

CITY COUNCIL
REGULAR MEETING
November 1, 2016

The regular meeting of the City Council of the City of Apache Junction, Arizona, was held on November 1, 2016, at the Apache Junction City Council Chambers pursuant to the notice required by law.

CALL TO ORDER

Mayor Insalaco called the meeting to order at 7:00 p.m.

INVOCATION

Councilmember Wilson gave the Invocation.

PLEDGE OF ALLEGIANCE

Councilmember Waldron led the Pledge of Allegiance.

ROLL CALL

Councilmembers Present: Mayor Insalaco
Vice Mayor Barker
Councilmember Evans
Councilmember Rizzi
Councilmember Serdy
Councilmember Waldron
Councilmember Wilson

Staff Present: City Manager Bryant Powell
Assistant City Manager Matt Busby
City Clerk Kathleen Connelly
City Attorney Joel Stern
Public Safety Director Tom Kelly
Development Services Director Larry Kirch

Others Present: Building Official Dave Zellner
Sponsorship/Partnership Programs
Coordinator Roger Hacker

ACCEPTANCE OF CONSENT AGENDA)
) Vice Mayor Barker MOVED
THAT THE CONSENT AGENDA BE ACCEPTED AS PRESENTED.

Councilmember Rizzi SECONDED
THE MOTION.

VOTE: Unanimous.

The motion carried.

AWARDS, PRESENTATIONS AND PROCLAMATIONS

None.

ANNOUNCEMENT OF CURRENT EVENTS

Councilmember Wilson commented he was supposed to have a surprise birthday party today and he brought refreshments for after the council meeting.

Councilmember Rizzi reminded everyone to donate local and do not be afraid to ask the store managers if those donations boxes stay local or go elsewhere.

Vice Mayor Barker announced she attended a business leadership forum last week where the chief executive officer of GoDaddy was the primary speaker and he was phenomenal. We are losing one of our employees to him next week.

Vice Mayor Barker announced the library had a Harry Potter Day on Saturday with so many kids they ran out of butter beer.

Vice Mayor Barker announced parks and recreation had their Halloween party in front of the multi-gen center on Saturday. It was fantastic with huge gas balloons. They had hundreds of people there.

Vice Mayor Barker reminded everyone that the farmers' market will be this Saturday at the wellness center. They will have produce, eggs, crafts and all kinds of things beginning 9 a.m.

Councilmember Serdy reminded everyone of Veterans Day and the Festival of the Superstitions happening on the same weekend on Friday and Saturday, respectively, and encouraged everyone to attend and remember what it is about. There will be no carnival at the festival and it will be more hands on.

Councilmember Waldron announced the parade will be Friday morning on November 11 at 9:30 a.m. They will have a flyover starting it and there will be another flyover later from Luke Air Force Base. They have a lot of entries in the parade.

Councilmember Wilson commented he will have his pony out there for the festival for kids to ride ages 7-11. He will also have a miniature horse out there who is being trained to be a service animal. He will be there for pictures.

Councilmember Serdy commented the festival is dog-friendly this year.

CITY MANAGER'S REPORT

City Manager Bryant Powell commented on the Halloween event, upcoming staff reviews, his visiting all departments and read an update from parks and recreation on their mud run.

PUBLIC HEARINGS

None.

OLD BUSINESS

PROPOSED DONOR RECOGNITION GUIDELINES

)
) Sponsorship/Partnership
Programs Coordinator Roger Hacker briefed the council on the item.

Mayor Insalaco called for any discussion. There being no discussion, he called for a motion.

Vice Mayor Barker MOVED THAT
THE DONOR RECOGNITION GUIDELINES BE APPROVED.

Councilmember Wilson SECONDED

THE MOTION.

VOTE: Unanimous.

The motion carried.

NEW BUSINESS

PROPOSED RESOLUTION NO. 16-32,
AUTHORIZING THE CITY TO ENTER INTO
AN INTERGOVERNMENTAL AGREEMENT
WITH ARIZONA DEPARTMENT OF HOUSING,
OFFICE OF MANUFACTURED HOUSING TO
ENFORCE MANUFACTURED HOME
INSTALLATION STANDARDS)

) Building Official Dave
Zellner briefed the council on the item.

Councilmember Evans asked if
our code follows the standards of the Housing and Urban
Development requirements for manufactured homes being set up.
She asked if the city code mirrors that.

Building Official Dave
Zellner stated in regards to manufactured housing the actual
code for the building of the structure and stuff are the Housing
and Urban Development standards. They are done by the feds and
the state adopts those. Those are the factory inspections and
all that happens via the state and all that. The standards for
the installation as it occurs out in the field here are based on
Housing and Urban Development. We also require skirting and
some additional things that fall into the zoning side of it.

