



City of Maricopa

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Meeting Minutes - Final City Council Regular Meeting

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

Tuesday, October 2, 2018

7:00 PM

Council Chambers

1. Call to Order

The City Council Regular Meeting was called to order at 7:10 p.m. Pastor Steve Adamson from Maricopa Community Church gave the invocation and Councilmember Brown led the Pledge of Allegiance.

2. Roll Call

Present: 6 - Councilmember Vincent Manfredi, Councilmember Henry Wade, Councilwoman Julia R. Gusse, Mayor Christian Price, Councilmember Nancy Smith and Councilmember Marvin L. Brown
Excused: 1 - Vice Mayor Peggy Chapados

3. Proclamations, Acknowledgements and Awards

3.1 [PROC 18-10](#) Domestic Violence Awareness Month Proclamation

Mayor Price invited representatives from Against Abuse, the Agnes Center for Domestic Solution, the Zonta Club and Hope Women's Center to the front. He read the proclamation and proclaimed the month of October, 2018 as Domestic Awareness Month in the City of Maricopa.

Read

3.2 [PROC 18-11](#) Community Planning Month Proclamation

Mayor Price invited Senior Planner, Rodolfo Lopez to the front. He read the proclamation and proclaimed the month of October, 2018 as Community Planning Month in the City of Maricopa. He presented the proclamation to Mr. Lopez.

Read

4. Report from the Mayor

Mayor Price invited Jeremy Lee to speak about his internship at Capitol Hill. Mr. Lee thanked the Mayor, Council and the community for contributing donations for his trip to Washington D.C. He gave a brief summary of his trip. He stated he was attending Arizona State University (ASU) for a Bachelor's Degree in Organizational Leadership

and then hoped to go into law. He reiterated his thanks to the community.

Mayor Price reported attending the Urban Land Institute (ULI) Arizona Technical Assistance Program conference on Thursday (September 27) and elaborated. Next, he reported meeting with western Pinal County Mayors and elaborated. Lastly, he reminded everyone that the State of the City Address would be on Wednesday, October 24, 2018 at City Hall in the Council Chambers. He encouraged those interested in attending to RSVP.

5. Report from the City Manager

There were no items to report.

6. Call to the Public

Chris Cahill, local business owner, commended City Manager Rick Horst for streamlining processes. He presented him with a gift of appreciation.

Maricopa Unified School District Superintendent, Tracey Lopeman thanked the Mayor and Council for their presence and support of MUSD. She acknowledged Mayor Price for attending their Strategic Planning. She acknowledged Councilmember Wade, Councilwoman Gusse, Councilmember Brown and Vice Mayor Chapados for attending the first Partner Breakfast. Next, she acknowledged Councilmember Smith for attending the Career Technical Education (CTE) community night in the culinary classroom. She stated Councilmember Manfredi, Councilmember Brown and Vice Mayor Chapados attended the school year grand opening in July. She commended Maricopa Police Chief Stahl and Sergeant Koozer. Lastly, she commended City Manager, Rick Horst and Community Services Director, Nathan Ulliyot.

Mayor Price noted he had the opportunity to present to a first grade class from Butterfield Elementary.

Andre LaFond, candidate for constable, reminded everyone that the InMaricopa General Election Town Hall Forum would be Saturday, October 6th from 10 a.m. to 2 p.m. at the Maricopa High School's Performing Arts Center. He encouraged participation.

Judith Zaimont with the Maricopa Arts Council (MAC) gave information on the following upcoming events; The Fall Studio Crawl on November 17th and 18th, the Maricopa Music Circle's Autumn Musicale on Sunday, November 4th, the Maricopa Community Theatre's Cabaret performance from October 10th to October 13th, and the Poetry Slam on October 6th at Honeycutt Coffee.

Torri Anderson with Against Abuse, Inc. thanked the City for acknowledging Domestic Awareness Month for the last 15 years. She gave information on their upcoming fundraiser: The Taste of Casa Grande, held on October 21st from 1 pm. to 4 p.m. at Ava's Restaurant. She stated tickets were \$45 and could be purchased at againstabuse.org or from her.

7. Minutes

- 7.1 [MIN 18-84](#) Approval of Minutes from the September 18, 2018 City Council Work Session.

