

Sierra Vista City Council
Work Session Minutes
April 26, 2016

1. Call to order – 3:00 p.m. in the City Hall, Council Chambers, 1011 N. Coronado Drive, Sierra Vista, Arizona.

Roll Call

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

Others Present:

Chuck Potucek, City Manager
Mary Jacobs, Assistant City Manager
Adam Thrasher, Police Chief
Ron York, Fire Chief
Sharon Flissar, Public Works Director
Victoria Yarbrough, Library and Leisure Services Director
Matt McLachlan, Community Development Director
Jeff Pregler, Sr. Planner
Jenifer Thornton, Management Analyst
Judy Hector, PIO
Linda Jones, Management Analyst

2. Presentation and discussion:

- A. April 28, 2016 Council Meeting Agenda Items (agenda attached)

Awards and presentations – There was no discussion.

Consent Agenda – There was no discussion.

Item 2 Resolution 2016-022, Adoption of the 2016 Community Development Block Grant (CDBG) Annual Action Plan to submit to the Department of Housing and Urban Development (HUD)

Mr. McLachlan stated that this relates to the final adoption of this year's Annual Action Plan, which is essentially the City's grant application to the U.S. Department of Housing and Urban Development for the use of community development block grant funds. The amount that has been appropriated is \$218,415. The 30-day public comment period concludes on April 27th and to-date the Department has received five letters of support for Habitat for Humanity forming emergency home repairs and one letter restricting CDBG funds for only City projects. Staff is proposing in the Annual Action Plan \$95,000 in funding for new street lighting in the Fry Town Site and Sulger Neighborhood target areas, \$20,000 for the Good Neighbor Alliance to replace a roof at the Samaritan Station and \$60,000 for Habitat for Humanity to carry out the critical

home repairs for income qualified households. The remaining balance will be used to cover program administration costs incurred by the Department's Management Analyst.

tem 3 Resolution 2016-023, Approval of a Conditional Use Permit for Apostolic Truth Tabernacle, 215 N. Carmichael Avenue, Sierra Vista, Arizona

Mr. McLachlan stated that the proposal is to demolish and replace existing 2,500 square foot church with a new 4,000 square foot church on a .7 acre piece of property located at 215 North Carmichael Drive. The site is presently zoned for single residential family use and the conditional use permit is necessitated by the redevelopment and expansion of the existing use. The request meets the approval for granting the conditional use. The Planning and Zoning Commission considered the item and unanimously recommended approval with the condition that the maximum seating capacity of the sanctuary not exceed 174 seats. To-date there has been no public comment.

Council Member Huisking asked if the church used to be a home. Mr. McLachlan stated that the building has been historically used as a church. Mr. Pregler added that the church has been in existence for over 40 years and active as a church. Mayor Mueller noted that the Code states that churches can go in any zone. Mr. McLachlan stated that the church is 4,000 square feet and it is going from 90 seats to 174 seats.

Item 4 Minutes for April 14, 2016 – There was no discussion.

Item 5 Resolution 2016-024, Authorizing the Renewal of the Automatic Aid Agreement with the Fry Fire District

Fire Chief York stated that the operational and training verbiage was removed that was found to be redundant, which did not impact anything. Simplified were some of the issues regarding costs, compensation and reimbursement for either organization. The cost responsibility was left to the respective agencies. There will be no reimbursement or charges in the agreement.

Council Member Huisking asked about the renewal clause. Chief York stated that he believes that it is for five years. Ms. Jacobs added that the agreement is for five years with up to five additional optional years.

B. Discussion of Council Executive Report (attached)

Mayor Mueller noted that Council Member Mount and he had requested changes to the finance report and staff hit the mark and added that he appreciates that update.

Mr. Potucek stated that on the executive report of particular interest is the Police Department's report on the body cams and what is being done in the budget proposal this year from the department to implement body cams across the department. The main issue with body cams is the retention of records and dealing with the requests for that information. Right now the Department is planning on working with the Sheriff to develop a Countywide Program for records retention and release.

