



TOWN OF HUACHUCA CITY

The Sunset City

**HUACHUCA CITY TOWN COUNCIL
PUBLIC MEETING NOTICE
THURSDAY, FEBRUARY 11, 2021, AT 7:00 PM
VIA REMOTE ACCESS FROM
COUNCIL CHAMBERS
500 N. GONZALES BLVD.
HUACHUCA CITY, AZ 85616**

SPECIAL NOTICE: BY PROCLAMATION OF THE MAYOR DUE TO THE COVID-19 PANDEMIC, THE MAYOR AND COUNCIL WILL CONDUCT PUBLIC MEETINGS IN A REMOTE ACCESS FORMAT. THESE MEETINGS WILL BE LIVE-STREAMED. MEMBERS OF THE PUBLIC MAY ATTEND THESE MEETINGS BY GOING TO [OR CALLING TO]: <https://www.facebook.com/HuachucaCityAZ> or 520-844-2096. IN ADDITION, THE MAYOR HAS TEMPORARILY SUSPENDED CALLS TO THE PUBLIC AT THESE MEETINGS. HOWEVER, MEMBERS OF THE PUBLIC MAY SUBMIT WRITTEN COMMENTS TO THE TOWN CLERK TWENTY-FOUR HOURS IN ADVANCE OF THE MEETING. ADVANCE NOTICE OF THESE MEETINGS CAN BE FOUND AT THE TOWN'S USUAL AGENDA POSTING LOCATIONS INCLUDING THE TOWN'S WEBSITE <https://huachucacityaz.gov/>

AGENDA

A. Call to Order – Mayor

- a. Pledge of Allegiance
- b. Roll Call and Ascertain Quorum
- c. Invocation

Any prayer/invocation that may be offered before the start of regular Council business shall be the voluntary offering of a private citizen, for the benefit of the Council and the citizens present. The views or beliefs expressed by the prayer/invocation speaker have not been previously reviewed or approved by the Council, and the Council does not endorse the religious beliefs or views of this, or any other speaker. A list of volunteers is maintained by the Town Clerk's Office and interested persons should contact the Town Clerk's Office for further information.

B. Call to the Public – Mayor TEMPORARILY SUSPENDED – WRITTEN COMMENTS MAY BE SUBMITTED TO THE TOWN CLERK

A.R.S. 38-431.01 states the Public Body may make an open call to the public during a public meeting, subject to reasonable time, place and manner restrictions, to allow individuals to address the public body on any issue within the jurisdiction of the Public Body. At the conclusion of an open call to the public, individual members of the Public Body may respond to criticism made by those who have addressed the Public Body, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the Public Body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action.

C. Consent Agenda - Mayor

All items listed in the Consent Agenda are considered routine matters and will be enacted by one motion of the Council. There will be no separate discussion of these items unless a Member of the Town Council requests that an item or items be removed for discussion. Council Members may ask questions without removal of the item from the Consent Agenda. Items removed from the Consent Agenda are considered in their normal sequence as listed on the agenda, unless called out of sequence.

- C.1** Consider approval of the minutes of the Special Session held on January 27, 2021 and the Regular Council meeting and the Council work session held on January 28, 2021.
- C.2** Consider approval of the Payment Approval Report.

D. Unfinished Business before the Council – Mayor

Public comment **TEMPORARILY SUSPENDED – WRITTEN COMMENTS MAY BE SUBMITTED TO THE TOWN CLERK** will be taken at the beginning of each agenda item, after the subject has been announced by the Mayor and explained by staff. Any citizen, who wishes, may speak one time for five minutes on each agenda item before or after Council discussion. Questions from Council Members, however, may be directed to staff or a member of the public through the Mayor at any time.

E. New Business Before Council - Mayor

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- E.1 Discussion and/or Action [Mayor Wallace]:** Presentation of Certificates of Appreciation to soldiers from C Company, 2-13th Aviation Regiment for their work at the Community Garden.

E.2 Discussion and/or Action [Suzanne Harvey]: Manager Harvey will present the top unfunded needs of the Town. She may also request approval to expend funds for some or all of the following Town needs and projects: painting town buildings, purchasing a power washer, and purchasing software for interacting with the community. The Council might also consider other projects recommended by staff, including various upgrades to town buildings and equipment.

E.3 Discussion and/or Action [Mayor Wallace]: Mayor Wallace will direct staff to begin the process of preparing a new budget for FY 2022. Council might discuss the budget preparation and adoption timeline, budget priorities, anticipated revenues and expenditures.

E.4 Discussion and/or Action [Dr. Johnson]: Presentation concerning adopting regulations under State Proposition 207 authorizing limited cultivation and sale of marijuana for recreational purposes. Dr. Johnson will review the Town's existing regulations and potential new regulations for recreational and medical marijuana use, cultivation and sale.

E.5 Discussion and/or Action [Suzanne Harvey]: Manager Harvey will request Council direction regarding appointment of a representative to the Upper San Pedro Partnership, which concerns the long-term water needs of the Upper San Pedro River Basin. Council might take action to appoint a representative/s.

- F. Department Director reports
- G. Items to be placed on future agendas
- H. Reports of Current Events by Council
- I. Adjournment

Posted at 5:00 PM on February 9, 2021, at the following locations:

<p>Town Hall Bulletin Board 500 N. Gonzales Blvd. Huachuca City, AZ 85616</p>	<p>Town Hall Lobby Windows 500 N. Gonzales Blvd. Huachuca City, AZ 85616</p>	<p>Town Website https://huachucacityaz.gov</p>
<p>Huachuca City U.S. Post Office 690 N. Gonzales Blvd. Huachuca City, AZ 85616</p>	<p>Huachuca City Library Windows 506 N. Gonzales Blvd. Huachuca City, AZ 85616</p>	<p>Huachuca City Police Department 500 N. Gonzales Blvd. Huachuca City, AZ 85616</p>

Ms. Brandye Thorpe

Town Clerk

Note: This meeting is open to the public. All interested people are welcome to attend. A copy of agenda background material provided to the Councilmembers, with the exception of confidential material relating to possible executive sessions, is available for public inspection at the Town Clerk's Office, 500 N. Gonzales Blvd., Huachuca City, AZ 85616, Monday through Friday from 8:00 a.m. to 5:00 p.m. or online at www.huachucacityaz.gov

Individuals with disabilities who need a reasonable accommodation to attend or communicate at a town meeting, or who require this information in alternate format, may contact the Town at 456-1354 (TTY 456-

1353) to make their needs known. Requests should be made as early as possible so there is sufficient time to respond.



