



# City of Apache Junction, Arizona

## Meeting Minutes City Council Meeting

Meeting location:

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

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

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Tuesday, August 6, 2019

7:00 PM

City Council Chambers

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### A. CALL TO ORDER

Mayor Serdy called the meeting to order at 7:10 p.m.

### B. INVOCATION AND PLEDGE OF ALLEGIANCE

Vice Mayor Wilson gave the invocation and Councilmember Barker led the meeting attendees in the Pledge of Allegiance.

### C. ROLL CALL

**Present:**                7 -     Mayor Serdy  
                                     Vice Mayor Wilson  
                                     Councilmember Barker  
                                     Councilmember Evans  
                                     Councilmember Rizzi  
                                     Councilmember Schroeder  
                                     Councilmember Struble

**Staff in Attendance:**

Bryant Powell, City Manager  
Matt Busby, Assistant City Manager  
Joel Stern, City Attorney  
Jennifer Pena, Deputy City Clerk  
Al Bravo, Public Information Officer  
Larry Kirch, Development Services Director  
Thomas Kelly, Chief of Police  
Liz Langenbach, Parks & recreation Director  
Heather Patel, Grants Administrator  
Heather Hodgman, Management Analyst  
Kent Fowler, Police Officer  
Michael Wever, Public Works Director  
Mike Loggins, Water Utilities Director

### D. CONSENT AGENDA

Councilmember Barker moved, seconded by Councilmember Rizzi to approve the consent agenda.

**Yes:**                        7 -     Mayor Serdy, Vice Mayor Wilson, Councilmember Barker, Councilmember Evans, Councilmember Rizzi, Councilmember Schroeder and Councilmember Struble

**No:**                        0

1. [19-352](#) Consideration of acceptance of agenda.
2. [19-353](#) Consideration of approval of minutes of regular meeting of July 16, 2019.
3. [19-343](#) Consideration of approval of award of contract to Sunland Asphalt for the reconstruction of Ironwood Drive from Lost Dutchman Boulevard to McKellips Road. The work would be through the 1 Government Procurement Alliance cooperative contract No. 17-16P-05 in the amount of \$595,344.00 plus a 10% contingency for unforeseen change orders in the amount of \$59,534.40 for a total project cost not to exceed \$654,878.40. Work will result in a new paved surface, street striping and bike lanes for this portion of Ironwood Drive. Work is planned for this fall or winter of 2019, depending on scheduling and weather conditions.
4. [19-369](#) Consideration of approval of agreement with Independent News Media USA, Inc. for the purpose of designing, publishing, printing, and distributing the Citizen Magazine which promotes Parks and Recreation, Public Library, Public Safety, and other city programs and authorize the City Manager to execute and sign the agreement, as well as future possible extensions of the agreement.

#### **E. AWARDS, PRESENTATIONS AND PROCLAMATIONS**

#### **F. ANNOUNCEMENT OF CURRENT EVENTS**

5. [19-354](#) Announcement of current events from mayor and councilmembers.

Councilmember Struble announced there will be a signing of the U.S. Constitution celebration event at Flatiron Park on September 14th from 3:00 p.m. to 6:00 p.m. Watch for the upcoming announcements.

Councilmember Evans announced she recently attended the Community Development Corporation meeting and there will be an event on Saturday, October 26th; Make a Difference Day. They are looking for local businesses to help sponsor the event and volunteers to help.

Vice Mayor Wilson wanted to alert residents that phone calls are being made by unknown parties saying your Social Security has been frozen. The caller requests you go to the bank and withdraw money from your account to pay them. He warned everyone to be very careful and just hang up. Do not answer questions, especially with a yes or no. Your voice could be recorded and they could manipulate it for future use.

Mayor Serdy announced the Founder's Day celebration is quickly approaching. The committee meets the first Thursday of each month at the library. They are still looking for people to help plan the celebration and invited everyone to come to a meeting. There is a logo contest open to all with a \$500.00 prize to the winning artist.

Recent local events included a ribbon cutting at Bella Corona and Apache Junction Villas and he reminded everyone it is free dump week which continues until this Saturday, August 10th.

He visited the City of Superior where seven senior graduates were recognized and received scholarships for college from Resolution Copper.

He announced the retirement of Frank Blanco, Water District Director, who's knowledge and experience provided Apache Junction with significant contributions in water conservation, the waste water treatment plant, and many other water management issues. His retirement will be a great loss to the city. The Mayor wished him all the best.