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

- 7.2 [MIN 18-85](#) Approval of Minutes from the September 18, 2018 City Council Regular meeting.

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

8. Public Hearings

- 8.1 [PH 18-09](#) The Mayor and City Council shall hear public comment(s) on re-zoning request, case number ZON18-01, a request by Mountain Trace Development, LLC to rezone 5.83 acres of land from existing zoned district Light Industrial Zone (CI-1) PAD (former Zoning Code) to General Mixed Use (MU-G), as identified in the current Zoning Code.

Senior Planner, Rodolfo Lopez gave a brief summary of the zoning case and noted it was on the regular agenda as Item 10.6. The public hearing was opened for public comment at 7:40 p.m. There were no public comments. The hearing was closed at 7:41 p.m.

The Public Hearing was held.

9. Consent Agenda

Approval of the Consent Agenda

A motion was made by Councilwoman Julia R. Gusse, seconded by Councilmember Henry Wade, to Adopt the Consent Agenda. The motion carried by a unanimous vote.

- 9.1 [CON 18-49](#) The Mayor and City Council shall discuss and possibly take action to approve the Construction Manager at Risk Preconstruction Services Contract with Willmeng Construction, Inc. for the new Fire/Medical Administration Facility in an amount not to exceed \$76,528. The funding for the project will be drawn from Capital Projects, Design Services - Buildings, Fire Administration (35022528-67725-38022). Discussion and Action.

This Contract was Approved.

- 9.2 [PUR 18-18](#) The Mayor and City Council shall discuss and possibly take action on approving a purchase request issuance to Arizona Emergency Products for the equipment upfitting of six (6) 2019 Ford Interceptor marked patrol vehicles. In accordance with City of Maricopa, Purchasing Code, Article IV, Section 3-223, Cooperative Purchasing, it is recommended that the City of Chandler Cooperative Contract # PD8-055-3838 be utilized to purchase this equipment upfitting in the amount not to exceed \$89,856.27. The purchase of this equipment upfitting will be funded as follows: FY2019 CIP (35022122-67742-38012) Discussion and Action.

This Purchase was Approved.

- 9.3 [GRAAC 18-07](#) The Mayor and City Council shall discuss and take action to accept four grants from the Governor's Office of Highway Safety (GOHS) for FY19 related to police traffic services/speed control, impaired driving enforcement, pedestrian and bicycle safety and occupant safety and authorize City Manager Rick Horst, Chief Stahl and

Grants/Accounting Coordinator Cassandra Brown to sign and prepare all associated grant documents. Discussion and Action.

This Grant Acceptance was Approved.

- 9.4 [GRAAC 18-08](#) The Mayor and City Council shall discuss and take action to accept one grant from the Governor's Office of Highway Safety (GOHS) for FY19 related to occupant safety and authorize City Manager Rick Horst, Fire Chief Leffler and Grants/Accounting Coordinator Cassandra Brown to sign and prepare all associated grant documents. Discussion and Action.

This Grant Acceptance was Approved.

- 9.5 [GRAAC 18-09](#) The Mayor and City Council shall discuss and possibly take action on accepting FEMA's Assistance to Firefighters SAFER Grant (AFG) for adding two firefighters. The grant award is for \$334,600 and has a performance period of three (3) years. The City has a matching component for each year. Year One (1) match in the amount of \$57,299.03 is budgeted under 10022527-51100 (General Fund-Fire Operations-Regular Employees) . Discussion and Action.

This Grant Acceptance was Approved.

- 9.6 [IGA 18-08](#) The Mayor and City Council shall discuss and possibly take action on approving Amendment No. One to the existing Intergovernmental Agreement between the City of Maricopa and The State of Arizona acting through the Department of Transportation on the design of a bridge on State Route 347 over the Union Pacific Railroad within the City. The purpose of this Amendment is to replace Exhibits A and B; there is no budgetary impact associated with this Amendment. Discussion and Action.

This Intergovernmental Agreement was Approved.

- 9.7 [PUR 18-20](#) The Mayor and City Council shall discuss and possibly take action on approving the payment to Gila River Water Storage, LLC for Long-Term Storage Credits for Delivery Year 2018 for the irrigation of the Copper Sky Recreation Complex in an amount not to exceed \$201,250.00. Funding for the delivery of the fourth year water storage credits of 500 acre-feet of water in the amount of \$201,000.00 and for the transfer fee in the amount of \$250.00 will be paid from General Fund, Park Maintenance, Water/Sewerage (10033132-54411). Discussion and Action.

