
RELATED TO CORONADO COMMONS DEVELOPMENT AGREEMENT
RESOLUTION 2016-078

RECOMMENDATIONS:

The City Manager recommends approval.
The Assistant City Manager recommends approval.
The Director of Community Development recommends approval

INITIATED BY:

GDC Townhomes, LLC

BACKGROUND:

The owners of the Coronado Commons subdivision, also known as Galeria De Coronado, are in the process of refinancing their existing loan with a Housing and Urban Development (HUD) loan through KeyBank. The subdivision currently provides high density rental housing.

During the review and construction of the property, a Development Agreement was approved along with two subsequent amendments. These documents contained specific property development standards applicable to the subdivision. All conditions of the Agreement have been completed. As you recall, Development Agreement conditions run with the property in perpetuity unless a reversionary clause or revocation date is established. In the case of the Coronado Commons Agreement, no such requirements were included. Since the conditions require the subdivision or any future development to comply with the specific development standards, the Agreement and amendments cannot be terminated. The combined applicable conditions are as follows:

- The developer agrees to construct only single-story homes on lots 27, 28, 29, 30, 31, and 32.
- The developer agrees to provide a heavily vegetated streetscape in the common area along Coronado Drive.
- The developer agrees to offset the homes in the subdivision.

- The City agrees to reduce the frontyard building setbacks for each lot to a minimum of 10 feet and to reduce the zoning buffer to 10 feet.
- The City agrees to eliminate the sidewalk requirement on the local interior street adjacent to the detention basin. The developer agrees to provide additional pedestrian connections from the interior streets of the subdivision to the Coronado Drive sidewalk.
- Subject to approval by the City Engineer, drainage on the property can include a cross-lot drainage system consisting of private drainage easements across each lot which shall be maintained by the homeowners association.

HUD, as the new financier of the subdivision, has indicated to the owner that they will not assume the indemnity obligations and conditions as stated in the Development Agreement and amendments. Therefore, in order to proceed with the financing, the owner has provided a Modification Agreement stating that HUD will not be responsible for the conditions stated in the Agreement. Further, they have asked the City to sign an Estoppel Certificate verifying that the subdivision is consistent with the Development Agreement conditions. Again, as stated previously, all conditions have been met.

The attached letter from the Owner helps to explain HUD's request for not accepting the obligations and why the documents are necessary.

BUDGET APPROPRIATION:

Not applicable.

Attachments-
Modification Agreement
Estoppel Certificate
Exhibit A
Letter from Owner

RESOLUTION 2016-078

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; REAFFIRMING SETTLED POLICY GRANTING APPROVAL OF A MODIFICATION AGREEMENT AND ESTOPPEL CERTIFICATE RELATED TO THE CORONADO DEVELOPMENT LLC DEVELOPMENT AGREEMENT AND AMENDMENTS; AND AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY OR THEIR DULY AUTHORIZED OFFICERS AND AGENTS TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

WHEREAS, pursuant to various policies and laws of the City of Sierra Vista an agreement was negotiated which assured the mutual benefit of the Owners and the City of Sierra Vista; and

WHEREAS, conditions have been placed on the property from a development agreement approved on July 26th, 2007, and as amended on June 24th, 2010 and July 14th, 2011; and,

WHEREAS, the Owners of the development are pursuing the refinancing of the property through the Housing and Urban Development (HUD); and,

WHEREAS, HUD does not want to assume any of the indemnity obligations as stated in the Agreement and the amendments; and,

WHEREAS, HUD wants to ensure that the development is consistent with the obligations of the Agreement and the amendments;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA AS FOLLOWS:

SECTION 1

The City Council of the City of Sierra Vista relating to Development Agreements, be, and hereby is affirmed.

SECTION 2

The Modification Agreement and Estoppel Certificate related to the Coronado Development LLC Development Agreement and amendments be, and hereby is, approved.

SECTION 3

That the City Manager, City Clerk, City Attorney or their duly authorized officers and agents are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this resolution.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 22ND DAY OF SEPTEMBER 2016.

FREDERICK W. MUELLER
Mayor

ATTEST:

JILL ADAMS
City Clerk

APPROVED AS TO FORM:

NATHAN J. WILLIAMS
City Attorney

PREPARED BY:
Jeff Pregler
Senior Planner

THIS INSTRUMENT WAS DRAFTED BY:

MODIFICATION AGREEMENT

THIS MODIFICATION AGREEMENT ("**Agreement**") is made this 22nd day of September, 2016, by and between THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA ("**City**") and GDC TOWNHOMES, LLC, an Arizona limited liability company ("**Owner**").

A. Owner is the fee owner of certain real property located in Cochise County, Arizona and legally described on Exhibit A attached hereto ("**the Property**").

B. The Property is subject to that certain Development Agreement dated July 26, 2007 by and between Coronado Development L.L.C., the developer of the Property ("**Developer**"), and the City, recorded on August 9, 2007 as Document No. 070826240, as amended by Amendment A, dated June 24, 2010, and recorded July 9, 2010 as Document No. 2010-15771 and Amendment B, dated July 14, 2011, and recorded July 26, 2011 as Document No. 2011-16040 (the "**Development Agreement**").

C. Owner is the successor to Developer and is subject to the terms and provisions of the Development Agreement.

D. City and Owner desire to memorialize certain amendments to the Development Agreement as set forth herein.

NOW, THEREFORE, in consideration of the above Recitals and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, City and

Owner hereby declare as follows:

1. Provision 3 in Part II of the Development Agreement is hereby modified by adding the following sentence at the end thereof: "Notwithstanding anything in this Agreement to the contrary, any obligation of the Owner to indemnify, protect, defend, and hold harmless the City, its Council members, officers, employees and agents shall not apply to the United States Department of Housing and Urban Development ("HUD") in the event HUD should come into possession or ownership of any real property subject to this Agreement.

2. Provision 6 of Part II is hereby modified by adding the following sentence at the end thereof: "Notwithstanding anything in this Agreement to the contrary, any obligation of the Owner to pay the expenses, costs, and fees of the City in the event City would be otherwise entitled to under this Provision 6 shall not apply to HUD in the event HUD should come into possession or ownership of any real property subject to this Agreement.

