



City of Maricopa

Meeting Minutes - Final City Council Regular Meeting

Meeting Location
44150 W. Maricopa-Casa
Grande Highway
Maricopa, AZ 85138

City Hall
45145 W. Madison Avenue
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Mayor Christian Price
Vice-Mayor Edward Farrell
Councilmember Marvin L. Brown
Councilmember Peggy Chapados
Councilwoman Julia R. Gusse
Councilmember Bridger Kimball
Councilmember Leon Potter

Tuesday, July 2, 2013

7:00 PM

MUSD Board Room

1. Call to Order

Mayor Price called the City Council Regular meeting to order at 7:33 p.m.

Lee Feiles gave the invocation.

Fire Chief Wade Brannon led the meeting attendees in the Pledge of Allegiance followed by a moment of silence for the 19 fallen Yarnell Firefighters.

2. Roll Call

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

3. Proclamations, Acknowledgements and Awards

Mayor Christian Price acknowledged former Mayor Anthony Smith, former Mayor Kelly Anderson, former councilmember Carl Diedrich, and former Vice Mayor Brent Murphree.

3.1 [PROC 13-08](#)

Proclamation proclaiming the month of July as Park and Recreation month.

Mayor Price read the proclamation and presented it to the Parks, Recreation, and Library, PRL, Advisory Committee.

PRL Chairwoman Therese Starkey spoke on behalf of the committee and reported the various activities they have participated in. She stated the PRL is proud to serve, looks forward to more involvement, and recognized Brenda Campbell for her dedication to the committee.

4. Report from the Mayor

Mayor Price encouraged attendance to the 4th of July event at Pacana Park. He stated that it would be discussed in detail later in the meeting.

He reported that Electrical District #3, ED3, will be hosting a free Home Energy

Savings Workshop on Tuesday, July 9th, 2013. The workshop will be held from 6 p.m. to 7:30 p.m. at Maricopa United School District, MUSD, Boardroom 118.

He also gave an update on the progress of the discussions with the Arizona Department of Transportation, ADOT, regarding the 347 overpass project. He added that construction could start as early as 2014.

5. Report from the City Manager

City Manager Brenda Fischer introduced Tom Duensing as the city's new Assistant City Manager. She also introduced Adriana Carpio as the city's new Deputy City Clerk and bid farewell to former Deputy City Clerk LeeAnne Schirato.

Community Services Director Jennifer Campbell provided an update on the Great American Barbecue. She indicated that the city had received \$10,000 in sponsorships, and thanked contributors. She reminded everyone to come out and enjoy the festivities beginning at 6:00 p.m. on Thursday, July 4th, at Pacana Park. She concluded her update by giving thanks to MUSD for providing shuttle services for the event. She also thanked the Community Services staff, and most notably Brenda Campbell.

Human Resources Director Karen Shaffer presented the city's first employee recognition award program. With the assistance of newly hired Human Resources Management Analyst Ariana Cota, City Manager Fischer, and Mayor Price, she presented employee excellence awards to Brad Hinton, Ruben Garcia, and Rebecca Molus. She concluded by reading the inscription that will be on a plaque displayed at the new City Hall building with the award recipient names.

6. Call to the Public

Mark Rasmusson, President of Maricopa Little League, approached the podium and spoke in support of a city run community center. He shared concerns of rumored potential fees with a third party run facility. He stated that he looks forward to continuing to partner with the city.

Austin Hoopes approached the podium and shared that he and his wife will have a face painting booth at the Great American Barbecue to raise donations for Ourmilitarykids.org.

Nancy Smith approached the podium and addressed the Council. She expressed concerns that the Intergovernmental Agreement, IGA, between the city and Ak-Chin has been misrepresented as a gift. She asked for transparency of the agreement. She stated concerns that there were no details, or ample time given to the public regarding negotiations with a third party to manage the Multi-Gen Center. She concluded by imploring for more transparency on both issues.

Kelly Anderson approached the podium and addressed the Council. He introduced himself as a member of the ADOT board. He commended the Council on their dedication to improving the city and their partnership with Ak-Chin.

Ricardo Correa, owner of Maricopa Mustangs, approached the podium and addressed the Council. He shared his concerns about the tax costs of a YMCA run facility including paying higher property taxes. He stated that city staff has proven competent for the job.

Henry Wade approached the podium and addressed the Council. He stated that he

supports the idea of more transparency of IGA's. He recognized that the city has a good relationship with tribal neighbors and that it is important to work together with neighboring communities to manage the Multi-Gen Center.

7. Minutes

- 7.1 [MIN 13-54](#) Approval of Minutes from the June 18, 2013 City Council Work Session.

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

- 7.2 [MIN 13-55](#) Approval of Minutes from the June 18, 2013 City Council Regular Meeting.

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

8. Public Hearings

Mayor Price opened and then closed the public hearing at 8:23 p.m.

No one spoke during the call to the public.

