



Sierra Vista City Council
Meeting Agenda
September 27, 2018

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

City Council Business for the Month of September

Certificates of Appreciation to Bryant Sayers, Larry Powers and Captain Shauer and his group

Proclamation declaring October 7-13, 2018, as Fire Prevention Week

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

Item 2 Consent Agenda

Item 2.1 Approval of the City Council Meeting Minutes of September 13, 2018

Item 2.2 Approval of the City Council Special Meeting Minutes of September 19, 2018

Item 2.3 Resolution 2018-072, Appointment of Salem Whalen to the Cultural Diversity, said term to expire December 31, 2019

Public Hearing

Item 3 Resolution 2018-073, Annexation of Redmond Property

Call to the Public

Comments and Requests of the Council

Adjournment

For special needs and accommodations, please contact Jill Adams, City Clerk, 72 hours prior to the meeting or activity. Ms. Adams 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.



Sierra Vista City Council
Meeting Minutes
September 13, 2018

Mayor Mueller called the September 13, 2018 City Council Regular 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 Alesia Ash – present
Council Member Bob Blanchard – present
Council Member Gwen Calhoun – present
Council Member Rachel Gray – present
Council Member Craig Mount – present
Council Member Kristine Wolfe – present

Others Present:

Chuck Potucek, City Manager
Ron York, Fire Chief
Jon Kosmider, Deputy Police Chief
Laura Wilson, Leisure and Library Services Director
Sharon Flissar, Public Works Director
Matt McLachlan, Community Development Director
Jeff Pregler, Planner
Jill Adams, City Clerk
Nathan J. Williams, City Attorney
Mike Cline, Management Analyst
Judy Hector, Marketing and Public Affairs Manager

Invocation – Reverend Father Del McCune, Anglican Catholic Church of St. John the Divine, conducted the invocation.

Pledge of Allegiance - Council Member Blanchard led the Pledge of Allegiance.

Item 1 Acceptance of the Agenda

Council Member Wolfe moved that the agenda for the Regular City Council Meeting of September 13, 2018, be approved. Council Member Mount seconded the motion. The motion unanimously carried, 7/0.

Awards/Presentations

Council Member Bob Blanchard was presented the Local Elected Official Distinguished Service Award on behalf of the League of Arizona Cities and Towns for 20 Years of service.

City Manager's Report: Mr. Potucek announced the next City Council Work Session scheduled for September 25, 2018 at 3:00 p.m. in the City Council Chambers. He also reported that the Charleston Road Wall Project, which had bids close on August 24, 2018, had two responses. After reviewing the bids responsiveness, a notice of contract award was sent out to Marsh

Development, Inc. for a not-to-exceed price of \$205,271.00 with work to be completed within 120 days from the Notice to Proceed date.

Item 2 Consent Agenda

[Item 2.1](#) Approval of the City Council Meeting Minutes of August 9, 2018

[Item 2.2](#) Resolution 2018-065, Acceptance of Public Improvements for the Chaparral Village North Phase 6D Subdivision, Lots 509-539

Mayor Pro Tem Ash moved that the Consent Agenda consisting of the City Council Meeting Minutes of August 9, 2018 and Resolution 2018-065, acceptance of Public Improvements for the Chaparral Village North Phase 6D Subdivision, Lots 509-539, be approved. Council Member Gray seconded the motion. The motion unanimously carried, 7/0.

Public Hearing

[Item 3](#) Resolution 2018-066, Liquor License Application for a new license, Series 12, limited liability-type of ownership for Andrea Dahlman Lewkowitz on behalf of Mod Super Fast Pizza, LLC dba Mod Pizza, 4177 Highway 90, Suite 100, Sierra Vista, Arizona

Council Member Mount moved that Resolution 2018-066, a new Series 12 liquor license application for a limited liability-type of ownership for Andrea Dahlman Lewkowitz on behalf of Mod Super Fast Pizza, LLC dba Mod Pizza, be approved. Council Member Calhoun seconded the motion.

Ms. Adams stated that this is an application for a new Series 12 Liquor License, which is a restaurant liquor license, for Mod Pizza that is going to be located in front of the Target Shopping Center on Highway 90. The notice of the public hearing was posted on the premise and to-date, no comments pro or con have been received regarding the liquor license. A background check was performed by the Police Department and they have no objection to this license moving forward and if approved by Council, it will be forwarded up to the State Liquor Board for final approval.

Council Member Calhoun asked how people know that there is something posted on the building. Ms. Adams explained that staff actually goes out and post a ledger-sized notice in bright neon green to draw attention to it. If it is an existing business, it is usually added near the front door. In this particular case, staff posted the notice on the fence because of the construction zone.

Mayor Mueller added that he has been asked by the public on a regular basis for the last six months about the type of business that is going in front of Target. It is Mod Super Fast Pizza and a great deal of people want to know that.

The motion unanimously carried, 7/0.