TOWN OF HUACHUCA CITY

The Sunset City

**MEETING MINUTES OF THE
HUACHUCA CITY TOWN COUNCIL SPECIAL SESSION
January 27, 2021 AT 6:00 PM
COUNCIL CHAMBERS
500 N. GONZALES BLVD.
HUACHUCA CITY, AZ 85616**

SPECIAL NOTICE: BY PROCLAMATION OF THE MAYOR DUE TO THE COVID-19 PANDEMIC, THE MAYOR AND COUNCIL WILL CONDUCT PUBLIC MEETINGS IN A REMOTE ACCESS FORMAT. THESE MEETINGS WILL BE LIVE-STREAMED. MEMBERS OF THE PUBLIC MAY ATTEND THESE MEETINGS BY GOING TO [OR CALLING TO]: <https://www.facebook.com/HuachucaCityAZ> or 520-844-2096. IN ADDITION, THE MAYOR HAS TEMPORARILY SUSPENDED CALLS TO THE PUBLIC AT THESE MEETINGS. HOWEVER, MEMBERS OF THE PUBLIC MAY SUBMIT WRITTEN COMMENTS TO THE TOWN CLERK TWENTY-FOUR HOURS IN ADVANCE OF THE MEETING. ADVANCE NOTICE OF THESE MEETINGS CAN BE FOUND AT THE TOWN'S USUAL AGENDA POSTING LOCATIONS INCLUDING THE TOWN'S WEBSITE <https://huachucacityaz.gov/>

AGENDA

A. Call to Order – Mayor 6pm

- a. Pledge of Allegiance
- b. Roll Call and Ascertain Quorum

Any prayer/invocation that may be offered before the start of regular Council business shall be the voluntary offering of a private citizen, for the benefit of the Council and the citizens present. The views or beliefs expressed by the prayer/invocation speaker have not been previously reviewed or approved by the Council, and the Council does not endorse the religious beliefs or views of this, or any other speaker. A list of volunteers is maintained by the Town Clerk's Office and interested persons should contact the Town Clerk's Office for further information.

Roll Call.

Present: Johann Wallace, Donna Johnson (phone in), Cynthia Butterworth, Christy Hirshberg, Debbie Trate, Suzanne Harvey (Not voting), Brandye Thorpe (Not voting), Thomas Benavidez, Attorney (Not voting, phone in).

Absent: Jean Post.

B. Call to the Public – Mayor TEMPORARILY SUSPENDED – WRITTEN COMMENTS MAY BE SUBMITTED TO THE TOWN CLERK

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C. New Business Before Council - Mayor

*Public comment **TEMPORARILY SUSPENDED – WRITTEN COMMENTS MAY BE SUBMITTED TO THE TOWN CLERK** will be taken at the beginning of each agenda item, after the subject has been announced by the Mayor and explained by staff. Any citizen, who wishes, may speak one time for five minutes on each agenda item before or after Council discussion. Questions from Council Members, however, may be directed to staff or a member of the public through the Mayor at any time.*

C.1 Discussion [Mayor Wallace]: Council will interview candidates for the vacant Councilmember seat.

Motion: Item C.1, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth.

Mayor Wallace asks how many candidates there were and who is present. He also asks if the other candidates were advised of the interviews and if anyone had provided notice that they would not be attending.

Town Clerk Thorpe advises there were four candidates, Keith Settlemyer and Gabriel Bonilla are present and one other candidate advised they would not be able to make it due to an emergency.

Council begins by interviewing Mr. Bonilla, then Mr. Settlemyer. They are each asked the same 6 questions.

Mayor Wallace asks Town Clerk Thorpe to verify that the other candidate hasn't shown up.

Town Clerk Thorpe goes to check and confirms that no other candidates have arrived.

Both candidates are allowed back into the room.

C.2 Discussion and Action [Mayor Wallace]: The Council might take action to select and swear-in one of the candidates to fill the vacant seat on the Council to serve until the general election in November, 2022. If the Council does not select one of the candidates to fill the vacant seat, the Council might direct staff concerning further advertising and recruitment activities.

Motion: Item C.2, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Mayor Wallace advises Council that they can choose to appoint one of the applicants tonight or reschedule interviews with the two candidates that were unable to come. He also asks if all of the candidates were provided with copies of the Open Meeting Law.

Town Clerk Thorpe confirms that they were provided with copies the day before.

Councilmember Hirshberg asks if there was a candidate who had an emergency. She asks Attorney Benavidez if they should pick from the currently present candidates or wait until they can interview the other two.

Attorney Benavidez advises that it is not really a legal question. It is at Council's pleasure. If they want to wait to hear from the other candidates, they can do that. There is no legal obligation to wait.

Mayor Wallace advises that they can postpone until the next meeting or decide tonight.

Councilmember Butterworth asks if the candidate who gave notice advised if it would be a long term issue.

Town Clerk Thorpe advises she does not know the details.

Councilmember Trate asks if the other candidate who was supposed to be there had made any contact.

Town Clerk Thorpe advised they did not. She spoke to the candidate earlier in the day and was told she would be here for the meeting.

Mayor Pro Tem Johnson would like to just pick someone tonight.

Motion: Select Mr. Settlemeier to fill the vacant Council seat., **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth.

Motion passed unanimously.

D. Adjournment

Motion: 6:23pm, **Action:** Adjourn, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.
Motion passed unanimously.

Approved by Mayor Johann R. Wallace on February 11, 2021.

Mr. Johann R. Wallace
Mayor

Attest: _____
Ms. Brandye Thorpe,
Town Clerk

Seal:

Certification

I hereby certify that the foregoing is a true and correct copy of the Minutes of the Meeting for the Huachuca City Town Council held on January 27, 2021. I further certify that the meeting was duly called and a quorum was present.