## **G. CITY MANAGER'S REPORT**

### **6. [19-355](#) City Manager's Report.**

City Manager Bryant Powell commented on Mr. Blanco's retirement and the significant contributions he achieved for the city.

Mr. Powell announced the Make a Difference Day on Saturday, October 26th. They are in need of volunteers for the day.

He read three letters of appreciation the city received on various city employees, departments and the city parks.

### **7. [19-357](#) Introduction of the new Apache Junction Water District Director, Mike Loggins.**

City Manager Bryant Powell stated with the retirement of Frank Blanco, the city conducted interviews and he introduced Mike Loggins the new Water Utilities Director.

## **H. PUBLIC HEARINGS**

### **8. [19-340](#) Presentation, discussion, public hearing and consideration of approval of Resolution No. 19-08, adopting the development infrastructure improvement plan, land use assumptions and development fee report.**

**Yes:** 7 - Mayor Serdy, Vice Mayor Wilson, Councilmember Barker, Councilmember Evans, Councilmember Rizzi, Councilmember Schroeder and Councilmember Struble

**No:** 0

Items 8, 9 and 10 were read by the mayor and would be heard all together as they were related to the same subject.

Larry Kirch, Development Services Director provided an overview of the Land Use Assumptions/Infrastructure Improvement Plan and proposed changes to Development Fees and the updated fee ordinance.

The process started back in November of 2018. The city hired a consultant who specializes in land use assumptions and infrastructure improvement planning. The final plan was included in the agenda packet. There have been three public hearings with tonight's meeting making it four. The fees will increase slightly on the residential side, but will decrease significantly in some areas of the commercial side. The fees were found to be competitive within the industry.

Mayor Serdy opened the public hearing, receiving no comments from the public, he closed the public hearing.

No further comments or discussion was held by council.

Councilmember Evans moved, seconded by Councilmember Rizzi to adopt Resolution No. 19-08, adopting the development infrastructure improvement plan, land use assumptions and development fee report.

9. [19-341](#) Presentation, discussion, public hearing and consideration of approval of Resolution No. 19-09, declaring as a public record that certain document filed with the city clerk entitled "2019 Apache Junction City Code, Vol. II, Land Development Code, Chapter 7: Development Fees".

**Yes:** 7 - Mayor Serdy, Vice Mayor Wilson, Councilmember Barker, Councilmember Evans, Councilmember Rizzi, Councilmember Schroeder and Councilmember Struble

**No:** 0

Mayor Serdy opened the public hearing, receiving no comments from the public, he closed the public hearing.

Councilmember Barker moved, seconded by Councilmember Evans to approve Resolution No. 19-09, declaring as a public record that certain document filed with the City Clerk entitled "2019 Apache Junction City Code, Vol. II, Land Development Code, Chapter 7: Development Fees."

10. [19-342](#) Presentation, discussion, public hearing and consideration of approval of Ordinance No. 1472, amending the Apache Junction City Code, Vol. II, Land Development Code, by repealing Chapter 7: Development Fees in its entirety; and adopting by reference a new Chapter 7: Development Fees; establishing an effective date and revolving sixty month review period; repealing any conflicting provisions; and providing for severability.

**Yes:** 7 - Mayor Serdy, Vice Mayor Wilson, Councilmember Barker, Councilmember Evans, Councilmember Rizzi, Councilmember Schroeder and Councilmember Struble

**No:** 0

Mayor Serdy opened the public hearing, receiving no comments from the public he closed the public hearing.

Councilmember Rizzi moved, seconded by Vice Mayor Wilson to adopt Ordinance No. 1472, amending the Apache Junction City Code, Vol. II, Land Development Code, by repealing Chapter 7: Development Fees in its entirety; and adopting by reference a new Chapter 7: Development Fees; establishing an effective date and revolving sixty month review period.

11. [19-360](#) Presentation, discussion, and public hearing of proposed projects to be submitted under Resolution No. 19-05, authorizing the submission of Fiscal Year 2019 Community Development Block Grant and Fiscal Year 2019 State Special Project grant applications and Resolution No. 19-23, committing local funds as leverage to the city's FY19 CDBG application.

Heather Patel, Grants Administrator stated the public hearing notice for Resolution No. 19-05 which was adopted back in April, was not published prior to the public hearing. In order to be compliant with the requirements of the grant, it was published and readvertised for tonight's public hearing.

As a requirement prior to opening the public hearing Ms. Patel stated she is required to address certain items. She stated there is a second resolution included with this item Resolution 19-23 which commits local funds as leverage to the previously selected CDBG application projects.