- 8.1 [CUP13-01](#) The Mayor and City Council shall hear public comment on Conditional Use Permit (CUP) 13-01, a request by In Command Communications on behalf of Verizon Wireless for a proposed co-location microwave antenna to be located at the Maricopa Towne Center commercial center, 44870 W. Hathaway Road.

9. Consent Agenda

- 9.1 [LIQ 13-03](#) The Mayor and City Council shall discuss and possibly take action recommending denial to the Arizona Department of Liquor License and Control regarding an application for an interim permit and person transfer submitted by Esther Vidal on behalf of La Roca Night Club at 19599 N. Maricopa Road, Maricopa, Arizona 85138. Discussion and Action.

The recommendation to deny the Liquor License was Approved.

- 9.2 [MISC 13-55](#) The City Council shall discuss and possibly take action on the reauthorization of Mr. Denis Fitzgibbons, Fitzgibbons Law Offices, P.L.C. for fiscal year 2013-2014, as the City of Maricopa City Attorney, as required by ARS §9-237 and ARS §9-271. Discussion and Action.

Councilmember Chapados proposed the item to be tabled.

Mayor Price suggested moving the item to the end of the agenda for discussion during the Executive Session.

Later, the Council entered into executive session to discuss the matter.

Council reconvened at 11:04 p.m. to vote on the item.

Councilmember Chapados motioned to approve the item with increased detail of the staff complement changes that have been done recently.

A motion was made by Councilmember Chapados, seconded by

Councilmember Potter, that this Miscellaneous Item be Approved as Amended. The motion carried by a unanimous vote.

9.3 MISC 13-54

The Mayor and Council shall consider a staff complement change to reclassify the position of Assistant to the City Manager to Intergovernmental Affairs Director position in the City Manager's Office and modify the 2013 Salary Plan. Funding for this reclassification will be a transfer from General Fund, Non-Departmental, Regular Employees (10010000-51100) to General Fund, City Manager, various salary and related costs (10011115-<various>). Discussion and Action.

This Miscellaneous Item was Approved.

Approval of the Consent Agenda

A motion was made by Councilmember Leon Potter, seconded by Councilmember Peggy Chapados, to Adopt the Consent Agenda . The motion carried unanimously.

10. Regular Agenda

10.1 CON 13-26

The Mayor and City Council shall hear presentation from the Greater Phoenix Economic Council and possibly take action to approve an updated agreement between the Greater Phoenix Economic Council and the City of Maricopa, in the amount of \$25,853 to be paid from the Fiscal Year 2013-14 General Fund, Economic Development, Membership and Dues (10011616-55510). Discussion and Action.

Economic Development Director Micah Miranda introduced Brad Smith with the Greater Phoenix Economic Council, GPEC.

Mr. Smith congratulated Mr. Miranda for being appointed Vice Chair of Economic Directors Team by his peers. He presented information about GPEC, including a Five-Year Vision Plan, and achievements during the past years.

Councilmember Potter stated that he believes that the partnership with GPEC is a long term investment that will pay off. Councilmember Chapados concurred with Councilmember Potter. Mayor Price also concurred and added that being constantly present works.

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

10.2 MISC 13-52

At the request of the Mayor, the Mayor and City Council shall discuss and possibly take action to provide staff direction regarding contract negotiations relative to the Multi-Gen and Aquatic Center Management Partnership Request for Proposal. Discussion and Action.

Purchasing Manager Pattie LaCombe explained that the request for proposal, RFP, process is an administrative process used for open and fair competition on any purchases done. She stated that the process must remain confidential as part of State Procurement Code.

Councilmember Chapados asked what would be the process if the contents of the proposal do not match the specs of the requirement. Pattie LaCombe answered that the city would have to go back and start all over again if submitted outside of scope regardless of which party is responsible for changing the scope. Clarification ensued.

Court Rich with the Rose Law Group spoke on behalf of the Valley of the Sun YMCA. He encouraged the city to work with the YMCA.

Ron Chambliss with the Valley of the Sun YMCA approached the podium and addressed the Council. He spoke in favor of the facility being run by the YMCA.

Kelly Anderson approached the podium and addressed the Council. He spoke in favor of having a city run facility.

Lee Feiles approached the podium and addressed the Council. He spoke in favor of having a city run facility.

Nancy Smith approached the podium and addressed the Council. She stated that she was in favor of the most affordable and cost effective party. She entreated Council to make the most fiscal responsible choice.

Mayor Price read Krystal Coles Agenda Speaker Card. She is against YMCA managed facility.

Valerie Curran approached the podium and addressed the Council. She implored Council to allow tax payers to review the RFP.

Patti Coutré approached the podium and addressed the Council. She spoke in favor of a city managed facility.

LeeAnne Clark approached the podium and addressed the Council. She spoke in support of allowing more time for the community to be aware of all the factors. She stated that she is in favor of the YMCA managing the Multi-Gen Center unless there is a superior option clearly outlined.

Jeff Gamble approached the podium and addressed the Council. He spoke in favor of a city run facility. He stated that it will offer job opportunities.

Marlene Pearce approached the podium and spoke about her concerns with the lack of information available to residents. She stated that residents should have the option of providing feedback. She implored the Council to take careful consideration when making the decision.