[Item 4](#) Resolution 2018-067, an Application for an Agent Change and Acquisition of Control for a Series 12 Liquor License for John Dean Curtis, II on behalf of Blazin Wings, Inc. dba Buffalo Wild Wings located at 205 S. Highway 92, Sierra Vista, Arizona

Council Member Gray moved that Resolution 2018-067, a Series 12 Liquor license application for an Agent Change and Acquisition of Control for John Dean Curtis, II on behalf of Blazin Wings, Inc. dba Buffalo Wild Wings, be approved. Council Member Mount seconded the motion.

Ms. Adams stated that this application comes as a result of corporate restructuring and it is an administrative act mostly and the same rules apply. The notice of the public hearing was posted on the facility and no comments have been received. The new individuals involved have had a background check by the Police Department and they have no objection to the license moving forward. If approved by Council, it will be returned to the State with a recommendation of approval.

The motion unanimously carried, 7/0.

[Item 5](#) Resolution 2018-068, 2017 Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report

Council Member Calhoun moved that Resolution 2018-068, Submission of the US Housing and Urban Development 2017 Community Development Block Grant Consolidated Annual Performance and Evaluation Report, be approved. Council Member Mount seconded the motion.

Mr. McLachlan stated that the Consolidated Annual Performance Evaluation Report before Council is a review of the performance outcome carrying out the Block Grant's projects and activities during the 2017 Program Year. The City has until the end of the month to submit the report to HUD for review and acceptance following the required public comment and hearing.

The hearing was advertised as required in the Sierra Vista Herald and on the City's web site. The meeting notice was also posted at the public facilities and no comments have been received to-date.

As documented in the report, the City expended \$230,788 during the Program Year and approximately \$135,000 were for the Solar Street Light Project, \$49,000 went to the Emergency Home Repairs, \$1,980 on the percolation test for Timothy Lane, \$10,000 for public infrastructure work performed in the Fry and Sulger Neighborhoods that assisted persons based on the Census data. Nine applications for the Emergency Home Repairs have been funded with seven being completed during the 2017 Program Year.

The After School Scholarships benefited 35 low to mod income households and the Environmental Review Record was completed for the Timothy Lane improvements involving repaving and installing a curb along the alleyway along First and N Second Street as well as curb, gutter and sidewalk improvements along the west side of N Fifth Street, south of Denman. The City engineers are in the process of preparing design and construction documents for Procurement to go out to bid in January 2019 with construction being completed by no later than June 30, 2019, allowable timeframe.

In closing, Mr. McLachlan thanked Ms. Vasquez who was very instrumental. Mayor Mueller concurred.

The motion unanimously carried, 7/0.

[Item 6](#) Ordinance 2018-011, Text Amendment to the City Code of Ordinances, Chapter 36, Commissions

Council Member Gray moved that Ordinance 2018-011, amending Chapter 36, Meeting Dates, of the City Code of Ordinances to state that the Planning and Zoning Commission shall meet on an as-needed basis or as called by the Chair, be approved. Council Member Calhoun seconded the motion.

Mr. Pregler stated that according to City Code Chapter 36, the Planning and Zoning Commission is required to meet on the first and third Tuesday of every month. Staff is recommending that this be changed and that the language state that the meetings will take place on an as needed basis or as called by the Chair. The reason for the change is because over the past few years, meetings have been chronically cancelled due to lack of business. Further, there have been occasional conflicts with the Commission Meetings and City Council Work Session. Therefore, the proposed language provides for staff scheduling flexibility.

The City will notify the Commission Members of the meeting well in advance and will also notify the public through the City's web site, newspaper notices, mailings at least 15 days prior to the meetings or as required by law.

The Planning and Zoning Commission considered the proposed amendment at their meeting on July 17, 2018 and recommended that the change be made. Staff will notify the Commission of current development projects by email and Executive Report on a monthly basis.

Mayor Mueller opened the public hearing to which there was no response.

Council Member Calhoun asked if the Commission might have other reasons to meet other than something being built and if that would require 15 days notification. Mr. Pregler stated that staff would notify all members of the public of any item on the agenda. A public hearing item requires 15 days notice prior to the hearing and a work session item requires a week notice. The public would be notified.

Council Member Gray stated that she wants to clarify as there seems to be some confusion about this by some members in the public and asked if this only applies to the Planning and Zoning Commission. Mr. Pregler stated that she is correct.

The motion unanimously carried, 7/0.

New Business

[Item 7](#) Resolution 2018-069, Donation of 2006 Ford Crown Victoria and eight (8) surplus portable radios to Cochise College for SEALETA's use in training police recruits

Council Member Calhoun moved that Resolution 2018-069, donation of equipment to Cochise College in support of the Southeastern Arizona Law Enforcement Training Academy, be approved. Council Member Gray seconded the motion.

Police Chief Thrasher stated that recently Cochise College got approved from Arizona Post to run a law enforcement academy at the Douglas Campus to help train the recruits. This academy is exciting for the Police Department because it will save the City a whole lot of money in training funds considering that other academies are now charging a significant amount. The

Police Department is also partnering with Cochise College in providing instructors for the academy to help train local officers in the City's way of doing business. The Department has a surplus 2006 Crown Victoria vehicle and eight portable radios that are being asked to be donated to Cochise College for the use of driver's training and field problems.

