



City of Maricopa

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Meeting Minutes - Final City Council Regular Meeting

Mayor Christian Price
Vice-Mayor Marvin L. Brown
Councilmember Peggy J. Chapados
Councilmember Bridger Kimball
Councilmember Vincent Manfredi
Councilmember Nancy Smith
Councilmember Henry M. Wade Jr.

Tuesday, May 19, 2015

7:00 PM

Council Chambers

1. Call to Order

The City Council regular meeting was called to order at 7:01 p.m.

Pastor Rusty Akers from the Community of Hope Church, gave the invocation.

Councilmember Chapados led the meeting attendees in the Pledge of Allegiance.

2. Roll Call

Mayor Price, Councilmember Wade and Councilmember Smith were present via telephone

Present: 6 - Mayor Christian Price, Vice Mayor Marvin L. Brown, Councilmember Peggy Chapados, Councilmember Bridger Kimball, Councilmember Nancy Smith and Councilmember Henry Wade

Absent: 1 - Councilmember Vincent Manfredi

3. Proclamations, Acknowledgements and Awards

4. Report from the Mayor

5. Report from the City Manager

City Manager Rose invited Finance Director Brian Ritschel to the podium to introduce the new Purchasing Manager for the City of Maricopa. Mr. Ritschel introduced and welcomed Peggy Ferrin to the City. He addressed her extensive public purchasing experience and active membership to the NIGP, National Institute of Governmental Purchasing.

Secondly, City Manager Rose announced that the new Director of Development Services, Martin Scribner, would begin June 22, 2015. He recognized Interim Development Services Director Dana Burkhardt for all his hard work and commended his leadership as Interim Director for the City of Maricopa.

6. Call to the Public

Councilmember Chapados reported that on Saturday (May 16) the City held the first

annual Volunteer Appreciation Breakfast. She thanked Copper Sky employees, Alicia Barrios and Rodney, for helping with the set-up. She continued to thank staff including, Jennifer Brown, Paul Jepson, Ruben Garcia, and Sara Delgadillo. She commended Helen's Catering for the breakfasts served. Lastly she acknowledged the following sponsors: Big O' Tire, Maricopa ACE Hardware, Dr. Karen Kramarcyk Family Dentistry, Crate Coffee, A1 Health and Wellness, InMaricopa.com, Fry's and Basha's. She indicated that the City of Maricopa has over 300 volunteers and noted they were recognized with lanyards and pins. She added that every year a new pin would be offered. She directed any volunteers who were unable to attend to contact Sara Delgadillo to make arrangements to pick up a lanyard and pin. She concluded by thanking the volunteers once again.

Austen Pearce, Chairman of Maricopa Youth Council approached the podium and addressed the Mayor and Council. He reported on the success of the Be the Match Bone Marrow Registration Drive which took place on April 15, 2015 at Copper Sky. He stated that 34 people registered in 2.5 hours. Next, he stated that the Youth Council's next project is the Copa Care Packages. He stated it is a drive to collect basic necessities and essential items to be distributed to the homeless in Maricopa and neighboring communities. He directed the public to drop-off items for donation at Copper Sky any time during their opening hours until next Monday (May 25, 2015). He stated that on Tuesday (May 26, 2015) the Youth Council would meet to package the items for distribution. He reported that the project was a success during winter, and encouraged donations for the summer.

Vice Mayor Brown announced that the Alzheimer Association Desert Southwest Chapter would have a conference on June 5, 2015 at the Public Library and that pre-registration is required. He directed anyone interested to call (602) 528-0545 and noted check-in would be from 12:30 p.m. to 1:00 p.m. and the conference would be held from 1:00 p.m. to 5:00 p.m. He detailed the conference topics and encouraged attendance.

7. Minutes

- 7.1 [MIN 15-62](#) Approval of Minutes from the May 5, 2015 City Council Work Session.

A motion was made by Councilmember Chapados, seconded by Councilmember Kimball, that this Minutes be Approved. The motion carried by a unanimous vote.

- 7.2 [MIN 15-63](#) Approval of Minutes from the May 5, 2015 City Council Regular meeting.

A motion was made by Councilmember Chapados, seconded by Councilmember Kimball, that this Minutes be Approved. The motion carried by a unanimous vote.