She pointed out the objectives of the program which included the project selected meet one of the national objectives, which are:

1. It has to benefit low to moderate income people
2. Address a slum or blight issue
3. Address an urgent need

There are a variety of activities the CDBG program can support. The city does however have to follow what the State of Arizona designates as projects they will fund. A complete list of previously funded CDBG projects is on the website. For Fiscal Year 2019 the city has slightly over \$91,000 in the CDBG regional account and access to the \$300,000 for the state special project funds. The city website provides the grievance procedures, as well as any assistance for technical assistance that people in the community may need. It is through the public participation process and what was previously approved back in April, which was to continue with the infrastructure improvements to the Grandview neighborhood which are the streets of Grand, Ocotillo, Main, Palo Verde and Saguaro that are south of the trail and north of Broadway. The city has been working on improvements in that neighborhood for several years. The city has added sidewalks, curb and gutter improvements and drainage solutions. The recommendation was to continue with those improvement projects and Council approved the recommendation in April.

Mayor Serdy opened the public hearing, receiving no comments from the public he closed the public hearing and there was no further comments from Council.

Vice Mayor Wilson moved, seconded by Councilmember Rizzi to adopt Resolution No. 19-05 authorizing the submission of Fiscal Year 2019 Community Development Block Grant and Fiscal Year 2019 State Special Project Grant applications and Resolution No. 19-23 committing local funds as leverage to the city's Fiscal Year 2019 CDBG application be approved.

## **I. OLD BUSINESS**

## **J. NEW BUSINESS**

12. [19-303](#) Presentation and discussion on the Fiscal Year 2019-20 Public Works CIP and Street Maintenance Plan. City staff will present information regarding the status of the city's streets and upcoming capital improvement and street maintenance projects for the new fiscal year.

### **This Discussion/Presentation was approved**

Shane Kiesow, Public Works Manager presented an update on the Fiscal Year 2019-2020 Public Works Street Maintenance and Capital Improvement Plans. He addressed the following projects:

1. Street maintenance prioritization
2. Projects and timeframes
3. Street assets, street inventory, street ratings and remaining service life of various roadways
4. Preservation maintenance plan, listing projects and timeframes work will be done

5. Reconstruction of various roadways
6. Projects within the Capital Improvement Plan along with a project timeframe

13. [19-368](#) Presentation and discussion on the response to the city's request for proposals for PW 2019-41 Solid Waste, Recycling and Disposal Services in which three proposals were received. Staff recommends the city enter into contract negotiations with Allied Waste Transportation, Inc. dba Republic Services.
- Yes:** 7 - Mayor Serdy, Vice Mayor Wilson, Councilmember Barker, Councilmember Evans, Councilmember Rizzi, Councilmember Schroeder and Councilmember Struble
- No:** 0

Public Works Management Analyst Heather Hodgman provided a detailed summary of the Request for Proposal (RFP) for solid waste services. The city held a mandatory pre-bid meeting where three providers attended. The city received three bids in response to the RFP. Review of the bids and in accordance with the bid specifications, it was determined that two of the bids were non-responsive. Staff did however, evaluate them and ranked them in accordance with the normal process for review and findings of the bids. It was determined they did not supply some of the required exhibits.

An RFP is not based solely on the lowest bidder, it is based on the technical aspects of the bid. City staff average scores on the Technical Proposal was as follows:

· Allied Waste Transportation, Inc. dba Republic Services	194.8
· Waste Management of Arizona, Inc.	172.6
· Right Away Disposal	155.6

The 3 different types of services within the proposal consisted of:

1. Standard Service
2. Alternative Service A
3. Alternative Service B

Council would select 1 service option of the three options provided.

(Option 1) **1. The Standard Service Option**

Collection pick-up once a week for trash and recycle with once a month bulk trash pick up

Allied waste proposal

\$13.28 with recycling and bulk pick-up included in the monthly fee

Waste Management proposal

\$14.95 for trash pick-up an additional \$11.60 for recycle pick-up and \$0.95 for bulk trash pick-up once a month, coming to \$27.50 for all three options

Right Away Disposal

\$15.66 with recycling and bulk pick-up included in the monthly fee

**2. Alternative Service Options (A or B but not both)**

(Option 2) (A) solid waste pick-up 2 times a week with no recycling

(Option 3) (B) solid waste pick-up 2 times a week and recycling once a week

Allied waste proposal

(Option 2) \$10.71 for Option (A) **OR**

(Option 3) \$18.71 for Option (B)

Waste Management proposal

(Option 2) \$23.37 for Option (A)

(Option 3) NO BID (B)

Right Away Disposal

(Option 2) \$14.50 for Option (A) **OR**

(Option 3) \$20.81 for Option (B)

Councilmember Struble inquired if these were monthly or quarterly rates, Ms. Hodgman stated the price is monthly.