Mr. Potucek stated that hopefully next year, as previously discussed, staff will be working with the League Executive Board on getting the State to adopt some sort of standard approved by which the City would follow to do this. Police Chief Thrasher stated that there are many agencies that have implemented these in the Valley and Tucson area where they are getting

those policies and procedures and looking for the best practices for storage, redaction and release of the information. The Department is going through all of that to determine what they would recommend as an agency. Mayor Mueller recommended that the Department consult with the City Clerk since she deals with freedom of information and has experience with regard to records retention.

Mayor Mueller stated that Session has not changed with regard to SB1268 as they are still waiting on the budget to get passed so that it will move into the Senate as amended and then on to the governor's desk. Mr. Potucek added that the budget is anticipated by the end of the week.

Council Member Gray asked what is being used to replace the grass as part of the landscaping at the animal shelter. Police Chief Thrasher explained that the grass is being replaced with gravel as seen between the medians in the roadways. Mayor Mueller added that it is decomposed granite.

Council Member Gray asked if that is set in stone. Police Chief Thrasher stated that it is the plan and that was what was put in the proposal that went out in the RFP.

Council Member Gray voiced her concern about the dogs. Police Chief Thrasher noted that the dogs are not out in that area because they get taken over to Destiny's Playground at this moment.

Council Member Gray asked if the hook worms are coming over from Destiny's Playground. Police Chief Thrasher stated that the Department believes that they are not.

Council Member Gray stated that her questions about the body cams have been answered; but questioned Mr. Potucek about the \$72,000 budgeted and not having to necessarily take that out of the General Budget if RICO Funds are available. Mr. Potucek stated that the Department is planning on using RICO funds primarily for this particular project.

In response to Council Member Gray, Mr. Potucek stated that the RICO funds are available. He also added that the General fund is tight and so staff is looking for outside funding in as many places as they can. This seems to be the appropriate place to take it from.

Council Member Gray asked for the reason behind the residential rental tax decrease as it is down 17 percent from last year. Mr. Potucek explained that outside of the population losses that have been discussed over the past months, he would say that it is the primary reason. Mayor Mueller added that there might be another reason; if in fact people had the money to move out, with interest rates being as low as they are and the availability of housing and foreclosures. Mr. Potucek stated that the Mayor's answer is optimistic; but the answer is probably both.

Council Member Huisking asked about the issues associated with the partnership with the county concerning environmental consulting and litigation. Mr. Potucek stated that over that past number of years, the City has had various contracts with either attorneys or consultants with regard to the Endangered Species Act issues and the Gila River Adjudication. The City has two primary contracts, one with regard to the Endangered Species Act with Mary Darling and the second one with Bill Sullivan, the City's attorney representing the City on the Gila River Adjudication.

Mr. Potucek explained that the reason that he was at the County was because the County has been a partner with the City and splitting the costs on the contract with Mary Darling and the County wanted to discuss the potential of joining the City as a founding partner on the Gila River Adjudication and it appears that the County is going to do that as well next fiscal year.

Council Member Huisking asked how the City was picked to participate with Fort Huachuca on the Central Landscape Grant. Ms. Jacobs stated that officially it was not the City that was chosen; but they are including the City. It is a new program that the federal government is trying, to identify those areas that are right for conservation easements as well as efforts that are surrounding a military installation. There are only three areas around the country that have been selected and basically what it is doing is elevating those areas, which includes the City, for resources from the individual agencies, i.e., Interior, Forrest Service, the DOD and etc. They are pulling all of the players together including the local folks, i.e., Irrigation Districts, County, City and any other organizations that may have opportunities to leverage funds to work together, i.e., State Land Department and State Forest Service.

Ms. Jacobs stated that Tom Finnegan has taken a lot of leadership responsibilities for the western regional partnership in trying to move their look to the Fort Huachuca area, which was beneficial to the Fort. So far, they are seeing \$15,000,000 and recently, she saw an announcement for an additional \$5,000,000/\$6,000,000 from an agency that again will all work together towards buying easements as well as doing conservational work on the different properties.

Council Member Huisking asked if this is on privately owned land. Ms. Jacobs explained that it depends. Mayor Mueller added that they are in the process of getting this organized. In identifying the first three areas to do this in, they overlapped conservation needs, wildlife needs, military needs and etc. They looked at areas where there would be the most impact and they designated an area that he has heard being referred to, "The Mitten", an area on Fort Huachuca primarily to the north, going all of the way across the Santa Cruz and up north along the San Pedro, the Babocamari stretch and further north. This is their focus area as well as areas that may impact conservation, water mitigation, wildlife preservation, wildlife corridors and endangered species. They are trying to work out all of the details and they are in preliminary steps.