8. Public Hearings

- 8.1 [PH 15-05](#) The Mayor and City Council shall hear public comment(s) on Zoning Overlay case number ZON15-01, a request by the City of Maricopa amending the city's zoning map to include the Transportation Corridor Overlay District.

Vice Mayor Brown opened the Public Hearing at 7:11 p.m.

No one spoke during the Public Hearing.

The Public Hearing was closed at 7:12 p.m.

The Public Hearing was held.

- 8.2 [PH 15-06](#) The Mayor and City Council shall hear public comment(s) on Zoning Overlay case number ZON15-02, a request by the City of Maricopa amending the city's zoning map to include the Mixed Use - Heritage Overlay District.

Vice Mayor Brown opened the Public Hearing at 7:13 p.m.

No one spoke at the Public Hearing.

The Public Hearing was closed at 7:14 p.m.

The Public Hearing was held.

9. Consent Agenda

Approval of the Consent Agenda

A motion was made by Councilmember Peggy J. Chapados, seconded by Councilmember Bridger Kimball, to Adopt the Consent Agenda. The motion carried unanimously.

- 9.1 [CON 15-08](#) The Mayor and City Council shall discuss and possibly take action on approval of a Design and Construction Agreement with Electrical District No. 3 for work needed to provide power to the new Public Works/Fire Maintenance Facility and the adjacent public safety communications tower. Funding for this agreement, in a total amount of \$39,300, will be drawn from two sources: \$34,400 from Highway User Revenue Fund (HURF), Public Works, Improvements other than Buildings (20055151-67730-35023); \$4,900 from General Government CIP Fund, Police Administration, Buildings, RWC Station and Antenna (35022121-67720-32022). Discussion and Action.

This Contract was Approved.

- 9.2 [MISC 15-25](#) The Mayor and City Council shall discuss and possibly take action on a request to approve expenditures exceeding \$25,000 and previously approved limits for Fiscal Year 2014-15 pursuant to the City Purchasing Code, Article IV, Section 3-213(e) "Cumulative Annual Purchases in Excess of \$25,000" with: Boundtree Medical, LLC. Discussion and Action.

This Miscellaneous Item was Approved.

- 9.3 [LIQ 15-02](#) The Mayor and City Council shall discuss and possibly take action recommending approval to the Arizona Department of Liquor License and Control regarding an application for a new license submitted by H.J. Lewkowitz on behalf of Chipotle Mexican Grill #2457, located at 21423 N. John Wayne Parkway, Maricopa, Arizona 85138. Discussion and Action.

This Liquor License was Approved.

- 9.4 [RES 15-23](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, authorizing an increase in the Copper Sky Multigenerational/Aquatic Center membership discount for veterans and amending the Copper Sky Multigenerational/Aquatic Center Fee Schedule to include the revised discount amount. Discussion and Action.

This Resolution was Approved.

- 9.5 [CON 15-17](#) The Mayor and City Council shall discuss and possibly take action on approving an Extension of License Agreement with Orbitel Communications, L.L.C. for a period of Five (5) Years. Discussion and Action.

This Contract was Approved.

- 9.6 [CON 15-18](#) The Mayor and City Council shall discuss and possibly take action on approving an Extension of License Agreement with Qwest Broadband Services Inc., d/b/a CenturyLink, a Delaware corporation, for a period of Five (5) Years. Discussion and Action.

This Contract was Approved.

- 9.7 [CON 15-16](#) The Mayor and City Council shall discuss and possibly take action to approve the Construction Contract with CORE Construction with a Guaranteed Maximum Price (GMP) of \$3,701,325 plus an owner's contingency of \$150,000 for a total amount not to exceed \$3,851,325 for the Copper Sky Police Substation. Funding for the project will be drawn from the General Government CIP Fund, Police Admin, Buildings, Maricopa PD Substation at Regional Park (35022121-67750-32016) and Grant CIP Fund, Fire Admin, Buildings, Emergency Operations Center (35222525-67720-15201). Discussion and Action.

This Contract was Approved.**10. Regular Agenda**

- 10.1 [ORD 15-06](#) An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, amending the City of Maricopa Zoning Map to include a Transportation Overlay District as described in Zoning Case ZON 15-01 for all property generally situated within one hundred fifty feet of the right of way for State Route 238, State Route 347 and the Maricopa Casa Grande Highway within the City of Maricopa Incorporated limits. Discussion and Action.

Vice Mayor Brown read the ordinance.