Ms. Brandye Thorpe,
Town Clerk



TOWN OF HUACHUCA CITY

The Sunset City

**MEETING MINUTES OF THE
HUACHUCA CITY TOWN COUNCIL WORK SESSION
January 28, 2021 AT 6:00 PM
COUNCIL CHAMBERS
500 N. GONZALES BLVD.
HUACHUCA CITY, AZ 85616**

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AGENDA

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- b. Roll Call and Ascertain Quorum

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Roll Call.

Present: Johann Wallace, Donna Johnson (by phone), Keith Settlemyer, Cynthia Butterworth, Christy Hirshberg, Debbie Trate, Jean Post, Suzanne Harvey (Not voting), Brandye Thorpe (Not voting), Thomas Benavidez, Attorney (Not voting, by phone).

B. Call to the Public – Mayor TEMPORARILY SUSPENDED – WRITTEN COMMENTS MAY BE SUBMITTED TO THE TOWN CLERK

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C. New Business Before Council - Mayor

Public comment **TEMPORARILY SUSPENDED – WRITTEN COMMENTS MAY BE SUBMITTED TO THE TOWN CLERK** will be taken at the beginning of each agenda item, after the subject has been announced by the Mayor and explained by staff. Any citizen, who wishes, may speak one time for five minutes on each agenda item before or after Council discussion. Questions from Council Members, however, may be directed to staff or a member of the public through the Mayor at any time.

C.1 Discussion and Action [Chief Thies]: Discussion regarding the plan to establish a Civilian Review Board for the Police Department. The Council might direct staff concerning further development of the plan.

Motion: Item C.1, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Mayor Wallace hands it over to Chief Thies.

Chief Thies asks if there will be a Town complaint form and a separate complaint form for the Police Department.

Manager Harvey states that she thinks we should just use the Town's form.

Mayor Wallace agrees with Manager Harvey.

Chief Thies asks how far back complaints should be handled.

Councilmember Butterworth suggests 90-120 days. If you go back further, staff changes, memories change, Council changes.

Council agrees on 120 days.

Mayor Wallace asks Attorney Benavidez if that is something that can be put in the document, where the review board will only listen to complaints that are within a 120 day window.

Attorney Benavidez advises that he likes the idea of adding the timeframe. He thinks it should be included somewhere. He also states he would like everyone to be on the same page as to what the board will be authorized to do. It sounds like there is discussion about making a complaint directly to the board. He isn't sure if the board will then give it to the Town Manager or if people are thinking the board will conduct an investigation. Maybe the Chief could present

his vision of how this is going to work, so that everyone is clear about what this board will be able to do.

Chief Thies advises that all complaints should go through the same process. Where the complaint goes to the Town first. If it goes to the Civilian Review Board, it should be something that does not have a quick answer. Something that requires investigation. The whole process should start as a Town employee first and if necessary, migrate to the board. The board will be provided with any information they need to investigate.

Mayor Wallace asks what types of complaints Chief Thies sees coming before the board.

Chief Thies advises higher level complaints such as use of force.

Mayor Wallace asks if there is a list of situations where outside aid is automatically sought for investigations.

Chief Thies states that it has been done in the past.

Mayor Wallace states that there should be a standard process, in which certain situations automatically require the aid of other agencies for investigation, such as an Officer in an accident, or an Officer involved shooting. That should never go through the board.

Councilmember Butterworth advises she thought that the process would be if they had gone through the normal process of the Town Manager and the Chief of Police and they didn't feel it was resolved adequately, then it would go before the board, that the board would be an objective review to either validate the decision of staff, or to suggest other things staff should have done.

Attorney Benavidez advises the Councilmember was correct. Complaints should be handled administratively and if there is no satisfaction, the Town Manager can refer it to the board. I think we need to get Chief Thies' flow chart that was previously prepared right, so that everyone is on the same page as to how things will be brought before the board.

Chief Thies advises that in his flow chart it went to the Town Manager, then to Department Heads, then if there was no resolution, to the board, and if still not resolved, to the Council.

Councilmember Post asks if the 120 days is from the incident.

Mayor Wallace states that it is.

Councilmember Trate asks if we will have volunteers to do this.

Mayor Wallace advises that there is nothing in the draft that designates residency in Huachuca City. He is ok with that.

Attorney Benavidez advises that he feels the same and it could be a good thing to allow non residents.

Manager Harvey asks if it should be restricted from family members of staff and Council.

Mayor Wallace says it should be restricted in that way.

Councilmember Settlemyer asks if there are at this time complaints more than 120 days old.

Mayor Wallace advises there are always complaints. Even though the Town gives the accurate information, if it isn't what somebody wants to hear they are still going to complain about it.

Councilmember Settlemyer asks if this means, when the board is established, if there are complaints from more than 120 days previous, it will not go to the board.

Mayor Wallace advises it does mean that.

Councilmember Post asks if they will have other obligations other than just Police issues.

Mayor Wallace advises this is just for the Police, the other department complaints will be handled administratively.

Attorney Benavidez asks if the Town Manager is on board with the way this is heading.

Manager Harvey advises this is how she believes it should be handled.

Councilmember Trate asks how long they will have to resolve it.
Councilmember Hirshberg doesn't want a set time.
Manager Harvey states that the language could be "within a reasonable time", however she asks how often they will be meeting.
Councilmember Trate states she thought they would be meeting only when there was a complaint.
Manager Harvey states she thought they would meet regularly because they can do more than just review complaints, they can also make suggestions on other ways the Police Department could improve.
Mayor Wallace states they could review policies and give an objective opinion on how things should be done. Helping the Police Department is more than just with complaints. I think they can meet once monthly.
Manager Harvey asks if it would be inappropriate if a Town representative were to attend the meeting, not as a voting party but in case there are questions.
Mayor Wallace advises that there should be a liaison.
Attorney Benavidez agrees there should be a non voting member of the board from the Police Department.

D. Adjournment

**Motion: 6:36pm, Action: Adjourn, Moved by Johann Wallace, Seconded by Christy Hirshberg.
Motion passed unanimously.**

Approved by Mayor Johann R. Wallace on February 11, 2021.

