



City of Maricopa

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Meeting Minutes - Draft City Council Work Session

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, December 6, 2022

5:00 PM

Council Chambers

1. **Call to Order**

The work session was called to order at 5:07 p.m.

2. **Roll Call**

Present, 9 - Mayor Smith, Councilmember Marsh, Councilmember Goettl, Councilmember Manfredi, Vice Mayor Manfredi, Councilmember Vitiello, Vice Mayor Vitiello, Councilmember Wade, and Councilmember Wade
Excused, 1 - Councilmember Liermann

3. **Agenda Items**

3.1 **[WS 22-01](#)**

The Mayor and City Council shall discuss the proposed changes to the various Boards, Committees and Commissions. Discussion only.

Mayor Smith stated that discussions on revising the Boards, Committees and Commissions (BCC's) began in the future planning meeting from January 2022. She noted that nothing was going to be voted on or approved at this meeting and turned the presentation over to City Manager Horst. City Manager Horst apologized for the technical difficulties with the presentation and stated updated printed presentations were available. He reiterated that discussions began at the future planning meeting and the purpose of the work session was to open it up for discussion and public comment. He gave a presentation on proposed revisions to the BCC's. He reviewed the proposed revisions to the selection process, including making the application process a requirement followed by vetting from the Council. He stated the Citizens Academy requirement would be at the discretion of each Councilmember. He recommended that a Chair and Vice Chair be elected annually in January, with the limit of no more than two consecutive years in that role. He also recommended appointing a non-voting youth member, strengthening required in-person attendance, and an annual joint meeting between the City Council and the BCC at the request of Council or the Chair. He stated the Planning and Zoning (PZ) Commission's roles and expectations needed clarification. He detailed the roles and expectations of the PZ Commission, the Council, and staff and discussed the recommendation to transfer Minor Planned Area Developments (PAD), Preliminary Plats and Development Review Permits (DRP) to staff level approval, provided it met the provisions of code and/or adopted design guidelines, and to only refer it to the Commission when there are exceptions. He clarified any changes to code and/or design guidelines would be vetted by the public

via the Commission and ultimately voted by City Council. He clarified the Commission may recommend staff and/or Council consider revisions to any code or design guidelines. Next, he discussed proposed changes to the Board of Adjustments (BOA), noting that it had not met since his tenure with the City. He stated that per A.R.S. 9-462.06(A), the legislative body, by ordinance, shall establish a board of adjustment, which shall consist of at least five but no more than seven members appointed by the legislative body in accordance with provisions of the ordinance, except that the ordinance may establish the legislative body as the board of adjustment. The legislative body may, by ordinance, delegate to a hearing officer the authority to hear and decide on matters within the jurisdiction of the board of adjustment as provided by this section, except that the right of appeal from the decision of a hearing officer to the board of adjustment shall be preserved. He recommended installing a Hearing Officer when needed, in light that people were appointed to the Board and rarely used their services. He explained the City Council then would become the BOA to receive any appeals. Lastly, he summarized the role of the Transportation Advisory Committee (TAC) was to hear comments and to forward recommendations in fulfillment of Federal Transit Grant requirements. He stated per the Strategic Planning Conference discussion, the prospect of terminating the committee and transferring the duty to the PZ Commission was proposed and elaborated on the process. He stated any direction from the proposed recommendations would start the process for staff to put together a formal presentation and agenda item, approximately in February.

Councilmember Goettl asked for clarification on the proposed changes to transfer minor PAD's and DRP's. Development Services Director, Rodolfo Lopez defined Minor Planned Area Developments per the Code. City Manager Horst further clarified. Councilmember Wade asked what the purpose of the work session was. City Manager Horst explained the purpose was to get feedback from the community, staff comments and discussion. He reiterated that nothing would be approved.

PZ Commissioner Jim Irving expressed gratitude for the opportunity to provide feedback. He stated the Leadership Academy was vital and strongly recommended that it be continued. He stated that training was also vital as well as commitment. He recounted previous joint meetings between the Commission and Council. He stated that the ability to meet with the public would also be a good idea. He supported moving forward with the proposed changes.

Tena Dugan stated she had served in various committees and commented on issues with attendance. She stated in her opinion training two times per year was too much and supported the application process. She spoke in support of making the Citizens Academy a requirement. She stated that notifications needed to be improved and suggested a newsletter type notification.

PZ Commissioner, Rachel Leffall commended staff and the communication. She stated information was available on the website, through email notifications, and newsletters. She stated it was a dual responsibility and elaborated. She stated the recommendation to strengthen in-person attendance should take into consideration medical reasons and noted COVID have created special circumstances. She stated she served in the BOA and that it worked well for her schedule because they didn't meet as often. She asked if board members expressed concerns about not meeting. City Manager Horst responded they did and elaborated on not being able to serve on other boards simultaneously. Councilmember Vitiello stated the member he appointed to the BOA brought it up. Ms. Leffall asked for clarification on the transfer of TAC's duties to the PZ Commission. City Manager Horst elaborated on the possible process including a dual agenda.

PZ Commissioner, Dan Frank generally agreed with the proposed changes, but he expressed concerns with the transfer of minor PAD's, Preliminary Plats and DRP's to staff level approval. He stated it would be a disservice to the community and eliminate input opportunities. He recommended keeping it.

Ted Yocum commented on the dissolution of the BOA and elaborated on his experience in the board. He stated the BOA was formed for Council to remove themselves from a position of adjudications from variances. He provided examples of previous variances and elaborated that it was separate to rid any perception of impropriety. He stated the Citizens Academy was essential.

PZ Commissioner, Linda Huggins agreed with all the previous comments, she stated that the transfer of PAD's, Preliminary Plats and DRP's to staff level approval would harm transparency. She stated that having it at PZ Commission level gave constituents the ability to speak one more time before they solidified. She stated the Commission had continuously asked for a joint meeting and elaborated. She agreed that the Citizens Academy was important to understand the rules and procedures and stated it should remain a requirement. She stated the BOA was also a level of transparency and elaborated. She reiterated on past minor adjustments to DRP's and emphasized the importance of transparency.

Lori Wilson expressed concerns with the TAC being disbanded. She discussed issues with transportation within the City and stated that a committee was necessary to address those issues. She stated transparency was affected and elaborated. She expressed concerns with transferring minor amendments to staff level because it took away transparency. She stated that with the elimination of both the TAC and BOA, only five committees were left, and youth could only sit on two of those.

City Manager Horst clarified that the TAC did not advise on transportation elements within the city and was tasked only with the annual plan for transit. He stated that instead of the BOA, there would be a Hearing Officer which would be a legal or academically trained person who understood code. Mayor Smith asked if the Hearing Officer meeting would be agendized. City Manager Horst confirmed it would. He proposed presenting at a PZ Commission meeting to discuss some of the concerns they brought up. All concurred.

4. Executive Session

5. Adjournment

This work session was Adjourned at 6:04 p.m.

Certification of Minutes

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the work session of the City Council of Maricopa, Arizona, held on the 6th day of December, 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 17th day of January, 2023.

Vanessa Bueras
City Clerk