

A G E N D A

SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, TO BE HELD OCTOBER 6, 2010, AT 6:00 P.M., AT THE COTTONWOOD RECREATION CENTER, LOCATED AT 150 SOUTH 6TH STREET, COTTONWOOD, ARIZONA.

- I. CALL TO ORDER.
- II. ROLL CALL.

Comments regarding items listed on the agenda are limited to a 3 minute time period per speaker.

The following items are for Council discussion, consideration, and possible legal action.

- III. OPENING REMARKS BY THE MAYOR, COUNCIL MEMBERS, AND/OR CITY STAFF
- IV. PUBLIC HEARING REGARDING THE PROPOSED VERDE SANTA FE COMMUNITY ANNEXATION LOCATED EAST OF THE COTTONWOOD CITY LIMITS.
- V. DISCUSSION, CONSIDERATION, AND POSSIBLE DIRECTION TO STAFF REGARDING ALLOWING THE SIGNATURE GATHERING PROCESS TO PROCEED FOLLOWING THE EXPIRATION OF THE 30-DAY WAITING PERIOD, AND MAILING SIGNATURE PETITIONS TO ABSENTEE OWNERS.
- VI. ADJOURNMENT

Pursuant to A.R.S. § 38-431.03.(A) the Council may vote to go into executive session on any agenda item pursuant to A.R.S. § 38-431.03.(A)(3) Discussion or consultation for legal advice with the attorney or attorneys of the public body.

The Cottonwood Council Chambers is accessible to the disabled in accordance with Federal "504" and "ADA" laws. Those with needs for special typeface print or hearing devices may request these from the City Clerk (TDD 634-5526.) All requests must be made 24 hours prior to the meeting.

Members of the City Council will attend either in person or by telephone conference call.

Notice is hereby given that pursuant to A.R.S. §1-602.A.9 , subject to certain specified statutory exceptions, parents have a right to consent before the State or any of its political subdivisions make a video or audio recording of a minor child. Meetings of the City Council are audio and/or video recorded, and, as a result, proceedings in which children are present may be subject to such recording. Parents in order to exercise their rights may either file written consent with the City Clerk to such recording, or take personal action to ensure that their child or children are not present when a recording may be made. If a child is present at the time a recording is made, the City will assume that the rights afforded parents pursuant to A.R.S. §1-602.A.9 have been waived.

City of Cottonwood, Arizona
City Council Agenda Communication



Meeting Date: October 6, 2011
Subject: Public Hearing Regarding Annexation of Verde Santa Fe
Department: Community Development
From: George Gehlert, Director

REQUESTED ACTION

Consideration of public input regarding the proposed annexation of the Verde Santa Fe community, located east of Cottonwood.

If the Council desires to approve this item the suggested motion is:

"I move that the Council allow the signature gathering process for the proposed Verde Santa Fe annexation to proceed following the end of the required 30-day waiting period, and to authorize staff to mail petition forms to absentee owners at that time."

BACKGROUND

This is actually the third major community meeting devoted to this subject since the beginning of the year. On January 13th staff participated in a meeting at the Recreation Center which attracted more than 200 attendees. A similar audience was in attendance on April 7, 2011, at which time the Council directed Staff to file the blank petition to begin the process. Since that time, staff has requested and received the necessary property owner/value information from the Assessor's Office and from the Arizona Department of Revenue. The blank petition was filed with the Recorder's Office on September 9, 2011.

Attached is the initial request for annexation submitted by Jim Iacovacci, representing Verde Santa Fe Owners For Annexation (VSFOFA). For several months, Mr. Iacovacci

has also been meeting with community residents to discuss the pros and cons of becoming part of the City.

The Annexation Process

Annexation is a petition driven process in the State of Arizona, as set out under ARS § 9-471, which requires that before annexation can occur, the City must obtain signatures in support of the annexation, representing more than one half of the owners of real and personal property; and at least half of the assessed property valuation within a defined “territory of annexation.”

The process is initiated with the filing of a blank signature petition with the County Recorder’s office, together with a map and legal description of the “annexation territory, and an affidavit certifying that the territory is not presently subject to any other annexation proceeding. The filing starts a 30-day waiting period which must be exhausted before signatures can actually be obtained. During this period, the City must also hold a public hearing, publicize the process and the hearing, and notify various agencies. The signatures cannot be obtained until the 30-day waiting period ends; at which point they must be filed with the County Recorder’s office within one (1) year. The City Council can then adopt the annexation ordinance.

