



City of Maricopa

City Hall
39700 W. Civic Center
Plaza
Maricopa, AZ 85138
Ph: (520) 568-9098
Fx: (520) 568-9120
www.maricopa-az.gov

Meeting Minutes - Final City Council Regular Meeting

Mayor Christian Price
Vice-Mayor Marvin L. Brown
Councilmember Peggy J. Chapados
Councilwoman Julia R. Gusse
Councilmember Vincent Manfredi
Councilmember Nancy Smith
Councilmember Henry M. Wade Jr.

Tuesday, June 20, 2017

7:00 PM

Council Chambers

1. Call to Order

The City Council Regular meeting was called to order at 7:51 p.m. Reverend Arnold Jackson from Mount Moriah Church gave the invocation and Mayor Price led the meeting attendees in the Pledge of Allegiance.

2. Roll Call

Present: 7 - Councilmember Peggy Chapados, Councilmember Vincent Manfredi, Councilmember Henry Wade, Councilwoman Julia R. Gusse, Vice Mayor Marvin L. Brown, Mayor Christian Price and Councilmember Nancy Smith

3. Proclamations, Acknowledgements and Awards

4. Report from the Mayor

Mayor Price reported attending various functions, meeting with constituents, developers and hotel individuals. He reported speaking at the Small Business Development Center (SBDC) and elaborated.

5. Report from the City Manager

City Manager Rose invited Economic Development Director, Denyse Airheart to discuss the schedule of the Economic Development Strategic Plan. Mrs. Airheart explained there were challenges with scheduling the mini retreat and added that the goal now was to schedule it for July.

City Manager Rose invited Community Services Director, Kristie Riestler to elaborate on the Native American Basketball Invitational (NABI) tournament event. Mrs. Riestler gave background on the partnership between the City of Maricopa, the Ak-Chin Indian Community and NABI. She stated that the organization approached the City about hosting a junior NBA camp at Copper Sky and elaborated on the camps. She stated the Jr. NBA camp would be held on the afternoons of July 10, 11 and 12 at Copper Sky. She stated there would be a kick-off event on Sunday, July 9 beginning at 6 p.m. at Copper Sky and elaborated on the activities including fireworks at 9:45 p.m. She invited the community to attend.

6. Call to the Public

Shelley Gillespie stated that Library Manager, Erik Surber in conjunction with the Copa Shorts Film Fest created the Maricopa Library workshop series. She detailed the workshops and added they were planning three workshops with Central Arizona College (CAC). She encouraged participation and contributions.

7. Minutes

- 7.1 [MIN 17-50](#) Approval of Minutes from the June 6, 2017 City Council Work Session.

A motion was made by Vice Mayor Brown, seconded by Councilmember Manfredi, that the Minutes be Approved. The motion carried by a unanimous vote.

- 7.2 [MIN 17-51](#) Approval of Minutes from the June 6, 2017 City Council Regular meeting.

A motion was made by Vice Mayor Brown, seconded by Councilmember Manfredi, that the Minutes be Approved. The motion carried by a unanimous vote.

8. Public Hearings

- 8.1 [PH 17-12](#) The Mayor and City Council shall hear public comment regarding the use of Community Development Block Grant (CDBG) funds expected to be in the amount of \$265,000.

The public hearing opened at 8:05 p.m. Economic Development Management Analyst, David Noble presented on the Community Development Block Grant (CDBG) regional allocation proposed projects. He gave a brief recap of the process including that approximately \$265,000 were allocated every 2 years, that funds were previously used to demolish buildings for the past 2 cycles and that funds must be used to benefit low-income persons and areas, alleviate slum and blight or address an urgent need. He discussed the possible uses for public infrastructure, housing, public services and economic development. He explained that as part of the process a Conditional Letter of Intent was submitted to the Arizona Department of Housing on May 1, and that 2 meetings for input had to be held followed by a recommendation from Council. He stated the grant application would be submitted for review by August 1 followed by a formal submittal by September 1, 2017. He detailed the following potential projects: 1-Heritage District Flood Plain Analysis with an estimated cost of \$250,000. 2- Taft Avenue Half-Street Improvements with an estimated cost of \$200,000. 3- Edwards Avenue Half-Street Improvement with an estimated cost of \$250,000. 4- F.O.R Maricopa Food Bank permanent location with an estimated cost that would be greater than the expected amount of the regional allocation. He discussed the City Council evaluation results and noted that for a of possible 200 points the Floodplain Analysis received an average of 196.7 (98.4%), Taft Avenue received 133.6 (66.8%), F.O.R Food Bank received 121.0 (60.5%) and Edwards Avenue received 112.6 (56.3%). He opened the floor for comments.