This Purchase was Approved.

- 9.8 [CON 18-50](#) The Mayor and City Council shall discuss and possibly take action on approving the First Amendment to the agreement with Precision Concrete Construction, Inc. to provide funding for the second year of the existing contract for various concrete repairs throughout the city. Funding for this contract, in an amount not to exceed \$100,000, will be drawn from County ½ Cent, Transportation, Street Projects-Capital, Street Maintenance (30055155-67750-34005). Discussion and Action.

This Contract was Approved.

- 9.9 [CON 18-51](#) The Mayor and City Council shall discuss and possibly take action on approving a contract with Total Transit Enterprises, LLC for inmate transportation services. Funding for this contract, in an amount not to exceed \$26,260, will be drawn from Highway Users Revenue Fund, Public Works, Technical (20055151-53340). This contract is in compliance with City of Maricopa Purchasing Code Article IV, Section 3-215 "Bidding Procedure." Discussion and Action.

This Contract was Approved.

- 9.10 [BDGT 18-03](#) The Mayor and City Council shall discuss and possibly take action on a request to approve a budgetary transfer of \$92,500 from General Fund, Contingency (10010000-99000) to the Economic Development Technical Account (10011616-53340-15101) and to authorize the City Manager to deobligate grant funding of the United States Department of Agriculture (USDA) Rural Business Enterprise Grant (RBEG). Discussion and Action.

This Budgetary Transfer was Approved.**10. Regular Agenda**

- 10.1 [APP 18-09](#) The Mayor and City Council shall discuss and possibly take action on appointing members to the 2018-2019 City of Maricopa Youth Council. Discussion and Action.
- Recreation Coordinator, Heather Lozano presented some of the 13 applicants for the 2018-2019 Youth Council. She stated the Youth Council would host the 4th Annual Youth Town Hall, a student government day, participate in City events and continue to continue to build mentorships with the City Council. She recommended all 13 applicants for appointment. The Youth Council posed with the Mayor and City Council for a photo. Councilwoman Gusse commended all applicants.*

A motion was made by Councilmember Smith, seconded by Councilmember Wade, that these Appointments be Appointed. The motion carried by a unanimous vote.

- 10.2 [RES 18-24](#) 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 "Chapter 3 Administration Revised 2018" of the Maricopa City Code, relating to the update of rules and procedures relating to City administration and amending the Maricopa City Code by repealing Chapter 3 of the previously adopted City Code and replacing that with Sections 3-1 through 3-282. Discussion and Action.

Senior Financial Analyst, Brenda Hasler explained that the revision was to the existing city code, updating sections of Chapter 3 relating to Acting City Manager, City Manager Contracting and signature limits as well as Article 4 Purchasing as it related to decentralization of purchasing and updating purchasing limits. She stated the goals of the code revision were: 1) to update Acting City Manager appointment; 2) to modify the contracting and signature authority of the City Manager and Department Directors; and 5) modify purchasing limits and policies for the decentralization of Purchasing for the City. She stated previous changes recommended by the Mayor and City Council were incorporated as requested.

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

- 10.3 [ORD 18-09](#) An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, adopting "Chapter 3 Administration Revisions 2018" by reference as revised Sections 3-1 through 3-282 of the Maricopa City Code and repealing Chapter 3 of the previously adopted City Code and providing for severability and declaring an emergency. Discussion and Action.

A motion was made by Councilmember Wade, seconded by Councilmember Smith, that this Ordinance be Approved. The motion carried by the following

vote:

Aye: 6 - Councilmember Vincent Manfredi, Councilmember Henry Wade, Councilwoman Julia R. Gusse, Mayor Christian Price, Councilmember Nancy Smith and Councilmember Marvin L. Brown

Excused: 1 - Vice Mayor Peggy Chapados

10.4 [RES 18-23](#)

A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, declaring as a public record that a certain document filed with the City Clerk and entitled "2018 Amendment - Chapter 7 Building Regulations" of the Maricopa City Code, relating to the update of rules and procedures to regulate construction and maintenance of buildings or structures within the City of Maricopa, adopting the fees related thereto and amending the Maricopa City Code by eliminating Section 3-120 and Article 7-1 of the previously adopted City Code and replacing that Article with sections 7-1-1 through 7-1-13. Discussion and Action.