As part of the adoption of the annexation ordinance, the City Council must also adopt a 10-year plan for the extension of City services and infrastructure. The City would then have six (6) months to approve City zoning on the property.

JUSTIFICATION / BENEFITS / ISSUES

- **Added Revenues:** The additional housing units and population will generate water revenues as well as entitle the City to added State-Shared revenues. The total increase in shared revenues is estimated at \$665,000 annually.
- **Added Service Area Responsibilities:** The City is required to commit to a 10-year plan of infrastructure and services for this area. Staff has assessed the service demands and they are minimal. The City already provides water service. Wastewater is provided by a private company regulated by the Arizona Corporation Commission. There will be costs associated with maintenance of roads and drainage areas; and fire protection. We have in our capital plan a new fire station in the area of Cornville Rd and Hwy 89A and we have the staffing for the new station on board. The police department anticipates minimal additional staffing needs. We already provide parks and a library. The roadways are in good shape and they would become part of the regular maintenance program for slurring and/or chip seal. In summary, the cost of absorbing VSF would have minimal impact on city services and would not cost current residents.

COST/FUNDING SOURCE

There is nominal cost associated with the actual process of annexation, generally for public notifications, legal advertisement, copying and mailing of signature petitions. Costs associated with community maintenance issues will be addressed by the 10-year service plan.

REVIEWED BY:

City Manager: _____

City Attorney: _____

ATTACHMENTS

- Request for Annexation
- Regional map(s)
- Property Owner Notification Letter
- Map of Proposed Annexation Territory
- Process Chart

March 11, 2011

Douglas Bartosh, City Manager
Cottonwood City Hall
827 N. Main Street
Cottonwood, Arizona 86326



11:08 am

Dear Mr. Bartosh,

Please be informed that, with this letter, the Verde Santa Fe Owners for Annexation (VSFOFA) is requesting the City of Cottonwood to begin implementing the process outlined in the State of Arizona Guidelines that would lead to annexation of all the land that is part of the original Verde Santa Fe PAD located East of Hwy 89A and South of Cornville Road. This request includes the Verde Santa Fe Golf Course and related property, and the Highlands time share condominium development. In addition, this request also would logically include the south lane of Cornville Road for the distance that it is contiguous to the Verde Santa Fe (VSF) development, so there is no gap in City of Cottonwood boundaries.

Over the past few months, the VSFOFA has sponsored several meetings at which the matter of annexation was discussed with interested VSF property owners. At the first of these meetings, city and other involved officials answered questions from property owners; at the second meeting, interested property owners met to assess the level of support for annexation. To help educate the property owners in VSF the VSFOFA has established a web site www.vsfannexation.org. On the site we have shared answers to frequently asked questions, provided a cost comparison between homes in VSF and similar homes in Cottonwood Ranch, and featured a list of Pros and Cons regarding annexation. The VSFOFA is confident there is adequate support among VSF property owners to enable a positive outcome to an annexation effort.

Further, the VSFOFA has enlisted a sufficiently-sized group of volunteers who will take positive action in support of annexation, including developing explanatory information and meeting, door to door, with VSF property owners to assure all have accurate information about the advantages and possible issues related to having VSF become part of the City of Cottonwood. Because of recent changes in Arizona State Law related to annexation the group is prepared to pay for mailing annexation petitions. We believe we are well organized, sufficiently funded and able to be successful in our part of this effort.

Please give careful consideration to our request and let us know as soon as possible if the City of Cottonwood is willing to implement the needed city actions in support of this proposed annexation.

Best regards,

James Iacovacci, executive committee chairman
Verde Santa Fe Owners for Annexation
734 Santa Fe Trail, Cornville, AZ 86325
928-202-8120
jriaco@aol.com

www.vsfannexation.org



OFFICIAL NOTICE REGARDING PROPOSED ANNEXATION

September 28, 2011

Dear Verde Santa Fe Property Owner:

I am writing to advise you that the Cottonwood City Council will hold a formal hearing to receive public input regarding the proposed annexation of the Verde Santa Fe community, located just east of the City of Cottonwood along the south side of Cornville Road. A map of the annexation territory is attached to the back of this notice. The area includes the entire Verde Santa Fe development as well as the adjacent segment of Cornville Road.

The public hearing will be held at 6:00 PM on Thursday, October 6, 2011 in the Community Event Hall of the Cottonwood Recreation Center, located at 150 South 6th Street in Cottonwood, Ariz.

