



City of Maricopa

Meeting Minutes - Draft City Council Regular Meeting

City Hall
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Mayor Nancy Smith
Vice-Mayor Amber Liermann
Councilmember Eric Goettl
Councilmember Vincent Manfredi
Councilmember Bob Marsh
Councilmember Rich Vitiello
Councilmember Henry Wade

Tuesday, January 16, 2024

6:00 PM

Council Chambers

1. Call to Order

The meeting was called to order at 6:03 p.m. Grace Fellowship Church Pastor, Luke Panter gave the invocation and Councilmember Goettl led the Pledge of Allegiance.

2. Roll Call

Present: 7 - Councilmember Bob Marsh, Councilmember Eric Goettl, Councilmember Vincent Manfredi, Mayor Nancy Smith, Councilmember Henry Wade, Councilmember Rich Vitiello and Vice Mayor Amber Liermann

3. Proclamations, Acknowledgements, Awards and Presentations

Mayor Smith stated Councilmember Wade brought forward a proclamation in honor of Dr. Martin Luther King Jr. She read the proclamation and proclaimed January 15, 2024 as Dr. Martin Luther Kind Jr. Day in the City of Maricopa. She announced there would be a 10 minute intermission after the Call to the Public.

Councilmember Wade gave a brief statement and thanked the Mayor, the Council, and the community.

4. Report from the Mayor

Councilmember Marsh reported attending the Senior Advisory Committee and gave information on the upcoming Senior Info/Expo on January 20 at the library. He reported attending the Arizona Department of Transportation (ADOT) meeting on January 12 at City Hall and the the City Court Ribbon Cutting Ceremony.

Councilmember Vitiello thanked those present and everyone who attended the ADOT meeting. He emphasized it was important for ADOT to hear of the city's infrastructure issues.

Councilmember Manfredi reported the governor's budget came out and the money for Riggs Road and Casa Blanca Road was taken away. He encouraged residents to remain vigilant and keep looking for updates.

Vice Mayor Liermann gave information on the community arts festival, Art for the Hearts. She stated it supported the American Heart Association and local artist. She

stated it would be on Saturday, February 10 from 9 a.m. to 4 p.m. at Maricopa High School.

Mayor Smith reported that she and Councilmember Vitiello, Councilmember Manfredi, Deputy City Manager Ben Bitter and Intergovernmental Affairs Director Katy Proctor went to Pinal County to speak with the County Board of Supervisor and staff regarding funding for State Route (SR) 347. She emphasized the importance of advocating for funding due to the various jurisdictions involved. Next, she reported speaking at the Maricopa Chamber of Commerce breakfast. Lastly, she mentioned the ADOT meeting and thanked everyone for the large participation. She stated the group 347 Facts asked people to write letters

Councilmember Vitiello reported that Pinal County Supervisor Ted Gremmel took his offer to stand on the side of SR 347 to watch traffic.

5. Report from the City Manager

There were no items reported.

6. Call to the Public

Barry McCain wished everyone a safe MLK Day, and talked about the importance of not denying history. He stated his daughter was the principal of Leading Edge Academy and elaborated on her upbringing. He discussed his political background.

Kent O'Jon gave an update on the Black Maricopa Chamber of Commerce. He stated there were currently 77 members and elaborated.

Dr. Reverend Leon Willis encouraged the City to hire more diversity from the Black community.

Angela Charmichel, with D.R. Horton, commented on Agenda Item 7.18 on the Comprehensive Land Use Assumptions, Infrastructure Improvement Plan and the Development Impact Fee Analysis. She stated she understood it was on the Consent Agenda because it was considered a plan. She stated the plan would eventually impact the impact fees. She discussed how it would impact a current project. She requested a continuance on this item so there could be more discussion. She stated they would like more dialogue and understood that development needs to pay for development and elaborated.

Aubrey Morris on behalf of the Arizona Black Coalition asked for forming members to join him and stated the committee was formed to address issues that were concerning to the black community.