Police Chief Thrasher introduced the Director of the Academy, Tim Seguin. Mayor Mueller thanked Mr. Seguin for being present.

Michael DeCarlo stated that he has no problem in donating the vehicle and the radios because they were not purchased with the operations of Stonegarden funds; but there may be a better way to do business. The City seems to be donating a great deal of equipment, time and energy to the education of the youth/young adults in the community and it may be time for the City to recoup and there is nothing that keeps the City from submitting to the insurance company to have the design specifications drawn for the Fire Department's exhaust system. There could be a condition as part of the intergovernmental agreement with the College to have them design, manufacture and install the ventilation systems that the Fire Department would like to have.

Council Member Gray asked if the City is still CALEA certified. Police Chief Thrasher stated that she is correct and this training falls within state requirements as required by the Peace Officer's Standards and Training Board. CALEA does not dictate the type of training for each agency.

The motion unanimously carried, 7/0.

[Item 8](#) Resolution 2018-070, Authorizing the Filing of Applications with the Federal Transit Administration for federal transportation assistance

Mayor Pro Tem Ash moved that Resolution 2018-070, replacing Resolution 2018-041 by using the updated language provided by the Federal Transit Administration in the filing of applications with the Federal Transit Administration for federal transportation assistance, be approved. Council Member Calhoun seconded the motion.

Ms. Flissar stated that this agenda item goes hand in hand with one approved by Council in May, which authorized the City Attorney to file Federal Transit Administration grant applications on behalf of the City. The FTA recently provided updated language to staff for this year's grant application. The updated language now grants signatory authority to both the City Attorney and the Public Works Operations Manager. Both parties have traditionally signed the grant applications so the updated change is an administrative rather than a procedural change.

The motion unanimously carried, 7/0.

[Item 9](#) Resolution 2018-071, Intergovernmental Agreement with the Arizona Department of Transportation to approve the exchange of Highway User Revenue Funds to Design and Construct Improvements for North Garden Avenue and Fry Boulevard

Council Member Mount moved that Resolution 2018-071, an Intergovernmental Agreement with the Arizona Department of Transportation to approve the exchange of HURF funds to design and construct improvements for North Garden Avenue and Fry Boulevard, be approved. Council Member Calhoun seconded the motion.

Ms. Flissar stated that this agenda item would establish an intergovernmental agreement with the Arizona Department of Transportation to provide funding for plan improvements along Fry

Boulevard and North Garden. A conceptual design was completed through the SVMPO a few years ago; but there was no dedicated funding at that time to move the project forth for final design or construction.

ADOT recently re-initiated what is known as the HURF Exchange Program. The HURF Exchange gives local governments the opportunity to exchange hard to use federal transportation dollars for state monies. The HURF Exchange Program takes money, which already would have allocated to the City for transportation projects and makes it useable for a wider range of projects with less strings attached.

The Fry and North Garden Project meets the Program's criteria and was also prioritized by Council during its Strategic Planning Process. Under this intergovernmental agreement, design would take place during Fiscal Year 2019 and the first phase of construction would commence in Fiscal Year 2020. Although, the initial intergovernmental agreement had construction listed in Fiscal Year 2021 an updated version sent out earlier this week shows the correct date of 2020. Future phases would be contingent on available funding.

Andrae Newcomb spoke about his concerns over the communications center, the main gate being secure and suggested adequate parking and turning Fry Boulevard, west of Seventh Street and Garden Avenue into a single lane both ways, restricting traffic circulation in the neighborhoods.

The motion unanimously carried, 7/0.

[Item 10](#) Ordinance 2018-012, Amendment to Ordinance Chapter 94: Park Grounds and Properties

Council Member Blanchard moved that Ordinance 2018-012, revising Chapter 94 of the City Code of Ordinances concerning parks and recreation to allow surface metal detecting in public parks, be approved. Council Member Gray seconded the motion.

Ms. Wilson stated that last month, she presented a resolution requesting Council to consider a Code revision to allow surface only metal detecting in City parks. The resolution was passed and the proposed language revisions were made available for public review and comment for a period of 30 days. The review period has concluded and the City has received six comments, three were in support of the Ordinance changes as proposed, one was in support of the revisions; but supported digging in addition to the surface detection, one supported the revision; but requested a permit process to be added and one was not in favor of the Ordinance revision due to the potential sprinkler head damages to the parks.

The Ordinance would revise the current City Code language to allow for surface only metal detecting in the City's public parks.

Council Member Calhoun asked how digging in the park would be handled. Ms. Wilson stated that it would be a violation of the Ordinances. People can call the Police Department and they would be cited for Ordinance violations. She added that there is a separate Ordinance that protects the parks from any digging and the proposed language absolutely prohibits digging with that as well and refers back to the original no digging rule.

Council Member Gray stated that she understands that this was a direct request from a citizen that Ms. Wilson responded to and thanked Ms. Wilson for being responsive and listening to the citizens. The City does listen to its citizens and changes do happen with requests by citizens.

The motion unanimously carried, 7/0.