Development Manager, Robert Mathias presented an overview of the adoption of Codes. He explained that it would include the Fire Department Plan review and Inspections fees so it would all be under one section of the code. Mayor Price commented that it would be more efficient for the public to have all fees centralized. Mr. Mathias explained that since the new code would not go into effect until January 1st, he suggested allowing applicants between the date of approval and January 1st whether they want to apply with the 2012 Building Code or the 2018 Building Code. He explained that if the new fees were adopted on January 1st then the additional fees for the following year would take effect on July 2019. He recommended that the additional fees do not go into effect until the following January of 2020. Consensus was to accept Mr. Mathias' recommendations.

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

10.5 [ORD 18-08](#)

An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, adopting "Chapter 7 Building Regulation" by reference as Sections 7-1-1 through 7-1-13 of the Maricopa City Code and repealing Section 3-120 and Article 7-1 of the Maricopa City Code, setting forth the penalties related thereto, providing for severability and the effective date thereof. Discussion and Action.

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

Aye: 6 - Councilmember Vincent Manfredi, Councilmember Henry Wade, Councilwoman Julia R. Gusse, Mayor Christian Price, Councilmember Nancy Smith and Councilmember Marvin L. Brown

Excused: 1 - Vice Mayor Peggy Chapados

10.6 [ORD 18-10](#)

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 zone certain property described in Zoning Case # ZON18-01 for approximately 5.83 acres of land generally situated at the southwest corner of the intersection of Porter Road and the Shea Way alignment within the City of Maricopa incorporated limits. The parcel of land is situated in a portion of Section 35 and a portion of Section 36 of Township 4 South, Range 3 east of the Gila and Salt River base and meridian, Pinal County, Arizona. Discussion and Action.

Senior Planner Rodolfo Lopez gave an overview of the zone change request process. He stated the Planning and Zoning Commission approved the zone change request case # ZON 18-01 with the following conditions of approval: 1) the zone change request will be fully subject to Article 204 Mixed Use District of the Maricopa Zoning Code and all provisions thereof and 2) the applicant shall process a Development Review Permit and any other applicable application(s) required by the city, county and state (as applicable), for any proposed development on the subject property.

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

Aye: 6 - Councilmember Vincent Manfredi, Councilmember Henry Wade, Councilwoman Julia R. Gusse, Mayor Christian Price, Councilmember Nancy Smith and Councilmember Marvin L. Brown

Excused: 1 - Vice Mayor Peggy Chapados

10.7 **ORD 18-11**

An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, amending Section 2-76 of the City Code of Maricopa to change the order of consideration and disposition of the business of council. Discussion and Action.

City Attorney, Denis Fitzgibbons explained that currently public hearings were discussed in one section of the agenda and the actual item was approved at a later time. He stated that the proposed amendment would allow the public hearing and the agenda item to be presented at the same time to avoid any confusion and make meetings more efficient. Councilwoman Gusse asked if that would be the only change and Mr. Fitzgibbons responded it was.

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

Aye: 6 - Councilmember Vincent Manfredi, Councilmember Henry Wade, Councilwoman Julia R. Gusse, Mayor Christian Price, Councilmember Nancy Smith and Councilmember Marvin L. Brown

Excused: 1 - Vice Mayor Peggy Chapados

11. Executive Session

The executive session was after the work session.

11.1 ES 18-26

The Mayor and City Council may go into executive session for the purpose of discussion or consultation with the City Attorney and representatives of the City in order discuss and get direction on how to proceed with a potential agreement related to the development of the Copper Sky Commercial Property and the potential terms thereof, and for legal advice regarding same, pursuant to A.R.S. §38-431.03(A)(3) and (A)(4).

11.2 ES 18-27

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 discussing City Manager Rick Horst's 100 day performance pursuant to A.R.S. §38-431.03(A)(1).

12. Adjournment

A motion was made by Councilmember Marvin L. Brown, seconded by Councilmember Henry Wade, to Adjourn at 7:57 p.m. 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 2nd day of October, 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 16th day of October, 2018.

Vanessa Bueras
City Clerk