He inquired about rate increases and if there were restrictions to the billing of fuel surcharges. Ms. Hodgman stated within the contract there is language that addresses rate increases, rate increase is tied to the Consumer Price Index, and only on an annual basis if they so choose. As to the Fuel surcharges it was not addressed in the RFP, but could be part of the contract negotiations.

Councilmember Struble inquired about future development of the city and would those residents be subject to this service.

City Manager Bryant Powell stated as the city expands, and those individuals reside in the city limits, they would be subject to the services.

Mayor Serdy inquired how often the contract is up for bid. Ms. Hodgman stated the contract is for 8 years with the potential of 2, 1-year renewals.

Councilmember Struble inquired if the contract is strictly for residential or does it include commercial properties. She stated it is strictly residential and City Manager Powell stated that the statute controls it be residential only, and in response to Councilmember Barker, he said it does not include mobile home parks. This is because mobile home parks fall under the commercial designation.

City Manager Powell stated it was a year ago last May when council asked staff to research the options of trash collection as part of a long term vision to keep the city clean and prosperous as it moves forward and grows. He stated many cities have moved away from a subscription based service to a required contracted service. At this time staff is seeking further direction from council.

Councilmember Rizzi liked the idea of requiring participation but wished there was a way to let residents choose which provider to use.

Mayor Serdy inquired about the transition period. Ms. Hodgman stated once the contract is signed, the vendor has 365 days to transition services. She did state there are Home Owner Association's that have independent contracts with waste haulers and as those contracts expire, they will transition over to the contracted hauler.

Staff is looking for council to give direction on which option of service to begin negotiations.

In response to Mayor Serdy's questions, Mr. Powell stated the RFP was compiled after reviewing several other cities RFP's for this type of services.

Councilmember Evans moved that Allied Waste Transportation Inc. DBA Republic Services, be awarded a negotiated contract as the city's Solid Waste Recycling and Disposal service provider pursuant to the RFP for the consideration and approval at a future council meeting under the heading of old business and the agreement shall include the standard service or the alternative bid with the following service: solid waste pickup only twice weekly, or the other alternative services; at this point City Manager Powell stated he wished to clarify there was only one option to select, it would be the standard service is one day of solid waste trash, one day would be recycle or; at this point the Mayor asked to withdraw the motion for more clarity on the options.

Councilmember Evans withdrew her motion. Assistant City Manager Matt Busby defined the Services as the following:

- Standard Service would be once-a-week trash with once-a-week recycle pick-up.
- The second alternative twice-a-week Solid Waste trash pickup or
- The third option would be to go with twice a week trash pickup with an option for the residents to contract separately and pay extra for recycling.

City Manager Powell stated the options are to stay with the standard service which is currently what the city has or the alternative would be if you wanted to have the residents choose if they wanted to recycle, then that alternative is option three which is solid waste pick up twice a week and then the option to allow residents to contract for recycling services for additional fee.

The other alternative bid was Solid Waste pickup only twice a week with no Recycling services.

Further discussion among council related to giving the residents the most options possible for trash service, but the issue arises with trying to accommodate all the different variables. The request for proposal (RFP) was written after much research on how other cities listed options and what appeared to be the most requested services. The provider needs to be able to schedule the routes and number of trips within the city at an affordable price and one that does not end up costing them to provide the service.

Councilmember Barker moved, Vice Mayor Wilson seconded, that Allied Waste Transportation Inc., DBA Republic Services, be awarded a negotiated contract as the city's Solid Waste Recycling and Disposal services provider pursuant to the RFP for consideration and approval at a future council meeting on the old business agenda and the agreement shall include the alternative bid of solid waste pickup twice-weekly with an option for residents to contract for recycling services for an additional fee.



14. [19-314](#) Presentation and discussion on Fiscal Year 2019-2020 Council Work Plan.

Anna McCray, Intergov and Assistant to the City Manager provided an update on the Fiscal Year 2019-2020 City Council Work Plan.

The Work Plan objectives:

1. Provide organizational goals with measurable outcome
2. Align organizational goals with city council policy
3. Dedicate resources for project completion
4. Provide clear direction to staff
5. Provide for transparency, accountability and related information

The Work Plan is divided into four categories:

1. Quality of Life
2. Community Investment
3. World Class Governance
4. Strong Infrastructure

Ms. McCray then presented the projects and updates within each category.