Council Member Huisking asked if there is money changing hands. Mayor Mueller stated that there are a couple of organizations that are represented, Arizona Land and Water Trust and they received some other monies through the Repe Challenge. Those folks are looking at what the appropriate way to spend the money and that is the voice that the City needs to get involved with to see where it goes and how it will be spent to impact the preservation in the area.

Council Member Huisking asked who represents the City. Mayor Mueller stated that nobody is representing the City. The determination has not been made because the City has not been asked until now; but it is in the initial stages and they have not even voted on their procedures and how they plan to operate.

Council Member Huisking asked if the City is teaching water safety classes along with the CPR and CCR classes. She also asked about the status on lifeguards to get the City through the summer. Ms. Yarbrough stated that the Department teaches water safety classes every summer and winter break whenever, they have enough staff. The staffing levels for the

summer will be fine as all current lifeguards also want to get certified as water safety instructors. The Department is hoping to let more children in this summer for swim lessons.

Council Member Huisking stated that she was amazed to read about teens making portable cells and loved reading about Teen Tech Week.

Council Member Huisking asked about Laura Killberg's future job due to her certification as an event planner. Ms. Yarbrough stated that Ms. Killberg already does all of the Department's events. This is an additional certification to give her some tools and knowledge to do what she does very well even better.

Council Member Huisking asked if any thought has been put into putting something in the bare medians. They look very clean but bare and hot looking. Ms. Flissar stated that the medians have decomposed granite and it is hard to tell. The plants were thinned out due to their bad shape because of the rocks and other factors in the medians. There are current no plans to go back through with additional landscaping as those medians do not have irrigation in them, which would be a challenge in getting new landscaping established and that is something that could be looked at in the future.

Council Member Gray noted that she thinks that they look great.

C. Proposed Extension of Cochise-Vista Route/Bicycle Friendly America Program

Mr. McLachlan stated that the City and Cochise Bicycle Advocates have three goals in common that they want to share with Council for feedback and direction. If staff receives concurrence from Council they will move forward and take the proposals to the Parks and Recreation Commission for consideration and a recommendation.

The first concerns the Cochise Vista Trail; the second involves the potential for providing overnight camping to support cyclists travelling the National Bicycle Route. The third relates to the application process and potential benefits in pursuing the Bicycle Friendly Designation.

Cochise Vista Trail – The initial route was brought about by Cochise Advocates in 2013 with signage installed late last year through an intergovernmental agreement with the County. The existing 12.6 mile route extends through the City and County sections and follows multi-use paths, stripped bicycle lanes and safer sections of local streets. The current proposal involves extending the existing 12.6 mile route by 8.9 miles to create a 21.5 mile loop using smaller local streets, existing bike lanes and multi-use paths. The cost of implementation would be limited to the cost incurred by the County staff to produce the 15 additional panels, which is estimated to be about \$900. The CBA has volunteered to organize a group to install the signs. Dan Coxworth was the project manager for the initial route. The County is fully supportive of this concept going forward.

Council Member Huisking stated that John Whetick provided her with a preview and it makes good sense and she supports it. Council Member Gary added that she supports it as well.

Mayor Mueller asked if the City would have the funds and noted that he appreciates the signs being provided by the County. Mr. Potucek stated that the City will have the necessary funds. Mr. McLachlan stated that staff will oversee the volunteers and accompany them during the placement of the signs.

Mr. McLachlan stated that establishing places for overnight accommodations is along the National Bicycle Route, which will run along the Highway 90 Bypass, down Coronado and out MLK to Charleston Road and over to Bisbee. Staff has been looking at potential properties that are conducive for a small area to accommodate the national bike riders because essentially all that they need is a crash pad. They are travelling long distances and typically they do not stay in motel. They are campers and currently with the update to the Development Code, there are no existing campgrounds within the City limits.

In response to Mayor Mueller, Mr. McLachlan displayed the route.