Call to the Public

Tom Reardon, Chair of the Cochise County Reentry Coalition, spoke about reconsidering the site of the City's Annual Spotlight Breakfast at the Thunder Mountain Activity Center on Fort Huachuca so that all individuals can attend because current Department of Defense, Department of Homeland Security force protection policies and federal law prohibit persons formally barred from gaining access to military installations unless that bar is waived by the Garrison Commander.

Karen Lamberton introduced herself as the City's MPO Administrator and spoke about what she will be working on, i.e., North Garden Project, Adaptive Signal Project and etc.

Andrae Newcomb spoke about the landfill, tax revenues and loss of population.

Comments and Requests of the Council

Council Member Blanchard had nothing to report.

Council Member Calhoun thanked Ms. Lamberton and noted that she likes knowing that she is with the City as she has had some past experiences in working with her and appreciates her can-do attitude and kind way of working through situations. She also thanked Father MCCune for the nice prayer and staying through the Council Meeting, Mr. DeCarlo, Mr. Reardon and Mr. Newcomb for their comments as it is really nice hearing from the public on a variety of issues to help Council see things that may need some work in the community.

Council Member Gray had nothing to report.

Council Member Mount stated that Mr. Newcomb's comment about the loss of population and the increase in revenue with the restaurant taxes is an interesting discussion and it is a good point and it is something that Council sees and it goes back to the shift in the market patterns for discretionary spending when it comes to people eating out at restaurants that cater to that, serving alcoholic beverages and offering a theme experience for the family. Having the Economic Development Manager take a look at that, i.e., Mod Pizza might be good for Council to understand. He added that he was invited to a meeting with Jackie Clay, Cochise County Schools Superintendent to discuss technology advancements that she is trying to pursue. They had an interesting piece of technology that was brought in and the consultant, who developed an application that is geared towards low-moderate income areas that all children before getting into school are able to access allowing literacy.

Mayor Mueller commented that Jackie Clay is doing a great job and any technology that the can help kids learn quicker and better is a big benefit for all in the future.

Council Member Wolfe thanked Council Member Blanchard for his 20 years of service and commitment.

Mayor Pro Tem Ash concurred with all of the comments that came before her and publicly acknowledged the life legacy of Senator John McCain, who regardless of political party lived a life of service and truly did put Country first.

Mayor Mueller thanked Father McCune for staying through the Council Meeting and announced that Oktoberfest starts on Friday, September 15, 2018 at 5:00 p.m. and runs through the weekend all well as all of the other activities that are put on at Veterans' Memorial Park. In closing, he noted that everyone will miss Senator McCain and announced the passing of Huachuca City Mayor George Nerhan and Bisbee City Mayor Laverne Williams - the Hugging Mayor.

Adjournment

Mayor Mueller adjourned the September 13, 2018 meeting of the Sierra Vista City Council at 5:47 p.m.

Frederick W. Mueller, Mayor

Minutes prepared by:

Attest:

Maria G. Marsh, Deputy Clerk

Jill Adams, City Clerk

Sierra Vista City Council
Special Meeting Minutes
September 19, 2018

Mayor Mueller called the September 19, 2019 Special City Council Meeting to order at 2:00 p.m., City Hall, City Manager's Conference Room, 1011 N. Coronado Drive, Sierra Vista, Arizona.

Roll Call:

Mayor Rick Mueller – present
Mayor Pro Tem Alesia Ash – absent
Council Member Bob Blanchard – present
Council Member Gwen Calhoun – present
Council Member Rachel Gray – present
Council Member Kristine Wolfe – present
Council Member Craig Mount – present

Others Present:

Chuck Potucek, City Manager
Victoria Yarbrough, Assistant City Manager
Nathan J. Williams, City Attorney
Jill Adams, City Clerk
Employment Attorneys Justin Pierce and Steve Coleman

Item 1 Acceptance of Agenda

Council Member Mount moved that the agenda for the Special City Council Meeting of September 19, 2018, be approved as written. Council Member Gray seconded the motion. The motion carried unanimously, 6/0.

New Business

Item 2 Request to adjourn into Executive Session in accordance with Arizona Revised Statute §38-431.03.A3 and A5, discussion or consultation for legal advice with the attorney or attorneys of the public body.

Council Member Calhoun moved to adjourn into Executive Session in accordance with Arizona Revised Statute §38-431.03.A3 and A5. Council Member Mount seconded the motion. The motion carried unanimously, 6/0.

Item 3 Adjournment

Mayor Mueller adjourned the September 19, 2018 Executive Session of the Sierra Vista City Council at 3:18 p.m.

Mayor Mueller adjourned the September 19, 2018 Special Meeting of the Sierra Vista City Council at 3:18 p.m.

