



City of Apache Junction, Arizona

Meeting location:

City Council Chambers
at City Hall
300 E. Superstition Blvd
Apache Junction, AZ
85119

Agenda City Council Meeting

apachejunctionaz.gov
Ph: (480) 982-8002

Tuesday, April 6, 2021

7:00 PM

City Council Chambers

- A. CALL TO ORDER**
- B. INVOCATION AND PLEDGE OF ALLEGIANCE**
- C. ROLL CALL**
- D. CONSENT AGENDA**

The council may, at this time, take single action on any or all items listed as consent agenda items. These may include, but are not limited to, acceptance of agenda, acceptance of minutes, appointments, acceptance of resignations and adoption of certain resolutions and other items which do not require a public hearing. The consent agenda is a timesaving device of which the mayor and city council is to receive documentation on these items from the city manager for their review prior to the meeting. Any member of the council may remove any item from the consent agenda for discussion and cause a separate vote on the matter later in the agenda.

1. [21-131](#) Consideration of acceptance of agenda.
2. [21-132](#) Consideration of approval of minutes of the regular meeting of March 16, 2021.
3. [21-143](#) Consideration of approval for an award of contract to Viasun Corporation for the lining of the Delaware Drive drainage channel from approximately 23rd Avenue to Southern Avenue. The work would be through the cooperative Pinal County Job Order Contract #175623 in the amount of \$599,302.31, plus a 10% contingency for unforeseen change orders in the amount of \$59,930.23, for a total project cost not to exceed \$659,232.54. Work will result in the final phasing of a concrete lining from the Palm Wash entry of the channel to Southern Avenue; depending on final scheduling and weather conditions, work is planned for this coming May and June of 2021. This project was presented and discussed as part of the FY21 Capital Improvement and Street Maintenance Plan at the June 16, 2020 city council work session.
4. [21-162](#) Consideration of approval of Resolution No. 21-11, a Resolution of the Mayor and City Council of the City of Apache Junction, Arizona, designating Leslie DeReche as Chief Fiscal Officer for officially submitting and certifying the accuracy of the fiscal year 2021 expenditure limitation report to the Arizona Auditor General.

E. AWARDS, PRESENTATIONS AND PROCLAMATIONS

Awards, presentations from other organizations, proclamations issued by the mayor, and acknowledgement of distinguished guests and visitors, and staff presentation of receipt of grant or donated funds are permitted at this time.

5. [21-138](#) Presentation of proclamation recognizing April 2021 as Fair Housing Month.

F. ANNOUNCEMENT OF CURRENT EVENTS

The mayor or any member of council may at this time present a brief summary of current events. However, no discussion shall take place on such items except for clarifying comments related to substance, time and location.

6. [21-133](#) Announcement of current events from mayor and councilmembers.

G. CITY MANAGER'S REPORT

The city manager, members of city staff or those individuals designated by the manager may present information pertinent to items under consideration or information related to the operation of the city. There shall however be no discussion at this time except for clarification inquiries.

7. [21-134](#) City Manager's Report.

H. PUBLIC HEARINGS

Public hearings required by applicable law shall be conducted by the council and any person shall be given the opportunity to speak. All remarks shall be addressed to the council as a whole and not to any member thereof. Such remarks shall be limited to five (5) minutes unless additional time is granted by the mayor. This time limitation shall not apply to applicants and their agents appearing before the council.

8. [21-146](#) Presentation, discussion, public hearing and consideration of proposed Resolution No. 21-14, declaring as a public record that certain document filed with the City Clerk entitled "2021 Amendments to the Apache Junction City Code, Volume II, Land Development Code, Chapter 2: Subdivision and Minor Land Division Regulations"; repealing any conflicting provisions; and providing for severability.
9. [21-145](#) Presentation, discussion, public hearing and consideration of proposed Ordinance No. 1503, amending Apache Junction City Code, Volume II, Land Development Code, Chapter 2: Subdivision And Minor Land Division Regulations, by repealing and replacing in its entirety; and by adopting by reference that certain document entitled "2021 Amendments to the Apache Junction City Code, Volume II, Land Development Code, Chapter 2: Subdivision And Minor Land Division Regulations", repealing any conflicting ordinances; providing for severability; and proving for penalties.