Councilmember Evans commented
those would be cosmetic parts.

Building Official Dave
Zellner stated that is correct. Such as whether they keep the
tongue on or take it off and stuff like that. The connection to
utilities are determined by the state. A lot of the information
comes out of Housing and Urban Development manuals, but the
state also has some guidelines. He believes they are on the

2009 set of codes for the plumbing connections and the sewer connections.

Councilmember Evans commented she is asking because in selling a manufactured home property for a Federal Housing Administration loan they have to use their standards which are more restrictive. They are charged an additional \$2,000 if the property is not up to their standards and is only at Housing and Urban Development standards. For retired people who frequently pay cash for the set up they would have to finance a \$2,000 hit. She asked if there was any way the city could give a warning or information that city standards do not meet Federal Housing Administration loan standards. These people need to have some kind of information given to them. It does become an issue on resale value.

Building Official Dave Zellner stated they could look at that and make sure there is a better understanding. He used to deal with that when he built homes. He would have his Federal Housing Administration bank loan inspection and he had to schedule them on different days because the building official and inspector would never agree. There were things he undid or redid to get through both inspections at the same time. He does understand that there are sometimes conflicts like that. He would guess they would look to see if that is something they want to share. They need to look into it and understand it a little bit better. He asked if she meant there was improvement or things that have to be done.

Councilmember Evans commented it has to do with tying down the manufactured home. They are not being done to Federal Housing Administration standards. There is an extra \$2,000 being charged because of it to either the buyer or the seller. This is being done across the country, not just in Arizona. She suggested they create something with the information or a warning when they have people applying for permits.

Building Official Dave Zellner stated he does not have a problem visiting with that. He would like to have a better feel for it to see if they can provide something as a handout or whatever.

Councilmember Evans commented
it is interesting that if something is built or brought in after
1970 it must be brought up to code.

Building Official Dave
Zellner asked if as far as she understands it that it relates to
the anchoring.

Councilmember Evans commented
it is up to the engineer.

Building Official Dave
Zellner stated one of the things they have been dealing with is
the state requires any attachments to the building have to go
through the state also. They have run into some problems like
Dolce Vita that has been going on for so long because they do
not have anything that shows their garages are approved. He has
been working with him to try to get all that sorted out. He
knows that the actual anchors that the state requires have
engineering that comes with them.

Councilmember Evans commented
it is above and beyond that.

Councilmember Serdy commented
he wanted to compliment his staff for using the dark
backgrounds. It makes it really easy to read.

Vice Mayor Barker commented
he states in the staff report that this agreement will allow the
city to charge about \$100 more than we are charging now. She
asked if the state changed their fees and if that is why this is
allowed.

Building Official Dave
Zellner stated he believes the state reviews this every year and
they do not always increase it. He knows they have gone through
a couple of increases since we visited our fees. Theirs is now
about \$100 more than we charge for our current fee. One of the
things they are looking at as they review the fees is to tie
them together to whatever the state is charging. We have to do
the same inspections although we do not have to drive as far as
they do for some locations. We should be getting what they get

as a minimum. They will look at connecting it to whatever their annual amount is. They cannot go above it.

Mayor Insalaco closed the discussion with no further comments and called for a motion.

Councilmember Evans MOVED THAT RESOLUTION NO. 16-32, A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, AUTHORIZING THE CITY OF APACHE JUNCTION TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH ARIZONA DEPARTMENT OF HOUSING, OFFICE OF MANUFACTURED HOUSING TO ENFORCE MANUFACTURED HOME INSTALLATION STANDARDS, BE APPROVED.

Councilmember Rizzi SECONDED THE MOTION.

VOTE: Unanimous.

The motion carried.

DIRECTION TO STAFF

PROCUREMENT THRESHOLDS)
) City Manager Bryant Powell
briefed the council on the item.

Councilmember Waldron commented this came up because there were items they had approved in the budget and staff was having to put together presentations and come back to them to get approval on something they had already approved. They are trying to alleviate the process and make it a little more efficient.

Mayor Insalaco closed the discussion with no further comments and called for a motion.

Councilmember Waldron MOVED THAT THE FOLLOWING DIRECTION BE GIVEN TO STAFF ON PROCUREMENT THRESHOLDS: THAT THEY WORK ON SIMILAR THRESHOLDS AND THEY WORK ON THEM WITH THE WATER DISTRICT AND BRING IT BACK FOR APPROVAL.

Councilmember Wilson SECONDED

THE MOTION.

VOTE: Unanimous.