Ms. Yarbrough explained that the issue with not having any camping sites for these folks, on long distance tours, means that most likely many of them will pass Sierra Vista by and go on to Tombstone or circle around to Bisbee or Douglas. There are some tours that stay in hotels/motels over night; but these are the folks that are travelling for weeks or months at a time who don't want to pay for motel accommodations so they primarily look for camp sites or a place with a roof. Staff does not want those folks to pass Sierra Vista by and so staff is attempting to identify a City building that could be accommodating to them for a night.

Mayor Mueller stated that there used to be an area between the Oscar Yrun Center and Ethel Berger Center. Ms. Victoria indicated that there is; but it is not functional. Staff first looked at parks; however, the problem with outdoor space is that they can't be secured over night. The space is for someone that would come in and put up a tent and park their bike and walk over to a restaurant or a store. The City cannot guarantee that their belongings will not be touched. The only option identified was a building where they could stay overnight. Staff is currently looking at the therapeutic recreation building; but there are a lot of things to consider before moving forward with that, i.e., researching liability options and trying to deterring how to apply policies and procedures to make sure that the people staying there are long distance bicyclists/campers.

Mayor Mueller asked if the commercial market has been explored to see if there is anyone interested along that route to opening up a piece of their property to house these folks. Ms. Yarbrough stated that it is something that staff will look at and be pursuing.

In response to Council Member Gray, Ms. Yarbrough stated that the therapeutic recreation building is located behind the Oscar Yrun Center. Mayor Mueller added that it is a prefab metal building.

Council Member Gray asked if the building has showers and bathrooms. Ms. Yarbrough stated that it has two full bathrooms and a kitchen.

Council Member Gray asked if there is a storage facility so that these folks can store their bike/belongings at night. Ms. Yarbrough stated that they would be able to bring their bicycle into the building.

Council Member Huisking asked about the square footage of the building and the number of bicycles that could be accommodated. Ms. Yarbrough stated that it is estimated that these groups travel from one to two and the City might have one to two groups a week and staff would have to look at the capacity because they do not want to pack the building. There are a lot of issues to be looked at and that is why staff is looking at a response as to whether Council wants staff to proceed.

Council Member Huisking asked if staff is looking at other cities that have facilities. Ms. Yarbrough stated that she is researching that and most cities offer camping in an outdoor camp ground.

Mr. Potucek stated that he has been in discussions with Ms. Yarbrough about the idea and it seems like a good idea to find usage somewhere that could accommodate the type of usage; but there are many issues associated with it, i.e., liability, supervision, the fact that the City cannot offer public usage for exclusive use for a particular group because there may be other groups that may want to use the facility as well.

Council Member Huisking asked how long it would take if Council supports it. Ms. Yarbrough stated that it would be a few months.

Council Member Huisking stated that she would love to see resolution to move forward as it is a good idea and as perfect a place as Sierra Vista is for tourism, it would make some sense.

Council Member Ash, asked about Air B&B. Ms. Yarbrough stated that there is actually something and it is called, "Warm Couches" for bicyclists travelling through an area where somebody can offer up their couch for somebody to spend the night for free. It is similar to the concept.

Mr. McLachlan stated that Mr. Whetic could not be present today because he is currently riding in Kansas in a category of bikers called, "Credit Card Travelers". He is actually staying at lodging and there is a group that does that and hopefully will come through Sierra Vista.

Mr. McLachlan stated that the next goal relates to the application for Go Friendly America Designation. Ms. Hector's staff put together the application in 2010 and she has detailed familiarity with the requirements in the process.

Ms. Hector stated that she was not in Sierra Vista in 2010; but her staff has filled her in on some of the details and she has looked at the application. It would take about 40 hours of work of not necessarily exclusively staff time because the advocates have offered to assist with that application completion. Some of the things that the City has progressed with as a community since that time are the additional establishment of bike routes and signing those routes, getting safety implementation and a key element as well is bicycle education, which is offered through the advocates. Tom Armstrong offers classes twice a year and operates that in cooperation with the Fire Department.

Council Member Huisking about the benefits in acquiring the designation, i.e., putting Sierra Vista on a map. Ms. Hector stated that would not know about a published map but would be included amongst a list of bicycle friendly certified communities. The bicycling community is several million riders across the country and they are a very closely knit group. The certification would be included on the League of American Bicyclists website and then it could also be included in any of the other City's tourism marketing specifically targeting bicyclists so that they know what they are getting into before they come to Sierra Vista.

