



# City of Maricopa

## Meeting Agenda City Council Regular Meeting

Meeting Location  
44150 W. Maricopa-Casa  
Grande Highway  
Maricopa, AZ 85138

City Hall  
45145 W. Madison Avenue  
PO Box 610  
Maricopa, AZ 85139  
Ph: (520) 568-9098  
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www.maricopa-az.gov

**Mayor Christian Price**  
**Vice Mayor Edward Farrell**  
**Councilmember Marvin Brown**  
**Councilwoman Julia Gusse**  
**Councilmember Bridger Kimball**  
**Councilmember Leon Potter**

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Tuesday, October 30, 2012

7:00 PM

MUSD Board Room

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1. **Call to Order**

*Invocation  
Pledge of Allegiance*

2. **Roll Call**

3. **Proclamations, Acknowledgements and Awards**

- 3.1 [PRES 12-077](#) The Mayor and City Council shall hear a presentation honoring the leaders of Maricopa's Veterans organizations as part of our Operation Welcome Home event.

4. **Report from the Mayor**

5. **Report from the City Manager**

6. **Call to the Public**

*The procedures to follow if you address the Council are: Council requests that you express your ideas in five minutes or less and refrain from any personal attacks or derogatory statements about any City employee, a fellow citizen, or anyone else, whether in the audience or not. The Mayor will limit discussion whenever he deems such an action appropriate to the proper conduct of the meeting. At the conclusion of an open call to the public, individual members of the Council may respond to criticism made by those who have addressed the Council, may ask Staff to review a matter, or may ask that a matter be put on a future agenda. However, members of the Council shall not discuss or take legal action on any matters during an open call to the public unless the matters are properly noticed for discussion and legal action.*

7. **Minutes**

- 7.1 [MIN 12-095](#) Approval of Minutes from the October 16, 2012 City Council Work Session.

7.2 [MIN 12-096](#) Approval of Minutes from the October 16, 2012 City Council Regular Meeting.

7.3 [MIN 12-097](#) Approval of Minutes from the October 15, 2012 City Council Special Meeting.

## 8. Public Hearings

8.1 [PH 12-022](#) The Mayor and City Council shall hear public comment for the purpose of considering a Section 5311 Rural Transportation Program grant from the U.S. Department of Transportation through the Arizona Department of Transportation used to continue operations of a demand response system. Interested persons or agencies shall be heard with respect to social, economic, and environmental aspects of the project. Interested persons may submit oral or written evidence and recommendations with respect to the project.

8.2 [PH 12-023](#) The Mayor and City Council shall hear public comment regarding a proposed text amendment to the City of Maricopa Zoning Ordinance creating a new chapter, Article 36, for Wireless Communication Facilities (TXT11-01).

## 9. Consent Agenda

*All items on the Consent Agenda are considered to be routine matters and will be enacted by one motion of the Council. There will be no separate discussion of these items unless a Councilmember or member of the public so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.*

9.1 [RES 12-73](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, supporting the submission of a grant application for a Section 5311 Rural Transportation Program grant from the U.S. Department of Transportation through the Arizona Department of Transportation in an amount not to exceed \$117,000 to continue operations of a demand response system. The City's match requirement for this grant application is \$41,200 and will be included in the FY13-14 budget request. Discussion and Action.

9.2 [CON 12-078](#) The Mayor and City Council shall discuss and possibly take action on approving a 12-month lease agreement, beginning August 1, 2012, between the City of Maricopa and Murphy Land Investors, LLC for the Fire Station 572 Temporary Site, and approve a contingency transfer to fund this expense not to exceed \$20,000 from General Fund, Non-Departmental, Contingency (10010000-99000) to General Fund, Fire Administration, Rental of Land and Buildings (10022525-54441). Discussion and Action.

9.3 [CON 12-074](#) The Mayor and City Council shall discuss and possibly take action to approve a change order to Architekton for additional Design Services in an amount not to exceed \$98,470 for the Multigenerational/Aquatic Facility. The funding for the services will be drawn from budget line item Parks Bond-Facilities, Design, Recreation & Aquatic Center (33044148-67725-33009). Discussion and Action.

