

CITY COUNCIL REPORT

DATE: November 18, 2019
TO: Mayor and Councilmembers, City Manager
FROM: Kraig Fullen, Chief of Police
CC: Jerene Watson, City Manager; Dawn Prince, Deputy City Manager, Leadership Team
SUBJECT: Recap of Annexation of Bay Acres Citizen Meeting (Dorian Loreto)

This report is to provide City Council details of the citizen meeting with Dorian Loreto of Bay Acres who requested the City and the County meet to further respond to questions and concerns.

DISCUSSION:

Mr. Loreto requested an update on the annexation process and asked that a meeting with City staff and Supervisor Ann English be scheduled where all could attend to respond to additional questions and concerns about annexation of Bay Acres.

1. It was explained that we were still looking to host additional community meetings to help spread the word on the process and the benefits for annexation.
 - a. It was asked if we were adhering to the timeline that was presented during the community meetings. It was explained that the petition for annexation had not been filed with the court and we were not under a timeline until the petition is filed.
 - b. Mr. Loreto made a statement that the timeline was false then? It was explained that the timeline was presented as an example to explain how the process works, what steps are involved and the actual timeline for each step, and not a false timeline.
 - c. It was also explained that progress was being made on the sewer project and that we would look to schedule another community meeting in the near future – December or January – to provide updates on that project as well as information on the annexation proposal as a separate discussion.
2. Mr. Loreto explained that the majority of Bay Acres residents that he has spoken with are against being annexed into the City. Would the City be willing to cease annexation efforts in favor of collaboration? He proposed signage that would advertise the Bay Acres Colonia and welcome visitors into the City. It was explained that the City is sharing information on the benefits of annexation and would continue to do so in hopes that residents would have the information to make an informed decision.
 - a. Mr. Loreto expressed concerns that the residents' opinion and voices would not be heard. He was told that each property owner would have a voice when asked to sign the petition and is free to choose at that time.
 - b. He asked Supervisor English if, knowing that the majority of residents are against the annexation, would she be willing to support the residents' efforts against annexation.

She informed him that she would not; that she had initiated talks with the City because she felt it was in the best interest for Bay Acres to be annexed.

- c. Mr. Loreto explained that he was against annexation because of the history of Bay Acres and in an effort to preserve the colonia designator for potential grant funding and other assistance qualifiers. He was informed that annexation would not affect or change the colonia designation.

3. Does Christine's role in the annexation effort create a conflict of interest for the County? No – Christine is under contract with the City for the services rendered. She does not have a personal interest in the process.
4. Does annexation provide any benefit to Cochise County – resource allocation, reduced crime rate, etc? No benefit if the area is annexed.
5. Are there additional IGA's between the City and County? Supervisor English - The sewer project, former agreement for street maintenance which the City has since decided to perform the work, no other agreements come to mind.
6. There were a number of questions posed to Supervisor English:
 - a. Are you able to provide financial assistance to Bay Acres residents who are working to clean their alleys and property? Yes – it may not cover all proposed areas but there are discretionary funds available and that is true whether Bay Acres is annexed or not as the City is also within my district and has received financial assistance as well for the recent flood incident.
 - b. How long have you been in office and what area is covered under District 2? Answer and boundaries given.
 - c. Will you assist Bay Acres with creating an Advisory Board? No – I do not have the authority to create an advisory board, but as a resident you have the ability to do so. The Sunnyside Fire District is an elected board and they can serve in that capacity if the residents want them to.
 - d. We have made complaints to the County for code enforcement issues with vacant lots that have not been answered? Was not aware of any complaints but our code enforcement staff takes all complaints seriously and will follow up. Understand that this is a process which involves sending notices to the property owner in order for them to correct the issue. If they don't then the County handles the issue and places a lien on the property. Christine added that a list of addresses can be sent to her attention and she will ensure that the information gets to code enforcement.
7. If Bay Acres is annexed, is the sewer project in jeopardy, since it is no longer a colonia? No – annexation does not affect the colonia designation and is a separate agreement.
8. Property taxes are now lower in Cochise County. Has there been a recent review of the property tax savings given the lower rate? Christine responded that the figures can be reviewed.

RECOMMENDATION / CONCLUSION:

This report is for information only.