Mayor Frederick W. Mueller

Minutes prepared by:

Attest:

Maria G. Marsh, Deputy Clerk

Jill Adams, City Clerk

September 13, 2018

MEMORANDUM TO: Honorable Mayor and City Council

THRU: Charles Potucek, City Manager
Victoria Yarbrough, Assistant City Manager
Laura Wilson, Director, Leisure & Library Services

FROM: Rob Hinderer, Leisure Services Manager
Craig Mount, City Council member

SUBJECT: REQUEST FOR AGENDA ITEM PLACEMENT
Resolution 2018-072, Appointment for the City of Sierra
Vista Commission on Cultural Diversity

Recommendation:

Rob Hinderer and Craig Mount recommend appointment to the commission.

Initiated by:

Rob Hinderer, Commission on Cultural Diversity staff liaison, and Craig Mount, City Council member

Background

We have received an application from Salem Whalen to fill one of the vacancies on the commission. It is recommended by the staff and council liaisons that she fill a vacancy.

Budget Appropriations:

Not applicable.

RESOLUTION 2018-072

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; APPOINTING SALEM WHALEN TO THE COMMISSION ON CULTURAL DIVERSITY, SAID TERM TO EXPIRE DECEMBER 31, 2019; 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, the City Council has created a Commission on Cultural Diversity to advise City Council on matters relating to issues in the community; and

WHEREAS, the staff liaison has recommended to appoint Salem Whalen to fill a vacancy on the commission; and

WHEREAS, there are no additional applications at this time, and it is in the best interest of the citizens of Sierra Vista to have a full complement of commission members to address these issues.

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

SECTION 1

The policy of the City of Sierra Vista relating to boards and commissions, most recently affirmed be, and hereby is, reaffirmed.

SECTION 2

The City Council hereby appoints Salem Whalen to the Sierra Vista Commission on Cultural Diversity, said term to expire December 31, 2019.

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 27th DAY OF SEPTEMBER 2018.

Frederick W. Mueller
Mayor

Approval as to Form:

Attest:

Nathan J. Williams
City Attorney

Jill Adams
City Clerk

Prepared by: Teresa Penny, Admin Secretary, Leisure Services



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: 8/7/2018

BOARD/COMMISSION: Cultural Diversity

NAME: Salem Whalen

TELEPHONE: [REDACTED]

(ONE PER FORM)

(HOME)

(WORK)

E-MAIL ADDRESS: [REDACTED]

ADDRESS: [REDACTED]

CITY: Sierra Vista

ZIP: 85635

MAILING ADDRESS: same

CITY RESIDENT? Yes REGISTERED TO VOTE IN CITY? Yes

EDUCATION: M. A. Communications emp in New Media and Marketing (B.S. Intercultural Communications)

OCCUPATION: Career Counselor Communications Professional Expert Improviser

(IF RETIRED, INDICATE FORMER OCCUPATION)

PROFESSIONAL/COMMUNITY ACTIVITIES: _____

Theseus Tribal Belly Dance Sierra Vista Free Thinkers

QUALIFICATIONS/INTEREST IN BOARD/COMMISSION: As a Cultural Advocate, I have a deep interest in facilitating quality relationships and understanding between the members of my community. I hope to participate in meaningful changes within Sierra Vista by applying my background in communications to the mission of the Cultural Diversity Commission.

REFERENCES: 1. Tasha Louis
(NAME)

(ADDRESS)

(PHONE)

2. Doris Tejada
(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.

[Signature]
(APPLICANT'S SIGNATURE)

Please return completed application to the city clerk's office – 08/29/05

September 27, 2018

MEMORANDUM TO: Honorable Mayor and City Council

THROUGH: Charles P. Potucek, City Manager
Victoria Yarbrough, Assistant City Manager
Matthew McLachlan, AICP
Director Community Development

FROM: Tina Moore, Planner

SUBJECT: REQUEST FOR AGENDA ITEM PLACEMENT
PUBLIC HEARING: REDMOND ANNEXATION

RECOMMENDATION:

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

INITIATED BY:

Randy and Robin Redmond
3511 E. Little Hill Drive
Sierra Vista, AZ 85635

BACKGROUND:

This is the second of three meeting to discuss this annexation. A blank annexation petition was filed after Council voted in favor of proceeding with the annexation. Per state regulation, a public hearing must be held within the last 10 days of a 30-day wait period after the filing of the annexation petition. This hearing is to satisfy that requirement.

Randy and Robin Redmond submitted a letter requesting to be annexed. Per our usual practice, an annexation survey was sent to adjacent neighbors to ascertain their interest in becoming part of the city. There not being enough neighbor interest, it was decided to proceed with the annexation of Mr. and Mrs. Redmond's properties.

In accordance with the 2008 City Council adopted annexation policy and map; this is a proactive annexation to incorporate long-term county enclave areas.

As depicted on the Long Term Annexation Map, the City's annexation policy established "proactive annexation areas" and "other annexation areas". The proactive annexation areas are those areas that the City will actively pursue annexation. They are characterized as "undeveloped land" and "county enclave areas". These areas provide the greatest strategic benefit to the City, such as economic benefits and connectivity to existing City areas, which allows for the logical extension of City services.

Goal 2-7 in Vista 2030 states that the City "*annex areas that provide the most benefit to the City as stated in the City's Annexation policy.*"

The FY 2014-16 Strategic Leadership Plan directed Staff to "*pursue annexation of county enclaves with greater emphasis on education to property owners.*" During this timeframe, the City was successful in reducing the extent of County enclaves through annexing the Sulger subdivision and a grouping of commercial properties along 5th Street in the Fry Townsite neighborhood.

