



City of Maricopa

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Meeting Minutes - Draft City Council Regular Meeting

Mayor Christian Price
Vice-Mayor Edward Farrell
Councilmember Marvin L. Brown
Councilmember Peggy J. Chapados
Councilmember Dan Frank
Councilwoman Julia R. Gusse
Councilmember Bridger Kimball

Tuesday, October 7, 2014

7:00 PM

Council Chambers

1. Call to Order

The City Council regular meeting was called to order at 7:09 p.m.

Maricopa Police Department (MPD) Chaplain Paul Ellis gave the invocation.

Richard Hall led the meeting attendees in the Pledge of Allegiance.

2. Roll Call

Present: 7 - Mayor Christian Price, Vice Mayor Edward Farrell, Councilmember Marvin L. Brown, Councilwoman Julia R. Gusse, Councilmember Bridger Kimball, Councilmember Peggy Chapados and Councilmember Dan Frank

3. Proclamations, Acknowledgements and Awards

- 3.1 [PROC 14-09](#) Proclamation proclaiming the month of October as Domestic Violence Awareness month.

Mayor Price read the proclamation and presented it to Tori Anderson from Against Abuse, Community Programs Manager Mary Witkofski, and MPD Chief Stahl.

Read

- 3.2 [PROC 14-11](#) Proclamation proclaiming the month of October as Chamber for Good Month.

Mayor Price read the proclamation and presented it to members of the Maricopa Chamber of Commerce.

Read

4. Report from the Mayor

Mayor Price opened the floor to Councilwoman Gusse. Councilwoman Gusse stated that National Hispanic Heritage Month is observed from September 15 to October 15. She reported attending the State of the Americas Dinner which featured former Mexican president Vicente Fox, and former Costa Rica President Laura Chinchilla Miranda as speakers. She gave a brief statement in Spanish regarding Hispanic Heritage Month and included statistics on the Hispanic population. Next, she stated that the Veteran's Town Hall was a success and thanked the Veteran Affairs Office

for sending representatives and all the veteran groups that participated.

Mayor Price opened the floor to Councilmember Kimball. Councilmember Kimball read and presented a Certificate of Partnership to the Maricopa Blue Star Moms for the Boxes for the Brave program. Intergovernmental Affairs Director Paul Jepson gave information on the Boxes for the Brave Program and stated the intent is to send boxes of quality stuff to the men and women in the armed forces and that Councilmember Kimball has offered to pay for shipping for up to 50 boxes. He directed interested participants to the City's website or to contact the Maricopa Blue Star Moms. He specified the size of the boxes and stated that they must be USPS flat rate boxes. He pointed out that boxes can be dropped off (unsealed) at City Hall.

Mayor Price thanked Councilwoman Gusse, Councilmember Kimball and Blue Star Moms for their updates. He reported the City hosted a Lower Santa Cruz River Alliance meeting with State Representative Ann Kirkpatrick and also had the opportunity to speak on the 347 overpass project to SMPS (Society for Marketing Professional Services). Next, he reported that he spoke at the Ak-Chin Chamber of Commerce about the City's partnership with Ak-Chin. He reported that he and Vice Mayor Farrell attended an ICSC (International Council of Shopping Center's) conference and emphasized its importance. He stated that earlier in the day he attended the Ground Breaking of the Maricopa Station by Vintage Partners. In conclusion, he announced that the State of the City will be next Thursday, October 16 at 6 p.m. in the Council Chambers and encouraged the public to RSVP.

5. Report from the City Manager

City Manager Rose called upon Economic Development Director Micah Miranda. Mr. Miranda stated that Economic Specialist Denyse Airheart would be presenting awards to Maricopa Advocacy Program (MAP) members who have reached platinum status.

Mrs. Denyse Airhart gave a brief background on MAP and presented awards to the following platinum status members: Lee Anne Clark, Peggy Chapados, Deb Dahn-Chern, Lee Feiles, Rachel Leffall, Marla Lewis, Vincent Manfredi, Suzy Miller, and Rebecca Molus. Mrs. Airhart stated that on Thursday, October 9 there would be a MAP Recognition Luncheon and directed anyone interested in joining MAP to the City's website.