[Signature Pages To Follow]

THE CITY OF SIERRA VISTA

By: _____

Name: _____

Title: _____

STATE OF _____

COUNTY OF _____

This instrument was acknowledged before me this ____ day of _____, 2016, by
_____, the _____ of THE CITY OF SIERRA VISTA.

Notary Public

Printed Name: _____

My Commission Expires:

GDC TOWNHOMES, LLC, an Arizona limited liability company

By: GALERIA DE CORONADO MANAGEMENT, LLC, an Arizona limited liability company

By: CSM Management, LLC, an Arizona limited liability company, its Manager

By: [Signature]
Name: Marcel Dabdoub
Its: Authorized Member

STATE OF ARIZONA

COUNTY OF PIMA

This instrument was acknowledged before me this 8th day of September, 2016, by Marcel Dabdoub, the Authorized Member of CSM Management, LLC, an Arizona limited liability company, the Manager of Galeria De Coronado Management, LLC, an Arizona limited liability company, the Manager of GDC Townhomes, LLC, an Arizona limited liability company, on behalf of the company.

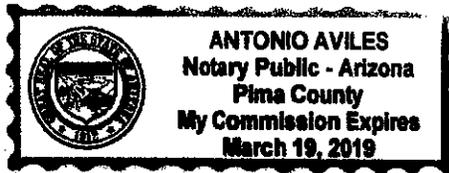
[Signature]

Notary Public

Printed Name: Antonio Aviles

My Commission Expires:

March 19, 2019



ESTOPPEL CERTIFICATE

THIS ESTOPPEL CERTIFICATE ("**Certificate**") is made by THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA ("**City**") to KEYBANK NATIONAL ASSOCIATION, a national banking association ("**Lender**"), and the United States Department of Housing and Urban Development ("**HUD**") with respect to the property located in the County of Cochise, State of Arizona and more particularly described in Exhibit A attached hereto (the "**Property**").

1. The undersigned hereby attests, affirms and certifies that:

(a) The Property is subject to that certain Development Agreement dated July 26, 2007 by and between Coronado Development L.L.C., the developer of the Property, ("**Developer**") and the City, recorded on August 9, 2007 as Document No. 070826240, as amended by Amendment A, dated June 24, 2010, and recorded July 9, 2010 as Document No. 2010-15771 and by Amendment B, dated July 14, 2011, and recorded July 26, 2011 as Document 2011-16040 (the "**Development Agreement**").

(b) To the best of the City's knowledge, the Property was developed, and continues to exist, in satisfactory compliance with the terms and provisions of the Development Agreement.

(c) To the best of the City's knowledge, there are no defaults under any of the provisions or obligations of owner set forth in the Development Agreement.

2. The City makes the statements contained in this Certificate with the understanding that Lender and HUD intend to rely upon this Certificate and the undersigned agrees that they may so rely.

[Signature Page To Follow]

THE CITY OF SIERRA VISTA

By: _____

Name: _____

Title: _____

STATE OF ARIZONA

COUNTY OF COCHISE

This instrument was acknowledged before me this ____ day of _____, 2016, by
_____, the _____ of THE CITY OF SIERRA VISTA.

Notary Public

Printed Name: _____

My Commission Expires:

September 14, 2016

Memorandum To: Honorable Mayor and City Council

Thru: Charles P. Potucek, City Manager

From: Ron York, Fire Chief

Subject: REQUEST FOR AGENDA ITEM PLACEMENT RESOLUTION
2016-079, Intergovernmental Agreement between Cochise County
Community College District and the City of Sierra Vista for a Joint
Program to train Emergency Medical Services and Fire Science
Students

Recommendation:

The City Manager recommends approval. The
City Fire Chief recommends approval.

Initiated By:

Ron York, Fire Chief

Background:

The Sierra Vista Fire & Medical Services (SVF&MS) and Cochise County Community
College District have had approved Intergovernmental Agreements for the joint program
between SVF&MS and the college to provide the highest quality training for all emergency
medical services and fire science students.

Budget Appropriation:

None

Attachment

RESOLUTION 2016-079

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; REAFFIRMING SETTLED POLICY OF ENTERING INTO AN INTERGOVERNMENTAL AGREEMENT (IGA) WHEN IN THE BEST INTEREST OF THE CITY; ENTERING INTO THIS IGA WITH COCHISE COUNTY COMMUNITY COLLEGE DISTRICT TO PROVIDE QUALITY TRAINING FOR ALL EMERGENCY MEDICAL SERVICES AND FIRE SCIENCE STUDENTS; AND AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY OR THEIR DULY AUTHORIZED OFFICERS AND AGENTS TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

WHEREAS, it is important for the Sierra Vista Fire & Medical Services and Cochise County Community College to establish a joint program to train all Emergency Medical Services and Fire Science students; and

WHEREAS, Sierra Vista Fire & Medical Services is certified and will provide the highest quality training; and

WHEREAS, it is in the best interest of the citizens to have trained Emergency Medical Services and Fire Science students.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, AS FOLLOWS:

SECTION 1

That the settled policy of the City Council, recently affirmed, combining the Fire Science and Emergency Medical Services Intergovernmental Agreements with Cochise County Community College District, be, and hereby is, reaffirmed.

SECTION 2

That the Intergovernmental Agreement between the City of Sierra Vista and Cochise County Community College District attached hereto and made a part hereof, hereby is, accepted.

SECTION 3

That the City Manager, City Clerk, City Attorney or their duly authorized officers and agents are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this Resolution.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 22ND DAY OF SEPTEMBER 2016.

FREDERICK W. MUELLER, Mayor

APPROVED AS TO FORM:

ATTEST:

NATHAN J. WILLIAMS, City Attorney

JILL ADMAS, City Clerk

PREPARED BY:

Ron York, Fire Chief

Intergovernmental Agreement between Cochise County Community College District and the City of Sierra Vista

General Provision

This agreement, hereinafter Agreement, is made by and between the City of Sierra Vista on behalf of Sierra Vista Fire and Medical Services, hereinafter referred to as "SVFMS", and Cochise County Community College District, 4190 W. Highway 80, Douglas, AZ 85607, hereinafter referred to as "COLLEGE", each a "Party" to this Agreement and together, the "Parties."

