



MINUTES OF SPECIAL MEETING OF THE COMMON COUNCIL OF YOUNGTOWN  
THURSDAY, MARCH 28, 2013 TOWN CLUBHOUSE, 12033 CLUBHOUSE SQUARE

1. **Call to Order:** Mayor LeVault called the meeting to order at 7:01 p.m.
2. **Roll Call:** Council present: Mayor LeVault, Vice Mayor Duran, Councilmembers Margaret Chittenden, Dorena Mello, Shirley Gustafson and Judy Johnson. Absent: Councilmember Susan Mackay  
Staff Present: Town Manager Lloyce Robinson, Town Attorney's Susan Goodwin and Trish Stuhan, Economic Development Coordinator Gregory Arrington, Economic Development Manager Gayle Cooper, Public Safety Manager Mike Kessler and Town Clerk/Treasurer Diane Cordova.
3. **Pledge and Invocation:** Pledge led by Councilmember Johnson and Invocation by Councilmember Mello.
4. **Business:**
  - A. **Discussion and Action Re:** Planning and Zoning Case #13-02 A Special Use application by Cornerstone Property Services to locate a Children's Residential Care Facility at 12030 N. 113<sup>th</sup> Avenue. (CORDOVA)  
Cordova Town Clerk
    - Last week Council meeting Thursday, March 21, 2013 an ordinance was passed by council regarding adding and placing a definition to a "Children's Residential Care Facility". Today we are here to discuss and take action on a special use permit application submitted by property owners Cornerstone Property Services; the facility location is 12030 N. 113<sup>th</sup> Avenue, what used to be the Fountain Retirement Center.Mayor LeVault
    - The ordinance was approved without an emergency clause which means it will not be effective until 30 days from its date of approval, which was March 21, 2013. This special use permit approval will be contingent upon those 30 days.
  1. **Staff Report**
    - Gregory Arrington Community development Coordinator (report attached)
      - The applicant is proposing minor modification to the interior of the building and the addition of a security fence and gate on the site. There are no plans to modify the exterior of the building at this time.Councilmember Chittenden
      - The applicant is seeking a variance to exceed the 6 foot fencing in front of the facility; what about the south side of the property along the park?Norman King, Cornerstone Properties
      - On the east side (front) of property will be an ornamental fence similar to the one at the site that council visited. On the south side will be a masonry (block) fence, the chain link will be removed.
    - 2. **Zoning Hearing Officer Recommendations**
      - Ray Jacobs Hearing Officer
        - I am here to answer any questions. The minutes are enclosed from the Citizen's Hearing and the Planning & Zoning hearing. My recommendations with stipulations have been given and Town Attorneys have reviewed.Mayor LeVault
        - Were there any comments from residents at these hearings?Ray Jacobs Hearing Officer
        - There were none, only staff and applicant.Mayor LeVault
        - Had the prior occupant, owner of this facility ever go through a special use process on this facility?Robinson Town Manager
        - In its 40 years of operation, there has not been any special use permit application on the facility.

Councilmember Chittenden

- This has been an independent living facility since 1979.
- The report stated that activities end at 9:00 p.m. not 10:00 p.m.
- I have a question about “sound system”, there’s not going to be a band until 10:00 p.m.?
- What are the start times for outdoor activities?

Ray Jacobs Hearing Officer

- In the report it is stated that all music, activities will shut down by 10:00 p.m.

Mayor LeVault

- I had our Town Attorney’s do a background research on the Southwest Key Program. They reported that no complaints were found.

Geraldo Rivera Southwest Key (power point presentation attached)

- Southwest Key since its founding in 1987 has been a leader in designing and implementing innovative, effective and culturally sensitive program models for many federal, state, and local agencies, including the Office of Refugee and Resettlement (OOR)/Division of Unaccompanied Children Service (DUCS) and charter schools. Due to high demand of much needed shelters, nation-wide, the Office of Refugee and Resettlement reached out to Southwest Key to request additional beds, identifying Arizona as a location. Currently the proposed location is Youngtown, Arizona, to shelter 100 - 130 youth.
- We have minimal youth run away from our program. There have been zero issues or concerns with neighbors. Zero issues or concerns with the youth stealing or injuring anyone.
- The youth that we receive run away to reunify themselves with family or friends. They run away from their home land in order to “work” and make a living for themselves.
- Southwest Key Programs is licensed by the Office of Behavioral Health Licensure (OBHL) in the State of Arizona. We are funded by the Office of Refugee Resettlement/Division of Unaccompanied Children Services. Our policy and procedures adhere to the Flores vs. Reno settlement as well as Trafficking Victims Protective Rights Act and Perez vs. Olano settlement.
- Southwest Key Programs is annually monitored by: Office of Refugee and Resettlement Project Officers; SW Key Headquarters management team; Office of Behavioral Health Licensure; Fire Department annual inspections and Health Department annual inspections.
- Southwest Key works in collaboration with Homeland Security; Florence Project Attorney’s; Maricopa County School District; local and non-local Consulates; Immigration Court System and religious Community Partners.
- Southwest Key ensures all youth are provided suitable living conditions; three meals per day, 3 snacks, all conforming to National Scholl Lunch Programs. Medical: we ensure that all youth receive routine medical and dental care, family planning and emergency health care services. Education: upon entry, the youth academic levels are assessed.
- Assessment: An individualized assessment is conducted during the intake process, which takes place within twenty-four hours of arrival; mental health screening, preliminary service plan, admission assessment, psychosocial assessment, and individual service plans.
- Southwest Key goal is family reunification and release services. We make every effort to expediently reunify the youth with his/her family and/or appropriate sponsors in the U.S. We do provide youth with legal service information; youth is given the right to be represented by counsel at no expense to the government, the right to a removal hearing before an Immigration Judge and the right to apply for political asylum or to request an attorney in lieu of removal.
- Southwest Key staff is provided training that complies with state licensing requirements along with ORR training requirements as stated in its ORR policies and procedural manual.
- Southwest Key provides youth with pre-vocational training, which includes various job seeking and job readiness training.