Community Programs Manager Mary Witkofski introduced Sarah Vonderheide as the new part-time Victim Advocate and gave a brief background on Ms. Vonderheide.

6. Call to the Public

Chad Chadderton, owner of Ahwatukee Realty, approached the podium and gave information on the Copa Kidz Who Care initiative. He stated that he and Marla Lewis have partnered with the Chamber of Commerce to promote good behavior and reward kids. He stated that people can nominate kids who are making a positive impact in Maricopa, then Chamber will review the nominations and select a kid to receive a \$100 award each month.

George Sokol approached the podium and addressed the Mayor and Council. He stated that on February 20, 2014 the American Legion passed a resolution to investigate the USS Liberty. He added that the resolution went to the state where it also passed and gained momentum. He proposed a memorial to the men of the USS Liberty and stated he would be happy to meet with members of the Council and share a copy of the resolution.

Patricia Coutre, Chair of the Community Impact Committee from the Maricopa Chamber of Commerce, approached the podium and addressed the Mayor and Council. She thanked the Mayor for proclaiming the month of October as the Chamber of Good month. She stated that the Chamber of Good started over 1 year ago with the intent to connect local non-profit organizations with the community. She encouraged non-profits to participate and noted that the monthly breakfast on Thursday, October 9th would feature 10 non-profits and that non-perishable food donations would go to FOR Maricopa. Next, she stated the monthly mixer would be held Tuesday, October 28th at the Copper Sky Dog Park and encouraged participants to bring their four legged pets and food donations. She reported the Chamber of Commerce will participate in the Maricopa Music Festival and that donations at the event would go to the Against Abuse Shelter. She announced that the Chamber of Commerce has become an official drop-off location for food donations for the FOR Maricopa food bank. She encouraged everyone to be a part of the Chamber for Good by signing up at maricopagives.com.

Tori Anderson, with Against Abuse, approached the podium and addressed the Mayor and Council. She announced that the shelter is now complete after a 10 year process which allowed time to educate the community on domestic violence. She recognized all groups and individuals that have been part of the project and thanked everyone for their support. She stated that funds still need to be raised for operating expenses. She announced that Against Abuse would partner with MPD to host the Walk a Mile in Her Shoes event on Wednesday, October 15th at 6:30 p.m. on the Great Lawn at Copper Sky. Next, she stated that they would be doing a remembrance garden in remembrance of domestic violence victims and in support of the MPD. Lastly, she announced that as part of fundraising she will be selling tickets to the October 19th Taste of Casa Grande event.

Peggy Chapados announced that the 3rd New Resident Reception would be on Saturday, October 18th from 8 to 10 a.m., at the Council Chambers. She encouraged participation.

Richard Hall, with the local Veterans of Foreign Wars (VFW), approached the podium and invited American Legion Commander Chris Flores to present certificates of appreciation to the following City of Maricopa employees: Pattie LaCombe, Dan Leonard, and John Bemis. He stated that Pattie LaCombe and her husband had the idea to donate the flag pole from the interim City Hall to the Veteran Center and that Mr. Leonard and Mr. Bemis coordinated the move and installation. They also recognized one of their members, Clint, for refurbishing the flagpole and concluded by presenting a certificate to Mayor Price. The veterans in the audience presented honors.

Rachel Leffall approached the podium and addressed the Mayor and Council. She announced that the Families First Community Development Corporation offers an after-school program at Maricopa High School on Mondays, Tuesdays, and Thursdays from 2:30 p.m. to 4:30 p.m. She emphasized that the Tuesday after-school program offers a college preparatory program for high school seniors. She encouraged any high school seniors who need help with the college application process to stop by.