The motion carried.

PRESENTATION BY AND DISCUSSION WITH
STAFF AND MEMBERS OF THE HEALTH AND
HUMAN SERVICES COMMISSION REGARDING
FISCAL YEAR 2016-2017 HEALTH AND
HUMAN SERVICES FUNDING
RECOMMENDATIONS)

) City Clerk Kathleen

Connelly briefed the council on the item.

Ms. Georgy Elias, chairperson of the Health and Human Services Commission, addressed the council. She stated they are asking that \$100,000 allocation for human services funding be continued in the 2017-2018 budget. There have been some challenges in obtaining the documentation required in the past year. They would like the agencies to meet with the city clerk and have some education so that everything can be timely entered. She asked if there is noncompliance with documentation previous to the fourth quarter that the council allow the health and human services commission to convene and make a recommendation for that funding to be redistributed. Getting into the dollar amounts, they started out with \$100,000 and they took \$28,000 off the top due to the changes with East Valley Adult Resources with the funding going to parks and recreation to help with the contract with Pinal Gila. They are recommending \$32,000 in funding for the food bank. The food bank is still unable to get food from St. Mary's dating back to 2014. They lost another source with the closing of Food City. They were also hit with additional clients with the reduction in food stamps. They are recommending \$20,000 for the boys and girls club for their academic success programs and power hour. There are some concerns for the agency. With the elections coming up, there are potential changes in the minimum wage law which could affect them. They could also lose their Four Peaks school site and could be looking for a new place to house their programs. They are recommending \$20,000 for Community Alliance Against Family Abuse for the continued interventional programs

to help the families. They also partner with the food bank to distribute food to their clients. They did not allocate anything to East Valley Adult Resources in light of the recent changes. They did not allocate anything to the United Way of Pinal County since they did not show for the interview. They received communication regarding that this afternoon that Commissioner Osborne will address.

Ms. Dana Osborne, Health and Human Services Commissioner, addressed the council. She stated she wanted to give some information so far as the procedures. All the nonprofits submit applications. It is a pretty intense application process. As the council knows there is never enough money to fulfill all the requests. They looked at the applications in depth for the food bank, the boys and girls club, Community Alliance Against Family Abuse and the United Way. They had in person interviews with all of them except the United Way. Not having the interview with United Way became part of their decision but primarily they found their application was not for direct services. It was for a training program to train others in the community. Given the short, limited time and that they did not have \$100,000 to allocate, just the \$72,000, their recommendation was to fund the three organizations at the same levels they were funded last year. It did not leave additional money. They have learned that the United Way contacted the city clerk's office after the interview that they were unable to attend. The commission took that into consideration but she did not think it would have made a difference given the funding they had. She wanted them aware there had been some communication with a United Way representative regarding their not attending the meeting but the commission feels strongly about their recommendation even though they did not speak with them.

Vice Mayor Barker commented she is confused but not about the allocation. She agrees with that. The application was not for direct service and she understands exactly why they determined that was not something that could be funded. She thought that they allocated the \$100,000 in July based on recommendations from the health and human services commission that they got in the spring.

City Clerk Kathleen Connelly stated that is correct.

Vice Mayor Barker commented there lies her confusion.

City Clerk Kathleen Connelly stated when the council opted to do the agreement with Pinal Gila to provide services because of East Valley Adult Resources vacating their prior obligations, \$28,000 of what was the original \$100,000 went to that contract.

Vice Mayor Barker commented she got that part. She asked if the city began to give money at that point to East Valley Adult Resources when the council allocated money in July to various organizations of which East Valley Adult Resources was a part at that point.

City Clerk Kathleen Connelly stated they did not. What they see before them tonight is a recommendation for fiscal year 2016-17. East Valley Adult Resources did submit an application in January. It was for congregate meals, home-delivered meals and van transportation. They pulled out of the process.

Vice Mayor Barker asked if that was in time to stop any funding. She is trying to find out if they gave East Valley Adult Resources anything for their July, August, September and October.

City Clerk Kathleen Connelly stated this would have been covering that first quarter. They did submit a report to her but she does not know if that is because they were used to doing it or if they did it with the expectation of receiving funding for the first quarter. That is something the commission deliberated and opted not to fund them for the first quarter.

Vice Mayor Barker asked what the next step will be if they bill us for that first quarter or expect payment for that quarter, if they discover that.

City Clerk Kathleen Connelly stated she would leave that up to the city manager.