Witnesseth

The purpose of this Agreement is to establish a joint program between the SVFMS and the COLLEGE to provide the highest quality training for all Emergency Medical Services and Fire Science students.

1. The SVFMS will provide classroom areas to include restrooms and a common break area for the Fire Science program. The COLLEGE will provide classroom areas to include restrooms and a common break area for the EMT and Paramedic programs. All classroom schedules will be approved by SVFMS and COLLEGE administration.
2. The COLLEGE will supply all SVFMS personnel with bi-annual simulation laboratory testing conducted and supervised by certified COLLEGE personnel.
3. SVFMS and COLLEGE agree to collaborate for the purpose of SVFMS providing vehicular rotations for COLLEGE firefighter, driver/operator, EMT, and Paramedic students.
4. COLLEGE shall assume full responsibility for the planning of the educational programs for its students, including entrance criteria, programming, curriculum, administration, promotion, and graduation.
5. COLLEGE agrees to keep the permanent records and reports of students enrolled in the programs and to provide all clerical work incidental to the programs.
6. The initial term of this agreement shall be from July 1, 2016, to June 30, 2017, with up to three (3) additional one-year renewal options available to the Parties upon mutual written agreement.
7. College and SVFMS have concluded that it would be in their best interest to enter into this agreement, and hereby acknowledge that the mutual benefits received in carrying out this agreement constitute good and valid consideration.

8. COLLEGE will notify SVFMS in advance of its planning schedule of student assignments for vehicular rotations, including dates and number of students. This schedule must be approved by SVFMS.
9. SVFMS has posted its departmental rules and regulations, and standard operating procedures, on the SVFMS web site which is now a component of the web site for the City of Sierra Vista located at:

<http://www.sierravistaaz.gov>.

- The COLLEGE shall advise its students of these web-based documents, especially those relating to privacy and confidentiality, in sufficient time to allow the students to become familiar with them. Both the SVFMS and the COLLEGE shall take reasonable actions to ensure student compliance with such standards.
10. The COLLEGE will provide for faculty assignment for each student in the SVFMS vehicular rotation and will notify the SVFMS of these assignments. The assigned faculty member will not be at the SVFMS when the student is present, but shall be available by telephone to the SVFMS's staff and to the student.
 11. The SVFMS will make available, at no charge, the clinical area, supervision, and practical instruction for vehicular experience/training in keeping with applicable professional policies and standards.
 12. Each Party agrees to be responsible for the conduct of its operations and performance of contract obligations, and for any accidents or injuries to persons or property arising out of acts or omissions by its officers, agents, or employees acting in the course or scope of their employment while performing duties undertaken pursuant to this Agreement.
 13. The SVFMS will take any steps reasonably necessary to ensure the safety and well-being of individuals on SVFMS premises, and will promptly notify the COLLEGE instructor of any student who fails to comply with the rules and regulations of SVFMS, or whose conduct presents a risk or danger to the safety of individuals or property. The COLLEGE will remove any student from the vehicular program at the SVFMS upon a request from the SVFMS.
 14. This program is educational in nature, and neither students nor the COLLEGE instructors participating in this program shall be considered an agent or employee of the SVFMS on the basis of this Agreement. Students shall be permitted to engage in vehicular activities, as assigned by the COLLEGE instructor, subject to the consent of, and under the supervision of, SVFMS

personnel. The SVFMS shall retain responsibility for all medical care provided, as it pertains to EMT-B and Paramedic courses, to third parties; COLLEGE students participating in the clinical experience/training shall not have any independent health care responsibilities to third parties.

15. The SVFMS is not responsible for provision of any insurance for COLLEGE students. The COLLEGE shall require each student who is assigned to the SVFMS to have errors and omissions insurance covering the vehicular rotations at SVFMS. Such insurance shall be in effect prior to the student coming onto the SVFMS property for the purpose of participating in the vehicular rotations, and shall be in an amount of no less than one million dollars (\$1,000,000.00) per occurrence. Upon request, the COLLEGE agrees to furnish the SVFMS appropriate certificates of insurance.
16. The COLLEGE will advise students with respect to confidentiality of the SVFMS information and records relating to persons receiving services from the SVFMS.
17. In the event that either Party believes that the other has materially breached any of its obligations under this Agreement, such Party shall so notify the breaching Party in writing. The breaching Party shall then have ten (10) working days from the receipt of notice to cure the alleged breach and to notify the non-breaching Party in writing that cure has been effected. If the breach is not cured within the ten (10) working days, the non-breaching Party shall have the right to terminate the Agreement without further notice.

Either Party may terminate this agreement, without cause, upon sixty (60) days written notice to the other Party, provided that such termination must occur at the end of a semester, unless both Parties agree otherwise.

18. The Parties do not contemplate the purchase of any equipment under this Agreement.
19. This Agreement may be cancelled pursuant to ARS § 38-511, the pertinent provisions of which are fully incorporated herein by reference.
20. The Parties to this agreement shall comply with all applicable laws and regulations, including those pertaining to equal employment opportunity and non-discrimination, and shall not engage in any form of illegal discrimination on the basis of race, sex, color, religion, national origin, ethnicity, age, handicap or veteran status.
21. The Parties agree that should any part of this Agreement be held to be invalid or void, the remaining provisions shall continue to be valid and enforceable to the full extent permitted by law.

