



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, August 5, 2014

7:00 PM

Council Chambers

1. Call to Order

The City Council regular meeting was called to order at 7:07 p.m.

Pastor Chuck Simonson, from Discover Community Church, gave the invocation.

Fire Chief Brady Leffler led the meeting attendees in the Pledge of Allegiance.

2. Roll Call

Present: 6 - Mayor Christian Price, Vice Mayor Edward Farrell, Councilmember Marvin L. Brown, Councilwoman Julia R. Gusse, Councilmember Bridger Kimball and Councilmember Dan Frank

Absent: 1 - Councilmember Peggy Chapados

3. Proclamations, Acknowledgements and Awards

After the City Manager's Report, Councilwoman Gusse gave a report on the Lets Move Program. She thanked Ainsley Legner for coordinating all the locations at Copper Sky and presented the following volunteers with certificates of appreciation: Lee Feiles, Vincent Manfredi and family, Nicholas Sheppard (not present), Copa Grande Rattlers Soccer Club, Yvonne Palm (not present), Amelia Guzman, and Leon Potter (not present).

3.1 PROC 14-07

Proclamation proclaiming the month of August as Drowning Impact Awareness month.

Mayor Price read the Proclamation and presented it to the Maricopa Fire Department.

4. Report from the Mayor

Mayor Price reported meeting with Senator Jeff Flake's office and taking them on a tour of Maricopa. Next, he reported attending a Pinal County Government Alliance meeting, the New Resident Reception hosted by Councilmember Chapados on her own time, and a meeting with Tucson representatives from the Arizona Department of Transportation (ADOT) to follow up on the 347 overpass project. In conclusion, he announced that the For Our City Program partnered with the Maricopa Police Department (MPD) to do a backpack drive, and through various resources, they were able to purchase approximately 200-300 backpacks that were distributed at Copper

Sky. He thanked For Our City Maricopa and MPD.

5. Report from the City Manager

City Manager Rose announced that Kathleen Haggerty was selected for the Human Resources Director position and Cary Gielniak was selected for the Chief Information Officer (CIO) position. He gave a brief background on Ms. Haggerty and Mr. Gielniak and noted that they would begin their new jobs as of August 18th. He thanked everyone who participated in the interview process and recognized Chair of the Merit Board, Ken Hunt for his participation.

Next, he announced that the City was the recipient of the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association of the United States and Canada (GFOA). He gave a brief background on the certificate and presented it to Finance Director Brian Ritschel.

Next, he reported that agenda item 9.7 was presented during work session with an initial total impact amount of \$10,985 but staff has since learned that the maximum exposure is actually \$13,741 along with social security and retirement benefits.

In conclusion, he commended Interim Chief Information Officer Gene Martel and Interim Human Resources Director Rich Clore.

6. Call to the Public

Rich Vitiello approached the podium and addressed council. He invited Mayor Price, City Manager Rose, Chief Stahl and officers of the MPD to come forward and presented them with 2 donated bicycles from Fuji Bikes with parts donated by Tempe's Domenic's 2 Wheelers. He thanked them for their service and stated he hopes to get more bicycles for the department in the future.

Eric Lacz, Director of the For Our City Maricopa program, approached the podium and addressed council. He announced the kickoff of the 2014 Shop with a Cop program and gave a report of the program's previous success. He stated this year's goal is to raise \$10,720 and have 60 children participate. He stated that informative fliers would be available starting Monday, August 11th at City Hall, on the For Our City Maricopa website, and Facebook page. Next, he announced that For Our City Maricopa will be hosting a community thanksgiving dinner and invited the community to attend. He directed anyone seeking information to contact him.

Eric Schmidt, President of the Maricopa Meadows HOA, approached the podium and addressed concerns about Ordinance 12-10 regarding parking. He stated he is aware that the ordinance is being rewritten and spoke against the current parking violation fees and discounts for paying promptly. He suggested an increase of fines and proactive enforcement.

Scott Bartle, Candidate for the State Senate, approached the podium and addressed council. He reported his past and current community involvement and lobbied for support. He noted information about his campaign is available at votescottbartle.com and on Facebook.

Henry Wade, Candidate for City Council, approached the podium and commended fellow candidates for staying focused on the issues during their debate.

7. Minutes

- 7.1 **MIN 14-59** Approval of Minutes from the July 15, 2014 City Council Work Session.

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

- 7.2 **MIN 14-60** Approval of Minutes from the July 15, 2014 City Council Regular meeting.

