



City of Apache Junction, Arizona

Meeting Minutes Special Meeting of the Apache Junction City Council

Meeting location:

Multi-Generational Center
Room 117
1035 N Idaho Rd
Apache Junction, AZ
85119

www.ajcity.net
Ph: (480) 982-8002

Saturday, February 11, 2017

10:00 AM Multi-Generational Center, 1035 N. Idaho Rd., Room 117

Mayor Serdy called the meeting to order at 10:02 a.m.

ROLL CALL

Present 7 - Mayor Serdy
 Vice Mayor Wilson
 Councilmember Barker
 Councilmember Evans
 Council Member Rizzi
 Councilmember Struble
 Councilmember Waldron

Staff in attendance:

Bryant Powell, City Manager, City of Apache Junction
Matt Busby, Assistant City Manager, City of Apache Junction
Frank Blanco, Water District Director, City of Apache Junction
Al Bravo, Public Information Officer, City of Apache Junction
*Kathleen Connelly, City Clerk, City of Apache Junction
Tracie Curtis, Library Manager, City of Apache Junction
Thomas Kelly, Public Safety Director, City of Apache Junction
Larry Kirch, Development Services Director, City of Apache Junction
Liz Langenbach, Parks & Recreation Director, City of Apache Junction
Anna McCray, Management Analyst, City of Apache Junction
Matt McNulty, Production/Marketing and Communication Specialist, City of Apache Junction
Giao Pham, Public Works Director, City of Apache Junction
Elizabeth Riley, Human Resources Director, City of Apache Junction
Janine Solley, Economic Development Director, City of Apache Junction
Joel Stern, City Attorney, City of Apache Junction

*excused absence

AGENDA ITEMS

1. [17-015](#) Discussion on assignment of city councilmembers to represent the city on regional organizations. Presentation on the idea of a shared calendar for all councilmembers to be able to view meetings and events.

A discussion took place on council representation on regional organizations. Council action at

an upcoming regular meeting will take place if needed.

Mayor Serdy will represent the city at Phoenix-Mesa Gateway Airport board meetings.

Councilmember Struble will represent the city at the Greater Phoenix Economic Council (GPEC) and Pinal/Arizona Town Hall.

Councilmember Waldron will continue to represent the city at Central Arizona Association of Governments (CAG).

Councilmember Barker will continue to represent the city at the Maricopa Association of Governments (MAG) Regional Council, MAG Domestic Violence Council, Community Alliance Against Family Abuse board, the Genesis Project board, and the Pinal Partnership Board.

Councilmember Evans will continue to represent the city at the Community Development Corporation (CDC).

Councilmember Rizzi will continue to represent the city at the Boys and Girls Club of the East Valley and the Pinal Partnership Education committee. Councilmember Rizzi stated that her dual role in serving on the city council and the Apache Junction Unified School District board would not be a conflict of interest.

Councilmember Wilson will also participate in the Phoenix-Mesa Gateway Airport meetings.

City Manager Bryant Powell will continue representation at East Valley Partnership (EVP).

Councilmember Rizzi requested all of council receive a brief description of each of the boards and to be advised when the meetings occur.

Council also discussed a summary of each meeting attended individually be distributed to council afterwards.

2. [17-016](#) Discussion on media training (written, TV, social and radio) for councilmembers.

Public Information Officer (PIO) Al Bravo conducted a quick review of news sources and spoke of the shift in how people now elect to receive news. He reported the majority of citizens opt to receive news about the city from the city's website and a lot of users do that through mobile devices such as tablets and smart phones. He advised council that if they have any questions on informing, responding, or promoting to please ask him or Matt McNulty as they are the resources for council to depend on.

PIO Al Bravo reviewed guidelines for social media, and advised council that even though they may not think so that due to their positions they are always representing city when posting on social media, so to please be aware of that. He also stated the city prides itself on being responsive on social media.

Councilmember Rizzi made a comment for the media in the audience stating when the media calls she needs time to provide a good answer.

Councilmember Rizzi posed question to Al on how responsive he thinks the city is, and are

there times firestorms are started? AI reports there are times when the city can take a step back for smart and thorough response, but for the most part process is good and responsiveness is also good.