22. Pursuant to A.R.S. § 35-397, the Parties both certify that they do not have a scrutinized business operation in either Sudan or Iran.
23. This Agreement shall be subject to and interpreted under the laws of the State of Arizona. Any controversy or claim arising out of or relating to this Agreement, its enforcement or interpretation, or because of an alleged breach, default, or misrepresentation in connection with any of its provisions, shall be submitted to arbitration, to be held in Cochise County, Arizona, in accordance with the Uniform Arbitration Act, A.R.S. § 12-1501 et. seq. The arbitrator shall be selected by mutual agreement of the Parties; if none, then by striking from a list provided by an organization such as the American Arbitration Association. In the event either Party institutes arbitration under this Agreement, the Party prevailing in any such arbitration shall be entitled, in addition to all other relief, to reasonable attorneys' fees relating to such arbitration.
24. All notices or other correspondence between the Parties regarding this Agreement shall be mailed or delivered personally to the respective Parties at the following address:
- College: J.D. Rottweiler, President
4190 W. Highway 80
Douglas, AZ 85607
- SVFMS: Ron York, Fire Chief
675 Giulio Cesare
Sierra Vista, AZ 85635
25. The terms of this Agreement are intended only to define the respective rights and obligations of the Parties. Nothing expressed herein shall create any rights or duties in favor of any potential third party beneficiary or other person, agency or organization.
26. Pursuant to ARS § 11-952(D), an attorney for each Party must review this Agreement.
27. In accordance with ARS § 35-214, the Parties agree to retain all books, accounts, reports, and other records, and make such records available for inspection for a period of five years after completion of this Agreement.
28. Sierra Vista Fire and Medical Services will provide all instructional supplies for FST-101, -102, -103, and -104.

29. This IGA may be executed in multiple counterparts, each of which shall constitute an original and together shall constitute the IGA.

In witness whereof, the Parties hereto have executed this Agreement on this _____ day of _____, 2016.

Frederick W. Mueller
City of Sierra Vista
Mayor

Date

Ron York
Sierra Vista Fire and Medical Services
Fire Chief

Date

Nathan J. Williams
City of Sierra Vista
Attorney

Date

J.D. Rottweiler
Cochise County Community College District
President

Date

Britt Hanson
Chief Civil Deputy, Cochise County Attorney

Date

**ADDENDUM to Intergovernmental Agreement between
Cochise County Community College District (COLLEGE) and
The City of Sierra Vista on Behalf of
Sierra Vista Fire and Medical Services (SVFMS)**

Notwithstanding anything to the contrary in the Intergovernmental Agreement:

1. **NON-DISCRIMINATION:** The Parties shall comply with all applicable state and federal statutes and regulations governing Equal Employment Opportunity, Non-Discrimination, and Immigration.
2. **CONFLICT OF INTEREST:** This Agreement is subject to cancellation pursuant to the provisions of A.R.S. § 38-511 regarding Conflict of Interest.
3. **NO BOYCOTT OF ISRAEL.** In accordance with ARS § 35-393.01, SVFMS certifies that the SVFMS is currently not engaged in, and for the duration of this Agreement agrees not to engage in, a boycott of Israel.
4. **INSPECTION AND AUDIT:** The Parties agree to keep all books, accounts, reports, files and other records relating to this Agreement for five (5) years after completion of the agreement; and, in addition, agree that such books, accounts, reports, files and other records shall be subject to audit pursuant to A.R.S. § 35-214.
5. **PUBLIC RECORDS LAW:** Notwithstanding any other provision of the Agreement, the Parties understand that COLLEGE is a public entity and, as such, is subject to Arizona's public records law, A.R.S. § 39-121 et. seq.
6. **JURISDICTION AND APPLICABLE LAW:** This Agreement shall be governed by the laws of the State of Arizona. Jurisdiction and venue for any action under this Agreement shall be in Cochise County, Arizona.

Sierra Vista Fire and Medical Services

Cochise County Community College
District

Mr. Ron York
Fire Chief, SVFMS

Dr. J.D. Rottweiler
President, Cochise College

Sierra Vista City Council
Meeting Minutes
September 8, 2016

Mayor Mueller called the September 8, 2016 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:

Chuck Potucek, City Manager
Mary Jacobs, Assistant City Manager
Adam Thrasher, Police Chief
Ron York, Fire Chief
Sharon Flissar, Public Works Director
Matt McLachlan, Community Development Director
Victoria Yarbrough, Leisure and Library Services Director
Nathan Williams, City Attorney

Invocation – Council Member Huisking conducted the invocation.

Pledge of Allegiance – Mayor Pro Tem Blanchard lead the Pledge of Allegiance.

Item 1 Acceptance of the Agenda

Council Member Ash moved that the agenda for the Regular City Council Meeting of September 8, 2016, be approved. Council Member Gray seconded the motion. The motion was approved by a unanimous vote, 7/0.

City Manager's Report: Mr. Potucek made the following announcements:

- City Council Special Meeting on September 12, 2016 at 3:00 p.m., City Manager's Conference Room regarding the canvassing of the votes followed by an executive session;
- City Council Work Session on September 20, 2016 at 3:00 p.m., City Hall Council Chambers regarding normal update, University of Arizona South Update, Discussion of Mural Selection, Presentation regarding Veterans' Memorial Park, Personnel Rules and Regulations Section Review and City's new web site tour; and
- Campus Drive & Colombo Traffic Signal work is expected to begin soon. The project kickoff meeting was held on September 1st.

Mayor Mueller asked about the Coronado Drive Project. Ms. Flissar stated that the Department is working on finalizing the plans. As soon as those are available, they will be forward to Council for review before sending them out to bid. Mr. Potucek added that now is the optimal time to be constructing that project and he hopes to be able to get that out soon before winter storms.

Item 2 Consent Agenda

Item 2.1 Approval of the City Council Meeting Minutes of August 11, 2016

[Item 2.2](#) Resolution 2016-064, Special Event Liquor License for Derek McKinley on behalf of the Directorate of Family, Moral, Welfare and Recreation (DFMWR) for the Fun Festival, September 23 and 24, 2016 at Veterans' Memorial Park, 3105 E. Fry Blvd, Sierra Vista, Arizona

[Item 2.3](#) Resolution 2016-065, Fair/Festival License Application for Rhona MacMillan on behalf of Zarpara Vineyard to sell wine at the Farmers' Market on October 20, November 17 and December 15, 2016

[Item 2.4](#) Resolution 2016-074, Special Event Liquor License for Eric J. Potvin on behalf of the Sierra Vista Firefighters Charities for October 1 and 2, 2016 at Veterans' Memorial Park, 3105 E. Fry Blvd, Sierra Vista, Arizona

Council Member Mount moved that the Consent Agenda consisting of the City Council Meeting Minutes of August 11, 2016, Resolution 2016-064, a Special Event Liquor License for Derek McKinley on behalf of the Directorate of Family, Moral, Welfare and Recreation (DFMWR) for the Fun Festival, September 23 and 24, 2016 at Veterans' Memorial Park, 3105 E. Fry Blvd, Sierra Vista, Arizona, Resolution 2016-065, a Fair/Festival License Application for Rhona MacMillan on behalf of Zarpara Vineyard to sell wine at the Farmers' Market on October 20, November 17 and December 15, 2016, and Resolution 2016-074, a Special Event Liquor License for Eric J. Potvin on behalf of the Sierra Vista Firefighters Charities for October 1 and 2, 2016 at Veterans' Memorial Park, 3105 E. Fry Blvd, Sierra Vista, Arizona, be approved. Council Member Huisking seconded the motion. The motion was approved by a unanimous vote, 7/0.