Mr. Johann R. Wallace
Mayor

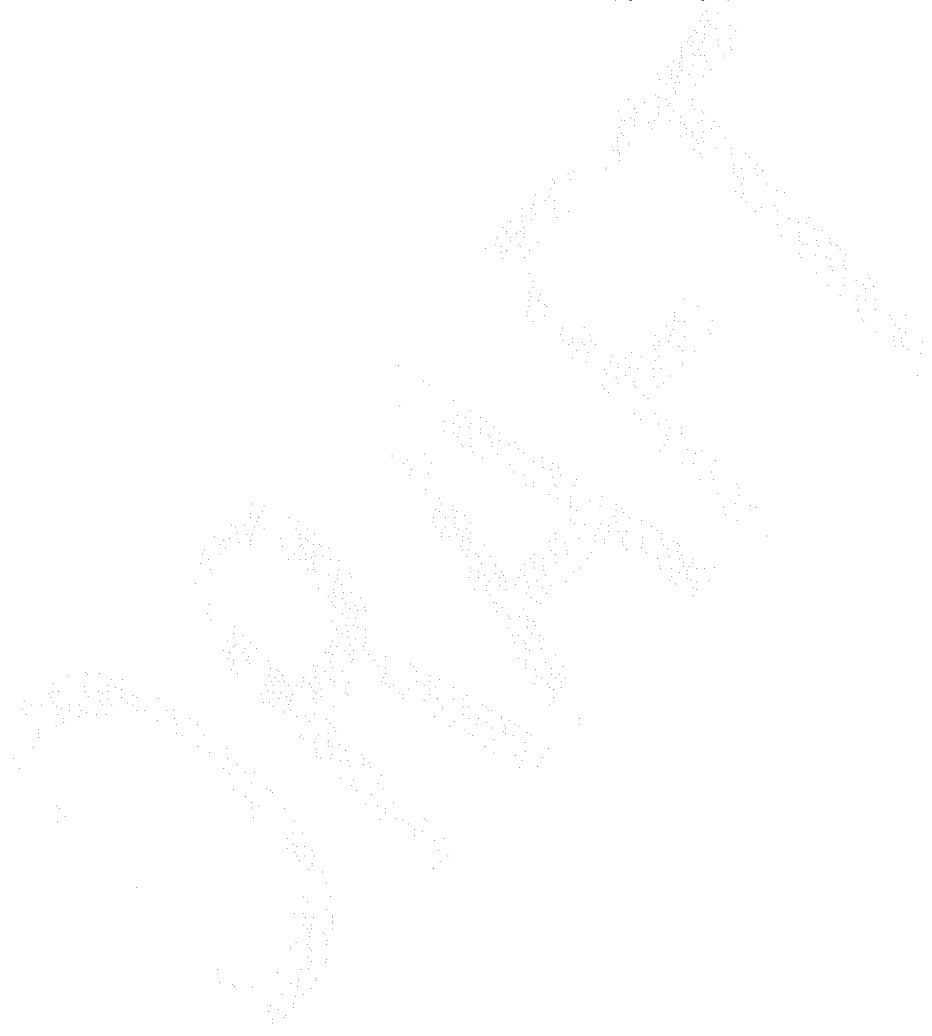
Attest: _____
Ms. Brandye Thorpe,
Town Clerk

Seal:

Certification

I hereby certify that the foregoing is a true and correct copy of the Minutes of the Meeting for the Huachuca City Town Council held on January 28, 2021. I further certify that the meeting was duly called and a quorum was present.

Ms. Brandy Thorpe,
Town Clerk





TOWN OF HUACHUCA CITY

The Sunset City

**MEETING MINUTES OF THE
HUACHUCA CITY TOWN COUNCIL
January 28, 2021 AT 7:00 PM
COUNCIL CHAMBERS
500 N. GONZALES BLVD.
HUACHUCA CITY, AZ 85616**

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AGENDA

A. Call to Order – Mayor 7:06pm

- a. Pledge of Allegiance
- b. Roll Call and Ascertain Quorum
- c. Invocation

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Roll Call.

Present: Johann Wallace, Donna Johnson (by phone), Keith Settlemyer, Cynthia Butterworth, Christy Hirshberg, Debbie Trate, Jean Post, Suzanne Harvey (Not voting), Brandye Thorpe (Not voting), Thomas Benavidez, Attorney (Not voting, by phone).

Invocation: Due to being closed to public at this time, Mayor Wallace asks for a moment of silence.

B. Call to the Public – Mayor TEMPORARILY SUSPENDED – WRITTEN COMMENTS MAY BE SUBMITTED TO THE TOWN CLERK

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C. Consent Agenda - Mayor

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- C.1** Consider approval of the minutes of the Regular Council meeting and the Council work session held on January 14, 2021.
- C.2** Consider approval of the Payment Approval Report.
- C.3** Consider approval of the disposal of a 2003 Cadillac Deville, 1998 Volkswagen Cabrio, Toyota 4Runner, Ford Ranger, Dodge Dakota, a Toyota Zion and the old animal shelter building through Public Surplus.

Motion: Consent Agenda, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Motion: Items listed on the Consent Agenda, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.
Motion passed unanimously.

D. Unfinished Business before the Council – Mayor

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E.1 Discussion and or/Action [Spencer Forsberg]: Mr. Forsberg will review the Town's finances for the month of December.

Motion: Item E.1, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth.

Mr. Forsberg reviews the financials for the month of December to include that the bank accounts are balancing with what the financials show. General Fund revenue of \$162,944.00 expenditures of \$93,000.00 leaving \$69,564.00. Tax revenue is coming in right now. Police fines didn't make it in in December so there will be a double entry in January. Whetstone Fire payment is coming up in January. Water fund revenue \$29,802.00 and expenditures of \$13,993.00. YTD \$88,979.00 to the positive. Sewer fund revenue \$20,785.00 and expenditures of \$15,593.00. YTD \$24,000.00 in the black. Garbage fund revenue \$11,941.00 and expenditures of \$11,842.00. YTD break even. Landfill revenue \$107,315.00 and expenditures of \$88,705.00. YTD strong number.

Councilmember Trate asks about Miscellaneous. Why is the revenue \$6,800. Can't that go to other accounts.

Mr. Forsberg agrees that it can, it is a catch all and the funds need to be allocated to the correct places.

Councilmember Post asks why the Police expenses maintenance and supplies is over budget by 302%, has something been miscoded?