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

8. **Public Hearings**

9. **Consent Agenda**

Approval of the Consent Agenda

A motion was made by Councilmember Marvin L. Brown, seconded by Councilwoman Julia R. Gusse, to Adopt the Consent Agenda. The motion carried unanimously.

- 9.1 **BDGT 14-05** The Mayor and City Council shall discuss and possibly take action on approving a budgetary transfer in amounts not to exceed \$115,226 from the General Fund, City Manager's Office (10011115) to General Fund, Police Department, Support Services (10022123) and \$4,467 from General Fund, City Manager's Office (10011115) to General Fund, Police Department, Office of the Chief, (10022121) in order to move the Community Programs Manager's salary and related budgetary items. Discussion and Action.

This Budgetary Transfer was Approved.

- 9.2 **MISC 14-61** 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: H & E Equipment Service, Inc. and United Fire Equipment Company. Discussion and Action.

This Miscellaneous Item was Approved.

- 9.3 **CON 14-23** The Mayor and City Council shall discuss and possibly take action on approval of an amendment to the existing contract with Jacobs Engineering Group for engineering services, increasing its limit to an amount not to exceed \$168,000. Funding for this amendment will be drawn from General Fund, Engineering, Professional and Occupational (10055155-53320). Discussion and Action.

This Contract was Approved.

- 9.4 **BDGT 14-07** The Mayor and City Council shall discuss and possibly take action on approving a budgetary transfer in an amount not to exceed \$198,136 from ½ Cent County Road Tax Fund, Transportation, Street Projects-Capital, Street Maintenance (30044146-67750-34005) to General CIP Fund, City Manager, Buildings, City Hall and Police Station (35011115-67720-31003) for necessary improvements to City Hall identified since move-in. Discussion and Action.

Nancy Smith approached the podium and addressed council. She stated she would like to know more about the issue specified in agenda item 9.4. Public Works Director Bill Fay explained why staff recommended the budgetary transfer. Discussion ensued regarding possible restitution. Mr. Fay stated that it remains to be determined whether there will be restitution to the City.

This Budgetary Transfer was Approved.

- 9.5 **CON 14-25** The Mayor and City Council shall discuss and possibly take action to accept a grant award and enter into an agreement between the Arizona Department of Housing and the City of Maricopa for the Community Development Block Grant in the amount of \$224,015 to pave Lexington and Roosevelt Road. Discussion and Action.

This Contract was Approved.

- 9.6 **RES 14-30** A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, revising Resolution 14-22 which adopted the budget for the fiscal year 2014-2015. Discussion and Action.

This Resolution was Approved.

- 9.7 **MISC 14-63** The Mayor and City Council shall discuss and possibly take action to grant the City Manager authority to increase salary ranges, as identified in the 2014 Salary Plan, by up to five (5) percent in certain situations. Discussion and Action.

This Miscellaneous Item was Approved.

10. **Regular Agenda**

- 10.1 **APP 14-06** The Mayor and City Council shall discuss and possibly take action on appointing two citizens to fill the vacancies on the Parks, Recreation and Libraries Committee. Discussion and Action.

Councilmember Frank nominated Amy Bratlie for appointment. Vice Mayor Farrell thanked all the applicants and encouraged the public to submit applications. Next, he nominated Dorrine Tevault for appointment.

A motion was made by Councilmember Brown, seconded by Councilmember Kimball, that the Appointments be Appointed. The motion carried by a unanimous vote.

- 10.2 **CON 14-24** The Mayor and City Council shall discuss and possibly take action to approve an updated agreement between the City of Maricopa and the Maricopa Economic Development Alliance in an amount not to exceed \$119,500. \$44,500 will be funded from General Fund, Non-Departmental, Program Awards (10010000-53380) and \$75,000 will be funded from General CIP Fund, Economic Development, Improvements Other Than Buildings (35011616-67730-31004). Discussion and Action.

Henry Wade approached the podium and addressed council. He inquired about the specific services of the Maricopa Economic Development Alliance (MEDA), and also why it was limited to residential realtors in Maricopa and the East Valley.

Economic Director Micah Miranda stated that the item is an expansion of the normal MEDA contract that addresses one of the points emphasized during the strategic plan retreat. He stated that it's a marketing campaign to inform the general public outside of the region about what is going on in Maricopa. He noted it is different from GPEC because GPEC only targets business development leads and MEDA targets the

general population. He stated that they reach out to realtors in Casa Grande, East Valley, and nationally as part of the realtor tours. He discussed the realtor tours.