New Business

[Item 3](#) Resolution 2016-066, approval of the Arizona Child Abduction Response Team Intergovernmental Agreement

Council Member Gray moved that Resolution 2016-066, the Arizona Child Abduction Response Team Intergovernmental Agreement, be approved. Council Member Gray seconded the motion.

Police Chief Thrasher explained the intergovernmental agreement for Sierra Vista to join the Arizona Child Abduction Response Team. The team is made up of 26 different agencies and the FBI that are called out on cases of child abduction or kidnapping or similar violations in which they respond with specialized investigators to assist. He further explained, that the Department became aware of CART a year ago when the City had an incident where a child was reported missing overnight. CART called from Phoenix and they responded with multiple investigators to assist.

In the agreement, each agency is responsible for their investigators and the chiefs assign investigators as needed and if man power permits. They are still City employees and are paid as such when assigned to assist. These types of investigations required a lot of man power, especially when there is a missing child and canvassing door to door is required. Investigators are given special training that are assigned to the unit to assist with the investigations.

The motion was approved by a unanimous vote, 7/0.

[Item 4](#) Resolution 2016-067, Tasking the Citizens Advisory Commission with Reviewing Boards and Commissions Not Protected by State Statute and making recommendations to the City Council on Structure, Operations, Mission or Appointment Changes

Council Member Calhoun moved that Resolution 2016-067, tasking the Citizens Advisory Commission with reviewing Boards and Commissions not protected by State Statute and making recommendations to City Council on structure, operations, mission or appointment changes, be approved. Council Member Huisking seconded the motion.

Ms. Jacobs stated that over the past several months Council has had a number of discussions regarding whether it was time to review the use and operation of the different non-statutory boards and commissions that the City currently has through the appointment process. Through the discussions, the Council came to the conclusion that there were basically three tasks that needed to be accomplished. The first was to assign the Citizens Advisory Commission (CAC) with a review of the City's non-statutory boards and commissions, excluding the CAC, to basically determine whether the current structure is affective and encouraging citizen engagement and to make recommendations to Council. The Council also identified two other tasks, which will be assigned to City staff. One would be to analyze the nominating process for boards and commissions and determine if it is meeting the needs of the Council. The other is to review and update the Board and Commission Handbook and put more detail information in it and instruction to help the appointed bodies be more successful.

The item before Council is a specific tasking to the CAC:

- Evaluate the non-statutory boards and commissions to develop recommendations that would include at a minimum conclusions regarding whether the mission or function of each appointed body should remain the same, be modified or blended with another board or commission;
- Provide conclusions regarding the nature of the work or the recommendations made by each appointed body; and
- Evaluate tasks to find out if they are sufficiently focused on policy to support the Council or if the body could be more beneficially utilized as a committee reporting to the city manager or a department director.

Based on this tasking, Council is requesting that the CAC complete their written report by January 31, 2017 and then present them to Council by February 28, 2017 at a public work session. Included in the tasking is a list of the boards and commissions.

Council Member Huisling asked if the tasking would begin immediately or in thirty days. Ms. Jacobs stated that her goal would be to get in touch with the chair of the CAC to develop a task schedule and to communicate with the CAC in short order.

Council Member Calhoun noted that folks are aware that these meetings will be open to the public and encouraged that all of the commissioners and Council Members be aware of the days that the CAC meets. She also asked if folks could make comments during the meetings.

Ms. Jacobs stated that in the past the CAC has included a public comment section at the end of their meetings similar to the rest of the boards and commissions; but that is a decision that they will have to make. However, she will make sure that it is on their agenda to discuss how they want to handle that. She also added that she has discussed with staff how they can provide them with the support that they will need to accomplish this along with some ideas and recommendations on how they can get a breath of input from the existing board and commission members and possibly from previous sitting boards and commission members.

Council Member Calhoun stated that she hopes the boards and commissions will see this not as an affront to the boards or commissions; but as an updating of policies and procedures related to commissions. She added that she knows that there has been some concern amongst commission members about the real intent of this; but the real intent is what was put into the resolution and it is an update, which is very important.

Council Member Gray stated that she intends to vote no and not because she is against the tasking of the commissions; but because she believes the review is important. She further stated that she does not feel it is appropriate for other citizens and commission members to be evaluating and telling Council the worth, value or missions of other commissions. She believes that is a Council task that needs to be done.

Council Member Ash stated that she believes that this is a task that is appropriate for the CAC, with their mission being to advise Mayor and Council on matters of policy that have major consequence to the City. She also stated that whether it is advising the Council on matters of concern to the youth, revitalizing the west end, enhancing the relationship with Mexico, or the Library and Airport Commissions, all of the commissions have and continue to have significant impact on the City. The CAC also provides a relatively bias review of the commissions. Each Council Member is a liaison to a commission and the CAC's review eliminates any unintentional bias that may arise and Council will be tasked with making the ultimate decision.

She further stated that she feels that the CAC's tasking as written is cogent, effective and necessary at this time to encourage maximum input among the citizens and commissions to ensure that the commissions are adapted to the current time because it has many years since a review of this nature has been done. She also added that her only concern with the tasking at this point is whether or not Council missed a step in engaging the commissions; but this is not a severe concern for her to vote no on the tasking because she feels that there is due time between now and January 2017 to account for that.

