



City of Maricopa

Meeting Agenda City Council Regular Meeting

City Hall
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Plaza
Maricopa, AZ 85138
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Mayor Nancy Smith
Vice-Mayor Rich Vitiello
Councilmember Eric Goettl
Councilmember Amber Liermann
Councilmember Bob Marsh
Councilmember Vincent Manfredi
Councilmember Henry M. Wade Jr.

Tuesday, April 4, 2023

6:00 PM

Council Chambers

Procedure for Addressing the City Council

The Maricopa City Council values citizen comments and input. If you wish to speak on a matter concerning Maricopa city government that is on the agenda, please fill out a speaker card and give it to the City Clerk before the meeting starts. The Mayor will call your name when that portion of the agenda is reached.

The Call to the Public portion on the agenda provides citizens an opportunity to identify for the City Council matters of interest or concern related to city government that are not on the printed agenda. Under the provisions of the Arizona Open Meeting Law, the City Council is prohibited from responding to issues that have not been properly noticed. Therefore, the City Council may only listen to citizens who wish to address them on non-agenda items. We regret that the City Council cannot respond beyond thanking you for your comments. City staff will follow-up on your questions via telephone or email, whichever is preferred. A speaker card is not required for this portion of the meeting but it is appreciated.

Whenever any group of persons wishes to address the City Council on the same subject matter, it shall be proper for the Mayor to request that a spokesperson be chosen.

The City asks that, when your name is called, you come forward to the podium, state your name and then begin speaking. All speakers are expected to observe common standards of decorum and courtesy. Personal attacks, political speeches, or threats of political action are inappropriate in this forum and will be grounds, at the discretion of the Mayor, for ending a speaker's time at the podium.

In the event that the meeting is disrupted in any way that the City in its sole discretion deems inappropriate, the City reserves the right to immediately remove the individual(s) from the meeting. Reasons for removing an individual include but are not limited to making offensive remarks or statements, disrespectful statements or actions, and any other action deemed appropriate.

All remarks shall be addressed to the City Council as a body and not to staff or the public. No person other than a member of the City Council, the City Manager or the City Attorney and the person having the floor, shall be permitted to enter into any discussion without the permission of the Mayor. Depending on the number of items on the Council agenda and the number of speaker cards submitted, the Mayor may establish shorter time limits for speakers.

1. Call to Order

*Invocation
Pledge of Allegiance*

2. Roll Call**3. Proclamations, Acknowledgements and Awards**

3.1 [PROC 23-02](#) National Volunteer Week Proclamation

3.2 [PROC 23-06](#) Exceptional Community Hospital Proclamation

3.3 [PRES 23-05](#) Maricopa Citizens Leadership Academy (MCLA) Winter 2023 Session Acknowledgement

4. Report from the Mayor

The Mayor, members of Council or other designee, may present information related to the operation of the city.

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 three 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 they deem 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. 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.

7.1 [MISC 23-07](#) The Mayor and City Council shall discuss and take action on approving the addition of the Maricopa-Casa Grande Highway Improvements and Driveways Project to FY22-23 Capital Improvement Plan. Discussion and Action.

- 7.2 [ORD 23-12](#) An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, approving and adopting an amendment to the City's Zoning Map to rezone approximately 19 acres of land generally located at the northeast corner of W. Honeycutt Ave. and N. John Wayne Pkwy., within the City of Maricopa incorporated limits, on Pinal County Parcels 510-25-009R, 510-25-009P, and a portion of parcel 510-25-009Q, from General Business (CB-2) and Light Industry/Warehouse (CI-1) to Shopping Center (SC), as described in Zoning Case #ZON23-01. The parcels of land are located in a portion of Section 27, Township 4 South, Range 3 East, of the Gila and Salt River Meridian, Pinal County, Arizona. Discussion and Action.
- 7.3 [ORD 23-13](#) An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, approving and adopting an amendment to the City's Zoning Map to rezone approximately 27 acres of land generally located at the southeast corner of W. Honeycutt Ave. and N. John Wayne Pkwy., within the City of Maricopa incorporated limits, on Pinal County Parcel 510-25-009Q (portion thereof), from General Business (CB-2) to General Mixed Use (MU-G), as described in Zoning Case #ZON23-01. The parcel of land is located in a portion of Section 27, Township 4 South, Range 3 East, of the Gila and Salt River Meridian, Pinal County, Arizona. Discussion and Action.
- 7.4 [ORD 23-14](#) An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, approving and adopting an amendment to the City's Zoning Map to rezone approximately 0.89 acres of land generally located south of the southwest corner W. Honeycutt Ave. and N. John Wayne Pkwy., within the City of Maricopa incorporated limits, on Pinal County Parcel 510-27-022B, from Local Business (CB-1) to General Commercial (GC), as described in Zoning Case #ZON23-01. The parcel of land is located in a portion of Sections 27 and 28, Township 4 South, Range 3 East, of the Gila and Salt River Meridian, Pinal County, Arizona. Discussion and Action.
- 7.5 [ORD 23-15](#) An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, approving and adopting an amendment to the City's Zoning Map to rezone approximately 1 acre of land generally located south of the southwest corner W. Honeycutt Ave. and N. John Wayne Pkwy., within the City of Maricopa incorporated limits, on Pinal County Parcel 510-27-0210, from General Rural (GR) to General Commercial (GC), as described in Zoning Case #ZON23-01. The parcel of land is located in a portion of Sections 27 and 28, Township 4 South, Range 3 East, of the Gila and Salt River Meridian, Pinal County, Arizona. Discussion and Action.
- 7.6 [ORD 23-16](#) An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, approving and adopting an amendment to the City's Zoning Map to rezone approximately 5.34 acres of land generally located south of the southwest corner W. Honeycutt Ave. and N. John Wayne Pkwy., within the City of Maricopa incorporated limits, on Pinal County Parcel 510-25-009N from General Business (CB-2) to General Commercial (GC) and on Parcel 510-29-047D from General Rural (GR) to General Commercial (GC), as described in Zoning Case #ZON23-01. The parcels of land are located in a portion of Sections 27 and 28, Township 4 South, Range 3 East, of the Gila and Salt River Meridian, Pinal County, Arizona. Discussion and Action.