City Manager Bryant Powell thanked the commission for working through the process. It is a great program. It is an offering of our special funds where we try to do the best we can with a huge need out there. Every year there is more need than available resources. These are contractual relationships that we have at the city government with our providers. They provide direct service to our community over the years. One of the concerns that they are addressing tonight is that our service providers need to do a better job of showing and indicating back up to the contract they are in. He cannot tell you how many conversations he has had when they wonder. It is not a grant. Over time our providers are starting to feel like it is money that comes to them, including East Valley Adult Resources and the others. They feel like this is what we do and the city just gives them the money. This is a contractual obligation that they would do that. At this point they do not have a contract with us to provide services.

Vice Mayor Barker asked if they got a contract in July.

City Clerk Kathleen Connelly stated they did not. This is the contract.

Vice Mayor Barker commented this is it. They serviced the senior center July, August, September and October.

Ms. Dana Osborne stated she joined the commission last fall. She thinks they were behind because of the lag in the reporting and it did not make sense for the commission to meet in the spring when the applications came in. If they had been on time they would have awarded them, effective July 1, 2016, but they did not have a passed budget. We also did not have home rule decided. The commission decided to wait until home rule passed.

Mayor Insalaco commented that makes sense.

Ms. Dana Osborne stated the last thing they wanted to do was to make a decision and have home rule not pass and they would be stuck.

Vice Mayor Barker commented what they want to do is begin in the spring, make another decision for the next fiscal year, get those contracts set and catch ourselves up.

Ms. Dana Osborne stated that is correct.

City Clerk Kathleen Connelly stated at the last meeting that is exactly what they decided. They want to meet again in May because ordinarily they are working the budget at that time. If they honor their request and put in \$100,000, they will have an amount to work with. They would hopefully get everything to the council shortly after the budget is passed.

Ms. Dana Osborne stated they recognize that they are putting these agencies in a tough spot by making these decisions so late. She thinks all of them as a commission want to try and get in front of it. They need the council's help to do that. That way it will be better for them. It will be unfortunate if people have assumed they would be getting money if there has been no contract awarded.

Councilmember Evans commented the \$28,000 that went to parks and recreation really did not go to parks and recreation.

City Manager Bryant Powell stated it goes to Pinal Gila to provide the services for our residents.

Councilmember Evans commented they have the same contractual agreement. It sounds kind of funny if it goes to them through parks and recreation and yet we have brought parks and recreation in to do some services.

City Manager Bryant Powell stated he believes the best way to answer this question is a

couple of weeks ago they entered into an agreement with them to provide those services. Parks and recreation in conjunction with Pinal Gila, with Liz working that contract, will be executing the contract. It is done.

Councilmember Rizzi commented they have to learn it. She asked if that is not part of the process, that parks and recreation is going in and shadowing them to learn the process.

City Manager Bryant Powell stated that is correct. This whole process is just for the city to get through until June 30. They are working with Pinal County Supervisor House on some other efforts as well to try to be a stopgap measure to carry out as much of the process or other programs with our seniors.

Councilmember Evans commented she wanted to thank them for doing a good job. She added had a conversation with Chief Kelly about one of our public defenders and some homeless individuals that wanted a place to go to get a bus ticket. She said they would scrape money out of their own budget so that they could help somebody to get to where they wanted to be. She asked if the city could attach some of this money for a fund like that or would they still have to go through a nonprofit.

City Attorney Joel Stern commented he believes she is off the agenda. If she has other things she would like money to be directed at that discussion should come up at a different meeting.

Councilmember Rizzi commented she wanted to thank the commissioners who came and the whole group. She knows it is a tough decision to try to work it all out for all these needs and figure out who gets what amount of funding. She appreciated the report that they did and brought back to the council. She also wanted to comment again that St. Mary's had pulled out of our food bank. That is huge if anyone has any idea how much food they brought to us. It is a big hit to the city. She appreciated that they acknowledged that and were able to help them so that the city can help our folks in

need. She thanked them again for all the work they put in and added she had been on that commission.

Mayor Insalaco commented it was not easy this time.

Councilmember Rizzi agreed that it was not.

Councilmember Waldron asked the other commission members to stand and be recognized. He added they did a good job.

City Clerk Kathleen Connelly stated they are welcome to come to her office and see the stack of materials they have to go through. She added there is one request. The back page of the memo does detail the three other recommendations to the human services funding. She asked that they include those or reference those in the motion.

Mayor Insalaco closed the discussion and called for a motion.