Mr. McLachlan stated that it is another feature that the City could advertise as part of the marketing to attract the bicycling community to Sierra Vista in addition to advertising through the League's website. It is an important application for the bicyclists' advocates to pursue this year. The application window is in August and if Council thinks that this is worthy of

proceeding on, staff will need that direction today to start putting together the required materials.

Council Member Huisking asked if they think that the City will be successful in overcoming obstacles. Mr. McLachlan stated yes and they offered to lend their support in putting together the material that goes into the application. Ms. Hector added that the City did receive feedback as of the last application as to why the City did not receive designation and it was encouraging.

Mayor Mueller stated that as part of Strategic Plan, Council talked about, this touches in a lot of areas, i.e., health communities, recreation, attracting different groups to the community and economic development. There are a lot of different pieces and the City should pursue this.

Mayor Mueller asked if there is a role for the Parks and Recreation Commission with regard to any of the issues talked about. Ms. Yarbrough stated that she thinks that they would be useful in giving their recommendation on all three pieces.

Mayor Mueller stated that he agrees with Ms. Yarbrough and the Parks and Recreation Commission needs to be aware and involved in all of the action going on and it should not just be Mr. McLachlan or Ms. Yarbrough working on it. Ms. Hector. He also added that staff has the green light on the application process, the signs and the camping, which is going to take some time and effort; but worth the additional research.

Mayor Mueller stated that he would like to know if there is a commercial operation, i.e., RV parks and etc. that are on or near the route that already have the showers, lockable facilities and the potential for the use of a kitchen and laundry for the longer term bike riders. This would save the City money and still get the job done.

D. Presentation of King's Court Agreement Deal Points

Mr. Potucek stated that Ms. Jacobs has put together a presentation on where the City is at with regards to the Requests for Proposals (RFP) that went out for the former King's Court properties. Staff did receive one bidder and Ms. Jacobs and Ms. McFarland have been working with them on developing an agreement for the purchase and on what the bidder would then provide to the City in exchange for taking a portion of the properties.

Ms. Jacobs stated that in 2012 the entire property of the former King's Court was donated to the City. The City did conduct a community input process later that fall followed by a RFP to operate the facility; but the City did not receive any successful bidders. In the meantime, the tennis constituents continued and continue to use the tennis courts. There was initially a charge; but that went away quickly and there has been no charge to use the facility since.

In 2014 after Council put an item on the ballot for the residents, the community did approve the sale of the land, which lead the opportunity for Council to consider all or partial sale of the property.

Last year, the City did receive interest from an external developer in acquiring a portion of King's Court. Staff briefed the Council in Executive Session and Council did at that time provide direction to staff. As a result, staff completed an appraisal of the property, which was appraised at \$475,000 less the value of demolition and removal of the debris. It is \$475,000 if the land is vacant, 2.91 acres.

In February, the City issued per State Law an invitation for bids and in March/April, the City did receive one bid at a \$585,000 value that does include the demolition and removal of the debris. Staff negotiated and finalized the agreement.

Ms. Jacobs presented a map of the 2.91 acres that was included in the invitation for bids and noted that the sale facilitates a future 120 unit apartment complex. She also displayed a map of how the developer will assemble the adjacent land and use the portion that they are acquiring from the City and an initial concept of a park and apartment complex.

The road along the southerly portion is actually part of that future road that is going to go into and separate the property and lead to the intersection at SR92 that has been talked about in the past. The apartment complex would be off of that main roadway and so would the City's portion, the tennis complex.

Part of the deal was the execution of an easement that will go over the City's property through the parking lot into what they expect to be a gated apartment complex. This is conceptual because they have not yet finalized what it will look like.

The City gets for that sale of that portion of the property:

- Demolition/removal of existing structures;
- Relocation/new construction of westerly court to the east end and relocation of lighting/fencing;
- Resurfacing of remaining tennis courts;
- New construction and resurfacing of parking lot;
- New construction of two handicap accessible restroom, office and storage/utility area;
- Shade structure with slab foundation;
- One handicap accessible drinking fountain;
- Pocket park with tot turf, playground equipment and shade structure;
- Bleachers;
- Additional or improved landscaping;
- Park sign; and
- 100 percent security at close of escrow.

