



City of Maricopa

Meeting Agenda City Council Regular Meeting

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

City Hall
45145 W. Madison Avenue
PO Box 610
Maricopa, AZ 85139
Ph: (520) 568-9098
Fx: (520) 568-9120
www.maricopa-az.gov

Mayor Christian Price
Vice Mayor Edward Farrell
Councilmember Marvin Brown
Councilwoman Julia Gusse
Councilmember Bridger Kimball
Councilmember Leon Potter

Tuesday, October 16, 2012

7:00 PM

MUSD Board Room

1. **Call to Order**

*Invocation
Pledge of Allegiance*

2. **Roll Call**

3. **Proclamations, Acknowledgements and Awards**

4. **Report from the Mayor**

5. **Report from the City Manager**

6. **Call to the Public**

The procedures to follow if you address the Council are: Council requests that you express your ideas in five minutes or less and refrain from any personal attacks or derogatory statements about any City employee, a fellow citizen, or anyone else, whether in the audience or not. The Mayor will limit discussion whenever he deems such an action appropriate to the proper conduct of the meeting. At the conclusion of an open call to the public, individual members of the Council may respond to criticism made by those who have addressed the Council, may ask Staff to review a matter, or may ask that a matter be put on a future agenda. However, members of the Council shall not discuss or take legal action on any matters during an open call to the public unless the matters are properly noticed for discussion and legal action.

7. **Minutes**

7.1 [MIN 12-091](#) Approval of Minutes from the October 2, 2012 City Council Work Session Meeting.

7.2 [MIN 12-092](#) Approval of Minutes from the October 2, 2012 City Council Regular Meeting.

8. Public Hearings

- 8.1 [PH 12-019](#) The Mayor and City Council shall hear public comment regarding a proposed text amendment to the City of Maricopa Zoning Ordinance creating a new chapter, Article 36, for Wireless Communication Facilities (TXT11-01).
- 8.2 [PH 12-020](#) The Mayor and City Council shall hear public comment regarding the proposed adoption of the International Code Council 2012 Building Codes as Chapter 7 of the Maricopa City Code.
- 8.3 [PH 12-021](#) The Mayor and City Council shall hear public comment regarding a proposed ordinance amending Chapter 12 of the Maricopa City Code to include fee schedules for parking violations and violations of the Traffic Barricade Manual.

9. Consent Agenda

All items on the Consent Agenda are considered to be routine matters and will be enacted by one motion of the Council. There will be no separate discussion of these items unless a Councilmember or member of the public so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

- 9.1 [CON 12-065](#) The Mayor and City Council shall discuss and possibly take action on approving a contract with Bruce Neely for lease of City-owned property known as the Santa Cruz Site, located north of Bowlin Road and east of White and Parker Road. The term of this lease shall be from May 1, 2012 to April 30, 2016. In lieu of payment, the lessee agrees to keep the property in production and clear of weeds. Discussion and Action.
- 9.2 [BDGT 12-010](#) The Mayor and City Council shall discuss and possibly take action to approve a budgetary transfer for the City Complex project from the General Governmental Bond Fund to the General Governmental CIP Fund in the amount of \$8,572,688. Discussion and Action.
- 9.3 [CON 12-075](#) The Mayor and City Council shall discuss and possibly take action to approve a change order to Core Construction, Inc. for additional Preconstruction Services in an amount not to exceed \$18,200 to accommodate full build-out of the Multigenerational/Aquatic Facility. The funding for the services will be drawn from budget line item Parks Bond-Facilities, Design, Recreation & Aquatic Center (33044148-67725-33009). Discussion and Action.
- 9.4 [CON 12-076](#) The Mayor and City Council shall discuss and possibly take action to approve an Easement Encroachment Permit and Indemnification Agreement with Arizona Public Service Company (APS) for the City Complex project. Discussion and Action.
- 9.5 [MISC 12-079](#) The Mayor and City Council shall discuss and possibly take action to extend the Shop Local Program through the remainder of Fiscal Year 2012-2013. Discussion and Action.

- 9.6 [MISC 12-083](#) The Mayor and City Council shall discuss and possibly take action on accepting the resignation of Councilmember Alan Marchione from the Maricopa City Council. Discussion and Action.
- 9.7 [PUR 12-029](#) The Mayor and City Council shall discuss and possibly take action on approving a purchase of four (4) APX7000 Digital Portable Radios from Motorola Solutions for the Maricopa Police Department. This Award of Contract, in an amount not to exceed \$27,978.90, is in compliance with City of Maricopa Purchasing Code, Article IV, Sec. 3-223 Cooperative Purchasing to be paid from Grant Fund, (22022122-67744-13208). Discussion and Action.

10. Regular Agenda

Items on the agenda are open for citizen input. Please fill out a card and present it to the City Clerk before the meeting begins. The mayor will call upon you for your comments.