Kenneth asked what would happen if Proposition 479 was not passed. He also asked what steps could be taken if the Governor took funds away. Mayor Smith directed him to submit his contact information to address his questions.

Samira Washington, teacher at Leading Edge Academy, invited the public to the school's Interactive Underground Railroad that was part of their Black History programming. She stated it would be on February 15, 2024 at Leading Edge Academy starting at 5 p.m.

The meeting went into recess at 6:38 p.m. for refreshments and music in honor of Martin Luther King Jr. Day. The meeting reconvened at 6:59 p.m.

7. Consent Agenda

Approval of the Consent Agenda

A motion was made by Councilmember Bob Marsh, seconded by Councilmember Vincent Manfredi, to Adopt the Consent Agenda. The motion carried by unanimous vote.

- 7.1 [RES 24-01](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, authorizing the City to enter into a Mutual Aid Compact with the signatory political jurisdictions within the State of Arizona and the Arizona Department of Emergency and Military Affairs. Discussion and Action.
- This Resolution was Approved.**
- 7.2 [RES 24-06](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona approving and authorizing the Mayor to execute an Intergovernmental Agreement (IGA) between the City of Maricopa and the State of Arizona Department of Revenue for the administration, collection, audit, and licensing of transaction privilege taxes, use taxes, severance taxes, jet fuel excise and use taxes and rental occupancy taxes imposed by the state, cities or towns. Discussion and Action.
- This Resolution was Approved.**
- 7.3 [IGA 24-02](#) The Mayor and City Council shall discuss and take action on approving an Intergovernmental Agreement between the City of Maricopa and Electrical District No. 3 regarding the extension and/or expansion of the electrical facilities necessary to develop the southern portion of the City. Discussion and Action.
- This Intergovernmental Agreement was Approved.**
- 7.4 [SUB 22-37](#) The Mayor and City Council shall discuss and take action to approve Subdivision Case # SUB22-37, Final Plat for El Rancho Santa Rosa Parcel 5, a request for final plat approval subdividing approximately 11.92 acres of land into 56 single-family residential lots. Discussion and Action.
- This Subdivision was Approved.**
- 7.5 [SUB 23-08](#) The Mayor and City Council shall discuss and take action to approve Subdivision Case # SUB23-08, Final Plat for El Rancho Santa Rosa Parcel 7A, a request for final plat approval subdividing approximately 11.92 acres of land into 88 single-family residential lots. Discussion and Action.
- This Subdivision was Approved.**
- 7.6 [SUB 22-38](#) The Mayor and City Council shall discuss and take action to approve Subdivision Case # SUB22-38, Final Plat for El Rancho Santa Rosa Parcel 7B, a request for final plat approval subdividing approximately 11.3 acres of land into 48 single-family residential lots. Discussion and Action.

This Subdivision was Approved.

- 7.7 [SUB 22-21](#) The Mayor and City Council shall discuss and take action to approve Subdivision Case # SUB22-21, Final Plat for El Rancho Santa Rosa Parcel 8, a request for final plat approval subdividing approximately 20.4 acres of land into 74 single-family residential lots. Discussion and Action.

This Subdivision was Approved.

- 7.8 [SUB 22-17](#) The Mayor and City Council shall discuss and take action to approve Subdivision Case # SUB22-17, Final Plat for Maricopa 40, a request for final plat approval subdividing approximately 40.43 acres of land into 184 single-family residential lots. Discussion and Action.

This Subdivision was Approved.

- 7.9 [ORD 24-01](#) An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, adopting "2024 Amendments to Title: 17 Subdivisions and Title: 18 Zoning" by reference to amend Chapters 17.20, 17.30, 18.35, 18.40, 18.80, 18.90, 18.115, 18.120, 18.130, 18.135, 18.140, 18.150 and 18.180 of the Maricopa City Code and providing for severability and the effective date thereof. Discussion and Action.

This Ordinance was Approved.

- 7.10 [ORD 24-02](#) An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, adopting "2024 Amendments to Chapter 12: Public places" by reference to amend Chapters 12.05, 12.10, 12.15, 12.30 and 12.40 of the Maricopa City Code and providing for severability and the effective date thereof. Discussion and Action.