- 7.7 [ORD 23-18](#) An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, approving and adopting an amendment to the City's Zoning Map to rezone approximately 0.51 acres of land generally located south of the southeast corner W. Honeycutt Ave. and N. Maricopa Rd., within the City of Maricopa incorporated limits, on Pinal County Parcel 510-29-0460, from General Business (CB-2) to General Commercial (GC), as described in Zoning Case #ZON23-01. The parcel of land is located in a portion of Section 28, Township 4 South, Range 3 East, of the Gila and Salt River Meridian, Pinal County, Arizona. Discussion and Action.
- 7.8 [ORD 23-20](#) An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, approving and adopting an amendment to the City's Zoning Map to rezone approximately 3.22 acres of land generally located at the northeast corner W. Honeycutt Ave. and N. Maricopa Rd., within the City of Maricopa incorporated limits, on Pinal County Parcels 510-29-047C and 510-25-009M, from General Rural (GR) (parcel 510-29-047C) and General Business (CB-2) (parcel 510-25-009M) to General Commercial (GC), as described in Zoning Case #ZON23-01. The parcels of land are located in a portion of Sections 27 and 28, Township 4 South, Range 3 East, of the Gila and Salt River Meridian, Pinal County, Arizona. Discussion and Action.
- 7.9 [ORD 23-21](#) An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, approving and adopting an amendment to the City's Zoning Map to rezone approximately 7.18 acres of land generally located east of the intersection W. Honeycutt Ave. and N. Maricopa Rd., within the City of Maricopa incorporated limits, on Pinal County Parcels 510-28-030A, 510-25-009J, 800-30-0110 and the unsubdivided Tapps Rd. alignment, from General Business (CB-2) and unzoned to General Commercial (GC), as described in Zoning Case #ZON23-01. The parcels of land are located in portions of Sections 27 and 28, Township 4 South, Range 3 East, of the Gila and Salt River Meridian, Pinal County, Arizona. Discussion and Action.
- 7.10 [MISC 23-08](#) The Mayor and City Council shall discuss and take action on approving a Map of Dedication for "Honeycutt Road Tract M-7" a re-plat of Tract M-7 of the final plat and map of dedication for "Tortosa-NW", recorded in fee no. 2004-049082, Pinal County records, situated in a portion of Section 28, Township 4 South, Range 4 East of the Gila and Salt River Meridian, City of Maricopa, Pinal County, Arizona. Discussion and Action.
- 7.11 [RES 23-19](#) 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 "2023 Amendments to Chapter 18.135: Commissions, Committees, Boards & Officers, Chapter: 18.140: Common Procedures, and Chapter 18.155: Development Review Permit," regarding the duties and powers of the Planning and Zoning Commission and the Zoning Administration, rules and regulations relating to development review permits and appeals of zoning decisions and amending Chapters 18.135, 18.140 and 18.155 of the Maricopa City Code. Discussion and Action.