Gale Randolph approached the podium and addressed the Mayor and Council. She thanked the community and volunteers who participated on the National Voter Registration event that she and Connie Jackson coordinated on September 27th. She reported there was a great turn out and thanked the following participating businesses: Hey Maricopa, Tacos and More, CNC Barbershop, Honeycutt Coffee, Sports & Cuts, and Cilantro's. She encouraged the public to shop local.

7. Minutes

- 7.1 [MIN 14-74](#) Approval of Minutes from the September 16, 2014 City Council Work Session.

A motion was made by Councilmember Kimball, seconded by Councilwoman Gusse, that the Minutes be Approved. The motion carried by a unanimous vote.

- 7.2 [MIN 14-75](#) Approval of Minutes from the September 16, 2014 City Council Regular meeting.

A motion was made by Councilmember Kimball, seconded by Councilwoman Gusse, that the Minutes be Approved. The motion carried by a unanimous vote.

8. Public Hearings

- 8.1 [PH 14-10](#) The Mayor and City Council shall hear public comment on Conditional Use Permit (CUP) case # 14-02 Copper Sky Park, Above Ground Fuel Tank.

Mayor Price opened and closed the Public Hearing at 7:54 pm.

No one spoke during the Public Hearing.

The Public Hearing was held.

9. Consent Agenda**Approval of the Consent Agenda**

A motion was made by Councilmember Marvin L. Brown, seconded by Councilmember Bridger Kimball, to Adopt the Consent Agenda. The motion carried unanimously.

- 9.1 [PUR 14-10](#) The Mayor and City Council shall discuss and possibly take action on approving a purchase from Chapman Ford for one (1) 2015 Ford 4Wheel Drive Explorer for the City of Maricopa Fire Department pursuant to Section 3-223, Cooperative Purchasing, of the City Code, in an amount not to exceed \$37,500.00. The purchase will be paid from Fire Development Impact Fees (DIF) Fund, Fire Support, Vehicles (34422528-67742-32012). Discussion and Action.

This Purchase was Approved.

- 9.2 [CON 14-40](#) The Mayor and City Council shall discuss and possibly take action to approve a Third Amendment to the Award of Contract to FCI Constructors, Inc. for Construction Services for various fire station improvements, in an amount not to exceed \$200,000. This award is based on The Cooperative Purchasing Network contract #R5148 and is in accordance with City of Maricopa Purchasing Code, Article IV, Section 3-223, Cooperative Purchasing. The funding for the project will be from the General Government CIP Fund, Fire Support Services, Computer Equipment/Software (35022528-67744-32019 and 35022528-67744-32023) and the General Fund, Fire Support, Repairs and Maintenance (10022528-54430). Discussion and Action.

This Contract was Approved.