This Ordinance was Approved.

- 7.11 [SUB 23-25](#) The Mayor and City Council shall discuss and take action to approve Subdivision Case # SUB23-25, City Center Block Plat Amendment, a request for an amendment to Block Plat for City of Maricopa, Fee No. 2022-115633. Discussion and Action.

This Subdivision was Approved.

- 7.12 [RES 24-04](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona approving and adopting a Fiscal Agent/Grant Agreement in support fo the funding awarded by the Ak Chin Indian Community to the Maricopa Unified School District. Discussion and Action.

This Resolution was Approved.

- 7.13 [RES 24-02](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, declaring that the City Council deems the sale of City owned land beneficial for the City of Maricopa; ordering an election to be held on the 6th day of August, 2024, at which election there shall be submitted to the voters of the City of Maricopa the question as to whether or not said property should be sold. Discussion and Action.

This Resolution was Approved.

- 7.14 [MIN 24-04](#) Approval of Minutes from the December 5, 2023 City Council Regular meeting and the December 12, 2023 Special meeting. Discussion and Action.

The Minutes were Approved.

- 7.15 [CON 24-01](#) The Mayor and City Council shall discuss and take action to approve a Purchase and Sale Agreement and Escrow Instructions with S3 Biotech, LLC for the sale of approximately 4 acres of real property generally located on the southeast corner of N. John Wayne Parkway and W. Bowlin Road, for an approximate purchase price of \$1,375,000 which represents \$7.90 per sq. ft, and authorizing the City Manager to execute the agreement once the S3 Biotech LLC members are updated, any future amendments to extend closing and any other necessary closing documents related to this agreement. Discussion and Action.

This Contract was Approved.

- 7.16 [CON 24-02](#) The Mayor and City Council shall discuss and take action to approve a Purchase and Sale Agreement and Escrow Instructions with Copper Sky Hotel and Residential Group, LLC for the sale of approximately 4.7 acres of real property generally located on the southeast corner of N. John Wayne Parkway and W. Bowlin Road, for an approximate purchase price of \$1,467,928.77 which represents \$7.17 per sq. ft, and authorizing the City Manager to execute the agreement once the Copper Sky Hotel and Residential Group LLC members are updated, any future amendments to extend closing and any other necessary closing documents related to this agreement. Discussion and Action.

This Contract was Approved.

- 7.17 [CON 24-03](#) The Mayor and City Council shall discuss and take action to approve a Purchase and Sale Agreement and Escrow Instructions with Copper Sky Extended Care, LLC for the sale of approximately .89 acres of real property generally located on the southeast corner of N. John Wayne Parkway and W. Bowlin Road, for an approximate purchase price of \$290,763.00 which represents \$7.50 per sq. ft, and authorizing the City Manager to execute the agreement once the Copper Sky Extended Care LLC members are updated, any future amendments to extend closing and any other necessary closing documents related to this agreement. Discussion and Action.

This Contract was Approved.

- 7.18 [RES 24-05](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, approving the Comprehensive Land Use Assumptions, Infrastructure Improvement Plan, and Development Impact Fee Analysis and declaring those certain documents filed with the City Clerk of the City of Maricopa to be a public record. Discussion and Action.

This Resolution was Approved.

8. Regular Agenda and/or Public Hearings

- 8.1 [RES 24-03](#) Public Hearing. A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, vacating and abandoning, without compensation, a portion of North Roosevelt Avenue and the public utility easement generally located south of W. Edison Road and north of W. Garvey Ave. within the City of Maricopa. Discussion and Action.

Planner, Alexander Bosworth presented the request by the City of Maricopa on behalf of Estrella Gin Business Park, LLC to abandon a portion of the right-of-way on North Roosevelt Avenue (ABDN23-11). He gave details on the request and noted the abandoned portion of public right-of-way would subsequently be acquired by the adjacent property owner without compensation. He provided a visual of the abandonment location and detailed the public comment process. He summarized the

staff findings and stated staff recommended approval of ABDN23-11 subject to the conditions set forth in the staff memo.