Henry Wade approached the podium and addressed the Council. He spoke in favor of a city managed facility.

Janee Jackson approached the podium and expressed concerns about lack of information available to residents in order to support Council decision.

Mayor Price opened item for Council discussion.

Councilmember Kimball asked for clarification of the RFP process. Pattie LaCombe approached the podium. Clarification ensued.

Councilmember Chapados thanked community members for their involvement, the Ak-Chin community for their partnership, and city staff for their dedication. She stated that she trusts the administrative process. She spoke in favor of a city managed facility.

Vice Mayor Farrell clarified agenda item and the decision it calls for.

Mayor Price concurred with Vice Mayor Farrell's clarification of agenda item. He spoke in favor of a city managed facility.

Councilmember Gusse commended the YMCA and their programs. She acknowledged MUSD boardmember Patti Coutr . She spoke in favor of a city managed facility.

Councilmember Potter spoke in favor of a city managed facility.

Councilmember Kimball motioned to end RFP negotiations and have the city run the facility.

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

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

10.3 [MISC 13-53](#)

The Mayor and City Council shall discuss and possibly take action to approve the revised Community Services Department organization structure along with the associated modifications to the City's 2013 Salary Plan. Discussion and Action.

Director of Community Services Jennifer Campbell presented. She discussed the staffing needs for both a city run or a third party run facility. She recommended reclassification of current positions.

Councilwoman Gusse motioned to approve the revised Community Services Department organization structure and add staff to operate and manage the center, as well as reclassification of current city positions.

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

10.4 [REP 13-02](#)

The Mayor and City Council shall discuss and possibly take action on acceptance of the Information Technology Evaluation & Strategic Technology Plan report detailing the analysis, findings, and recommendations of the Information Technology Division of the Finance/Administrative Services Department conducted by LBL Technology Partners. Discussion and Action.

Tom Duensing introduced consultants Jeff Locketz and Ms. Arias.

Ms. Arias presented results of analysis report of IT operations, findings, and recommendations.

Mr. Locketz discussed Strength, Weaknesses, Opportunities and Threats, SWOT, analysis in detail. He then presented recommendations.

Councilmember Brown asked specifics about staffing recommendations. Tom Duensing briefly explained hiring process. Discussion ensued.

There was general discussion about the timeline and budgetary impact.

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

- 10.5 CUP13-01** The Mayor and City Council shall discuss and possibly take action on approval of Conditional Use Permit (CUP) 13-01, a request by In Command Communications on behalf of Verizon Wireless to co-locate a microwave antenna on a pre-existing tower that is owned and operated by Verizon Wireless. The site is located at the Maricopa Towne Centre commercial center located at 44870 W. Hathaway Road. Discussion and Action.
- Councilmember Julia Gusse declared a conflict of interest and recused herself.*
- Planner Rodolfo Lopez presented. He stated there has been no opposition for this project.*
- A motion was made by Councilmember Kimball, seconded by Councilmember Chapados, that this Conditional Use Permit 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 Leon Potter and Councilmember Peggy Chapados
- Recused:** 1 - Councilwoman Julia R. Gusse

11. Executive Session

The Council entered into executive session at 10:49 p.m.

- 11.1 ES 13-01** The Maricopa City Council may go into executive session for purpose of obtaining legal advice from the City's attorney on any of the above agenda items pursuant to A.R.S. § 38-431.03 (A)(3).
- 11.2 ES 13-03** 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).
- 11.3 ES 13-05** The Maricopa City Council may go into executive session for the purpose of discussion or consultation with the City's attorneys regarding the City of Maricopa's legal options on the current Global Water Rate Case pursuant to A.R.S. §38-431.03(A)(3).
- 11.4 ES 13-11** The Maricopa City Council may go into executive session for the purpose of discussion or consultation with its attorneys and to consider its position and instruct representatives regarding entering into an agreement with the Ak-Chin Indian Community for the use of grant money for the Copper Sky Recreation Complex pursuant to A.R.S. §38-431.03(A)(3) and (A)(4).
- 11.5 ES 13-12** The Maricopa City Council may go into executive session for the purpose of discussion or consultation with its attorneys and to consider its position and instruct representatives regarding entering into an agreement with the Valley of the Sun Young Men's Christian Association for the management and operation of the Copper Sky Recreation Complex pursuant to A.R.S. §38-431.03(A)(3) and (A)(4).
- 11.6 ES 13-13** The Maricopa City Council may go into executive session for the purpose of obtaining legal advice and discussion or consultation with the City Attorney to consider its position and instruct its attorney regarding the public body's position regarding an annexation and possibly entering into a Pre-annexation and Development Agreement with one or more landowners in the annexation area and the potential terms thereof to facilitate such annexation, pursuant to A.R.S.

§38-431.03(A)(3) and (A)(4).

12. Adjournment

The City Council Regular Meeting adjourned at 11:21 p.m.

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 July, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 16th day of July, 2013.

Vanessa Bueras
City Clerk