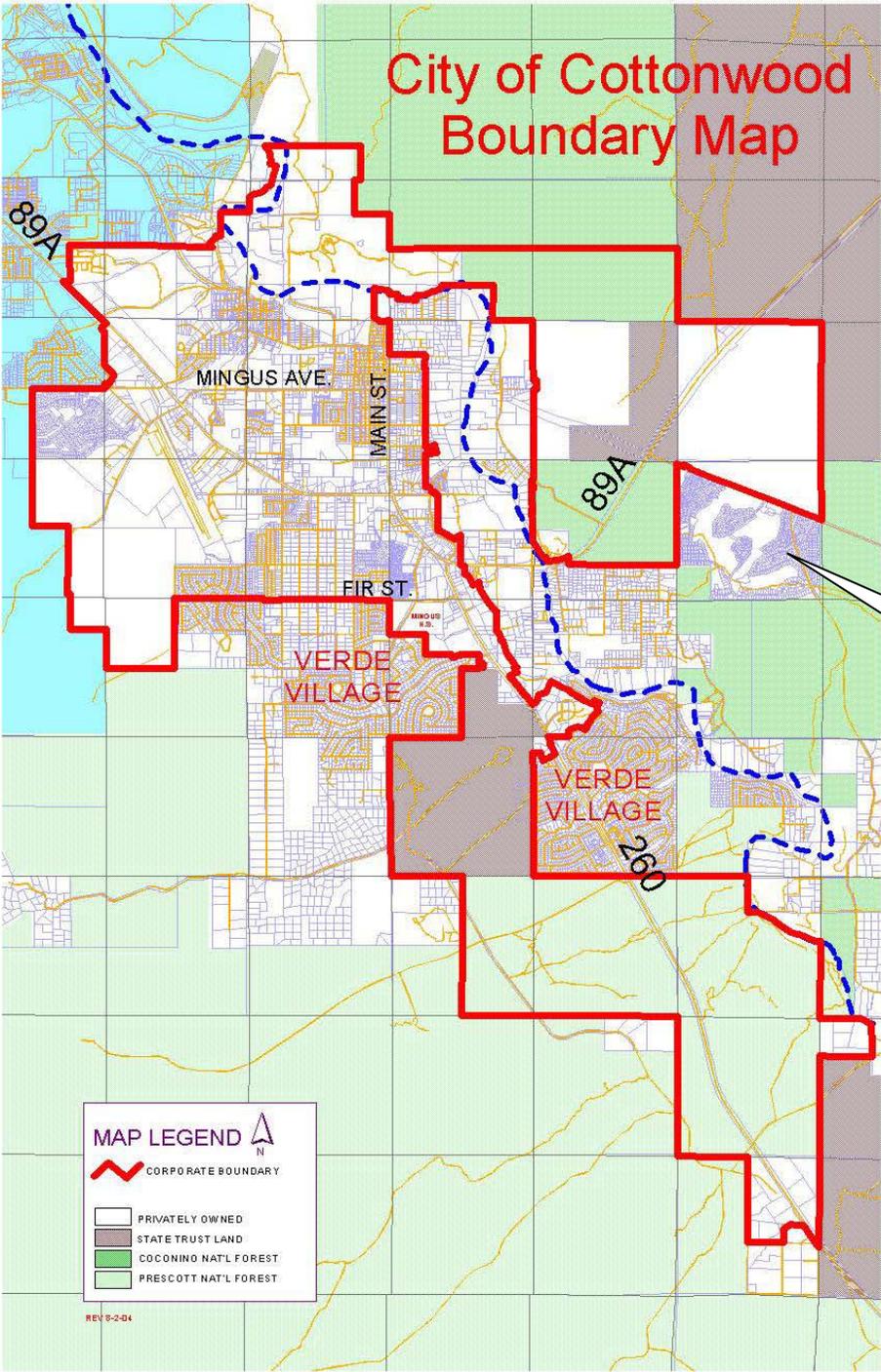
This hearing is required by state law and represents one of the first steps in the annexation process. In Arizona, annexation requires the consent of the owners of at least one half of the value of real and personal property and more than one half by number of the property owners in the territory to be annexed as shown by the last assessment. If the City Council decides to proceed with the annexation process after considering the public's input, the next step is a petition process that will allow each property owner to either sign the petition in support of the City annexing Verde Santa Fe; or not signing the petition, which will indicate that the property owner does not support the annexation. The petition process must be completed by October 9, 2012.