- 9.3 [CON 14-41](#) The Mayor and City Council shall discuss and possibly take action on approval of a contract with Sunland Asphalt, in a total amount not to exceed \$709,062.32, for street maintenance materials and services. Funding not to exceed \$38,587.00 will be drawn from Highway Users Revenue Fund (HURF), Public Works, Repairs and Maintenance (20055151-54430); funding not to exceed \$670,475.32 will be drawn from ½ Cent County Road Tax Fund, Transportation, Street Projects-Capital, Street Maintenance (30044146-67750-34005). This contract is based on City of Buckeye Contract # 2014-006 and is in compliance with City of Maricopa Purchasing Code Article IV, Section 3-223 "Cooperative Purchasing." Discussion and Action.
- This Contract was Approved.**
- 9.4 [CUP14-02](#) The Mayor and City Council shall discuss and possibly take action to approve Conditional Use Permit case # CUP14-02, Copper Sky Park Above Ground Fuel Tank. Discussion and Action.
- This Conditional Use Permit was Approved.**
- 9.5 [MISC 14-79](#) The Mayor and City Council shall discuss and possibly take action on a request by the Purchasing Manager to approve expenditures exceeding \$25,000 and previously approved limits for Fiscal Year 2015 pursuant to the City Purchasing Code, Article IV, Section 3-213(e) "Cumulative Annual Purchases in Excess of \$25,000" with: Aquatic Environmental Systems, Inc.; M & S Equipment; APD Power Center, Inc. Discussion and Action.
- This Miscellaneous Item was Approved.**
- 9.6 [RES 14-43](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, adopting revisions to Maricopa's Non-Profit Funding Program and creating a citizen evaluation committee. Discussion and Action.
- This Resolution was Approved.**
- 9.7 [SPEVLIQ 14-06](#) The Mayor and City Council shall discuss and possibly take action on recommending approval to the Arizona Department of Liquor Licenses and Control for an Application for Special Event License submitted by Kimberly Diedrich on behalf of Pet Social Worker/Tails of Hope for a special event known as Yappy Hour at the Dog Park on Friday, October 24, 2014 at 44345 W. Martin Luther King Jr. Blvd. Discussion and Action. ITEM RELATED TO SPEV 14-03
- This Special Event Liquor License was Approved.**
- 9.8 [SPEV 14-03](#) The Mayor and City Council shall discuss and possibly take action on a request by Carl Diedrich on behalf of Pet Social Worker/Tails of Hope to hold a special event known as Yappy Hour at the Dog Park on Friday, October 24, 2014 at 44345 W. Martin Luther King Jr. Blvd. Discussion and Action. ITEM RELATED TO SPEVLIQ 14-06
- This Special Event Permit was Approved.**
- 9.9 [BDGT 14-08](#) The Mayor and City Council shall discuss and possibly take action to approve a budgetary transfer in an amount not to exceed \$41,000 from General Fund, General Government, Contingency (10010000-99000) to General Fund, Office of the Chief, Computer Equipment/Software (10022121-67744) to purchase a video camera monitoring solution for the Copper Sky Regional Park. Discussion and Action.
- This Budgetary Transfer was Approved.**

- 9.10 [RES 14-47](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona amending Resolution 14-42 and approving and adopting the first amendment to the development agreement between the City of Maricopa and Property Reserve Arizona, LLC, an Arizona limited liability company in compliance with A.R.S. §9-500. Discussion and Action.

This Resolution was Approved.

- 9.11 [CON 14-43](#) The Mayor and City Council shall discuss and possibly take action to approve an Interim Presiding Judge Agreement with Tresa Georgini. Discussion and Action.

This Contract was Approved.

10. Regular Agenda

- 10.1 [CON 14-20](#) The Mayor and City Council shall discuss and possibly take action to approve an award of contract to SDB, Inc. for construction services for the demolition and site clearing of La Roca Night Club in an amount not to exceed \$45,001, which includes a price of \$40,910 and a contingency of \$4,091. This award will be under cooperative purchasing agreement utilizing the City of Chandler Job Order Contract, and is in accordance with City of Maricopa Purchasing Code, Article IV, Section 3-223, Cooperative Purchasing. The funding for the project will be drawn from Transportation DIF 2, Transportation, Streets Projects - Capital, SR347 Overpass Project - Honeycutt Road from SR347 to MCH Highway Improvements (32444146-67750-35021). Discussion and Action.

Eric Lacz, on behalf of the American Legion, approached the podium and addressed the Mayor and Council. He proposed re-purposing the La Roca building temporarily as an American Legion Meeting Hall. He stated the current problem is that the vacant property has been an eye sore and stands in the way of progress and pointed out that the American Legion needs a place to meet and is interested in leasing it short term depending on funding. He highlighted the possible pros and cons and noted that while the veteran's center does a great job, it gets overwhelmed. He acknowledged that he is not aware of the condition of the building and the costs to update it, but suggested that it be put on hold until the possibilities are explored.

Mayor Price thanked Mr. Lacz for his suggestions and invited Public Works Director Bill Fay to present and answer some of the questions brought up. Mr. Fay stated that vacant buildings are a health hazard to the City, but that so far there have not been any major incidents besides some break-ins. He discouraged waiting because of liability. He stated the building is uninhabitable, elaborated on the condition, and detailed the preparation involved with re-purposing. He added that eventually it will have to be demolished to make way for the 347 Overpass Project. He gave a rough financial estimate and also stated that there might be an implication due to the condemnation process. Mayor Price asked the city attorney if he could elaborate on the issue.