Mayor LeVault

- For clarification, Cornerstone Property Services are the owners and leases to Southwest Key?

Norman King Cornerstone Property Services

- We are the owners and we lease to Southwest Keys. They have been good partners for 11 years. They maintain the facilities very well.

Mayor LeVault

- How did you find Youngtown?

Geraldo Rivera

- We have individuals looking out for potential sites. Cornerstone Properties purchases buildings and Southwest Keys help fix them up. We've been partners for eleven years. We never had any negative incidents with the community or with the neighbors.

- Thank you for visiting the Reflective Key sight in Phoenix.

Councilmember Chittenden

- When will you be closing on the purchase of the property and when is the projected date of moving in?

Norman King Cornerstone Properties

- We will actually be closing and signing final documents tomorrow, March 29, 2013.
- We are projecting to be moved in May 2013

Councilmember Chittenden

- Will you be hiring others outside of your agency and how will you be advertising for jobs?

Geraldo Rivera

- We are presently conducting interview and the hiring process has been initiated. We are utilizing Manpower for individual research, screening and recruiting.

Councilmember Chittenden

- This has been so fast paced, but it's impressive.
- How do you monitor the youth? Do you have outside security?

Geraldo Rivera

- We have cameras and staff that monitor security.

Councilmember Mello

- How does this generate revenue to the Town?

Robinson Town Manager

- The Town will receive TPT – transaction privilege tax from the lease, a rental tax of 2%.

Mayor LeVault

- This is a ripple effect, going from having a vacant facility eye sore to an improvement to the site and in addition a masonry wall.

Robinson Town Manager

- The fencing will be a great improvement; it will be decorative and pleasant.

Gayle Cooper Economic Development Manager

- The real value in this addition to our community is the employment it will provide. There are many good jobs; nurses, teachers, counselors – coming to Youngtown as a result of it

Councilmember Johnson

- What other exterior changes will be done?

Norman King Cornerstone Properties

- The landscaping, trimming trees and painting the outside of building.

Councilmember Johnson

- Your neighbor to the south will be a doggie park.

Councilmember Chittenden

- The Dog Park Committee received a \$1,000 estimate to remove the present chain link fence.

Norman King Cornerstone Properties

- We will take care of the fence.

### 3. Open Public Hearing

Mike Phlig Resident

- A statement was stated that jobs will be available. How many of those will be from Youngtown?
- Will a soccer field be placed on the west side of the building?

Gayle Cooper Economic Development Manager

- "Manpower is a great organization. They will seek out our community first. Qualified applicants who live here will have every opportunity to work for Southwest Key.

Mayor LeVault

- The best qualified will be hired.

Val Wilson Resident

- I have a question about the process; the children are pick-up by the border patrol, why not by CPS?
- Don't you follow the McKinney Act?
- Will you be partnering with our local school district?

Maria Rios Reflective Key Facility Director

- We work with the Refugee Resettlement Division. It is then through them that CPS gets involved on cases of abuse. We also work with many other agencies.
- All referrals come from ICE – Immigration Customs Enforcement. Then OOR- Office of Refugee gets involved.
- We have looked into other school districts, however they've taken into consideration graduation rates and dropout rates; adding our program would increase their rates.
- Our many focus it reunification. If this cannot be completed, the child is assigned an attorney and obtains legal relief and is placed in foster care, however this is a small percentage.

4. Close Public Hearing

Mayor LeVault closed public hearing.

Town Attorney Goodwin

- We have prepared a special use permit with stipulations. This special use permit is contingent to the 30 day ordinance.

Norman King Cornerstone Properties

- A variance for the fence will be need? Will a block fence will be okay?

Robinson Town Manager

- Mayor may we recess for further discussion on this

Mayor LeVault

- Let's take a few minutes for clarification.

Council and Staff with Town Attorney's took 15 minutes for discussion and clarification.

Mayor LeVault

- By process a variance will be needed for the fence. The Special Use Permit is not applicable until after the 30 days of approved ordinance, which will be April 21, 2013.

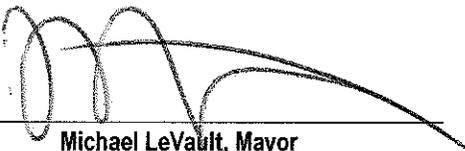
Motion to approve Planning and Zoning Case #13-02 A Special Use application by Cornerstone Property Services to locate a Children's Residential Care Facility at 12030 N. 113th Avenue contingent to the 30 day when the ordinance is in effect. – Councilmember Johnson

2<sup>nd</sup> – Vice Mayor Duran

Motion passed on a vote 6 yes 0 no

Announcement: Regular Council Meeting, Thursday, April 4, 2013 has been cancelled.

Adjournment. Meeting adjourned at 8:50 p.m.



Michael LeVault, Mayor

Attest:



Diane Cordova, Town Clerk

Minutes approves at April 18, 2013 regular meeting.