Council Member Ash noted that the commissions have taken it upon themselves to have all commission get together and she would be interested in hearing either from that group directly or from the chairs or co-chairs of each commission on what they have gained and learned on points that are in the tasking on how they can be made more effective. Going forward, she would like to see the CAC engage the current boards and commissions so that their voices are heard as well as their input on each of the tasks so that it is very clear and communicated to the Council. She would also like representatives from all of the commissions to come directly to Council via the work sessions or Call to the Public with their ideas on how to make the commissions more effective. In closing, she added that she will vote yes with the understanding that the commissions are fully engaged.

Council Member Mount stated that the commissions are valuable; but it is the responsibility of Council to determine the effectiveness. Rolling out the CAC is a middleman and inappropriate at this point. He further stated that his biggest concern is not with assessing the commissions as they are fine; but he is more concerned with the conviction that Council has should the CAC's recommendations go against any number of their whims and wishes. There is a bias in play and he challenges any member of Council when the CAC shows up and they say that their preferred commission is on the chopping block. He also added that he does not think that there is the conviction to follow the CAC's recommendations, which was stated fairly clearly at the work session as he would not like to waste a lot of people's time and he would like for Council to do their responsibility to the public as they represent them. Council should go out and talk to the public, the commissions and figure out what is and what is not working. This is a relatively needless step and he will be voting no.

Council Member Huisiking stated that Council Member Ash stated it more clearly to her way of thinking. This is a great way to clear the air. The CAC is the Council's representative of the people who represent the citizens of Sierra Vista in so many ways to be fair and equitable. She added that she does not think, as Council Member Calhoun stated, that anybody is interested in putting any commission on the chopping block; but she does think that there is a desire on the part of the Council and the commissions to more clearly understand their roles and be aware of how to proceed as far as Council's public policy - what value and how they can contribute to advising the Council. This is a great thing that was needed for a long time and so it is not just a matter of the Council deciding what should and should not be done, it is a matter of both people talking to each other and saying here what was done in the past, here is how it has been received, this is what we would like to see more of and less of. It is a real opportunity to communicate under the best of conditions and so she will vote yes.

The motion was approved by a 5/2 vote. Council Members Gray and Mount casting the dissenting votes.

Item 5 Resolution 2016-068, Appointment of Savannah Carter to the Sierra Vista Youth Commission, said term to expire July 9, 2018

Council Member Ash moved that Resolution 2016-068, appointment of Savannah Carter to the Sierra Vista Youth Commission, said term to expire July 9, 2018, be approved. Council Member Huisking seconded the motion. The motion was approved by a unanimous vote, 7/0.

Item 6 Resolution 2016-069, Reappointment of Darnell Rambert, James Short, and John Voishan and Appointment of Jake Pacheco to the Airport Commission, said terms to expire October 12, 2018

Council Member Mount moved that Resolution 2016-069, re-appointment of Darnell Rambert, James Short, John Voishan and appointment of Jake Pacheco to the Airport Commission, said terms to expire October 12, 2018, be approved. Council Member Huisking seconded the motion. The motion was approved by a unanimous vote, 7/0.

Council Member Mount stated that a number of the commissioners are in the audience.

Item 7 Resolution 2016-070, West End Commission appointments, said terms to expire October 9, 2018

Council Member Calhoun moved that Resolution 2016-070, appointing Danielle Sheppard and Pamela Anderson to the West End Commission, said terms to expire October 9, 2018, be approved. Council Member Gray seconded the motion. The motion was approved by a unanimous vote, 7/0.

Council Member Calhoun stated that Ms. Karen Ginsburg, former member, is being welcomed as an associate. She then acknowledged Danielle Sheppard, who was in the audience.

Item 8 Resolution 2016-071, Accepting with regret the resignation of Ken Cecil and appointing Bernie Stalman to the Citizens' Advisory Commission

Council Member Huisking moved that Resolution 2016-071, accepting with regret the resignation of Ken Cecil and appointing Bernie Stalman to the Citizens' Advisory Commission be approved. Council Member Calhoun seconded the motion. The motion was approved by a unanimous vote, 7/0.

Council Member Huisking stated that Mr. Bernie Stalman is in the audience, thanked him and added that she really welcomes his contributions until the end of the year.

Item 9 Resolution 2016-072, Reappointment of Dennis Dezelan to the Municipal Property Corporation Board of Directors, said term to expire September 11, 2019

Mayor Pro Tem Blanchard moved that Resolution 2016-072, reappointment of Dennis Dezelan to the Municipal Property Corporation Board of Directors, said term to expire September 11, 2019, be approved. Council Member Calhoun seconded the motion. The motion was approved by a unanimous vote, 7/0.

Item 10 Resolution 2016-073, Reappointing to the Parks and Recreation Commission Wesley Hewitt and Joy Mims, said terms to expire November 20, 2018 and Scott Weiss, said term to expire November 20, 2017

Mayor Pro Tem Blanchard moved that Resolution 2016-073, reappointing to the Parks and Recreation Commission Wesley Hewitt and Joy Mims, said terms to expire November 20, 2018

and Scott Weiss, said term to expire November 20, 2017, be approved. Council Member Calhoun seconded the motion. The motion was approved by a unanimous vote, 7/0.

Mayor Mueller acknowledged Mr. Wesley Hewitt.

Call to the Public

Mr. Voishan referred to his attire and announced the upcoming 25th Anniversary of the Cochise Cowboys Poetry and Music Gathering. He also voiced his disappointment at the dissolution of a deal that would have revitalized a half-dozen tennis courts as part of a sale of the King's Court Property. He urged the Council not to give up on restoring the still-used tennis courts because kids from Willcox, Douglas, Bisbee and St. David all come to play and they bring their families. He also added that the Eighth Annual Colleen Shoots Memorial Tennis Gathering will be played at the facility with the funds going to the American Cancer Society. The value is the recreational facility and the potential that could occur with that facility to create a "pocket park" to meet the goals of 2020 and 2030 to have parks in areas of the City where there are none. It is in the middle of apartments and townhouses and the best part is that it is up and running now and would endure and survive and support a gradual transition to something that would be spectacular for that part of the City.