PIO AI Bravo stated he will speak to council about the Oro Valley case study which is a good illustration regarding social media being a public record and how sometimes the best intent have unintended consequences.

Councilmember Evans stated the protocol of past council has been to write up media responses and have the city attorney or city staff to review prior to being sent so no misinformation is distributed.

Councilmember Rizzi pose a question to City Attorney Joel stern if there is any situation on social media that they should not be addressing or speaking out on such as agenda items or other items that should not be practiced or illegal to respond to. In response, City Attorney Joel Stern stated if there is potential an item will be voted on he suggests talking about it openly in public at the meeting. He also stated if four councilmembers post/respond on same issue it violates open meeting law, especially if they talk about how many votes they have.

3. [17-017](#) Discussion on communication with neighboring unincorporated Pinal County communities (including county islands, Gold Canyon, Superstition Foothills, Superstition Mountain Museum area) to consider annexation/merger with the city.

Mayor Serdy stated he has individually been discussing with various people and groups in Gold Canyon about the possibility of a merger and that council had not yet been advised of his discussions so that is why the item was agendized so he could provide them with that information.

Mayor Serdy stated the city of Apache Junction's current population is 39,000 and explained if the city gets to 50,000 population then it's elevated to higher level of funding (state shared revenue, Community Development block Grant funding), same level as Yuma or Flagstaff. He maintained those 50,000 people are already here so why not get credit for them all for these additional opportunities. Apache Junction/Gold Canyon would be second largest to only Casa Grande until San Tan Valley incorporates.

Mayor Serdy also spoke of opportunities in annexing unincorporated islands in city. Mayor Serdy stated he knows the museum is concerned with permitting.

Mayor Serdy stated Gold Canyon would have a say so in what happens with the state land that is in Apache Junction's planning area. Other services they would have access to are Library, Paws and Claws, landfill, free dump week, 2035 landfill needs post closure.

Mayor Serdy spoke with Sheriff Lamb who reported there is currently only one deputy serving Gold Canyon and one in the city. Mayor Serdy stated Police Chief Kelly stated six new officers and two cruisers would be needed to serve area of Gold Canyon. Mayor Serdy stated Gold Canyon has Citizens on Patrol (COPS) which is effective and that there would be more opportunities for that.

Mayor Serdy stated he understood Gold Canyon was concerned with losing their identity, pointing out Ahwatukee is actually Phoenix and Sun Lakes is Chandler, so there is no reason to lose name/identity.

Mayor Serdy stated Gold Canyon would not want to answer to 7 people (councilmembers) in Apache Junction, and as mayor he would make sure council would be districts with Gold Canyon having two seats with mayor an at-large position.

Mayor Serdy spoke of the legislation in the state legislature that would allow San Tan Valley to incorporate, indicating he was the lone vote to allow San Tan Valley right to incorporate in the past, and believe they should have the right to vote.

Mayor Serdy stated he doesn't see Gold Canyon area as annexation, instead sees it as a merger.

Mayor Serdy stated a lot of misinformation went out, with statements that Apache Junction would annex gold Canyon by force which isn't true. The city has to follow a guide to annex, it will be a 1-year discussion and another year long process. Petition process is up to residents in those areas; if Gold Canyon wanted to merge with city then they would have to initiate. Mayor Serdy stated both communities share schools. Both newspapers belong and are named Apache Junction/Gold Canyon. Maybe it's time for more cooperation which would be of benefit for both.

Councilmember Evans stated prior council decided to start with small county islands/pockets within the city boundary limits already.

Mayor Serdy stated if anyone wants to continue dialogue, he is available to meet individually or with groups.

Mayor Serdy requested from staff a fact sheet be prepared to hand out when he speaks.

Mayor Serdy stated that there is no city property tax and as long as he is mayor or on council there will not be.

Mayor Serdy stated one of the negatives in merger would be Gold Canyon residents would be subject to the additional city sales tax.

Mayor Serdy pointed out that property values would not change. Nothing would change, except Gold Canyon residents would see Apache Junction Police Department cruisers on the streets and they'd pay additional 2.4% sales tax.

Mayor Serdy posed question to council if they would they like to keep reaching out and see what mutual alliances they can get.