City Attorney Denis Fitzgibbons stated the property was attained with the single intent of expanding the roadway. He elaborated on the condemnation process and concluded it could be an issue.

Vice Mayor Farrell asked, if the property was hypothetically refurbished, who would be responsible for the fees involved in getting a liquor license and insurance for a cantina. Mr. Lacz responded that the responsibility would probably fall on the Legion however the idea of a cantina was not certain.

Councilmember Frank inquired what the tentative schedules are for the Honeycutt

Road and the 347 project and by when does the site need to be demolished. Mr. Fay elaborated and estimated that it would be critical in 3 years.

Vice Mayor Farrell gave a brief history on the La Roca location and explained the grandfather clause. He stated that the new owner would be required to bring the property up to code and used the expensive installation of fire sprinkles as an example of how much money and work would need to go into repurposing.

Mayor Price emphasized that he supports veterans and stated he understands meeting space is limited in Maricopa, however he expressed concerns with the condemnation process and noted that it could be a potential lawsuit. He also expressed concerns with the liability of delaying the demolition and with the costs. He concluded that the cons out-weight the pros.

Councilwoman Gusse stated that in the City of Eloy a property was re-purposed for the veterans and the Home Depot Foundation did all the repairs at no cost to the City of Eloy. Discussion ensued regarding funding.

Vice Mayor Farrell asked if the center in Eloy was purchased through condemnation. Discussion ensued regarding the re-purposing of the Eloy center.

Councilmember Kimball stated that aside from the legality of re-purposing a location that was condemned, it is not a good location for a veteran center due to parking issues. He indicated that foundations would be discouraged to fund a center that would be demolished in 3 years. He stated that he is in favor of finding a long term solution, but La Roca is not the right spot.

Vice Mayor Farrell reiterated Councilmember Kimball's statement and moved to approve Agenda Item 10.1 as read.

Councilwoman Gusse concurred and pointed out that the discussion brings awareness to the veteran's needs.

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

10.2 **MISC 14-83**

The Mayor and City Council shall discuss and possibly take action on determining whether Councilwoman Gusse violated the Code of Ethics as alleged in the Ethics Violation Formal Complaint dated June 12, 2014 and whether a sanction should be required for any such violation. Discussion and Action. Please note that no public comments will be received during this agenda item.

Mayor Price reported that a complaint arose from a line of questioning that occurred during the May 29th City Council Special Meeting. He stated the City Council Ethics Code exists to deal with these types of complaints and explained that it was the first time the City went through the process. He stated that the code allows for the members in the complaint to come together and try working it out and therefore he held a meeting with Vice Mayor Farrell, Councilwoman Gusse, and City Attorney Denis Fitzgibbons. He stated the meeting was unsuccessful and thus 2 claims were filed (Vice Mayor Farrell filed against Councilwoman Gusse for her line of questioning at the May 29th meeting, and a counter claim from Councilwoman Gusse against Vice Mayor Farrell for his actions in the ensuing meeting). He stated the City hired outside counsel to conduct an investigation and issue a report. He stated that at the previous Council meeting it was decided to release the report with only attorney/client privilege withheld so the media and public would have time to review it. He noted the code allows a hearing either in executive session or in a public meeting and both councilmembers decided to have their separate hearing in executive sessions with

the rest of the Council serving as judges. He clarified that the hearing had occurred and therefore no speaker cards would be received. He opened the floor for discussion.

Councilwoman Gusse gave a statement on her behalf. She stated that her comments were the truth as she saw it and that she kept her composure the entire time. She stated the investigative report shows that she admitted that she could have elaborated or used different comments to express herself however Mr. Sims found that she had no intent to violate the Ethics Code. She apologized for striking the wrong tone and added she will accept if it found that an Ethics Code violation occurred and asked that they move on. In conclusion she stated that she never violated the Code of Ethics and only spoke the truth as she saw it.

