



City of Maricopa

Meeting Minutes - Draft 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 Anthony Smith
Vice Mayor Edward Farrell
Councilmember Marvin Brown
Councilmember Carl Diedrich
Councilmember Marquisha Griffin
Councilmember Julia Gusse
Councilmember Alan Marchione

Tuesday, January 17, 2012

7:00 PM

MUSD Board Room

1. Call to Order

The Regular City Council Meeting was called to order at 7:00 p.m.

2. Roll Call

Present: 7 - Mayor Anthony Smith, Vice Mayor Edward Farrell, Councilmember Marvin Brown, Councilmember Carl Diedrich, Councilmember Marquisha Griffin, Councilmember Julia Gusse and Councilmember Alan Marchione

3. Proclamations, Acknowledgements and Awards

There were no Proclamations, Acknowledgements or Awards.

4. Report from the Mayor

Mayor Smith announced that there are five vacancies for high school internships with the City of Maricopa. He stated that the interns would work for ten weeks at \$7.65 per hour. He also stated that applications would be accepted until January 31st.

Next, Mayor Smith reported on the Team Maricopa versus Team Pathways Basketball Fundraiser that took place the previous weekend.

Mayor Smith announced that the Annual State of the City would take place on February 23rd at 6:00 p.m. at the Maricopa Unified School District's new performing art's auditorium. He stated that this year's theme is Going Vertical. Interested attendees were directed to register online.

Mayor Smith then announced that the American Legion Auxiliary Organization will have their Annual Poppy Fundraiser on Saturday February 4th. He encouraged the public to go out and support the veterans.

The Mayor concluded his report by asking for participation in Maricopa's Operation Welcome Home. He stated that the program welcomes loved ones back home after a serving abroad in the armed forces. He indicated that those interested in recognizing a loved one should contact Gene Wyse with the Maricopa Veteran's at

520-568-4264 or wysedeanc@aol.com.

5. Report from the City Manager

City Manager Brenda Fischer introduced new employees Interim Assistant City Manager Cynthia Seelhammer and Marcus Mendes, Code Compliance Officer. She then thanked Allen Davis and Bill Griffith for supporting code compliance until Mr. Mendes was brought on board.

6. Call to the Public

City Manager Brenda Fischer introduced new employees Interim Assistant City Manager Cynthia Seelhammer and Marcus Mendes, Code Compliance Officer. She then thanked Allen Davis and Bill Griffith for supporting code compliance until Mr. Mendes was brought on board.

7. Minutes

- 7.1 MIN 12-001** Approval of Minutes from the December 20, 2011 City of Maricopa City Council Work Session Meeting.

A motion was made by Councilmember Diedrich, seconded by Councilmember Marchione, that this Minutes be Approved. The motion carried by a unanimous vote.

- 7.2 MIN 12-002** Approval of Minutes from the December 20, 2011 City of Maricopa City Council Regular Meeting.

A motion was made by Councilmember Diedrich, seconded by Councilmember Marchione, that this Minutes be Approved. The motion carried by a unanimous vote.

8. Public Hearings

There were no Public Hearings scheduled

9. Consent Agenda

A motion was made by Councilmember Diedrich, seconded by Councilmember Marchione, to Adopt the Consent Agenda. The motion carried by a unanimous vote.

- 9.1 BDGT 12-001** The Mayor and City Council shall discuss and possibly take action on a request to approve a budgetary transfer of \$75,000 from General Fund, Contingency (10010000-99000) to the Legal Professional Services Account (10011414-53320) and to authorize the City Manager to approve payments to Hogan Lovells International LLP up to this amount. Discussion and Action.

Approved

10. Regular Agenda

- 10.1 MOU 12-001** The Mayor and City Council shall discuss and possibly take action on the adoption of a Memorandum of Understanding with the with Maricopa Officers Council-Fraternal

Order of Police Maricopa Lodge #78. Discussion and Action.

Human Resources Director Karen Shaffer presented.

Justin Thornton with Officer's union addressed the Council. He spoke about the history of the Fraternal Order of Police, FOP. He thanked all involved in the process.

Ms. Shaffer discussed the Memorandum of Understanding, MOU, history. She spoke about the proposed MOU and the potential increases available including the associated costs. Thanks were given to everyone involved in the negotiations.

Councilmember Diedrich asked that the Council enter into executive session to discuss the issue.

Councilmember Diedrich asked if the needs of the FOP were met. Mr. Thornton stated that the agreement was handled very professionally and that it was the best agreement offered by the city.

The Council entered into executive session at 7:26 p.m.

The Council adjourned from executive session at

Mayor Smith stated that he was in favor of the performance based module.

A motion was made by Councilmember Diedrich, seconded by Councilmember Marchione, that the MOU be approved. The motion carried by a unanimous vote.

10.2 PRES 12-002

The Mayor and City Council shall hear a presentation by Environmental Concerns Organization Inc. on the status of their projects under a Public Service Award for Sustainability and a grant award from the Maricopa Non Profit Funding Program for a Household Hazardous Waste Program. Discussion and Action.

Grants Manager Mary Witkofski introduced the item for discussion.

Gina D'Abella approached the podium and addressed the Council. She provided a PowerPoint presentation to demonstrate the work done by Environmental Concerns Incorporated and how they benefit from grant funding provided by the city.

Mayor Smith thanked Ms. D'Abella and her team for the organizations work.

A motion was made by Councilmember Marchione, seconded by Councilmember Brown, that the second disbursement of funding be approved. The motion carried by a unanimous vote.

10.3 PRES 12-003

The Mayor and City Council shall hear a mid-year presentation by F.O.R. Maricopa on the status of their project that received an award through the Maricopa Non Profit Funding Program. Discussion and Action.