Vice Mayor Wilson stated he hears arguments made by residents of Gold Canyon and unincorporated county islands that they are already using city facilities and thinks council may wish to request ideas on what other communities do in accommodating nonresidents for the use of facilities. He spoke of some libraries charging \$25 if nonresident wished to use facility and while he wanted facilities and programs to be open to entire area, don't want to have to worry about asking if people using them if they are resident or not, but there is a cost to maintain facilities and programs.

Councilmember Barker stated most Gold Canyon and unincorporated Pinal County residents pay for the use of city facilities through sales tax, when they purchase goods in the city. She

stated she is in favor of annexing unincorporated Pinal islands within city.

Councilmember Waldron agreed with that concept, and stated it should be council's first priority. He stated part of problem was that this whole idea on annexing Gold Canyon was made public prior to it being brought up with councilmembers, and he had wanted it on an open agenda at work session.

Councilmember Barker says better communication by council is needed.

Councilmember Rizzi stated she believes council is in agreement on working toward annexing unincorporated county islands.

Mayor Serdy stated council could work on things simultaneously, even if it meant Gold Canyon doesn't happen within next four years.

Councilmember Struble stated annexation is regulated by state which we have to follow with long time frame. He stated council can start conversations, but action has to come from people in area, petition process, property owner's signatures, etc. Council has to develop a unified vision statement, what they want Apache Junction and surrounding area to be, so council can communicate it. Councilmember Struble stated he hopes that when residents of Gold Canyon see the vision of Apache Junction that they'd want to be part of it.

City Manager Bryant Powell stated the 45-page League of Arizona Cities and Towns Guide on annexation will be placed on website.

City Attorney Joel Stern reviewed the steps involved in annexation, which include:

Discuss with council

Staff contact residents

Decide areas of focus for annexation

Each owner of assessed valuation made available

Established map with dimensions laid out

City files blank petition with 30-day waiting period

Advertise special meeting with notice to all personal and real property in proposed annexation area (1/2 or more both real and personal property owners)

Public Hearing

Collecting signatures within 1-year period

Signatures filed with clerk/county recorder

Public Hearing

Adopt ordinance

30-day contestation period

Board takes action

Mayor Serdy stated he hears complaints from Gold Canyon residents that they don't like their sewer system and noted it would be costly to run lines now but if city is extended it would be more cost effective. He then asked if there is any rule that those on septic would be required to hook to sewer.

City Manager Bryant Powell stated that property within 200 feet of existing system would be required to connect to the sewer system. He said there is a bigger policy question whether the city should get into the utility business and noted both water and sewer systems intact have capacity to double, that infrastructure is in place and ready for growth.

Councilmember Evans pointed out that in a subdivision, not a park, state law requires 90% of residents within subdivision have to agree to go on sewer system.

Councilmember Waldron requested a council direction to staff item be placed on a regular meeting agenda to continue discussions on annexation.

4. [17-019](#) Discussion and update on state land development South of the U.S. Route 60.

Mayor Serdy stated he felt city was in better position for state land movement than one year ago and three years ago.

City Manager Bryant Powell stated staff has been working on code compliance updates and enforcement and staff continues to meet with State Land Commissioner Lisa Atkins. City communications has been with five state land commissioners in last ten year period due to turnover in that state department.

Council reviewed city and surrounding area map, noting there is demand for growth and interest in the south of US 60.

Mayor Serdy stated state legislature is looking to extend Meridian Road which is well intended to put us on radar although it may not benefit us. He stated land in that corner of city would become more developable and valuable.

Councilmember Evans asked about other pockets of state land, like the one around city hall, and why isn't city talking to state land about them for commercial or residential development. She noted they are located around schools, library, and services and by them being smaller in size it may be more doable with more potential buyers. She stated state land department has been interested in doing smaller parcels historically; infill. State Land receives more money for smaller pieces and more activity would bring more lookers/activity.

City Manager Bryant Powell stated staff has spoken to developers regarding smaller state land parcels and they can continue strategizing on those efforts.

5. [17-020](#) Discussion on acquisition/lease/operation of Bureau of Land Management property within the city limits and in unincorporated county areas.

Mayor Serdy stated he had been talking about acquiring Bureau of Land Management (BLM) land for nine years now. He reported the city has grown the rodeo grounds from piece of dirt to high functioning recreation area, same with Prospector Park.