Terri Crain spoke on behalf of the F.O.R Maricopa Food Bank project. She discussed the current relocation process of the food bank and stated the grant funds would be used to build a new permanent location. She gave a lengthy statement on how the food bank would benefit the community and detailed the programs they offer. She gave statistics of the population they serve.

Councilmember Smith asked for clarification on the Heritage District Floodplain

Analysis. Mr. Noble elaborated that the potential areas to be removed from the floodplain would only be known upon completion of the study. Economic Development Director, Denyse Airheart elaborated on the Economic Development benefits of the study. Next, Councilmember Smith asked Mrs. Crain if the food bank faced a potential closure. Mrs. Crain stated the food bank made an offer on a property, the offer was accepted and it was in escrow. She added they were working with the Arizona Department of Transportation (ADOT) and were exploring other grants. She confirmed that they would be able to close on the purchase of the property without the CDBG funds but they would need funds for the construction process.

Councilmember Wade asked Mrs. Crain if the food bank had a budget. Mr. Noble elaborated on the budget submitted for the project evaluation.

Mayor Price asked for clarification on the process of the allocation such as whether it could be split and whether it was possible to switch projects. Mr. Noble clarified that upon receipt of the funds the City would have 2 years to spend them or they would disappear if unused. He further elaborated that reassignment of the project would not be possible. Mayor Price elaborated on why it could also be the last CDBG allocation.

Mrs. Crain stated the food bank had ADOT funds in addition to loans. A brief discussion ensued.

Councilmember Manfredi inquired about the floodplain study. Public Works Director, Bill Fay elaborated on how areas are removed from the floodplain. He stated Pinal County issued a letter that stated that anything under a foot of flooding would be able to be removed upon completion of the study and elaborated on the process. A brief discussion ensued regarding the area covered in the study.

Mayor Price asked how many people lived in the Heritage District. Mr. Noble responded population was approximately 15,000 and elaborated.

Vice Mayor Brown asked for confirmation that if the funds were not used within a 2 year span, they would be lost. A brief discussion ensued and Mr. Noble reiterated that the City could not reprogram once the allocation had been approved. Next, Vice Mayor Brown asked Mrs. Crain about Ak-Chin funds the food bank had received. She responded that they received \$100,000 from Ak-Chin last year, which was used for capital funds for this project.

Mayor Price asked if the floodplain process was similar to the North Santa Cruz Wash study. Mr. Fay elaborated.

Councilmember Smith asked if there were other regions within the city which could benefit from a similar study. She further asked if the Heritage District would have been his first choice regardless. Mr. Fay responded it would be his first choice and elaborated.

Councilmember Wade asked Mrs. Crain how long it would take the food bank to build the structure that they needed and how long they could stay in the temporary location.

Mirna Freeman asked who owned the properties in the floodplain and why the owners were not paying for the study. Mayor Price responded that the area was part of the City of Maricopa and the owners were taxpayers and he elaborated on the benefits. Councilmember Smith further elaborated that the area was low-income.

Mrs. Crain responded that depending on permitting, the structure would take approximately 6 months to build. Discussion ensued. The public hearing closed at 9 p.m.

The Public Hearing was held.

9. Consent Agenda

Approval of the Consent Agenda

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

- 9.1 [MISC 17-34](#) The Mayor and City Council shall discuss and possibly take action on approving a deferred compensation benefit in the amount of a 1% match for eligible City employees. Discussion and Action.

This Miscellaneous Item was Approved.

- 9.2 [PUR 17-13](#) The Mayor and City Council shall discuss and possibly take action on approving a purchase request from the Information Technology (IT) Department for the Data Center Power Upgrade in the amount Not to Exceed (NTE) \$75,000. Funding will be Capital Improvement (CIP)/Org 35011553, Object: 67744, Project: 35055. This purchase is in accordance with City of Maricopa, Purchasing Code, Article IV, Section #3-213. Discussion and Action.

This Purchase was Approved.