10. [21-148](#) Presentation, discussion, public hearing and consideration of proposed Resolution No. 21-13, a Resolution of the Mayor and City Council of the City of Apache Junction, Arizona, declaring as a public record that certain document filed with the City Clerk and entitled "2021 Amendments to the Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-6: Supplement Regulations, § 1-6-12 Medical and Recreational Marijuana"; repealing any conflicting provisions; and providing for severability.
11. [21-152](#) Presentation, discussion, public hearing and consideration of proposed Resolution No. 21-15, a Resolution of the Mayor and City Council of the City of Apache Junction, Arizona, declaring as a public record that certain document filed with the City Clerk and entitled "2021 Amendments to the Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-5: Zoning Bulk and Use Regulation, § 1-5-3 Non-Residential Use Regulations, Table 5-3 Non-Residential Use Regulations, and Article 1-17, § 1-17-1 Definitions"; repealing any confliction provisions, and providing for severability.
12. [21-150](#) Presentation, discussion, public hearing and consideration of proposed Ordinance No. 1502, an Ordinance of the Mayor and City Council of the Apache Junction, Arizona, amending Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-6: Supplemental Regulations, by repealing, replacing and retitling in its entirety § 1-6-12, Medical Marijuana; and by adopting by reference that certain document entitled "2021 Amendments to the Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-6: Supplemental Regulations, § 1-6-12, Medical and Recreational Marijuana"; repealing any conflicting provisions; providing for severability; and providing for penalties.
13. [21-154](#) Presentation, discussion, public hearing and consideration of proposed Ordinance No. 1504, an Ordinance of the Mayor and City Council of the City of Apache Junction, Arizona, amending the Apache Junction City Code, Volume II, Land Development, Chapter 1: Zoning Ordinance, by adding a new recreational marijuana use category to certain zoning districts and new recreational marijuana use definitions and adopting by reference that certain document entitled "2021 Amendments to Apache Junction City Code, Volume II, Land Development Code, Chapter 1: Zoning Ordinance, Article 1-5 Zoning Bulk and Use Regulations, § 1-5-3, Non-Residential Use Regulations, Table 5-3 Non-Residential Use Regulations, and Article 1-17, § 1-17-1 Definitions"; repealing any confliction provisions; providing for severability; and providing for penalties.

I. OLD BUSINESS

The council shall consider any business that has been previously considered and which is still unfinished to include those items previously postponed or tabled. No member of the public shall be permitted to speak on these items unless invited to do so by the mayor after first submitting a written request-to-speak form with the city clerk.

J. NEW BUSINESS

The council shall consider any business not yet considered. No member of the public shall be permitted to speak on these items unless invited to do so by the mayor after first submitting a written request-to-speak form with the city clerk.

14. [21-127](#) Presentation, discussion and consideration of approval of proposed Resolution No. 21-12 authorizing the submission of application(s) to the Governor's Office of Highway Safety Federal Fiscal Year 2022 Grant Program.

K. COUNCIL DIRECTION TO STAFF

This item allows the mayor and city council to direct staff on specifically listed matters.

L. SELECTION OF MEETING DATES, TIMES, LOCATIONS, AND PURPOSES

15. [21-135](#) The next regularly scheduled meetings are Monday, April 19th with an Executive Session at 6:00pm and Work Session at 7:00pm and Tuesday, April 20th with an Executive Session at 6:00pm and Council Meeting at 7:00pm at 300 E. Superstition Boulevard in Apache Junction, AZ. Other meetings may be scheduled if necessary.

M. CALL TO PUBLIC

At this time the public has the privilege to address the council with requests, communications, comments or suggestions relating to city business. All speakers must have already submitted a written "Request to Speak" form to the city clerk no later than the conclusion of the city manager's report portion of the agenda. If there is a group speaking on the same item, they should select a spokesperson. All such remarks shall be addressed to the council as a whole and not to any member thereof. The mayor is authorized to ask a speaker to stop speaking and leave the podium or to adjourn the meeting if anyone becomes disorderly, uncivil, makes personal attacks or continues to speak about items that are not within the jurisdiction of the city after being warned such issues are beyond the jurisdiction of the city to act. The council may not answer questions of the speaker, discuss the matter with one another, but may, at the conclusion: 1) respond to criticism by a speaker; 2) ask the city manager to review a matter; 3) ask the city manager to place the matter on a future agenda. Each speaker must approach the podium, speak into the microphone, provide their name and address. There is a three (3) minute time limit per speaker.

N. ADJOURNMENT

Copies of this agenda and additional information on any of the items listed above may be obtained from the City Clerk's office located at 300 E Superstition Blvd, Apache Junction, AZ 85119, Monday through Thursday from 7:00a-6:00p, excluding holidays.

The City of Apache Junction invites and welcomes people of all abilities to use our programs, sites and facilities. Specific requests may be made by contacting the Human Resources Office at (480) 474-2617 or TDD (480) 983-0095.

The Apache Junction City Council may vote to go into Executive Session for legal advice on any item listed on this agenda pursuant to A.R.S. § 38-431.03(A)(3); this notice is given pursuant to A.R.S. § 38-431.02 to the members of the City Council and the public.