She stated the next update will be in October.

#### **K. COUNCIL DIRECTION TO STAFF**

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

15. [19-356](#) Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Monday, August 19, 2019 and Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Tuesday, August 20, 2019 will be cancelled due to the annual League of Arizona Cities and Towns conference.

Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Monday, September 2, 2019 will be cancelled in honor of Labor Day. Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Tuesday, September 3, 2019 in the city council conference room and city council chambers located at 300 E. Superstition Boulevard, Apache Junction, Arizona. Other meetings if necessary.

**Yes:** 7 - Mayor Serdy, Vice Mayor Wilson, Councilmember Barker, Councilmember Evans, Councilmember Rizzi, Councilmember Schroeder and Councilmember Struble

**No:** 0

Councilmember Evans moved, seconded by Councilmember Barker that the Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Monday, August 19, 2019 and the Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Tuesday, August 20, 2019 be cancelled due to the annual League of Arizona Cities and Towns conference: and that the Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Monday, September 2, 2019 be cancelled in honor of Labor Day: and that an Executive Session at 6:00 P.M. and Work Session at 7:00 P.M. for Tuesday, September 3, 2019 be held in the city council conference room and city council chambers located at 300 E. Superstition Boulevard, Apache Junction, Arizona, and

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other meetings if necessary.

## **M. CALL TO PUBLIC**

Mr. Bart Powell, 3755 S. Royal Palm Rd, Apache Junction, AZ stated he was confused on the RFP for solid waste services. During the RFP process many questions were raised to staff regarding the number of homes to be serviced, at one point it was 24,000 homes, then it was 12,000 homes. He struggled to put together an accurate bid during those 5 weeks, in which there was a holiday weekend and staff was unavailable for questions. He pointed out two of the haulers were non-responsive with their bids. He has been servicing Apache Junction for trash collection for over 20 years. Other cities have tried to have one hauler and it takes away the person's right to choose.

Ms. Fawn Fajen, 985 W. 11th Avenue, Apache Junction addressed the council regarding flooding that occurs at her home. There is storm water that causes major flooding in several areas of the city, but her neighborhood is impacted significantly. In January of 2017, she and her husband bought their first home. On July 24, she received a call from her kids stating the house was flooding, there was several inches of standing water in the garage and house.

On August 24, another heavy rainstorm hit the city and as she and her husband got out of bed they were standing in water. Her husband went outside to break holes in the privacy walls surrounding the house to let the water flow out. They had just installed new flooring due to the previous flooding. After the mud, rocks and other debris were cleaned out of the house, and after they rented equipment to clean the house, the house still had a foul smell. They ended up tearing out the flooring they just installed.

She asked the city to provide any assistance with slowing down and possibly diverting the storm water. The storm water also carries significant amounts of debris causing even more issues with water flow.

Mr. David Bowling, 1310 N. Starr Rd. Apache Junction, AZ, requested council revisit the building code changes involving fences and block walls that went into effect on July 16, 2019. On June 16th he entered in to a contract with a licensed Apache Junction masonry company to build a 6 foot block wall between him and a neighbor. The wall was to be constructed under an SRP lines, he first filled out an SRP easement encroachment request, and after the SRP inspection, received approval for construction. However, footer deficiencies were found and the contractor tried to abandon the job. He was forced to file a complaint with the Registrar of Contractors. He is asking the city to consider having add an inspection requirement to verify trench depth, and other projects that have different but specific depth requirements. He would like the city to consider footer and trenching inspections and rebar placement for stability of footers and walls during the construction phases.

The urgency of this request is not because of his project, but rather the contractor boasts and markets himself as being the major contractor for a significant number of trenching projects for many of the masonry contractors in Apache Junction.

He invited any of the city council to stop by and see the issue.

Mr. Jim Groen, 4054 W. Blackhawk Dr. Glendale AZ, stated he manages the Apache Junction landfill. He came by to remind residents it was free dump week until Saturday and for Apache Junction residents to bring their trash down. This is a service they provide once a quarter to

Apache Junction residents.

Stephen Herring, from Republic Services stated they look forward to strengthening the relationship with the city.

Vice Mayor Wilson asked staff to follow up with Ms. Fajen regarding the drainage and flooding issue.

## **N. ADJOURNMENT**

ACCEPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019, BY THE MAYOR  
AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA.

SIGNED AND ATTESTED TO THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

\_\_\_\_\_  
JEFF SERDY  
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 \_\_\_\_\_ day of \_\_\_\_\_, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
KATHLEEN CONNELLY  
City Clerk