- 9.3 [IGA 17-07](#) The Mayor and City Council shall discuss and possibly take action to approve the Intergovernmental Agreement (IGA) between the State of Arizona and the City of Maricopa for design and construction of roadway improvements for Farrell Road - Hartman Road to Maricopa Casa Grande Highway, and for Porter Road - Farrell Road to 1.9 miles south. The federal funds designated for the project are \$2,066,658 for construction in 2018. The City's funding match is estimated at \$154,919 and will be drawn from the following budget line items: Transportation DIF1 Fund, Engineering, Design Services, CMAQ Farrell and Porter (32455155-67735-35062); Transportation DIF1 Fund, Engineering, Street Project, CMAQ Farrell and Porter (32455155-67750-35062); Transportation DIF 2 Fund, Engineering, Design Services, CMAQ Farrell and Porter (34655155-67735-35062); Transportation DIF 2 Fund, Engineering, Street Project, CMAQ Farrell and Porter (34655155-67750-35062); and Capital Improvement Grant Fund, Engineering, Street Project, CMAQ Farrell and Porter (35255155-67750-35062). Discussion and Action.

This Intergovernmental Agreement was Approved.

- 9.4 [RES 17-17](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, amending and restating prior Resolution No. 15-20 recorded in the official records of the Pinal County at Document No. 2015-029578, and Resolution No. 15-21 recorded in the official records of Pinal County at Document No. 2015-029579 concerning certain real property located within the City of Maricopa in a portion of the southeast quarter of Section 21, Township 4 South, Range 3 East of the Gila and Salt River Meridian, Pinal County, Arizona. Discussion and Action.

This Resolution was Approved.

- 9.5 [LIQ 17-01](#) The Mayor and City Council shall discuss and possibly take action recommending

approval to the Arizona Department of Liquor License and Control regarding an Acquisition of Control application submitted by Andrea Lewkowicz on behalf of Walgreens #09264 which is located at 21274 N. John Wayne Parkway. Discussion and Action.

This Liquor License was Approved.

- 9.6 [IGA 17-08](#) The Mayor and City Council shall discuss and possibly take action on a request to approve an Intergovernmental Agreement (IGA) with Pinal County for the purpose of providing election services for the 2017 fall elections, and authorizing the City Manager to sign the IGA if necessary in substantially the same form as attached to the agenda item and authorize the City Manager to terminate the IGA if necessary. Discussion and Action.

This Intergovernmental Agreement was Approved.

- 9.7 [RES 17-19](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona supporting the submission of a grant application to the Ak-Chin Indian Community for funding F.O.R. Maricopa and agreeing to act as the designated fiscal agent for such funding. Discussion and Action.

This Resolution was Approved.

10. Regular Agenda

- 10.1 [RES 17-16](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona selecting a project to be submitted to the Arizona Department of Housing for use of the Community Development Block Grant (CDBG) 2017 Regional Allocation, expected to be in the amount of \$265,000. Discussion and Action.

Councilmember Smith spoke in favor of both projects 1 and 3. She proposed the CDGB funds go towards the food bank and using contingency funds to fund the floodplain study.

Councilwoman Gusse cautioned funding the food bank because the City eliminated non-profit funding and elaborated. Councilmember Smith stated any non-profit within the Heritage District had the opportunity to submit a proposal. Discussion ensued. Councilwoman Gusse spoke in favor of project 1, the floodplain analysis.

A brief discussion ensued regarding any conflict of interest. Consensus was that there was no conflict of interest.

Vice Mayor Brown stated that the food bank services were not used only by low income individuals. He spoke against using contingency funds for any of the projects.

Councilmember Chapados thanked the Heritage District Advisory Committee. She agreed with Vice Mayor Brown and elaborated on the scoring of the projects. She moved to approve that the CDBG funding be used toward the Heritage District Floodplain Analysis. Vice Mayor Brown supported the motion.

Mayor Price discussed previous contributions to the food bank and the lack of contributions to the Heritage District. He spoke in support of the floodplain analysis.

Councilmember Manfredi thanked Mrs. Crain and Mr. Noble for all the information. He spoke in support of the floodplain analysis and elaborated.

Councilmember Smith elaborated that funding the food bank would be the same as

the previous funding of the Against Abuse shelter. She reiterated on using contingency funds to fund the projects, including if possible from this year's contingency funds. Councilmember Manfredi elaborated on the evaluation scores and reiterated his support for the floodplain analysis. Councilmember Smith further discussed previous projects in the Heritage District. Discussion ensued.

City Manager Rose stated that if there was a desired to fund one of the projects from this year's contingency funds, the service would need to be provided within this fiscal year. He elaborated on what the process would be and recommended funding the food bank if Council desired to use contingency funds. Mayor Price inquired how it would affect the budget rolling into the next fiscal year. City Attorney, Denis Fitzgibbons cautioned a contract would have to be very detailed to ensure that there was no violation of the gift clause. City Manager Rose responded that the contingency fund that rolled over would be reduced by the amount used, so it would affect the fund balance.