Manager Harvey believes that this is due to aging vehicles and accidents.

Councilmember Post points out that this is not the vehicle maintenance line, it is different.

Mr. Forsberg advises it will be looked into. He also states that the auditors are almost done. They just have a few more items to wrap up.

E.2 Discussion and/or Action [Suzanne Harvey]: Manager Harvey will request renewal of the Town's contract with Dr. Jim Johnson of Southwest Building Inspection Service to continue to provide the Town with planning, zoning and building official services.

Motion: Item E.2, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth.

Mayor Wallace asks if there is any change in cost.

Manager Harvey advises there is no change for the next year, then \$200/month the next year and the third year would be an additional \$200/month increase. She recommends that we do a 3 year contract at these terms.

Mayor Wallace states that we are getting more than what is in the Agenda item and just think back to the presentation he did a few meetings back, and the changes and improvements that have been made. He has no problem moving forward with this.

Councilmember Butterworth adds that he was generous considering our previous financial situation that he did not increase his contract request for a few years.

Motion: The 3 year contract with Dr. Jim Johnson of Southwest Building Inspection which will include in year two an increase of \$200/month and year three will include another increase of \$200/month, **Action:** Approve, **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth. Motion passed unanimously.

E.3 Discussion and/or Action [Chief Thies]: Chief Thies will ask for Council direction regarding the proposed Civilian Review Board for the Police Department.

Motion: Item E.3, **Action:** Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth.

Mayor Wallace advises there was a work session prior to this meeting. He believes staff knows what needs to be done.

Motion: To proceed with the modifications and updates to the Civilian Review Board as discussed during the work session, **Action:** Direct Staff, **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth.

Motion passed unanimously.

F. Department Director Reports

G. Items to be placed on future agendas

H. Reports of Current Events by Council

Councilmember Butterworth advises of the SVMPO meeting and the new Vice Chair is Mayor Wallace. There was the food distribution with about 80 cars.

Mayor Wallace confirms he is the Vice Chair of the SVMPO. He advises that there has been a reduction in the SVMPO budget. They are about to wrap up our light out front. There is a road assessment going on right now.

Councilmember Post asks about the parks project, Mayor Wallace asks Town Clerk to provide a Director report regarding this. Clerk Thorpe advises the environmental study has been completed and there will be a publication in Sunday's paper regarding the release of funds. Approximately February 16, the Town will be able to officially request the release of funds.

I. Adjournment

Motion: 7:20pm, Action: Adjourn, Moved by Johann Wallace, Seconded by Christy Hirshberg. Motion passed unanimously.

Approved by Mayor Johann R. Wallace on February 11, 2021.

Mr. Johann R. Wallace
Mayor

Attest: _____
Ms. Brandye Thorpe,
Town Clerk

Seal:

Certification

I hereby certify that the foregoing is a true and correct copy of the Minutes of the Meeting for the Huachuca City Town Council held on January 28, 2021. I further certify that the meeting was duly called and a quorum was present.

Ms. Brandye Thorpe,
Town Clerk

Huachuca City Garden Volunteers

Last Name	First Name	Unit
Acosta	Francis	RWBACH
Bishop	Shannon	
Block	Ty	C Co, 2-13th AVN REGT
Deshaies	Kevin	C Co, 2-13th AVN REGT
Deshaies	James	
Detweiler	Evan	C Co, 2-13th AVN REGT
Diaz	Jose	C Co, 2-13th AVN REGT
Felix	Astrid	
Fox	Austin	HHC, 1-227 ARB
Griffith	James	C Co, 2-13th AVN REGT
Hooks	Ronald	C Co, 2-13th AVN REGT
Horton	Laronn	C Co, 2-13th AVN REGT
Johnson	Matthew	C Co, 2-13th AVN REGT
Johnson	Megumi	
Krause	Jacob	C Co, 2-13th AVN REGT
Miranda	Jazmine	C Co, 2-13th AVN REGT
Newman	Piper	C Co, 2-13th AVN REGT
Ramos-Melendez	Enrique	B Co, 2-13th AVN REGT
Stith	Demond	C Co, 2-13th AVN REGT
Stith	Victoria	C Co, 2-13th AVN REGT
Sullivan	Jeff	C Co, 2-13th AVN REGT
Theoret	Leo	C Co, 2-13th AVN REGT
Thompson	Kenith	C Co, 2-13th AVN REGT
Tuttle	Shanyndoah	C Co, 2-13th AVN REGT
Tuttle	Jeremy	
Tyler	Kenneth	C Co, 2-13th AVN REGT



TOWN OF HUACHUCA CITY

The Sunset City

COUNCIL DECISION REQUEST

Meeting Date: Feb 11, 2021

Agenda Item: E.2.

Subject: Unfunded Needs

Type of Action Requested: Formal Action/Motion and/or Staff Direction

Recommendation: Council Approve Funding for Unfunded Needs (UFN) Identified by Town Staff

Discussion:

The Town received 199K in Cares Act Funding this fiscal year. The entire amount was allocated and spent for public safety (specifically for payments to Whetstone Fire for fire services). Since we had already budgeted for those payments, we now have surplus money in this year's budget. At a previous council meeting, Council allocated \$50K of the surplus to fund upgrades to Hunt Park.

This leaves an additional 149K in the budget. Town staff continually operates on a very tight budget and often puts off purchasing needed items and completing needed projects. This year's surplus offers an opportunity to address some of those unfunded needs.

Each Department submitted their list of unfunded requirements and then staff met as a group to prioritize needs. I have enclosed the original list that contains every department's original submission at enclosure 1. Please note that the costs are a rough estimate and in some cases are not available without substantial investment of staff time.

Staff as a whole identified painting of town buildings and purchase of a pressure washer as the top two priorities. The third priority was software to facilitate communication between town staff and our residents.

Justification:

Painting: The Community Center was painted two years ago. None of the other buildings have been painted in over 10 years and all are in serious need. We have made great strides in cleaning up the town and improving our appearance and curb appeal. Residents and staff have worked hard to clean up the main street. Yet, our own facilities are not presentable. The Senior Center and Library in particular do not present a good appearance and need paint and repairs. We need to lead the way and present a positive example for residents to follow. The appearance of the town, to include town buildings, has a tangible effect on prospective

residents and businesses. In addition, if we want residents to take pride in their property, we must do the same.