**10. Regular Agenda**

*Items on the agenda are open for citizen input. Please fill out a card and present it to the City Clerk before the meeting begins. The mayor will call upon you for your comments.*

- 10.1**    [APP 12-009](#)    The Mayor and City Council shall discuss and possibly take action on appointing one citizen to fill the vacancy on the Industrial Development Authority Board. Discussion and Action.
- 10.2**    [CON 12-077](#)    The Mayor and City Council shall discuss and possibly take action to approve a contract amendment with Core Construction for Construction Manager at Risk Construction Services in an amount not to exceed \$17,841,179 for the Multigenerational/Aquatic Facility project. The funding for the project will be drawn from budget line item Parks Bond-Facilities, Buildings, Recreation & Aquatic Center (33044148-67720-33009). Discussion and Action.
- 10.3**    [RES 12-74](#)    A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, declaring as a public record that certain document filed with the City Clerk and entitled "Article 36 Wireless Telecommunications Facilities" of the Maricopa City Zoning Code, relating to the establishment of general guidelines for the installation of wireless communications towers and antennas and amending the Maricopa City Zoning Code by inserting Article 36. Discussion and Action. ITEM RELATED TO ORD 12-11
- 10.4**    [ORD 12-11](#)    An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, adopting "Article 36 Wireless Telecommunications Facilities" by reference as Article 36 of the Maricopa City Zoning Code and providing for severability and the effective date thereof. Discussion and Action. ITEM RELATED TO RES 12-74
- 10.5**    [PUR 12-030](#)    The Mayor and City Council shall discuss and possibly take action on a Purchase and Sale Agreement and Escrow Instructions between the City of Maricopa and Bowlin Plaza, LLC, a Nevada Limited Liability Company; Robert S. Elmore, Trustee of the Mark Richard Walton 1999 Grantor Irrevocable Trust; Robert S. Elmore, Trustee of the Leslie Ann Walton 1999 Grantor Irrevocable Trust; Robert S. Elmore, Trustee of the Patrick Leslie Walton 1999 Grantor Irrevocable Trust and Robert S. Elmore, Trustee of the Michael Allen Walton 1999 Grantor Irrevocable Trust allowing the City to purchase approximately 79,452 square feet of land within the City limits for the amount of \$139,000.00 and authorizing City Manager Brenda Fischer to execute all necessary documents required to close said purchase. The funding for the services will be drawn from budget line item County Road Tax - Transportation, Street Projects Capital, Sports Complex (30044146-67750-33010). Discussion and Action.
- 10.6**    [BDGT 12-011](#)    The Mayor and City Council shall hear a presentation regarding the Development Services Department's Implementation Plan (which resulted from the audit conducted by Zucker Systems) and consider a contingency transfer request for necessary current fiscal year purchases that will advance the Plan's identified priorities. The transfer request, in an amount not to exceed \$200,000, is from General Fund, Non-Departmental, Contingency (10010000-99000) to General Fund, Information Technology, Technical (10011553-53340) in the amount of \$170,000 and General Fund, Planning and Zoning, Professional and Occupational (10044141-53320) in the amount of \$30,000. Discussion and Action.

- 10.7 **MISC 12-087** The City Council shall discuss and possibly take action on selecting a method and process by which to fill the vacancy on the City Council. Discussion and Action.

## 11. Executive Session

- 11.1 **ES 12-001** The Maricopa City Council may go into executive session for purpose of obtaining legal advice from the City's Attorney on any of the above agenda items pursuant to A.R.S. § 38-431.03 (A)(3).
- 11.2 **ES 12-002** The Maricopa City Council may go into executive session for purpose of obtaining legal advice from the City's attorney and to consider its position and instruct representatives regarding negotiations for the purchase, sale or lease of real property pursuant to A.R.S. § 38-431.03 (A)(3) and (A)(7).
- 11.3 **ES 12-005** The Maricopa City Council may go into executive session for the purpose of discussion or consultation with the City's attorney to consider its position and instruct representatives regarding the pending claims and lawsuits filed against the City pursuant to A.R.S. § 38-431.03 (A)(3) and (A)(4).
- 11.4 **ES 12-023** The Maricopa City Council may go into executive session for the purpose of consultation with its attorneys and to consider its position regarding a proposed Development and Settlement Agreement with Meritage Homes of Arizona, Inc. and Metro Red-1 pursuant to A.R.S. §38-431.03(A)(3) and (A)(4).

## 12. Adjournment

*Note: This meeting is open to the public. All interested persons are welcome to attend. Council members of the City of Maricopa City Council will attend either in person or by telephonic conference or video communication. Supporting documents and staff reports, which were furnished to the City Council with this agenda, are available for review on our website, [www.maricopa-az.gov](http://www.maricopa-az.gov).*

*NOTICE TO PARENTS: Parents and legal guardians have the right to consent before the City of Maricopa makes a video or voice recording of a minor child A.R.S. §1-602.A.9. Maricopa City Council Meetings are recorded and may be viewed on Channel 20 and the Maricopa website. If you permit your child to participate in the Council Meeting, a recording will be made. If your child is seated in the audience your child may be recorded, but you may request that your child be seated in a designated area to avoid recording. Please submit your request to the City Clerk at (520) 316-6970.*