All interested persons are invited to attend the public hearing. If you have any questions, please do not hesitate to contact me.

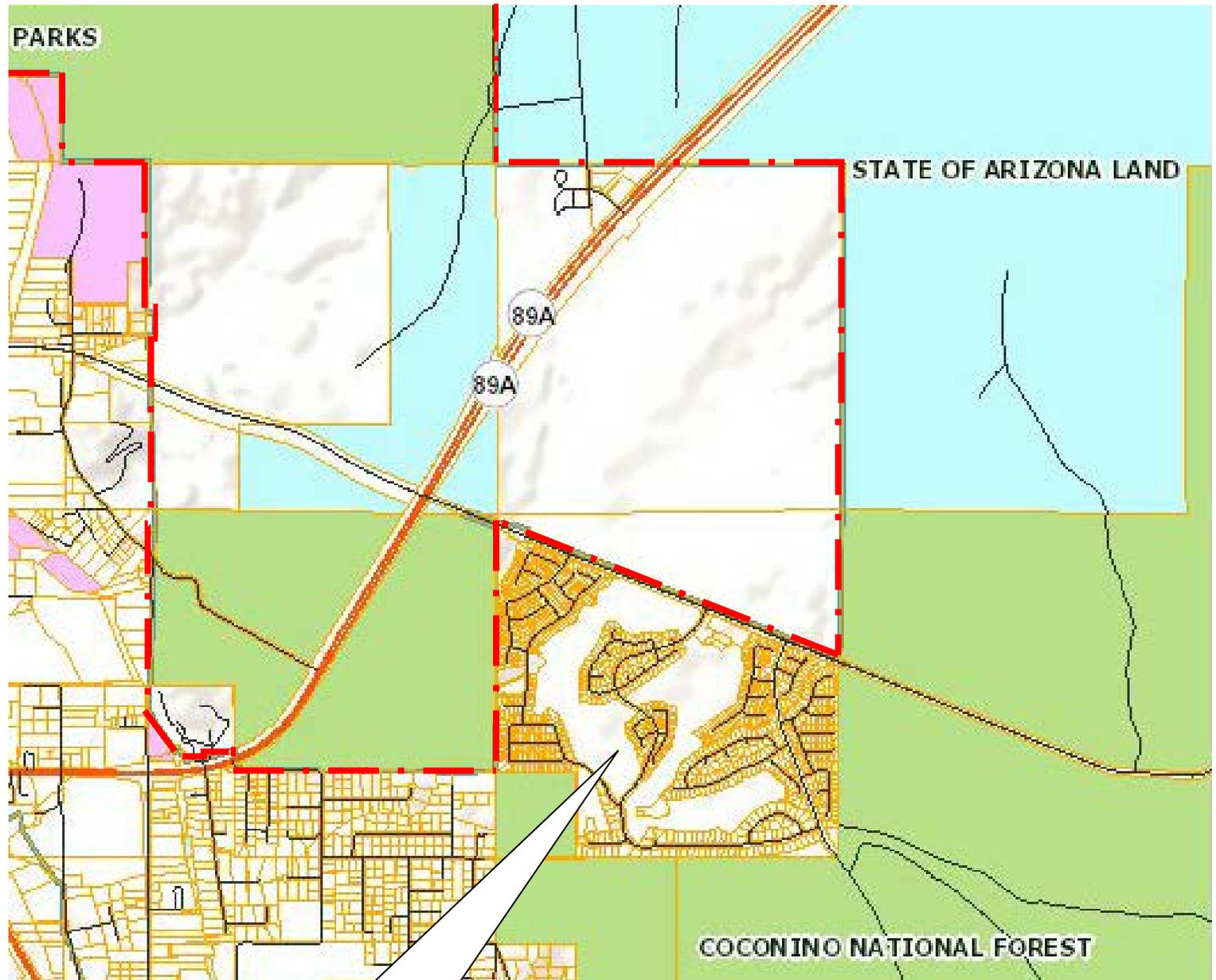
Sincerely,

George Gehlert
Community Development Director

City of Cottonwood Boundary Map

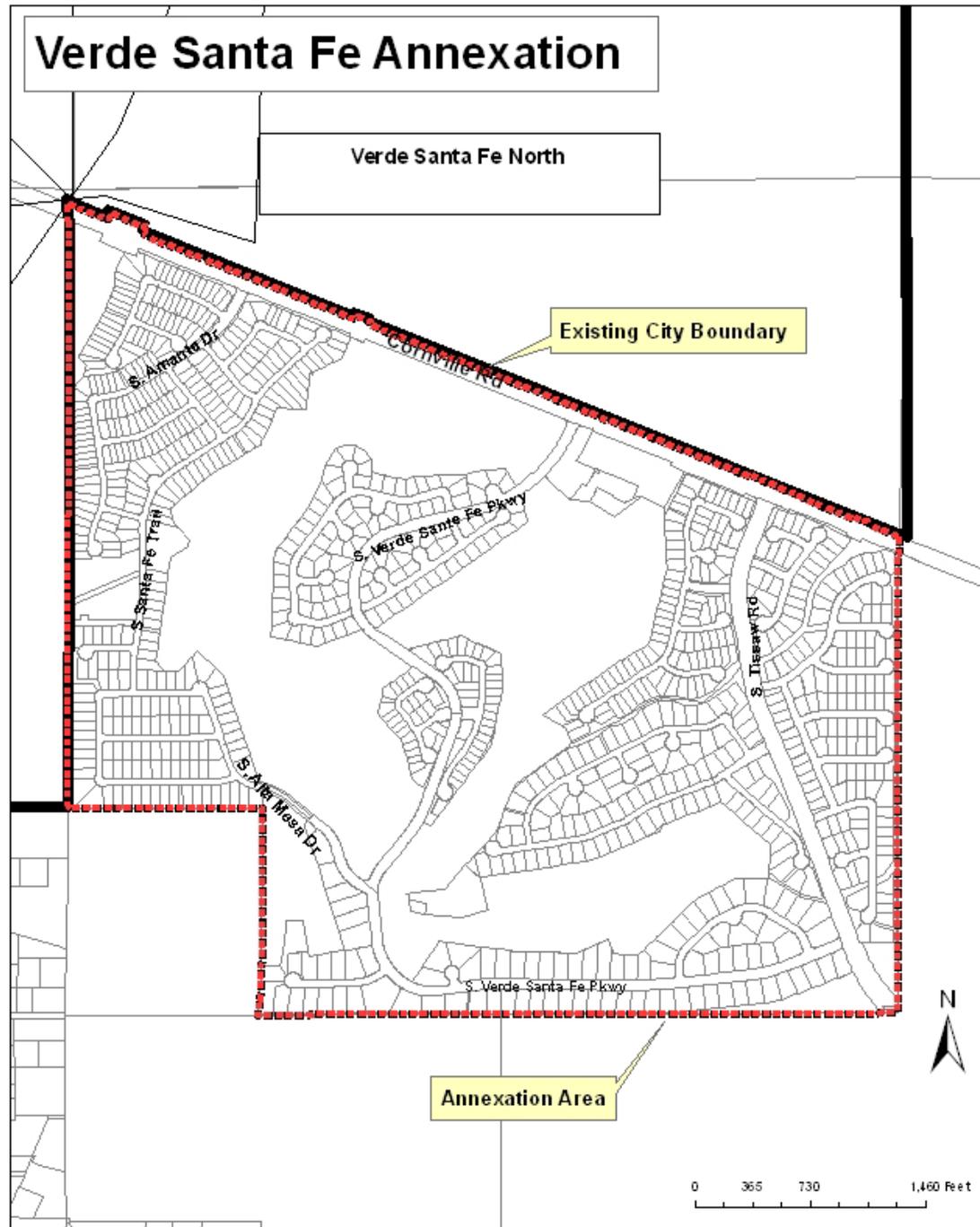


VERDE SANTA FE



VERDE SANTA FE

Exhibit A: Map of the Annexation Territory



Annexation process

1. HEARING: Review annexation proposal. Direction to Staff.
2. Obtain owner/value info from AzDOR and Assessor (30-60 days).

WAIT PERIOD

3. File map, legal description, blank petition with Recorder.

Begins 30-day waiting period before signatures may be obtained. A PUBLIC HEARING must be held within the last 10 days of this period, subject to advance advertisement, postings and other notifications (to property owners, County, etc.).

4. Obtain signatures. Determine validity (authority to sign).
Must present to the County Recorder's office within one (1) year of the last day of the waiting period.
5. HEARING: Adopt annexation ordinance and resolution committing to a 10-year plan for infrastructure and services. Becomes final 30 days later. Publish ordinance, distribute agency notices. Must adopt zoning within 6 months (via public hearing).