Mayor Price reiterated that MEDA was a big topic of discussion during the strategic plan retreat and elaborated on the discussion. He stated that it is a partnership that matches funds to achieve a greater marketing campaign than what the City could do by itself. Mr. Miranda concurred and elaborated.

Vice Mayor Farrell stated that when the City was incorporated, one of the main priorities was to bring jobs into the City so it could be self-sustainable. He stated that at the time council was advised to focus on quality of life. He stated it is time to market the City now because it has achieved that quality of life.

Councilmember Kimball stated that he discussed the issue with Mr. Miranda who explained it very well. He asked Mr. Miranda to elaborate. Mr. Miranda stated that the money will not all go to MEDA because it will be funneled to promote the quality of life that Maricopa has cultivated.

Councilwoman Gusse stated that MEDA is a 501(c)(3) corporation and they can reach out further than the City alone. She commended MEDA for their workshop on Common Core and listed some of the key players that are part of MEDA: Banner Health, Maricopa Unified School District, Santa Cruz Ranch, El Dorado Holdings, ED#3, Great Western Bank, and Global Water. Mr. Miranda concurred.

Mr. Wade commended Economic Development Director Micah Miranda and stated that discussion is necessary for transparency.

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

10.3 MISC 14-64

The Mayor and City Council shall discuss and possibly take action on approving the Youth Council Guide with the recommended amendments. Discussion and Action.

Youth Coordinator Rocky Brown presented the proposed amendments to the Youth Council Guide. He reviewed the process to date and listed the proposed amendments such as changes to the selection process, continuous recruitment, a change of age range, attendance requirements, a mandatory orientation, a code of ethics, and rewards and recognition.

Councilwoman Gusse asked if it was possible to rotate the leadership roles to expose them to the experience. Mr. Brown explained that it takes a couple of months for those in the leadership roles to get up to speed, and changing it every month would be difficult.

Mayor Price inquired about details of the appointment process. Mr. Brown detailed the process and stated that ultimately appointments would be the Council's decision. Discussion ensued.

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

10.4 PRES 14-20

The Mayor and City Council shall hear a presentation from The PFM Group on the City's investment program. Discussion.

Brian Ritschel introduced representatives from PFM Group, Laurent Brant and Paulina Woo.

Mrs. Brant presented an overview of the City's investment program. She discussed how PFM supports the City and highlighted the City's investments between November 2012 and June 2014.

Mayor Price inquired about the investment policy recommendations. Mrs. Ritschel stated that the recommendations would be brought back, possibly in a work session.

The Presentation was heard.

- 10.5 ORD 14-08** The Mayor and City Council shall discuss and possibly take action on approval of an Ordinance to adopt "Chapter 7 Building Regulation" by reference as Sections 7-1-1 through 7-1-13 of the City of Maricopa City Code and repealing Article 7-1 of the Maricopa City Code and previously adopted fee schedules and providing for the severability and the effective date thereof. Discussion and Action. ITEM RELATED TO RES 14-29

Mayor Price read the Ordinance.

A motion was made by Vice Mayor Farrell, seconded by Councilmember Kimball, that this Ordinance be Approved. The motion carried by the following vote:

Aye: 6 - Mayor Christian Price, Vice Mayor Edward Farrell, Councilmember Marvin L. Brown, Councilwoman Julia R. Gusse, Councilmember Bridger Kimball and Councilmember Dan Frank

- 10.6 RES 14-29** 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 7 Building Regulation" of the Maricopa City Code, relating to the enactment of rules and procedures to regulate construction and maintenance of building or structures within the City of Maricopa and authorizing the imposition and collection of fees for permits and services provided by the City of Maricopa Development Services and Public Works Departments and amending the City Code by eliminating 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. ITEM RELATED TO ORD 14-08

Development Services Director Robert Goodhue presented on the proposed revisions to the development services fees. He reviewed the process of the revisions including advertising for 60 days as required. He stated there is full support from the development community and explained that having all the fees in one section of the City Code makes it easier to understand.

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

- 10.7 ORD 14-09** An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, revising Ordinance 14-05 which levied separate amounts to be raised for primary and secondary property tax levies upon each one hundred dollars (\$100.00) of the assessed valuation of property subject to taxation within the City of Maricopa for the fiscal year ending June 30, 2015. Discussion and Action.