Pressure Washer: The staff identified this as a need because it is a piece of equipment that can be of benefit to every department. Public Works and Landfill can use it to clean equipment. It can also be used to power wash our public buildings, sidewalks/entryways, playground equipment, and pool. Its versatility makes it a good investment. It will increase efficiency and lessen the staff time dedicated to cleaning equipment/facilities. Staff time gains can be used for other projects, to include, looking for grant funding for improvements.

Go.gov: This is a software program that includes an app that can be downloaded to smart phones. Through the app, residents can make complaints, and report issues such as street lights being out, park equipment that needs repair and road repairs. Staff will be able to assign tasks/complaints for actions and track their status. There is also the possibility of automating work orders such as requests for water turn-ons and shut-offs. It will facilitate and streamline those types of processes. In addition, the app can be used as a mass notification mechanism for emergencies or to inform residents of water outages. Finally, the app will also serve as an interface with our website, directing residents to the information they need. This software will not only increase efficiency and improve communication, it will have an impact on staff time. Staff will be able to use their time more effectively and look for other efficiency improvements and grant funding opportunities.

Financial Analysis:

Painting and exterior repairs: Approximately \$20K

Pressure Washer: Approximately \$3K

Go.gov: Approximately 5K (per year)

Total required for these top UFN: \$28K

This will leave approximately \$121K of the surplus. Request Council consider dedicating some of these funds to the other unfunded needs identified per Department. If Council provides direction indicating the needs that they see as most pressing, or if Council desires to make a suggestion of needs that staff has not identified, we can get cost estimates and address them at a subsequent meeting. Or, if Council wishes, we can schedule a work session to further discuss priorities.

Suggest that any funding approved allow for some flexibility since the painting cost is not fixed.

Alternative: Do not spend the funds. Leave them in the operating budget or put them into a CD or savings account.

Recommended Motion: I make a motion that we approve using surplus funds in an amount not to exceed \$30K to paint town buildings, purchase a pressure washer and subscribe to go.gov.

UFN LIST

ADMIN

- *Paint Exterior (and interior if possible) of Town Hall/PD*
- Council Meeting Webcasting Equipment - \$2K
- VOIP Phones
- ADA Doors (currently we have a doorbell to meet ADA requirements)

LIBRARY

- *Paint Exterior and get a new sign – \$6K*
- Gate with Crash Bar for outdoor ear on east side of the library - \$500
- ADA Doors and New Door to Garden
- New Carpet: \$7K

SENIOR CENTER

- *Paint Exterior - \$3K*
- Better outside lighting - \$3K
- Kitchen - \$50K plus

BUILDING OFFICIAL

- Manufactured Home Removal Program - \$25-30K
- Property Abatement Budget - \$20-25K
- GIS IGA with SV or Cochise County - \$15-20K

COURT

- Recording System (liberty) - \$2,500 and then maint. fee of \$400 per year
- Date and Time Stamp Clock - \$700
- Heavy Duty Shredder - \$500

POLICE

- Additional camera equipment - \$3,500
- Evidence Station - \$1800

PUBLIC WORKS

- Mud Pump - \$6k
- Gas Power Generator for Ponds - \$5K
- *Paint and repair town buildings – \$17K*
- Fence around holding ponds - \$3K

LANDFILL

- *Pressure Washer - \$2712*
- Camera for Load Inspection and 1 TB Hard Drive - \$500

IT

Active Directory, DNS, DHCP

- HPE ProLiant DL160 Gen10 Xeon Silver 4208 1-Port 16GB RAM 1U Server \$2,000-\$7,000
- Hard Drive: \$1,050

Application/Database Server

- HPE ProLiant DL380 Gen10 Network Choice -rack-mountable - Xeon Silver 4214R \$2,000-\$7,000
- \$1,050
- \$1,680

File/Print Server

- HPE ProLiant DL380 Gen10 Network Choice - rack-mountable - Xeon Silver 4210 \$2,000-\$7,000
- \$1,050
- \$7,840

Other potential projects:

Laptops with docking stations

Rewiring Town Hall (IT)

Pay Down Town Debts

Replastering the pool

Dog-Park (if not already included in CDBG grant)

Median with Pedestrian Refuge across the Highway

**REGULATIONS FOR MEDICAL & RECREATIONAL MARIJUANA AND
MEDICAL MARIJUANA CULTIVATION AND INFUSION SITES**

Requesting input from Council on highlighted items

EXISTING	PROPOSED CHANGES
Marijuana Prohibited on Public Property	
	Add: "The use, sale, cultivation, manufacture, production or distribution of marijuana or marijuana products is prohibited on property that is occupied, owned, controlled or operated by the Town"
	Add: "It is unlawful for an individual to smoke or consume marijuana or marijuana products in a public place or open space in the Town."
Application Requirements	
Prior to the establishment of a marijuana establishment, medical marijuana dispensary or medical marijuana cultivation and infusion facility, the applicant shall provide the Town with the following information:	
Provide name and location of offsite cultivation site for medical marijuana dispensary	Change to: "Provide the name and location of any offsite medical marijuana cultivation or infusion facility associated with the cultivation operation, if applicable."
Provide a copy of the operating procedures adopted in compliance with ARS 36-2804(B)(1)(c)	Change to: "Provide a copy of the Arizona Department of Health Services operating procedures for medical marijuana dispensaries and medical marijuana cultivation and infusion facilities adopted in compliance with A.R.S. 36-2804.B.1(c)."
Provide the location of the nearest dispensary or cultivation site if within 2000'	Change to: "Provide the location of the nearest recreational marijuana establishment, medical marijuana dispensary, cultivation, or infusion facility if within 1000'."