Vice Mayor Barker MOVED THAT THE FOLLOWING DIRECTION BE GIVEN TO STAFF REGARDING FISCAL YEAR 2016-2017 HUMAN SERVICES FUNDING RECOMMENDATIONS: THAT STAFF DRAW UP THE CONTRACTS ACCORDING TO THE MEMO FROM KATHLEEN CONNELLY DATED OCTOBER 25, 2016 AND PLACE THEM ON THE CONSENT AGENDA FOR THE NOVEMBER 15, 2016 MEETING AND THAT THE CITY COUNCIL CONSIDER ALLOCATING \$100,000 AGAIN FOR THE 2017-2018 BUDGET; AND THAT REPRESENTATIVES FROM ALL AGENCIES RECEIVING FUNDS ATTEND A MANDATORY MEETING AT A DATE, TIME AND LOCATION DETERMINED BY THE APPLICANT IN ORDER TO REVIEW TERMS AND REPORTING REQUIREMENTS, THAT REPRESENTATIVES OF THE AGENCY BY ANYONE WHO IS RESPONSIBLE FOR COMPILING THE INFORMATION OR FILING THE QUARTERLY REPORTS REQUIRED BY THE CONTRACT AND THERE BE A MANDATORY MEETING FOR ALL APPLICANTS BETWEEN EACH APPLICANT AND CITY STAFF RESPONSIBLE FOR PREPARING AND FILING THE QUARTERLY REPORTS; AND THAT IF FUNDING IS DENIED DUE TO NONCOMPLIANCE BY ANY OF THESE AGENCIES PREVIOUS TO THE FOURTH QUARTER THAT THE HEALTH AND HUMAN SERVICES COMMISSION BE ALLOWED TO RECONVENE AND MAKE RECOMMENDATIONS FOR THE DISBURSEMENT OF THOSE REMAINING AVAILABLE FUNDS.

Councilmember Rizzi SECONDED

THE MOTION.

VOTE: Unanimous.

The motion carried.

SELECTION OF MEETING DATES, TIMES, LOCATIONS, AND PURPOSES

Vice Mayor Barker MOVED THAT
AN EXECUTIVE SESSION AT 5:45 P.M. AND A WORK SESSION AT 7:00
P.M. BE HELD ON MONDAY, NOVEMBER 14, 2016, IN THE CITY COUNCIL
CONFERENCE ROOM AND CITY COUNCIL CHAMBERS RESPECTIVELY;

AND THAT AN EXECUTIVE SESSION AT 5:45 P.M. BE HELD ON TUESDAY,
NOVEMBER 15, 2016, IN THE CITY COUNCIL CONFERENCE ROOM.

Councilmember Evans SECONDED

THE MOTION.

VOTE: Unanimous.

The motion carried.

CALL TO THE PUBLIC

Mr. Frank Blanco, 300 E. Superstition, Apache Junction, director
for the Apache Junction Water Utilities Community Facilities
District, addressed the council regarding the metering and
billing of the district and thanked everyone for participating
in the naming of the new facility.

Ms. Cyndy Nuttal, 885 N. Vista, Apache Junction, addressed the
council regarding her representing 32 residents living in RS-54
that are against the approval of the special event that may
include an outdoor concert with the Bellamy Brothers Band on the
Hitching Post property for November 13. They are requesting
that city staff be directed that any future applications for
charitable or outdoor events that generate amplified music
located adjacent to their residential neighborhood be
recommended to the rodeo grounds where they are much better
suited.

Ms. Mani Bowler, executive director of the United Way, 402 E. 10th Street, Casa Grande, addressed the council regarding the notification of the grant review for human services funding.

Ms. Dorian Townsend, executive director of Community Alliance Against Family Abuse, 185 N. Apache Trail #1, Apache Junction, addressed the council to give thanks for the interview process at the human services funding and allowing the city to continue allowing the nonprofits to have partnerships.

Councilmember Waldron asked for a follow up on the November 13 issue.

Councilmember Serdy commented they need to make sure they work with the boards to make sure although it will not be as bad next year because of the home rule thing that made this rushed.

Mayor Insalaco commented that is what made it hard to do.

City Manager Bryant Powell stated they will look into that and give a report back.

ADJOURNMENT)
) Mayor Insalaco adjourned
the meeting at 7:57 p.m.

Consent Agenda Items are as follows:

1. Consideration of acceptance of agenda.
2. Consideration of approval of minutes of the regular meeting of October 18, 2016.

ACCEPTED THIS _____ DAY OF _____, 2016, BY THE
MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA.

SIGNED AND ATTESTED TO THIS _____ DAY OF _____, 2016.

JOHN S. INSALACO
Mayor

ATTEST:

KATHLEEN CONNELLY
City Clerk

CITY COUNCIL MINUTES
CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the city council of the City of Apache Junction, Arizona, held on the 1st day of November, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 8th day of November, 2016.

KATHLEEN CONNELLY
City Clerk