- 7.12 [ORD 23-17](#) An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, adopting "2023 Amendments to Chapter 18.135: Commissions, Committees, Boards & Officers, Chapter 18.140: Common Procedures, and Chapter 18.155: Development Review Permit" by reference to amend Chapters 18.135, 18.140 and 18.155 of the Maricopa City Code and providing for Severability and the effective date thereof. Discussion and Action.
- 7.13 [SPEVLIQ 23-02](#) The Mayor and City Council shall discuss and take action on recommending approval to the Arizona Department of Liquor Licenses and Control for an Application for Special Event Liquor License submitted by Michael Wheeler on behalf of Native Grill & Wings for a special event known as the Copa Cultural Night Market on Saturday, April 22, 2023 at Copper Sky Regional Park 44345 W Martin Luther King Jr Blvd. Discussion and Action.
- 7.14 [MISC 23-09](#) The Mayor and City Council shall discuss and take action to approve the City of Maricopa to move forward with applying for a Certificate of Necessity (CON) with the Arizona Department of Health Services to operate ambulance services within the City of Maricopa. Discussion and Action.
- 7.15 [ORD 23-23](#) An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, amending Section 2.15.130 of the Maricopa City Code relating to standing committees. Discussion and Action.
- 7.16 [MIN 23-12](#) Approval of Minutes from the March 7, 2023 City Council Regular meeting. Discussion and Action.
- 7.17 [RES 23-11](#) A Resolution of the City Council of the City of Maricopa, Arizona, designating the City's Chief Fiscal Officer for purposes of submitting the City's Fiscal Year 2023 Annual Expenditure Limitation Report to the Arizona Auditor General. Discussion and Action.
- 7.18 [RES 23-12](#) A Resolution of the City Council of the City of Maricopa, Arizona, designating the City's Chief Fiscal Officer for purposes of submitting the City's Fiscal Year 2024 Annual Expenditure Limitation Report to the Arizona Auditor General. Discussion and Action.

8. Regular Agenda and/or Public Hearings

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.

- 8.1 [PH 23-07](#) The Mayor and City Council shall hear public comment regarding a request by the City of Maricopa, on behalf of Maricopa Investments, LLC, to amend the General Plan Future Land Use Map from Medium Density Residential (MDR) to Employment (E) on approximately 2.59 acres of land generally located at the southwest corner of W. Honeycutt Ave. and N. Maricopa Rd., within the City of Maricopa incorporated limits, as described in Case # GPA23-01.

- 8.2 [RES 23-15](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, approving and adopting a Minor General Plan Land Use Amendment to change the land use from existing Medium Density Residential (MDR) to Employment (E) for approximately 2.59 acres of land generally located at the southwest corner of W. Honeycutt Ave. and N. Maricopa Rd., within the City of Maricopa incorporated limits, as described in case # GPA23-01. The land is located in a portion of Section 28 of Township 4 South, Range 3 east of the Gila and Salt River base and meridian, Pinal County, Arizona. Discussion and Action.
- 8.3 [ORD 23-19](#) An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, approving and adopting an amendment to the City's Zoning Map to rezone approximately 2.59 acres of land generally located at the southwest corner W. Honeycutt Ave. and N. Maricopa Rd., within the City of Maricopa incorporated limits, on Pinal County Parcel 510-29-001B, from General Business (CB-2) and General Rural (GR) to General Commercial (GC), as described in Zoning Case #ZON23-01. The parcel of land is located in a portion of Section 28, Township 4 South, Range 3 East, of the Gila and Salt River Meridian, Pinal County, Arizona. Discussion and Action.
- 8.4 [PH 23-08](#) The Mayor and City Council shall hear public comment regarding the request by the City of Maricopa on behalf of Bruce Dunn of Paragon Hampton Edison LLC to abandon portions of public right-of-way on North Roosevelt Avenue and West Lexington Avenue (0.5+/- acre of land) which will subsequently be acquired by the adjacent property owner without compensation, as described in case # ABDN23-03.
- 8.5 [RES 23-16](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, vacating and abandoning, without compensation, a portion of N. Roosevelt Avenue and a portion of W. Lexington Avenue generally located south of W. Edison Road between N. Wilson Avenue and N. Estrella Parkway within the City of Maricopa. Discussion and Action.
- 8.6 [PH 23-09](#) The Mayor and City Council shall hear public comment regarding a request by the City of Maricopa, on behalf of Community of Hope Church, to abandon a segment of public right-of-way known as North Hamilton Avenue (0.8+/- acre of land) which will subsequently be acquired by the adjacent property owner without compensation, as described in case # ABDN23-01.
- 8.7 [RES 23-17](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, vacating and abandoning, without compensation, a portion of North Hamilton Avenue generally located south of W. Honeycutt Avenue between N. Taft Avenue and Hogenes Blvd. within the City of Maricopa. Discussion and Action.
- 8.8 [RES 23-18](#) 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 "2023 Amendments to Section 18.120.160: Qualifying Marijuana Facilities," regarding the rules and regulations relating to zoning of qualifying marijuana facilities within the City of Maricopa and amending Section 18.120.160 of the Maricopa City Code. Discussion and Action.

- 8.9 [ORD 23-22](#) An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, adopting "2023 Amendments to Section 18.120.160: Qualifying Marijuana Facilities and Section 18.205.020: List of Definitions" by reference to amend Section 18.120.160 and 18.205.020 of the Maricopa City Code and providing for severability and the effective date thereof. Discussion and Action.

9. Executive Session

The Maricopa City Council may go into executive session, which is not open to the public, 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).

10. 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.

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the City Clerk's Office at 520-316-6970. Requests should be made as early as possible to allow time to arrange the accommodation.

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.