PROCESS:

The statutory procedure for the annexation of territory is covered under A.R.S. 9-471. At this juncture, state law requires that Council hold a public hearing to discuss the annexation prior to circulating petitions for signatures.

The following actions have been completed per state laws:

1. File blank petitions with the Cochise County Recorder's Office (8/31/18)
2. Mail public hearing notice and annexation map to all real property owners within the annexation area 9/12/18) and the Chairman of the Cochise County Board of Supervisors (9/12/18);
3. Publish public hearing notice in newspaper (9/13/18);
4. Post public hearing notice in at least three conspicuous public places in the territory to be annexed (9/17/18);

The final hearing will be later this year after the Redmonds have signed the annexation petition.

PROPERTY INFORMATION:

The background information being provided for this annexation is for the property in its current condition.

Existing Land Use Plan

Land Use Map 1 of the VISTA 2030 identifies these properties as low density residential.

Existing zoning and its equivalent in the City

Cochise County currently has these properties zoned as R-36 (Residential minimum 36,000-square feet. The equivalent City zone is Single Family Residential – 36 (SFR36).

Existing Traffic Plan

The traffic circulation plan shows E. Little Hill Lane as a local street.

Existing Surface Water Plan

South Garden Drainageway runs south and east of these properties. Both properties are not within the flood plain boundaries.

Existing Parks Plan

The closest park to this location is the County Club Park located at 2396 Cherry Hills Drive. Numerous multiuse paths are within walking distance for this location.

Existing Sewer Plan

There is an 8-inch sewer line that available on E. Little Hill Lane.

Are there any agreements or outstanding issues with the county concerning the property?

No

Are there any agreements made with the city regarding the property?

No

FISCAL IMPACT ANALYSIS

These properties will add property tax revenues to the City; however, they will also add service costs (i.e. police services). Service costs should be minimal as this is a fairly small area and there are no proposed infrastructure improvements.

Annexing properties in the enclave areas is in keeping with the Annexation Policy.

Attachment: Resolution
Exhibit A – Legal Description and map

RESOLUTION 2018-073

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; AUTHORIZING STAFF TO PROCEED WITH THE REDMOND ANNEXATION OF, AS SHOWN IN THE ATTACHED LEGAL DESCRIPTIONS AND MAP (EXHIBIT A); AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY, OR THEIR DULY AUTHORIZED OFFERS AND AGENTS, TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

WHEREAS, the City of Sierra Vista (hereinafter referred to as the City) wishes to promote the harmonious and unified growth of the community to include areas within the City and the developing areas surrounded by or adjacent to the City; and

WHEREAS, the City wishes to encourage the development of the urbanized community to consistent and harmonious urban standards that reflect the high standard of development and quality of life desired by its citizens; and

WHEREAS, the City wishes to avoid the problems experienced by urban communities that are divided under several governmental jurisdictions with conflicting policies, procedures, revenue sources, and interests; and

WHEREAS, the City wishes to expand its urban limits in order to guide, control, and assure its destiny through orderly, planned growth, and redevelopment without undesirably increasing the financial burden for residents; and

WHEREAS, said property to be annexed is contiguous with or surrounded by the City; and

WHEREAS, the Mayor and City Council affirmed their desire to continue with the annexation process of this property; and

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

Section 1

By continuing with the processing of this annexation, the goals of Vista 2030, the City of Sierra Vista General Plan and the City of Sierra Vista Annexation Policy, are reaffirmed.

Section 2

That it is the intent of the Mayor and City Council to consider, after proper notice has been given and public hearing held, to annex two properties located on E. Little Hill Lane, as shown on the attached legal descriptions (Exhibit A).

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 purposed and intent of this resolution.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 27th DAY OF SEPTEMBER 2018.

FREDERICK W. MUELLER
Mayor

Approved As To Form:

Attest:

NATHAN WILLIAMS
City Attorney

JILL ADAMS
City Clerk

Prepared By: Tina Moore, Planner

CITY OF SIERRA VISTA
ANNEXATION PETITION

To the Honorable Mayor and Council of the City of Sierra Vista, Arizona.

We, the undersigned, being owners of real and/or personal property situated within the area hereinafter described and mapped, do hereby petition the City Council of the City of Sierra Vista to annex said area in said City.

We understand that the area to be annexed must be contiguous to the City limits, that the provisions of Section 9-471, Arizona Revised Statutes, must be fully observed and complied with, and that the Sierra Vista City Council may or may not annex the territory we are requesting to be annexed.

(SEE ATTACHMENT FOR LEGAL DESCRIPTION AND MAP)

Owner:

Tax Parcel Number(s) of the Property being annexed.	Name of Property Owner(s)	Mailing Address of Owner(s)
Date Signed	Signature of Owner	

Co-owner:

Tax Parcel Number(s) of the Property being annexed.	Name of Property Owner(s)	Mailing Address of Owner(s)
Date Signed	Signature of Owner	

I, _____, hereby certify that I circulated the above petition and that the legal description and map on the reverse side hereof was shown to each owner before obtaining his/her signature and that no additions, deletion, or alteration to the territory sought to be annexed were made after the petition was signed by any person.