A motion was made by Councilmember Chapados, seconded by Councilmember Kimball, that this Ordinance be Approved. The motion carried by the following vote:

Aye: 6 - Mayor Christian Price, Vice Mayor Marvin L. Brown, Councilmember Peggy Chapados, Councilmember Bridger Kimball, Councilmember Nancy Smith and Councilmember Henry Wade

- 10.2 [ORD 15-07](#) An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, amending the City of Maricopa Zoning Map to include a Mixed Use Heritage Overlay District as described in Zoning Case ZON 15-02 for a portion of the property declared as the Redevelopment District by Resolution 08-48, now known as the Heritage District, within the City of Maricopa Incorporated limits. Discussion and Action.

Vice Mayor Brown read the ordinance.

A motion was made by Councilmember Chapados, seconded by Councilmember Kimball, that this Ordinance be Approved. The motion carried by the following vote:

Aye: 6 - Mayor Christian Price, Vice Mayor Marvin L. Brown, Councilmember Peggy Chapados, Councilmember Bridger Kimball, Councilmember Nancy Smith and Councilmember Henry Wade

10.3 [IGA 15-03](#)

The Mayor and City Council shall discuss and possibly take action on approval of an Intergovernmental Agreement between Pinal County and the City of Maricopa for the use of land located at 46250 McDavid Road, Maricopa, Arizona to operate a Recycling Collection Center and Solid Waste Transfer Station for an amount not to exceed \$1.00 a year to be paid out of General Fund, Non Departmental, Professional and Occupational (10010000-53320). Discussion and Action.

Intergovernmental Affairs Director Paul Jepson stated the IGA (Intergovernmental Agreement) is part of the RFP for Recycling and Household Hazardous Waste. He stated it would allow Pinal County and Maricopa to work together to offer recycling services to all of western Pinal County. There were no further questions from Council.

A motion was made by Councilmember Chapados, seconded by Councilmember Kimball, that this Intergovernmental Agreement be Approved. The motion carried by a unanimous vote.

10.4 [CON 15-15](#)

The Mayor and City Council shall discuss and possibly take action on approval of an agreement with Waste Technologies LLC d/b/a Right Away Disposal for Recycling and Household Hazardous Waste Collection Services in an amount not to exceed \$192,000 a year, to be paid from the General Fund, General Government, Professional and Occupational (10010000-53320) and approve a budgetary transfer in an amount not to exceed \$20,000 from General Fund, General Government, Contingency (10010000-99000) to General Fund, General Government, Professional and Occupational (10010000-53320). This award is in accordance with the City of Maricopa Purchasing Code, Article IV, Section 3-215, Bidding Procedure. Discussion and Action.

Intergovernmental Affairs Director Paul Jepson stated that after the RFP was posted for recycling services, Right Away was deemed the most responsive applicant and therefore staff negotiated a contract. He detailed the recycling services to be offered under the contract including the amount to be paid per month, \$10,000. He stated that if the contract is approved Waste Technologies LLC is to be open for business within 30 days and services would be provided to both, City of Maricopa residents and western Pinal County. He invited questions from Council.

Vice Mayor Brown inquired how many bids were received. Mr. Jepson confirmed 2 bids had been completed.

Councilmember Kimball inquired whether the \$20,000 budgetary transfer from the contingency fund is to cover expenses for the next two months. He also inquired how the transfer would affect the contingency fund. City Manager Rose responded that it still allows for a healthy budget and invited Finance Director Brian Ritschel to elaborate. Mr. Ritschel confirmed that since the fire truck grant was not approved, the funding that had been set aside for this purchase allows for the additional funding in the contingency fund to support the transfer.

Councilmember Chapados inquired if there is an actual projected opening day. Mr. Jepson speculated that it would be prior to the 30 days. He invited Waste Technologies representative Jeremy Tacks to the podium to address the transition. Jeremy stated that Right Away would be able to open for business as early as Saturday if requested. Councilmember Chapados thanked him and welcomed him to Maricopa.

She recognized Gina D'Abella for years of service to the City of Maricopa and added

that Mrs. D'Abella offered valuable services to the City. Mr. Jepson pointed out that Mrs. D'Abella was very involved in the transition process. He commended her recycling passion and hard work for the City of Maricopa.

Mayor Price inquired if there are any resources for measuring the performance of the agreement or if a review could take place. City Manager Rose offered clarification to the inquiry made by Mayor Price on how the performance of the contract would be measured. City Manager Rose suggested continued monitoring of the effectiveness of the contract and compiling a report on performance after 90-120 days.