Councilmember Chapados stated that it has not been an easy process and as one of the strongest proponents of the Ethics Code she believes the purpose of the code is to serve as a guide of conduct that holds council members to higher standards. Councilmember Chapados moved to approve that Council did find that a violation occurred and that the sanction imposed upon Councilwoman Gusse be a warning.

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

Aye: 6 - Mayor Christian Price, Vice Mayor Edward Farrell, Councilmember Marvin L. Brown, Councilmember Bridger Kimball, Councilmember Peggy Chapados and Councilmember Dan Frank

Nay: 1 - Councilwoman Julia R. Gusse

10.3 [MISC 14-84](#)

The Mayor and City Council shall discuss and possibly take action on determining whether Vice Mayor Edward Farrell violated the Code of Ethics as alleged in the Ethics Violation Formal Complaint dated June 16, 2014 and whether a sanction should be required for any such violation. Discussion and Action. Please note that no public comments will be received during this agenda item.

Vice Mayor Farrell stated that the investigation was done and it was proved that there was no harm done in the June meeting. He pointed out that the report is opened to the public.

Councilwoman Gusse stated that, while the report stated that there was no ill intent from the Vice Mayor, he yelled at her, used profanity, got out of his seat, and proceeded to berate her. She stated she sees it as a direct violation of the Ethics Code.

Mayor Price gave Vice Mayor Farrell the opportunity to respond.

Vice Mayor Farrell stated that the meeting included 4 people and that Councilwoman Gusse was the only one who remembered him leaving his seat. He stated he never berrated anyone and, that while he did raise his voice, he did not yell at anyone. He admitted he used profanity but that it was not intended at anyone and explained it was used out of emotion. He apologized to Mayor Price, to Legal Counsel, and Councilwoman Gusse when it happened and again during the hearing. He apologized again for using profanity and reiterated that was used out of emotion.

Councilmember Kimball moved to approve that no violation occurred.

A motion was made by Councilmember Kimball, seconded by Councilmember Brown, that this Miscellaneous Item be Approved. The motion carried by the

following vote:

Aye: 6 - Mayor Christian Price, Vice Mayor Edward Farrell, Councilmember Marvin L. Brown, Councilmember Bridger Kimball, Councilmember Peggy Chapados and Councilmember Dan Frank

Nay: 1 - Councilwoman Julia R. Gusse

10.4 [MISC 14-85](#)

The Mayor and City Council shall discuss and possibly take action on approving a Statement Regarding Resolution of Code of Ethics Complaints. Discussion and Action. Please note that no public comments will be received during this agenda item.

A motion was made by Councilmember Kimball, seconded by Councilwoman Gusse to approve a statement. The motion carried by a unanimous vote.

Mayor Price read the following Maricopa City Council Statement Regarding Resolution of Code of Ethics Complaints:

In June 2014, the City of Maricopa received two complaints filed against Maricopa City Council members alleging violations of the City's Code of Ethics. Vice Mayor Edward Farrell filed a code of Ethics complaint against Councilwoman Julia Gusse for her questioning of Mr. Carl Diedrich during the City Council's Special Meeting on May 29, 2014 to interview and select a person to fill the open City Council seat. Councilwoman Julia Gusse then filed a Code of Ethics complaint against Vice Mayor Edward Farrell for his conduct during a meeting on June 2, 2014 that involved Councilwoman Gusse, Vice Mayor Farrell, Mayor Christian Price and City Attorney Denis Fitzgibbons.

To investigate and make recommendations how the City should proceed, the City engaged attorney William Sims to conduct an independent investigation regarding the allegations contained in the complaints. After completing his investigation, Mr. Sims prepared an Ethics Investigation Report setting forth a summary of his findings and providing his recommendations for City Council to review and consider. Because these were the first Code of Ethics complaints received by the City, working through these complaints has been a learning process for all of the members of the City Council.