Finance Director Brian Ritschel presented. He stated that there was a clerical error on Ordinance 14-05 which levied separate amounts to be raised for primary and secondary tax levies. He stated that the primary tax levy of \$11,185,209 indicated in the ordinance is incorrect and should be reduced to \$10,333,323. He indicated that the secondary property tax rate should also be reduced to 2.3561 and noted that the

changes have no budgetary impact.

Mayor Price reiterated that there is no budgetary impact and that the ordinance simply corrects a clerical error.

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

Aye: 6 - Mayor Christian Price, Vice Mayor Edward Farrell, Councilmember Marvin L. Brown, Councilwoman Julia R. Gusse, Councilmember Bridger Kimball and Councilmember Dan Frank

10.8 PRES 14-21

The Mayor and City Council shall hear a presentation on the League of Arizona Cities and Towns 2015 Proposed Resolutions and advise the Mayor as to Council's position on the resolutions. Discussion and Advisement.

Intergovernmental Affairs Director Paul Jepson presented on the League of Arizona Cities and Towns 2015 proposed resolutions. He gave an overview of the League Resolutions Committee and reviewed the committee process. He noted that this year, Mayor Price was appointed to serve on the Resolutions Subcommittee. He stated there are 23 proposed resolutions and reviewed the resolutions recommended for adoption.

Councilmember Brown inquired about the resolution to support military installations in Arizona. He stated that the City is already doing a great job. Discussion ensued.

Mr. Jepson continued by presenting the resolutions of high interest recommended for adoption. Mayor Price detailed the committee's discussion regarding special census. A brief discussion ensued.

Mr. Jepson completed the review of the resolutions of high interest recommended for adoption and continued his presentation with review of the resolutions recommended for adoption with amendments. Next, he discussed the resolutions that are significant municipal issues and the resolution not recommended for approval. He went over the League Resolutions recommended for adoption.

Mayor Price commented that some of the resolutions will never make it to the legislative process, but the subcommittee does go through all of them.

Councilwoman Gusse asked if the City authored any of the resolutions. Mayor Price stated the City did not. Discussion ensued.

Paul Jepson invited all members of the Council to attend the meeting which will be held at the Sheraton Phoenix Hotel at 1:30 p.m. on August 19.

The Presentation was heard.

10.9 MISC 14-65

The City Council shall discuss and possibly take action on selecting a method by which to fill the vacancy of the City Magistrate.

Councilwoman Gusse recused herself from this agenda item.

The City Council entered into executive session at 8:56 p.m. and reconvened at 9:23 p.m.

Mayor Price stated that by City Code the Council has the ability to appoint an interim presiding judge to serve for the next 6 months. He motioned to approve accepting applications for the next 30 days up until noon on September 2nd.

Vice Mayor Farrell asked about the qualifications of the applicants. City Attorney Denis Fitzgibbons responded that the qualifications are stated in the City Code. Vice Mayor Farrell suggested putting the section of the code in the application. Mr. Fitzgibbons affirmed that it could be done.

City Manager Gregory Rose stated that the qualifications will be part of the advertisement for the position.

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

Aye: 5 - Mayor Christian Price, Vice Mayor Edward Farrell, Councilmember Marvin L. Brown, Councilmember Bridger Kimball and Councilmember Dan Frank

Recused: 1 - Councilwoman Julia R. Gusse

11. Executive Session

The City Council entered into executive session at 9:27 p.m.

A motion was made by Councilmember Marvin L. Brown, seconded by Councilmember Bridger Kimball, 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 14-23 The Maricopa City Council may go into executive session for the purpose of obtaining legal advice and discussion or consultation with the City attorney and designated representatives of the City in order to consider its position regarding potential revisions to the Memorandum of Understanding with Global Water, evaluate the City's legal options and instructs its attorney and representatives regarding the City's position related thereto pursuant to A.R.S. §38-431.03(A)(3) and (A)(4).
- 11.3 ES 14-24 The Maricopa City Council may go into executive session for the purpose of discussion or consultation with the City Attorney regarding the qualifications and the process for appointment of the Interim Presiding Judge of the Municipal Court as set forth in the Maricopa City Code pursuant to A.R.S. §38-431.03(A)(3).
- 11.4 ES 14-25 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 agreement for recycling and household hazardous waste collection services, and the potential terms thereof, with Environmental Concerns Organization, Inc. and for legal advice regarding same, pursuant to A.R.S. §38-431.03(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 5th day of August, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 2nd day of September, 2014.

Vanessa Bueras
City Clerk