 CIRCULATOR

I, Matthew McLachlan, hereby certify that the above petition and the legal description and map shown as attachment A hereof were prepared by the City staff from information provided by the Professional Engineer indicated hereon.

 Matthew McLachlan, AICP
 Director, Department of Community Development
 City of Sierra Vista

CITY OF SIERRA VISTA

ANNEXATION PETITION

LEGAL DESCRIPTION CERTAIN REAL PROPERTY SITUATED IN THE SOUTH HALF OF SECTION 12, TOWNSHIP 22 SOUTH, RANGE 20 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, COCHISE COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**LEGAL DESCRIPTION FOR CITY OF SIERRA VISTA
ANNEXATION BOUNDARY FOR
PARCELS 105-16-021E AND 105-16-021F
SIERRA VISTA, ARIZONA**

A TRACT OF LAND, BEING A PORTION OF THE SOUTH HALF OF SECTION 12, TOWNSHIP 22 SOUTH, RANGE 20 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, COCHISE COUNTY, ARIZONA, THAT HAS NOT BEEN ANNEXED INTO THE SIERRA VISTA CITY LIMITS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS;

FROM THE MIDPOINT OF THE EASTERN SECTION LINE OF TOWNSHIP 22 SOUTH, RANGE 20 EAST, SECTION 12, BEING COINCIDENTAL WITH THE INTERSECTION OF SOUTH HIGHWAY 92 AND AVENIDA COCHISE, MORE OR LESS SOUTHEASTERLY A DISTANCE OF APPROXIMATELY 2,966 FEET ALONG THE CENTERLINE OF AVENIDA COCHISE TO THE INTERSECTION OF AVENIDA COCHISE AND OAKMONT DRIVE;

THENCE MORE OR LESS NORTHERLY A DISTANCE OF APPROXIMATELY 1,152 FEET ALONG THE CENTER LINE OF OAKMONT DRIVE TO THE INTERSECTION OF OAKMONT DRIVE AND RED LEAF LANE;

THENCE EASTERLY A DISTANCE OF APPROXIMATELY 655 FEET ALONG THE CENTER LINE OF RED LEAF LANE TO THE INTERSECTION OF RED LEAF LANE AND WILLOW OAK LANE;

THENCE NORTHERLY A DISTANCE OF APPROXIMATELY 303 FEET ALONG THE CENTER LINE OF WILLOW OAK LANE TO THE INTERSECTION OF WILLOW OAK LANE AND LITTLE HILL LANE;

THENCE EASTERLY A DISTANCE OF APPROXIMATELY 151 FEET ALONG THE CENTER LINE OF LITTLE HILL LANE TO **THE TRUE POINT OF BEGINNING**, BEING THE LIMITS OF THE MUNICIPAL BOUNDARY BETWEEN THE CITY OF SIERRA VISTA AND COCHISE COUNTY;

THENCE EASTERLY A DISTANCE OF APPROXIMATELY 432 FEET ALONG THE CURRENT BOUNDARY OF THE LIMITS OF THE CITY OF SIERRA VISTA TO A POINT ON THE SOUTHERN RIGHT-OF-WAY OF LITTLE HILL LANE THAT IS DIRECTLY SOUTH OF THE SOUTHEAST CORNER OF PARCEL 105-16-021E;

THENCE NORTHERLY A DISTANCE OF APPROXIMATELY 60 FEET ACROSS THE RIGHT-OF-WAY OF LITTLE HILL LANE ALONG A LINE THAT IS CO-LINEAR WITH THE EAST LOT LINE OF PARCEL 105-16-021E;

THENCE NORTHERLY A DISTANCE OF APPROXIMATELY 278 FEET ALONG THE EAST LOT LINE OF PARCEL 105-16-021E TO THE NORTHEASTERN CORNER OF PARCEL 105-16-021E;

THENCE WESTERLY A DISTANCE OF APPROXIMATELY 142 FEET ALONG THE NORTHERN LOT LINE OF PARCEL 105-16-021E TO THE NORTHEASTERN CORNER OF PARCEL 105-16-021F;