Councilmember Chapados discussed the arduous budget process that included saying 'no' to various city department needs. She spoke against spending contingency funds for one specific project after denying many needs. She elaborated on her stance.

Vice Mayor Brown called the question. Mayor Price repeated the previous motion by Councilmember Chapados to approve that the CDBG funding be used toward the Heritage District Floodplain Analysis and Vice Mayor Brown seconded the motion.

A motion was made by Councilmember Chapados, seconded by Vice Mayor Brown, that this Resolution be Approved with CDBG funds to be used for the Heritage District Floodplain Analysis. The motion carried by a unanimous vote.

10.2 [MISC 17-38](#)

The Mayor and City Council shall discuss and possibly take action on approving deviating from City of Maricopa Branding Guidelines to change the colors of the City logo for use on a City of Maricopa flag. Discussion and Action.

Assistant to the City Manager, Jennifer Brown explained that the Marketing and Communications subcommittee reviewed the color combinations for the City logo for use on a City flag. She stated 2 members out of 3 preferred the use of blue and burgundy which deviate from the City of Maricopa Branding Guidelines. She stated the branding guidelines were approved by resolution and state that whenever possible the primary colors of burgundy and gold should be used for the logo (white or black in areas where use of the primary colors would not be appropriate). She opened the item for discussion. She confirmed the flag would be a white background.

Councilmember Smith inquired why staff recommended caution when deviating from the branding guidelines. Mrs. Brown elaborated that every time the City deviated from the brand it diluted. Councilmember Smith inquired about the subcommittee recommendation. Councilwoman Gusse elaborated that she was for either of the colors. Councilmember Wade elaborated on his stance during the subcommittee discussions and added that he was unaware that the guidelines kept the integrity of the brand. He stated he would support keeping the guideline colors. Mayor Price stated it was his recommendation to use different colors and elaborated on his stance.

Councilmember Wade asked for clarification that the change would only be approved for the flag. Mrs. Brown confirmed it. Councilmember Smith supported the use of blue and burgundy.

A motion was made by Councilmember Wade, seconded by Councilmember Smith, that deviation from the City of Maricopa Branding Guidelines be

Approved for the purpose of the flag. The motion carried by a unanimous vote.

10.3 **MISC 17-36**

The Mayor and City Council shall discuss and possibly take action on the reallocation of a vacant EMS Coordinator position to Fire Captain in the Fire Department. Discussion and Action.

Human Resources Director, Kathleen Haggerty explained that the previous Training/EMS Coordinator just retired which allowed the opportunity to explore whether reallocating the vacant position to an Advance Life Support-certified Fire Captain would be beneficial. She explained that replacing the non-sworn position with a fully trained sworn fire position would not change the main duties. She added it would provide versatility because the incumbent could be assigned to a truck when short-staffed. She stated the first year costs would be neutral, there would be a 14% difference in salary as the position moved to the top of the range and a 16% increase in benefits.

Councilmember Chapados recommended that for the future more details be available for the 'reallocation' process and reasoning. She spoke in favor of the reallocation.

Councilwoman Gusse briefly stepped out and was not present during the vote.

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

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

Excused: 1 - Councilwoman Julia R. Gusse

10.4 **CON 17-20**

The Mayor and City Council shall discuss and possibly take action on the reauthorization of Mr. Denis Fitzgibbons, Fitzgibbons Law Offices, P.L.C. for Fiscal Year 2017-2018, as the City of Maricopa City Attorney, as required by A.R.S. 9-237 and A.R.S. 9-271. Discussion and Action.

A motion was made by Vice Mayor Brown, seconded by Councilmember Wade, that this Contract be Approved. The motion carried by a unanimous vote.

10.5 **MISC 17-39**

The Mayor and City Council shall discuss and possibly take action on canceling the July 4, 2017 City Council meeting. Discussion and Action.

A motion was made by Vice Mayor Brown, seconded by Councilmember Manfredi, that this Miscellaneous Item be Approved. The motion carried by a unanimous vote.

11. Executive Session

A motion was made by Councilmember Vincent Manfredi, seconded by Councilmember Henry Wade, to move in to Executive Session at 9:44 p.m. The motion carried unanimously.

11.1 ES 17-23

The Maricopa City Council may go into executive session for the purpose of discussion or consultation with the City Attorney and designated representatives of the City regarding a status report to cover items identified in City Manager Gregory Rose's performance evaluation pursuant to A.R.S. §38-431.03(A)(1).

12. Adjournment

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 20th day of June, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 18th day of July, 2017.

Vanessa Bueras
City Clerk