- 10.1 [CON 12-072](#) The Mayor and City Council shall discuss and possibly take action to approve a contract amendment with Haydon Building Corp for Design-Build Construction Services in an amount not to exceed \$1,781,012 for the Regional Park/Sports Complex project. The funding for the project will be drawn from budget line item Parks Bond-Facilities, Improvements other than Buildings, Sports Complex (33044148-67730-33010). Discussion and Action.
- 10.2 [CON 12-073](#) The Mayor and City Council shall discuss and possibly take action to approve a change order to Haydon Building Corp for additional Preconstruction/Design Services in an amount not to exceed \$770,475 to accommodate full build-out of the Regional Park/Sports Complex project. The funding for the services will be drawn from budget line item Parks Bond-Facilities, Design, Sports Complex (33044148-67735-33010). Discussion and Action.
- 10.3 [PRES 12-073](#) The Mayor and City Council shall hear a presentation from Gallagher and Kennedy providing their findings on the City of Maricopa Police Department internal affairs files audit. Discussion only.
- 10.4 [PRES 12-074](#) The Mayor and City Council shall hear a presentation on case #TXT11-01, a proposed text amendment to the City of Maricopa Zoning Ordinance, which will create a new chapter specific to wireless communications facilities (Article 36). Discussion only.
- 10.5 [MISC 12-080](#) The Mayor and City Council shall discuss and possibly take action to re-authorize an annual holiday signage program that assists in promoting local business awareness and economic growth from November 15, 2012 to January 6, 2013. Discussion and Action.

- 10.6** [RES 12-71](#) 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 "Chapter 7 Building Regulations" of the Maricopa City Code, relating to the enactment of rules and procedures to regulate construction and maintenance of buildings or structures within the City of Maricopa and amending the Maricopa 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 12-09
- 10.7** [ORD 12-09](#) 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 Article 7-1 of the Maricopa City Code and providing for severability and the effective date thereof. Discussion and Action. ITEM RELATED TO RES 12-71
- 10.8** [RES 12-69](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona adopting the City of Phoenix 2007 Traffic Barricade Manual with the City of Maricopa amendments for the City of Maricopa, Arizona. Discussion and Action.
- 10.9** [RES 12-70](#) A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, adopting the Federal Highway Administration's Manual on Uniform Traffic Control Devices for Streets and Highways 2009 Edition with the Arizona supplement for the City of Maricopa, Arizona. Discussion and Action.
- 10.10** [RES 12-72](#) 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 12 Traffic and Parking" of the Maricopa City Code, relating to the enforcement and administration of Traffic and Parking related laws and regulations within the City of Maricopa and amending the Maricopa City Code by eliminating Articles I through IV in Chapter 12 of the previously adopted City Code and replacing that article with Sections 12-1 through 12-62. Discussion and Action. ITEM RELATED TO ORD 12-10
- 10.11** [ORD 12-10](#) An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, adopting "Chapter 12 Traffic and Parking" by reference as sections 12-1 through 12-64 of the Maricopa City Code and repealing Articles I through IV of Chapter 12 of the Maricopa City Code and providing for severability and the effective date thereof. Discussion and Action. ITEM RELATED TO RES 12-72
- 10.12** [MISC 12-084](#) The City Council shall discuss and possibly take action on selecting a method by which to fill the vacancy on the City Council, approve an application and to open up the recruitment from October 17, 2012 to October 31, 2012. Discussion and Action.

11. Executive Session

- 11.1** **ES 12-001** 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 12-002** The Maricopa City Council may go into executive session for purpose of obtaining legal advice from the City's attorney and to consider its position and instruct representatives regarding negotiations for the purchase, sale or lease of real property pursuant to A.R.S. § 38-431.03 (A)(3) and (A)(7).
- 11.3 ES 12-005** 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).
- 11.4 ES 12-023** The Maricopa City Council may go into executive session for the purpose of consultation with its attorneys and to consider its position regarding a proposed Development and Settlement Agreement with Meritage Homes of Arizona, Inc. and Metro Red-1 pursuant to A.R.S. §38-431.03(A)(3) and (A)(4).

12. Adjournment

Note: This meeting is open to the public. All interested persons are welcome to attend. Council members of the City of Maricopa City Council will attend either in person or by telephonic conference or video communication. Supporting documents and staff reports, which were furnished to the City Council with this agenda, are available for review on our website, www.maricopa-az.gov.

NOTICE TO PARENTS: Parents and legal guardians have the right to consent before the City of Maricopa makes a video or voice recording of a minor child A.R.S. §1-602.A.9. Maricopa City Council Meetings are recorded and may be viewed on Channel 20 and the Maricopa website. If you permit your child to participate in the Council Meeting, a recording will be made. If your child is seated in the audience your child may be recorded, but you may request that your child be seated in a designated area to avoid recording. Please submit your request to the City Clerk at (520) 316-6970.