Mayor Price motioned to approve the contract with the amendment to include, drafting a performance report after 120 days of operation.

A motion was made by Mayor Price, seconded by Councilmember Kimball, that this Contract be Approved as Amended. The motion carried by a unanimous vote.

10.5 **PRES 15-12**

The Mayor and City Council shall hear a presentation discussing the legislative outcomes of the 2015 Arizona legislative session. Discussion only.

Intergovernmental Affairs Director, Paul Jepson gave a recap on the outcomes of the 52nd Arizona Legislative Session. He stated the session was 87 days long, and noted they approved the budget fairly early. He added that 1,163 bills were proposed 324 which were approved and 20 vetoed. He reviewed Maricopa's 2015 Legislative Agenda and detailed the positive results for the City's legislative agenda including: passed, vetoed, and failed bills. Next, he reviewed the negative outcomes including: failed bills HB 2324 and HB 2558. He reviewed the results of various other bills and discussed the legislative future for 2016. He invited questions or comments from Council.

Vice Mayor Brown commented on the reoccurring attempt to make firearms in public places, and then he inquired if the issue of body cameras would be reintroduced at the next session. Mr. Jepson elaborated.

Vice Mayor Brown inquired about the Pima County lawsuit. Mr. Jepson elaborated that it is in regards to the legislation passed by the Governor concerning cities that are violating taxing authority.

The Presentation was heard.

10.6 **MISC 15-27**

The Mayor and City Council shall discuss and possibly take action on adopting a tentative budget for fiscal year 2015-2016 (FY15-16). Discussion and Action.

City Manager Rose approached the podium and reviewed the actions to date concerning the operating budget and the capital budget. He listed City's priorities and strategic objectives. Next, he discussed the highlights for Fiscal Year (FY) 2015-2016 including that the level of services would remain the same except for the Police Department. He stated the budget reduces the primary and secondary property tax rates; it suspends the Non-Profit Funding Program; it funds a new recycling program; it funds the 5 year Capital Improvement Program (CIP); creates an internfund loan for the purchase of a fire ladder truck; and balances the budget. He stated he is proud of the budget although there were legitimate requests from departments that the City was unable to financially fund. He turned the presentation over to Finance Director Brian Ritschel.

Mr. Ritschel reviewed the FY2015-2016 Operating Budget Overview. He gave an overview of the Operating Budget and Capital Project Budget expenditures, then detailed each budget. He listed the General Fund Revenue highlights including, that it

anticipates continued reduction in primary property tax revenues, no increase on sales tax rate, and increased state-shared revenue estimates. Next, he discussed Property Tax Levies. He stated the Primary Levy would stay neutral and does not include a 2% allowable levy increase. He added that the Secondary Levy would decrease to \$1.6973 for debt service requirements and gave a Rate and Levy summary. He gave an overview of the estimated revenues (\$32,338,871) and expenditures (\$31,826,765) from the General Fund. Next, he gave an overview of the FY15-16 CIP Budget and turned the presentation back to City Manager Rose.

City Manager Rose stated that it was difficult to balance the budget due to a legislative drawback that resulted in a \$1.75 million dollar reduction in revenues. He discussed the 5 year agreement with Ak-Chin that helps with the costs of the Copper Sky and sated the City must identify a way to cover operating costs after the 5 years. He added that City must focus on building infrastructure to foster economic development and improve the level of service that it provides to the residents. He opened the floor for questions or comments.

Vice Mayor Brown asked Police Chief Stahl if he anticipates having sufficient staff to service the dispatching needs. Chief Stahl responded that although 11 staff members would be ideal, 9 are sufficient. He added that the department is looking at additional resources and options to bolster the development.

A motion was made by Councilmember Chapados, seconded by Councilmember Kimball, that this Miscellaneous Item be Approved. The motion carried by a unanimous vote.

11. Executive Session

12. Adjournment

The City Council regular meeting adjourned at 8:04 p.m.

A motion was made by Councilmember Bridger Kimball, seconded by Councilmember Peggy J. Chapados, to Adjourn . The motion carried unanimously.

Certification of Minutes

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 Maricopa, Arizona, held on the 19th day of May, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 2nd day of June, 2015.

Vanessa Bueras
City Clerk