**REGULATIONS FOR MEDICAL & RECREATIONAL MARIJUANA AND
MEDICAL MARIJUANA CULTIVATION AND INFUSION SITES**
Requesting input from Council on highlighted items

<p>Provide a site plan, floor plan, permits, and security plan.</p>	<p>Change to:</p> <p>“Provide a site plan showing the exterior features of the building to include the parking lot, landscaping, driveways, sidewalks, and accessible parking spaces.”</p> <p>“Provide a floor plan indicating all entrances, sales areas, waiting rooms, dispensary areas, storage areas, cultivation and manufacturing areas, as well as the separate enclosed, locked, and secured area for dispensing medical marijuana to qualified patients or designated caregivers, as required by the Arizona Medical Marijuana Act. The primary entrance should be kept clear of barriers, landscaping, and similar obstructions so that it is clearly visible from public streets, sidewalks, or driveways.”</p> <p>“Provide building permits for occupancy change, if necessary.”</p> <p>“Provide a security plan that complies with Arizona Department of Health Services (ADHS) security requirements and provides for adequate lighting, alarms, security cameras, and locks in order to ensure the safety of persons and to prevent the theft of marijuana and unauthorized entrance into areas containing marijuana.”</p>
<p>Development and Locational Requirements</p> <p>Marijuana Establishments and Medical Marijuana Dispensaries</p>	
<p>Allowed in GC & C-2 zones</p>	<p>No changes</p>
<p>1000’ from a preschool, kindergarten or other school or educational facility that caters to children, childcare facility, places of worship, public park, or same type of use or dispensary</p>	<p>Add: “public community center”</p> <p>Consider reducing distance</p> <p>Allow for: “Dual License of Medical and Recreational Marijuana in same structure”</p>

REGULATIONS FOR MEDICAL & RECREATIONAL MARIJUANA AND
 MEDICAL MARIJUANA CULTIVATION AND INFUSION SITES
 Requesting input from Council on highlighted items

No distance from residential zoning districts	No changes
	Add: "Shall not be more than two marijuana establishments and/or dispensaries operating within the Town. An establishment with a dual license located within the same building shall be counted a one establishment."
Operational Requirements	
Marijuana Establishments and Medical Marijuana Dispensaries	
Retail sales of medical marijuana prohibited	Change to: "Shall not sell marijuana or marijuana products except as permitted by State Law to consumers"
Operating Hours no earlier than 9am or later than 5pm	Consider extending hours to "6 or 7 pm" Add: "After hours and during hours of darkness, the building, property, and adjacent right-of-way and parking lot shall be illuminated, so that all areas are readily visible by law enforcement personnel."
Located in a permanent building	Add: "on an established foundation adhering to Town adopted building codes and shall not include any kiosk, temporary, portable, or self-powered mobile facilities, or trailer, cargo container, or motor vehicle"
Maximum size of 4900 square feet	Add: "Maximum square footage may be expanded subject to Conditional Use Permit application and hearing procedures set forth under Town Code."
Drive-thru prohibited	Add: "or offsite deliveries of marijuana or marijuana products."
Provide for proper disposal of marijuana remnants or by-products. Cannot be placed within facilities exterior refuse containers.	Add: "Town refuse container, bin or other Town facility, or in any park refuse container, or any other offsite refuse container."
	Add: "Shall not allow marijuana to be consumed by individuals on the premises or provide outdoor seating areas. The term "premises" includes the actual building, as well as any accessory structures, parking lot, or parking areas that are part of the approved location."

REGULATIONS FOR MEDICAL & RECREATIONAL MARIJUANA AND
 MEDICAL MARIJUANA CULTIVATION AND INFUSION SITES
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	Add: "A No Loitering sign shall be posted on the front exterior of the premises"
	Add: "Shall not emit dust, fumes, vapors or odors into the environment from the facility and shall ensure that ventilation, air filtration, building and design standards are compatible with adjacent uses and the requirements of adopted building codes of the Town of Huachuca City."
	Add: "Shall not display or keep marijuana or marijuana products that are visible from the outside of the premises."
	Add: "Shall comply with applicable county health regulations for food preparation and handling."
	Add: "Shall comply with applicable laws to safely and securely engage in extraction process."
	Add: "Shall submit a written security plan to the Town that describes the actions taken to deter and prevent unauthorized entrance into limited access areas including use of security equipment, exterior lighting to facilitate surveillance and electronic monitoring such as video cameras."
	Add: "For a marijuana establishment that engages in cultivation or manufacturing, shall submit a written operations plan to the Town that describes the following: <ol style="list-style-type: none"> 1) Procedures showing that the marijuana cultivation will be conducted in accordance with State and local laws, and regulations regarding use and disposal of pesticides and fertilizers. 2) The legal water source, irrigation plan, wastewater systems to be used, and projected water use. 3) The plan for addressing odor and other public nuisances that may derive from the establishment."

**REGULATIONS FOR MEDICAL & RECREATIONAL MARIJUANA AND
MEDICAL MARIJUANA CULTIVATION AND INFUSION SITES**

Requesting input from Council on highlighted items

<p>Development and Locational Requirements</p> <p>Medical Marijuana Infusion or Cultivation Facilities</p>	
Allowed in C-3 zones	No change
1000' from a preschool, kindergarten or other school or educational facility that caters to children, childcare facility, places of worship, public park, residential area, or same type of use or dispensary	<p>Add: "public community center"</p> <p>Consider reducing distance</p>
<p>Operational Requirements</p> <p>Medical Marijuana Infusion or Cultivation Facilities</p>	
	Add: "The cultivation or infusion facility shall only be accessible to registered nonprofit medical marijuana dispensary agents associated in the registry with a nonprofit medical marijuana dispensary. During hours of darkness, the cultivation or infusion facility shall illuminate all areas of the premises, including adjacent public sidewalks, so that all areas are readily visible by law enforcement personnel."
	Add: "The cultivation or infusion facility shall only be located in an enclosed locked building."
	Add: "Marijuana shall not be consumed on the premises of the cultivation or infusion facility. The term "premises" includes the actual building, as well as any accessory structures, parking lot or parking areas which are part of the approved location."
	Add: "No Loitering sign shall be posted on the front exterior of the premises."