Mr. Andrae Newcomb voiced his concerns regarding the proposed Fry Boulevard improvements, traffic circulation and that how it is not a wise path to have only one lane.

Comments and Requests of the Council

Council Member Huisiking announced the upcoming annual Oktoberfest and added that the Sister Cities Commission is selling the "best of the wurst" and it is better made than most because the ingredients are more authentic than what could be purchased at the local store. It is important that people buy a wonderful wurst because those funds help with the expenses for eight high school students' travel to Radabeul, Germany in October. She also mentioned that three events have taken place to raise awareness of the need to strengthen the relationships with neighbors in Mexico and particularly Sister City Cananea. The first was the April 108th Arizona Town Hall and its topic was Arizona and Mexico, which Ms. McFarland attended. The second was the Arizona League of Cities Meeting of the Arizona and Mexican Sister Cities at which Mayor Mueller's leadership helped to establish the AriSon Mega Region as an affiliate of the Arizona League of Cities. Finally, there were City Council Members, two commissioners and a State Sister City's president visit Sister City Cananea, Sonora Mexico that Ms. Amanda Baillie wrote a great article on. In closing, she added that she hopes that the momentum of the three events will sustain Council as they get ready to host the State Conference of Sister Cities next year in Sierra Vista, voicing her appreciation for everyone's participation and publicly thanking Mayor Mueller.

Council Member Mount announced that coming up during the weekend is September 11th and there are a lot of things going on around the community for that. He encouraged the public to attend as there are deep rooted military ties and significant reasons for going out and remembering what that has done for the country and the perpetual state of war that everyone has been in - the sacrifices, the losses for the families and the people involved, including the soldiers. He also thanked staff and Mr. McLachlan on work regarding the \$50,000 grant program being moved through for the small businesses that shows that the City is making some innovative and progressive moves to improve the local economy. He added that he appreciates staff's work on recent work sessions as there is always a challenge, more his fault than anybody else to have some contentious moments; but having that public discussion is critical and key in taking place because that is the nature of government/Council. In closing, he added that he is looking forward to the Strategic Planning Session.

Council Member Ash wished the Buena Mountain Bike Team good luck on their competition in Flagstaff and added that she learned today at the Multiuse Pass Ribbon Cutting Ceremony at Fort Huachuca that Buena has the largest mountain bike team in the State. They are reigning State champions as well and everyone at Fort Huachuca and Sierra Vista are looking forward to the race that will be held in the City to have people stay at the local hotels and to shop locally.

Council Member Calhoun had nothing to report.

Council Member Gray welcomed the returning commissioners, the newly appointees and noted that she had no idea that Mr. Jake Pacheco was a pilot. She also thanked staff, Ms. McFarland and Mr. McLachlan for their work session presentations as she enjoys when Council comes together and has meaningful discussions and to see something come out of that as it is always promising. Lastly, she thanked everyone as the votes will be canvassed on the 12th and it looks like she will be returning to her seat. In closing, she added that she is very happy to do that pledged to continue to do her best for Sierra Vista and the role that she has.

Mayor Pro Tem Blanchard had nothing to report.

Mayor Mueller stated that he is glad to see two returning Councilwomen from the election, is looking forward to working with Ms. Wolfe and added that there are plans to get her up to speed to assume Council Member Huisiking's seat. He also commented on the disappointment with regard to King's Court and its challenges mentioned in a news article, in particular, where Ms. Jacobs accurately stated that the City does not have money in the budget for the current calendar year. Council will have to discuss in the detail how to overcome this because there are six courts that will need to be resurfaced and eventually, the demolition of the building, which is probably unsafe. All of that is going to have to be done periodically. The Leisure Department will have to come up with a plan to be able to have a long term facility that will have to be piece meal because currently there is no revenue and Council does not have the fortitude to talk about additional taxes, specifically for parks because there are other park needs, another discussion for the strategic meeting. He also added that he enjoyed visiting Cananea, Sonora, where discussion took place about the Sister City arrangement that is almost 37 years old. Lately there have been student and cultural exchanges and in the past there were sports teams and a number of other things to weld the two cities together to promote commerce between Mexico and the United States. The AriSon Mega Region, an area established by the governors of both states, was developed as they are trying to improve cultural and economic development within the two states, which is currently at the initial stage. A smart thing done was getting together all of the sister cities at the League of Arizona Cities and Towns, which took about half a day in order to go through what it is they do together and get ideas from one another as well as establishing the AriSon Mega Region as a member of the League of Cities and Towns.

Mayor Mueller reported that there were a number of things that he participated in at the League Conference:

- AriSon;
- Executive Board Nominating Committee for the president and new members of the Executive Board;
- Session about future transportation and transit where mentioned were opportunities to discuss with the State on how the cities can integrate uber for either transit systems, door to door or regular bus system;
- Panel talking about the military installations in preparation for BRAC where there were members from all of the military communities in Arizona for the first time with their support agencies on the stage to include a member from the Governor's office.

Mayor Mueller noted that it is important because for the first time the Governor's Office is seriously considering working with all of the agencies should there become a BRAC. They are also helping with a unified front in BRAC preparations. In closing, as an executive member of

the League of Cities and Towns, he recognized Mayor Pro Tem Blanchard for his 16 years of service to the community and presented him with a plaque.

Adjournment

Mayor Mueller adjourned the September 8, 2016 meeting of the Sierra Vista City Council at 5:43 p.m.

Mayor Frederick W. Mueller

Minutes prepared by:

Attest:

Maria G. Marsh, Deputy Clerk

Jill Adams, City Clerk

Sierra Vista City Council
Special Meeting Minutes
September 12, 2016

Mayor Mueller called the September 12, 2016 City Council Meeting to order at 3:02 p.m., City Hall, City Manager's Conference Room, 1011 N. Coronado Drive, Sierra Vista, AZ

Roll Call:

Mayor Rick Mueller – present
Mayor Pro Tem Bob Blanchard – absent
Council Member Alesia Ash – present (arrived at 3:05 p.m.)
Council Member Gwen Calhoun – present (arrived at 3:21 p.m.)
Council Member Rachel Gray – present
Council Member Hank Huisking – present
Council Member Craig Mount – present

Others Present:

Chuck Potucek, City Manager
Nathan Williams, City Attorney
Jill Adams, City Clerk

Item 1 Acceptance of Agenda

Council Member Huisking moved that the Agenda for the Special City Council Meeting of September 12, 2016, be approved as written. Council Member Mount seconded the motion. The motion carried unanimously, 4/0.