Adam Gaub with FOR Maricopa approached the podium and addressed then Council. He provided a PowerPoint presentation to demonstrate the efforts made by the organization to help people in need within the community. He spoke about the need fro continued grant funding to improve site infrastructure and keep up with the increasing requests for assistance. M

Mayor Smith recognized the work and progress made by the organization.

Councilmember Marchione asked what size the current facility was and what size their desired facility was. Mr. Gaub stated that are currently working out of a 1500

square feet site but hope to build a 6,000 square foot site in the future.

Discussion was held regarding the high rate of children in the school district who were beneath the poverty line.

A motion was made by Councilmember Marchione , seconded by Councilmember Griffin, that the second disbursement of funding be approved. The motion carried by a unanimous vote.

10.4 PRES 12-004

The Mayor and City Council shall hear a mid-year presentation by CAASA/Maricopa Youth Recreation Center on the status of their project that received an award through the Maricopa Non Profit Funding Program. Discussion and Action.

Priscilla Behnke and interested youth from the Maricopa Youth Center approached the podium and presented. Thy discussed programs offered by the recreation center and how the city awarded grant funds have been used. Ms. Behnke stated that some support has also been provided by Simpatico Behavioral Health. She expressed a need for transportation and indicated that the site had relocated to Maricopa Wells Middle School in October.

Mayor Smith asked Development Services Director Brent Billingsley if the demand response vehicles could be used to provide transportation for the center. Mr. Billingsley stated that the current hours operation conflict with the needs of the center, but that he would look in to making them available during summer hours.

Discussion ensued.

A motion was made by Councilmember Diedrich, seconded by Councilmember Marchione, that the second disbursement of funding be approved. The motion carried by a unanimous vote.

10.5 PUR 12-001

The Mayor and City Council shall discuss and possibly take action on a request to purchase Microsoft Office and Microsoft Windows 7 licenses and media for the CIP-approved Windows and Office upgrade project in an amount not to exceed \$46,768.31 to be paid from the General Fund, IT, Computer Equipment/Software (10011553-67744-31006) in compliance with the City of Maricopa City Purchasing Code, Article IV Sec. 3-223 cooperative purchasing (State of Arizona Contract ADSPO11-007500). Discussion and Action.

Information Technology Manager Macara Undewood presented. She discussed the proposed update and compatibility issues with the current software.

Councilmember Marchione asked what the current percentage of laptop to desk top ratios was. Ms. Underwood stated that she did not have an exact percentage, but that the majority of staff uses a laptop. She also stated that the city does participate in a five year replacement program which offers a cost savings.

A motion was made by Councilmember Diedrich, seconded by Councilmember Marchione, that this Purchase be Approved. The motion carried by a unanimous vote.

10.6 PUR 12-002

The Mayor and City Council shall discuss and possibly take action on a request to approve the purchase of a Regenerative Air Street Sweeper A7000 from Schwarze Industries, through local distributor Balar Equipment Corporation. This purchase, in an amount not to exceed \$200,000, will be funded from Highway User Revenue Fund (HURF), Public Works, Heavy Equipment, Air Vacuum Sweeper (20055151-67740-35013), is based on cooperative pricing from HGACBuy Contract #SW-04-10, and is in compliance with City of Maricopa Purchasing Code Article IV, Section 3-223 "Cooperative Purchasing." Discussion and Action.

Fleet Manager Ray Arellin presented. He indicated that the current street sweeper is five years old. He also clarified that the actual cost of the item was \$195,755.71.

Councilmember Griffin asked if the city would receive any credit or revenue for the old sweeper when the new one is purchased. Mr. Arellin stated that the city would be adding a new one to the fleet while still maintaining use of the current one. He explained that having a back up would add to the life of the equipment and provide the service needed when the new one is in need of maintenance. He added that the sweepers have about a five year life expectancy, with about \$25,000 expected to be spent on maintenance. He concluded by stating that the equipment was on a five year warranty program and came with a PM10 certified vacuum.

A motion was made by Councilmember Brown, seconded by Councilmember Diedrich, that this Purchase be Approved. The motion carried by a unanimous vote.

11. Executive Session

The Council entered into Executive Session at 8:30 p.m.

The Council adjourned from Executive Session at 9:57 p.m.

A motion was made by Councilmember Griffin, seconded by Councilmember Gusse, to enter in to Executive Session. The motion carried by a unanimous vote.

- 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 12-003** The Maricopa City Council may go into executive session for the purpose of discussion or consultation with the City's attorney to consider its options and instruct representatives regarding the Ak-Chin Indian Community's Fee-to-Trust Applications with the Federal Government which includes properties within and near the City of Maricopa pursuant to A.R.S. §38-431.03 (A)(3).
- 11.4 **ES 12-004** 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).
- 11.5 **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).
- 11.6 **ES 12-006** The Maricopa City Council may go into executive session for the purpose of discussion or consultation with the City Attorney to consider its options and instruct representatives regarding potential claims regarding flood control facilities in the City of Maricopa pursuant to A.R.S. §38-431.03 (A)(3) and (A)(4).

- 11.7 **ES 12-007** The Maricopa City Council may go into executive session for the purpose of discussion or consultation with the City Attorney to consider its position and instruct representatives regarding the public body's position regarding entering into a development agreement with Eagle Shadow, LLC, et al and the potential terms thereof for the North Santa Cruz Wash improvements, pursuant to A.R.S. §38-431.03 (A)(3) and (A)(4).

12. **Adjournment**

The City Council Regular meeting adjourned at 9:59 p.m.

A motion was made by Vice Mayor Farrell, seconded by Councilmember Gusse, that this meeting be Adjourned. The motion carried by a unanimous vote.