**REGULATIONS FOR MEDICAL & RECREATIONAL MARIJUANA AND
MEDICAL MARIJUANA CULTIVATION AND INFUSION SITES**

Requesting input from Council on highlighted items

	<p>Add: “The cultivation or infusion facility shall provide for proper disposal of marijuana remnants or by-products, and not to be placed within the facility’s exterior refuse containers, Town refuse container, bin or other Town facility, or in any park refuse container, or any other offsite refuse container.”</p>
<p align="center">Marijuana Testing Facility Prohibited</p>	
	<p>Add: “To the fullest extent allowable by law, the operation of a marijuana testing facility is prohibited in the Town.”</p>
<p align="center">Retail Sales of Marijuana and Marijuana Products</p>	
	<p>Add: “To the fullest extent allowable by law, the sale of marijuana and marijuana products is authorized within the Town from a marijuana establishment and is tangible personal property as defined in ARS 42-500 and subject to the transaction privilege tax in the retail classification and use tax.”</p>
<p align="center">Fees</p>	
	<p>Does the Town want to charge a fee for a Marijuana Establishment other than the Business License fee? If so, how much?</p>
<p align="center">Individual’s Primary Residence for Personal Use</p>	
	<p>Add:</p> <p>“To the fullest extent allowable by law, marijuana possession, consumption, processing, manufacturing, transportation, and cultivation is permitted in a residential zoning district in the Town and is subject to the following conditions and limitation:</p>

REGULATIONS FOR MEDICAL & RECREATIONAL MARIJUANA AND
MEDICAL MARIJUANA CULTIVATION AND INFUSION SITES

Requesting input from Council on highlighted items

	<p>(A) It shall be unlawful for any individual who is at least twenty-one (21) years of age to possess, transport, cultivate or process more than six (6) marijuana plants.</p> <p>(B) It shall be unlawful for two or more individuals who are at least twenty-one (21) year of age to possess, transport, cultivate or process more than twelve (12) marijuana plants at the individuals' primary residence.</p> <p>(C) Except as provided by A.R.S. § <u>36-2801</u> et al. and this section, it shall be unlawful for an individual to otherwise cultivate marijuana in a residential zoning district within the Town limits.</p> <p>(D) Individuals shall not process or manufacture marijuana by means of any liquid or gas other than alcohol that has a flashpoint below one hundred (100) degrees Fahrenheit.</p> <p>(E) Kitchen, bathrooms, and primary bedroom(s) shall be used for their intended use and shall not be used primarily for residential marijuana processing, manufacturing, or cultivation.</p> <p>(F) A residence shall not emit dust, fumes, vapors, or odors into the environment and individuals shall ensure that ventilation, air filtration, building and design standards are compatible with adjacent uses and the requirements of adopted building codes of the Town.</p> <p>(G) Cultivation shall be limited to a closet, room, greenhouse, or other enclosed area on the grounds of the residence equipped with a lock or other security device that prevents access by minors.</p>
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REGULATIONS FOR MEDICAL & RECREATIONAL MARIJUANA AND
MEDICAL MARIJUANA CULTIVATION AND INFUSION SITES

Requesting input from Council on highlighted items

	(H) Cultivation shall take place in an area where the marijuana plants are not visible from public view without using binoculars, aircraft, or other optical aids.”
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Partnership Advisory Commission Minutes

December 3, 2020

9:00 a.m.

City Manager's Conference Room, Sierra Vista City Hall

Teleconference

833-760-0076 toll free number

520-452-7050 alternate

Pin: 2201

Tom Borer called the meeting to order at 9:06 a.m.

Members Present: Quorum was present (11 agencies needed for quorum).

1. Audubon Arizona: Tice Supplee
2. Castle & Cooke, AZ: Rick Coffman
3. City of Sierra Vista: Rick Mueller (Vice Chair)
4. City of Sierra Vista: Sarah Pacheco
5. Cochise County: Tom Borer (Chair)
6. Cochise County: Mark Apel
7. Fort Huachuca: Ryan Fitzpatrick, Dawn Rohr
8. Friends of the San Pedro River (FSPR): Robert Weissler
9. SEAZ Association of Realtors (SAAR): Melissa Clayton
10. The Nature Conservancy: Brooke Bushman, Holly Richter
11. Town of Huachuca City: Suzanne Harvey, Brandye Thorpe
12. U.S. Bureau of Land Management (BLM): Jayme Lopez
13. U.S. Bureau of Reclamation (BOR): Kevin Black
14. U.S. Geological Survey (USGS): Bruce Gungle, Libby Kahler, Jim Leenhouts
15. USDA Agricultural Research Service: Dave Goodrich, Russ Scott

Others Present:

City of Sierra Vista: Yvette Matthias

Public: Tricia Gerrodette

Acceptance of the December 3, 2020 Agenda – Rick Mueller made the motion to approve the December 3, 2020 agenda. Tice Supplee seconded the motion. The motion passed unanimously.

Approval of November 13, 2019 Minutes – Rick Mueller made the motion to approve the November 13, 2019 minutes. Melissa Clayton seconded the motion. The motion passed unanimously.

Nominations for PAC Vice-Chair 2021-2022 – Rick Mueller nominated Ken Budge, Bisbee Mayor, as USPP PAC vice-chair. Rick Coffman seconded the nomination. No vote taken.

Nominations for PAC Chair 2021-2022 – Tom Borer nominated Rick Mueller as USPP PAC chair. Melissa Clayton seconded the nomination. No vote taken.

Amendments to Operating Protocols - Tice Supplee revised Page 6, Item 20, to Appointed by the National Audubon Society. Rick Coffman revised Page 6, Item 24, to Appointed by the Senior Vice President of Castle & Cooke Arizona. Rick Mueller made a motion to update the protocols as noted. Holly Richter seconded the motion. The motion passed unanimously.

Call to the Public – Tricia Gerrodette inquired about PAC At-Large Representative to Administrative Committee election.

Next Meeting: February 10, 2021

The meeting adjourned at 9:19 a.m.

Tom Borer, Chair

Minutes prepared by:

Yvette Matthias, Executive Secretary

UPPER SAN PEDRO PARTNERSHIP

Our Mission and Purpose

A consortium of agencies and organizations working together to meet the long-term water needs of the Sierra Vista Subwatershed by achieving sustainable yield of the regional aquifer to:

- 1) Preserve the San Pedro Riparian National Conservation Area (SPRNCA); and
- 2) Ensure the long-term viability of Fort Huachuca.

The purpose of the Partnership is to coordinate and cooperate in the identification, development and utilization of science and technical information to assist in meeting water needs in the Sierra Vista Subwatershed of the Upper San Pedro River Basin