Mayor Serdy stated with a new president a new secretary of interior will be appointed. Representative Gosar is running a bill which would require feds to give land to cities through a disposal list, in lieu of back taxes owed. He would like topic on work session to look further into getting BLM land in city on disposal list. He noted Queen Creek has equestrian center, and that Apache Junction could have same to hold rodeos and concerts out there and that the city is unable to right now because events that make money are prohibited on BLM land.

Vice Mayor Wilson commented that BLM rules differ from both state and federal parks systems.

Councilmember Evans stated the Dons Camp cannot charge for events but can ask for donations. She reported that the Superstition Mountain Promotional Corporation used to serve as the pass through organization for events (receipt of donations) at the rodeo grounds and posed the question as to what happened to that organization, because all it seems to do now is Lost Dutchman Days. She requested an item be placed on upcoming work session to discuss the organization, how to enable more events, opportunity to speak to the group, have Parks & Recreation Director Liz Langenbach provide information on contract content and what movement city may have, provide background on five leases and perhaps schedule a BLM representative at a future work session.

Mayor Serdy stated the city risks we take is if land gets on disposal list, and goes to auction, someone else could bid on and acquire. City needs to be ready to acquire it.

Councilmember Waldron stated council should discuss options on how we can take advantage of getting more events out there.

Councilmember Rizzi posed question on whether municipalities get priority in land that becomes available.

City Attorney Joel Stern replied with a no, any entity or person may bid on land which is fair game.

Councilmember Struble asked if staff could look at how BLM has worked with cities in the past.

6. [17-021](#) Discussion on future meetings with Apache Junction Unified School District and/or Queen Creek for common areas of regional/community interests.

City Manager Bryant Powell stated historically the city council has held one to two meetings a year with regional partners such as the town of Queen Creek, Apache Junction Unified School District (AJUSD), and the Native American Indian communities for intended goals in partnership.

Councilmember Evans suggested if another meeting is scheduled with AJUSD the city should consider whether it is appropriate to include Avalon, Imagine Prep, Mesa, and other school networks in community.

City Attorney Stern cautioned that charter schools and Mesa are not on agenda, suggestion to place on work session agenda to discuss all potential partners who council wishes to meet with.

Mayor Serdy expressed meeting with the realtors association, city and local realtors, is important.

7. [17-022](#) Discussion on a permanent base adjustment, which relates to "Home Rule Option (The Alternative Expenditure Limitation)" budgetary constitutional restrictions.

Agenda item #7 was tabled until a future yet to be determined meeting due to time constraints of today's meeting.

8. [17-023](#) Discussion on the process of the city establishing a utility department to include required voter approval and available sources of funding for acquisition of community facilities districts.

City Manager Powell stated the city has not gotten into the utility business as of yet to include sewer and water. He asked council to think about when the city should approach citizens on if they want city to get into utility business? He noted there is less flexibility in economic development agreements without utilities.

City Attorney Stern stated it was a policy issue and process involved in deciding on utilities, and referenced state law requirements. He noted the attempt in 1993 didn't go so well. He stated council needs to consider how the city is going to pay for additional assets which it has to assume when going into the utility business. He noted the sewer district has done great job on reducing debt on their assets

Councilmember Barker stated it may be a good time to educate community as to pros/cons in city getting into utility business and by discussing in open meeting would allow for community feedback.

Councilmember Evans said moving forward it would be helpful if council had an opportunity to vote on future topics of discussion, make a list, and prioritize for discussion.

9. [17-024](#) Discussion on term limits for mayor and city council positions.

Agenda item #9 was tabled until a future yet to be determined meeting due to time constraints of today's meeting.

10. [17-025](#) Discussion on additional aesthetic and functional street lighting in the downtown area.

Agenda item #10 was tabled until a future yet to be determined meeting due to time constraints of today's meeting.

11. [17-026](#) Discussion on city liability insurance, self-insurance and the city's continuing participation in the Arizona Municipal Risk Retention Pool.

Agenda item #11 was tabled until a future yet to be determined meeting due to time constraints of today's meeting.

ADJOURNMENT

Meeting was adjourned at 12:01 p.m.