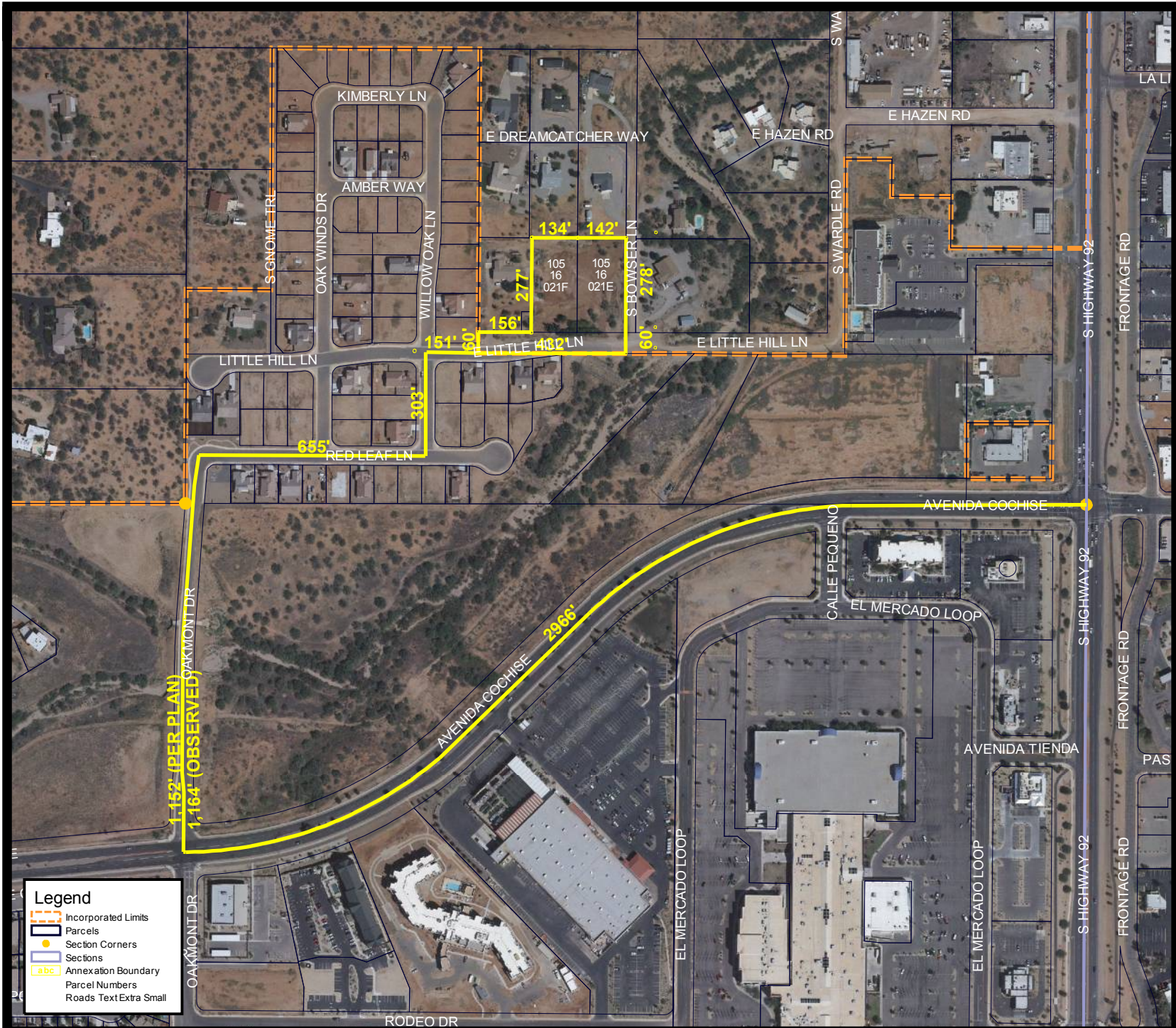
THENCE WESTERLY A DISTANCE OF APPROXIMATELY 134 FEET ALONG THE NORTHERN LOT LINE OF PARCEL 105-16-021F TO THE NORTHWESTERN CORNER OF PARCEL 105-16-021F;

THENCE SOUTHERLY A DISTANCE OF APPROXIMATELY 277 FEET ALONG THE WESTERN LOT LINE OF PARCEL 105-16-021F TO THE SOUTHWESTERN CORNER OF PARCEL 105-16-021F;

THENCE WESTERLY A DISTANCE OF APPROXIMATELY 156 FEET ALONG THE NORTHERN RIGHT-OF-WAY LINE OF LITTLE HILL LANE TO A POINT ON THE CURRENT LIMITS OF THE MUNICIPAL BOUNDARY BETWEEN THE CITY OF SIERRA VISTA AND COCHISE COUNTY;

THENCE SOUTHERLY A DISTANCE OF APPROXIMATELY 60 FEET ALONG THE CURRENT THE LIMITS OF THE MUNICIPAL BOUNDARY BETWEEN THE CITY OF SIERRA VISTA AND COCHISE COUNTY TO A POINT BEING **THE TRUE POINT OF BEGINNING**.

SAID PARCEL CONTAINS APPROXIMATELY 2 ACRES MORE OR LESS
SEE EXHIBIT A, ATTACHED



Legend

- Incorporated Limits
- Parcels
- Section Corners
- Sections
- Annexation Boundary
- Parcel Numbers
- Roads TextExtra Small

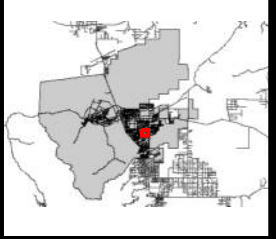


EXHIBIT A LITTLE HILL LANE ANNEXATION

This map is a product of the City of Sierra Vista GIS