After conducting a hearing in executive session as allowed by the Ethics Code, the City Council discussed whether Councilwoman Gusse's comments to Mr. Diedrich during this meeting were inappropriate, and violated the Code of Ethics. The City Council further discussed whether a warning was an appropriate sanction for this violation. The members of the Maricopa City Council hereby determine that Councilwoman Gusse's comments violated the Code of Ethics and hereby issue a warning to Councilwoman Gusse as the sanction for this violation. The City Council would also like to apologize to Mr. Carl Diedrich for what occurred during the May 29, 2014 City Council meeting. By going through this process, the City Council recognizes that each of them could have raised a point of order when Mr. Diedrich was being interviewed by Councilwoman Gusse.

With regard to the Code of Ethics complaint filed against Vice Mayor Farrell, the Council conducted a hearing in executive session and discussed whether the use of an expletive during the June 2, 2014 internal meeting was an emotional response with no intent to violate the Code of Ethics. The Council further discussed whether Vice Mayor Farrell left his chair, when confronting Councilwoman Gusse during this meeting. The City Council hereby determines that Vice Mayor Farrell was not threatening Councilwoman Gusse during this meeting. Although Vice Mayor Farrell sat up in his chair, he did not leave his chair in a threatening manner. The City Council hereby determines that Vice Mayor Farrell's apology issued to those

individuals present at such meeting, including Councilwoman Gusse, is an acceptable way to resolve this complaint.

As noted above, this has been an educational process for the City Council and we look forward to adhering to the spirit and letter of the Code of Ethics and moving forward in the best interest of the City of Maricopa.

A motion was made by Councilmember Kimball, seconded by Councilwoman Gusse, that this Miscellaneous Item be Approved. The motion carried by a unanimous vote.

Aye: 7 - Mayor Christian Price, Vice Mayor Edward Farrell, Councilmember Marvin L. Brown, Councilwoman Julia R. Gusse, Councilmember Bridger Kimball, Councilmember Peggy Chapados and Councilmember Dan Frank

11. Executive Session

A motion was made by Councilmember Bridger Kimball, seconded by Councilwoman Julia R. Gusse, to enter in to Executive Session. The motion carried unanimously.

- 11.1 ES 14-10** The Maricopa City Council may go into executive session for the purpose of discussion or consultation with the City's attorney to consider its position and instruct representatives regarding the pending claims and lawsuits filed against the City pursuant to A.R.S. § 38-431.03 (A)(3) and (A)(4).
- 11.2 ES 14-38** 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 in order to consider its position and instruct its representatives regarding entering into a consent agreement for the transfer of county right-of-way, and the potential terms thereof, with Pinal County and for legal advice regarding same, pursuant to A.R.S. §38-431.03(A)(3) and (A)(4).
- 11.3 ES 14-39** 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 in order to consider its position and instruct its representatives regarding entering into an intergovernmental agreement for the joint use of facilities and for a School Resource Officer pursuant to the Cops Grant, and the potential terms thereof, with the Maricopa Unified School District and for legal advice regarding same, pursuant to A.R.S. §38-431.03(A)(3) and (A)(4).
- 11.4 ES 14-40** 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 in order to consider its position and instruct its representatives regarding entering into an Interim Presiding Judge Agreement, and the potential terms thereof, with Tresa Georgini and for legal advice regarding same, pursuant to A.R.S. §38-431.03(A)(3) and (A)(4).
- 11.5 ES 14-41** The Maricopa City Council may go into executive session for the purpose of discussion or consultation with the City Attorney regarding the Code of Ethics Complaints, the Investigation Report, the hearings that were conducted and issuing a statement regarding the process that was followed and the Council's determinations related to the allegations pursuant to A.R.S. §38-431.02(A)(3) and (A)(4).

12. Adjournment

The City Council Regular Meeting was Adjourned.

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 7th day of October, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 21st day of October, 2014.

Vanessa Bueras
City Clerk