Council Member Huisking asked if another tennis court would be constructed. Ms. Jacobs explained that they will demolish one and add one of the same caliber. The City will still have six. They will also be responsible for relocating all of the fencing and lighting.

Mayor Mueller asked about shade structures. Ms. Jacobs stated that there will be a shaded structure on the property.

Council Member Huisking asked where the office would be located. Ms. Jacobs explained that this is only a concept. Staff will be working with the developer and in general the office and courts would be next to the parking lot; but engineering has not been done. This is very preliminary and the developer will resurface all the courts to City's specification. They will add new construction, resurface parking lot, add bathrooms and a shaded structure with slab foundation. There will also be one handicap drinking fountain and a tot playground along with bleachers. They have agreed to add landscaping to make it an attractive park and they will be providing 100 percent of the value worth of security at the close of escrow. This will ensure that they perform as agreed and if they do not, and then the City can cash it and do the improvements.

Ms. Jacobs stated that this starts process to do preliminary site plan and execute on security instrument if improvements not made. Right now staff does not know when it will be done and City staff will know more details at closing. The process is that Procurement Officer will sign the agreement and then it will start the 120-day process.

Mayor Mueller noted that the group looked at the community for multiuse housing and the fact that there are not a lot of high end condos in town. The apartment complex will be close to the hospital and the doctors can stay until they buy homes as part of the incentive. Also according to the City's Procurement Code, the City Manager may direct staff to proceed. If council does not agree, Council Members need to indicate that.

Council Member Huisking asked if houses can go in the area and noted that she likes the idea; but wonders of any previous projects from the company. Ms. Jacobs stated that they are conducting marketing as part of the 120-days; but staff is confident that they will perform.

Council Member Gray commented that this will give the City the best of both worlds and asked if they are going to be for sale or lease. Ms. Jacobs stated that their intention is to lease.

Council Member Gray also stated that the housing market is getting better and it is starting to climb. Mr. McLachlan added that there were seven individual house permits.

Council Member Gray noted that existing home sales are going up. Council Member Huisking added that the snow birds might like it and she hopes that the tennis constituency will be happy and that the resurfacing is up to the same standards as before. Ms. Jacobs stated that they are clear with the current type of court and what would be expected and added that Ms. Yarbrough provided specifications to them. The City would need to approve it and it is clear in the agreement.

Council Member Huisking asked about park signage and the current number parks. Ms. Yarbrough stated that this would be park number 21 or 22.

Council Member Gray asked if the market study would take place during escrow. Ms. Jacobs stated that they have a general idea and they have done enough research and market analysis.

Council Member Gray asked about the 120 days and when escrow would start. Ms. Jacobs stated that the timeline would start tomorrow.

E. Report on Recent Trips, Meetings and Future Meetings

Council Member Huisking announced Citizens' Police Academy activities. She also reported that she recently received an inquiry from a resident, who goes to Tucson three times a week to play pickelball, about a venue for pickelball in Sierra Vista because it is very popular with people who used to play tennis.

F. Future Discussion Items and Council Requests

In response to Mayor Mueller, Ms. Jacobs listed the issues upcoming at the May 10th work session:

- Development fee process;

- CAC Tasking;

Council Member Gray noted that she would not be able to attend and requested that the item be moved to the second meeting in May.

- Economic Development Update; and
- Commission recommendations which will be posted for public comment.

Mr. Potucek announced the Joint Work Session with Cochise County on May 12th to discuss a Memorandum of Understanding for communications as there is a facility that is being looked at. There is also a budget work session scheduled for May 2nd. Staff plans on having the budget balanced by Friday, April 29th.

Council Member Ash inquired about the Good Neighbor Alliance Award. Mayor Mueller stated that the award will be presented at Thursday's Council Meeting.

3. Adjourn

Mayor Mueller adjourned the work session at 4:08 p.m.

Mayor Frederick W. Mueller

Minutes prepared by:

Attest:

Maria G. Marsh, Deputy City Clerk

Jill Adams, City Clerk