The public hearing was opened at 7:03 p.m. There was no comments and subsequently closed at 7:03 p.m.

A motion was made by Councilmember Goettl, seconded by Councilmember Wade, that this Resolution be Approved. The motion carried by a unanimous vote.

8.2 IGA 24-01

The Mayor and City Council shall discuss and take action on a request to approve an Intergovernmental Agreement (IGA) with Pinal County for the purpose of providing election services for the fall 2024 election, in a form substantially similar to the attached draft, and authorizing the City Manager to execute the final IGA as approved by the City Attorney. Discussion and Action.

Councilmember Manfredi expressed concerns with the issues with Pinal County elections in 2022. He asked what precautions were put in place so that would not happen again. Mayor Smith explained the ballot errors of the previous election and how they affected only a portion of precincts. She stated she had recommended getting samples for all precincts.

Dana Lewis, Pinal County Recorder gave information of progress made in the elections department since the 2022 elections. She discussed staff training with vendors and the proofing process for ballots. She stated they are also working being full staffed. She elaborated on the Logic & Accuracy Testing and a robust audit process.

Councilmember Manfredi thanked Dana Lewis and stated he wanted the information to go out to the public. Miss Lewis stated there would be robust communication with communities and explained that for the Presidential Preference Election (PPE) there would be a reduction on polling locations. She stated they were asking stakeholders to help communicate that to their communities. Miss Lewis commended City Clerks.

Councilmember Vitiello asked if independents could ask for a PPE ballot. Miss Lewis stated the Arizona had a closed PPE in March and voters must be registered with a party to vote in that election. She further explained that the Primary Election in Arizona was open and independent voters could request which ballot they wanted. Brief discussion ensued. Councilmember Vitiello thanked Miss Lewis.

Councilmember Wade asked about the financial impact for taxpayers. Miss Lewis elaborated on the after-action plan and the direct costs was not being previously reported and has been identified as a process would be reinvigorated and presented after the PPE. She stated a lot of the costs for the PPE would be offset by the Secretary of State's Office. She stated that information would be closely catalogued going forward.

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

8.3 MISC 24-01

The Mayor and City Council shall discuss and take action on approving the 2024 Legislative Platform. Discussion and Action.

Katy Proctor, Intergovernmental Affairs Director, presented the 2024 Legislative Platform. She explained the platform provided direction to staff on engagement at both state and federal levels, it conveyed the priorities of the City Council, that it could be updated as needed and did not preclude bringing new items to the Council. She stated

the platform would oppose legislation that eliminates revenue options or results in the reduction of revenues collected by the City. She stated it would also oppose legislation that reduced the City's local authority and support legislation that strengthens or increases local control. She stated it also supported legislation that protected local decision-making in zoning and opposes any that unduly restricts property rights. She stated the platform would support legislation that enhances or incentivizes economic development within the City and oppose any that restricts economic development tools, including legislation to provide enhanced transparency and efficiencies in the process of city land sales. She stated in infrastructure, the platform would continue to support legislation that advances the timely planning, design, and completion of infrastructure projects and oppose any that would negatively impact projects, including any that would redirect funds away from projects that benefited City residents. She stated the federal platform would continue to pursue funding for transportation infrastructure and other municipal improvements projects through the appropriations and grant processes. She stated it would continue to advocate with federal agencies to enhance the City's ability to receive its appropriate share of federal aid programs.

Councilmember Wade gave a brief summary on Council's trips to Washington D.C and elaborated on Katy Proctor's intergovernmental experience. City Manager Horst and Mayor Smith commended K. Proctor.

A motion was made by Councilmember Goettl, seconded by Councilmember Wade, that the 2024 Legislative Platform be Approved. The motion carried by a unanimous vote.

9. Executive Session

There was no Executive Session held.

10. Adjournment

This meeting was Adjourned at 7:23 p.m.

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 16th day of January, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 6th day of February, 2024.

Vanessa Bueras
City Clerk