New Business

[Item 2](#) Resolution 2016-075, Canvass of Primary Election

Council Member Mount moved that Resolution 2016-075, Canvass of the Primary Election, be approved. Council Member Huisking seconded the motion.

Ms. Adams stated that following the August 30th Primary Election, the Cochise County Elections and Special Districts Office presented the City with the certified results from the election. As a result of that certification, it was determined that based on the current calculation formula that the State prescribes, all four candidates that were running for the three council seats received 50 percent plus one. The top three, Ms. Gray, Ms. Wolfe and Ms. Calhoun are going to be seated as council members effective January 1, 2017 and will be sworn in after the final canvass of the General Election in November. There will be no General Election.

In response to Mayor Mueller, Ms. Adams stated that by approximately \$25,000 will be saved by not having a General Election. A copy of the Cochise County Election Departments certified results are file with the City Clerk.

The motion carried unanimously, 5/0.

Item 3 Request to adjourn into Executive Session in accordance with Arizona Revised Statute 38-431.03(A.3) Discussion or Consultation for legal advice with the attorney or attorneys of the public body regarding personnel issues – city manager evaluation

At 3:06 p.m. Council Member Calhoun moved to adjourn into Executive Session in accordance with Arizona Revised Statute §38-431.03(A.3) as set forth in the notice dated September 6, 2016. Council Member Huisking seconded the motion. The motion unanimously carried, 5/0. (The City Clerk and City Attorney exited the meeting)

Mayor Mueller adjourned the September 12, 2016 Executive Session of the Sierra Vista City Council at 5:35 p.m.

Mayor Mueller adjourned the September 12, 2016 special meeting of the Sierra Vista City Council at 5:36 p.m.

Mayor Frederick W. Mueller

Minutes prepared by:

Attest:

Maria G. Marsh, Deputy Clerk

Jill Adams, City Clerk

September 14, 2016

MEMORANDUM TO: Honorable Mayor and City Council

THRU: Charles P. Potucek, City Manager
Mary Jacobs, Assistant City Manager

FROM: Lee A. Elaban
Leisure Services Administrator

SUBJECT: Request for Agenda Item Placement
Resolution 2016-080, Appointment to the Parks and
Recreation Commission

Initiated and Recommended by:

The Parks and Recreation Commission.

Background

The Parks and Recreation Commission has two vacancies. The Parks and Recreation Commission voted unanimously to recommend that Larry Hampton be reappointed to the commission for a two year term.

Budget Appropriations:

Not applicable.

RESOLUTION 2016-080

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; REAFFIRMING SETTLED POLICY ON BOARDS AND COMMISSIONS BY THE VACANCIES ON THE PARKS AND RECREATION COMMISSION, AND APPOINTING LARRY HAMPTON ON THE COMMISSION FOR A TWO YEAR TERM AND AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY OR THEIR DULY AUTHORIZED OFFICERS AND AGENTS TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

WHEREAS, City Council has created the Parks and Recreation Commission to advise council on matters relating to parks and recreation issues in the community; and

WHEREAS, two vacancies exist on the Parks and Recreation Commission; and

WHEREAS, reaffirming City Council policy on filling vacancies when qualified applicants are available.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, AS FOLLOWS:

SECTION 1

That the City Council reaffirms it's settled policy, on appointments to boards and commissions.

SECTION 2

The City Council hereby reappoints Larry Hampton to the Parks and Recreation Commission for a two year term.

SECTION 3

The City Manager, City Clerk, and City Attorney, or their duly authorized officers and agents, are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this resolution.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 22ND DAY OF SEPTEMBER 2016.

Frederick W. Mueller
Mayor

Approval as to Form:

Attest:

Nathan Williams
City Attorney

Jill Adams
City Clerk

Prepared by:
Lee A. Elaban, Leisure Services Administrator



City of Sierra Vista

1011 North Coronado Drive, Sierra Vista, Arizona 85635
520/458-3315 - fax 520/458-0584 - www.ci.sierra-vista.az.us

APPLICATION TO CITY BOARD/COMMISSION

DATE: 24 Aug 2016

BOARD/COMMISSION: Park & Recreation

NAME: Larry N. Hampton TELEPHONE: _____ (ONE PER FORM)
(HOME) _____ (WORK)

E-MAIL ADDRESS: _____

ADDRESS: _____ CITY: Sierra Vista ZIP: 85635

MAILING ADDRESS: (same)

CITY RESIDENT? Y REGISTERED TO VOTE IN CITY? Y

EDUCATION: Bachelor's Degree

OCCUPATION: Retired - Dept. of Army civilian
(IF RETIRED, INDICATE FORMER OCCUPATION)

PROFESSIONAL/COMMUNITY ACTIVITIES: _____
President, Sierra Vista Symphony Orchestra Association; Secretary,
Sierra Vista West Rotary Club; Producer, Miss Cochise County
Scholarship Pageant

QUALIFICATIONS/INTEREST IN BOARD/COMMISSION: Former member, Sierra Vista
City Council; Former & current member, S.V. Park & Recreation
Commission; Former Council Liaison to various S.V. City
Commissions

REFERENCES: 1. Henrietta (Hank) Huisking _____
(NAME) (ADDRESS) (PHONE)

2. Thomas Reardon _____
(NAME) (ADDRESS) (PHONE)

THIS APPLICATION WILL BE KEPT ON FILE FOR A PERIOD OF ONE YEAR FROM ABOVE DATE.

AS A CANDIDATE TO A COUNCIL APPOINTED BOARD/COMMISSION/COMMITTEE, YOUR NAME, ADDRESS AND PHONE NUMBER WILL BE AVAILABLE TO THE PRESS AND PUBLIC UPON REQUEST.

Larry N. Hampton
(APPLICANT'S SIGNATURE)

Please return completed application to the city clerk's office