



City of Maricopa

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Meeting Minutes - Final City Council Regular Meeting

Mayor Christian Price
Vice-Mayor Marvin L. Brown
Councilmember Peggy J. Chapados
Councilmember Bridger Kimball
Councilmember Vincent Manfredi
Councilmember Nancy Smith
Councilmember Henry M. Wade Jr.

Tuesday, September 1, 2015

7:00 PM

Council Chambers

1. Call to Order

The City Council meeting was called to order 7:15 p.m.

Constable Brett Roberts led the meeting attendees in the Pledge of Allegiance.

2. Roll Call

Mayor Price excused Vice-Mayor Brown who had a family emergency and Councilmember Kimball who was sick.

Present: 5 - Mayor Christian Price, Councilmember Peggy Chapados, Councilmember Vincent Manfredi, Councilmember Nancy Smith and Councilmember Henry Wade

Excused: 2 - Vice Mayor Marvin L. Brown and Councilmember Bridger Kimball

3. Proclamations, Acknowledgements and Awards

Mayor Price invited Interim Economic Development Director, Denyse Airheart and Recreation Manager Rocky Brown to the front. He recognized Mrs. Airheart for being named one of the Most Influential Women in Arizona Business by the Arizona Business Magazine. He recognized Mr. Brown for being awarded the Emergent Leader Award from the Arizona League of Cities and Towns and the Arizona Parks and Recreation Young Professional Award.

4. Report from the Mayor

Councilmember Smith reported on the 2015 League of Cities and Towns Annual Conference. She reported on the keynote speaker that presented on The Pursuit of Happiness as it relates to healthy communities. She gave away a bag of souvenirs from the conference to a member of the audience.

Mayor Price gave information on the Maricopa Police Department's (MPD) You Are Not Alone (YANA) Program. He stated the program is aimed towards senior citizens who live alone and that it would begin accepting referrals and enrollments on September 10 at the Copa Center. He reported the program partners with the Pinal-Gila Council for Senior Citizens. He thanked MPD Chief Stahl, Mary Witkofski and all 12 volunteers.

Next, he reported on the Arizona League of Cities and Towns Conference. He stated

the City of Maricopa forms part of the League Executive Committee and emphasized the importance when it comes to issues such as the Special Census. He reported attending the Pinal Partnership Breakfast that focused on the economic development of the Gila River and Ak-Chin communities. He also reported attending the Arizona Department of Transportation (ADOT) study session and the employee Health Fair at Copper Sky. He reported there was a record turnout at the Health Fair and that most of it was paid by sponsor donations and vendors. Next, he reported participating in U.S. Senator Jeff Flake's visit to Maricopa and discussing the importance of the TIGER grant application for the 347 Grade Separation Project, flood control solutions and the federal designation of the southern portion of the proposed I-11 route. In conclusion, he listed the top ten reasons why Maricopa residents should open their door when enumerators from the census knock: 10-The majority of the enumerators are Maricopa residents. 9- It's the polite thing to do. 8- Census enumerators are background checked, fingerprinted and have badges. 7- It consists of six simple questions. 6- Information will not be saved in computer devices. 5- Answering the door on the first try reduces costs. 4- Most accurate population counts come from door-to-door data collection. 3- If you don't answer the door, enumerators will just come back. 2- A complete census count will mean millions of dollars more for Maricopa residents and services. 1- New population numbers would encourage more retailers to come to Maricopa.

5. Report from the City Manager

City Manager Rose had no items to report, however he reiterated the importance of the special census.

6. Call to the Public

Judge Lyle Riggs approached the lectern and addressed the Mayor and Council. He gave a statement on the August 21st tragic loss of Maricopa resident Nate Ford. He expressed his appreciation to the community, the MPD officers involved, Mary Witkofski, and Chaplain Paul Ellis. He thanked the media outlets for withholding Nate Ford's identity until all family was notified. He commended the communities show of support to the family and friends of Nate Ford.

MPD Chief Stahl approached the lectern and addressed the Mayor and Council. He thanked Judge Riggs for his statement. Next, on behalf of Merry Grace and the Heritage District he announced that the City of Maricopa and the Maricopa Police Department would hold a public hearing to discuss the reaffirmation of the Heritage District as a redevelopment area. He stated the public hearing would be held on September 17th at Fire Station 575's community room (45695 West Edison Road) at 5:30 p.m. He stated a notice was published in the Maricopa Monitor and that residents of the Heritage District would also receive a letter by mail. He clarified that the City of Maricopa does not view the Heritage District as "slum or blight" and that it is simply a requirement of the grant in order to receive funding. He encouraged participation.

Councilmember Chapados approached the lectern and addressed the Mayor and Council. She informed the community that the Maricopa Flood Control District would be holding elections on October 7th. She stated early ballots can be requested by contacting Dave Alley through email at dalley@maricopafcd.com. She stated the only requirement to vote is residency within the Maricopa Flood Control District and be a landowner. She stated more information would be available through local media and encouraged participation.

Dan Beach, Executive Director of the Maricopa Center for Entrepreneurship (MCE)

approached the lectern and addressed the Mayor and Council. He introduced one of their clients, Kehinde Ogunjobi, the owner of Ketalog. He stated Ketalog creates digital marketing and that they are currently working on the Let's Put Maricopa on the Map Campaign.

Kehinde Ogunjobi approached the lectern and addressed the Mayor and Council. He gave information on the Get Your Business Online Program. He stated they would offer a series of workshops starting on September 16 at 11 a.m. and 5:30 p.m. He stated participants would get a free website domain for a year. He stated anyone interested could register at ketalog.com-GYBO or at MCE. He provided tee shirts and souvenirs to the Mayor and Council.

Joe Matrishion approached the lectern and addressed the Mayor and Council. He stated that he was recently rear-ended at the railroad crossing because the crossing arm came down too fast. He suggested adjusting the timer. Next, he addressed concerns that in the evening kids who are returning home from Copper Sky are crossing SR 347 to the Alterra subdivision and it is too dark. He stated the City should consider installing an arc lamp in order to avoid anybody getting hurt.

7. Minutes

- 7.1 [MIN 15-98](#) Approval of Minutes from the August 4, 2015 City Council Work Session.

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

- 7.2 [MIN 15-99](#) Approval of Minutes from the August 4, 2015 City Council Regular meeting.

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

8. Public Hearings

There were no Public Hearings.

9. Consent Agenda

Approval of the Consent Agenda

A motion was made by Councilmember Henry Wade, seconded by Councilmember Nancy Smith, to Adopt the Consent Agenda with the exception of Agenda Item 9.5. The motion carried by a unanimous vote.

- 9.1 [PUR 15-07](#) The Mayor and City Council shall discuss and possibly take action on approving a purchase of four (4) Chevrolet Tahoe police patrol vehicles from Midway Chevrolet for the City of Maricopa Police Department in an amount not to exceed \$183,308.44. Included in this purchase is vehicle equipment upfitting from Arizona Emergency Products (AEP). This purchase is in accordance with the City of Maricopa Purchasing Code, Article IV, Section 3-223, Cooperative Purchasing and will be paid from Public Safety-Development Impact Fee Fund, Vehicles, Police Replacement Vehicles (34322121-67742-32007). Discussion and Action.

This Purchase was Approved.

- 9.2 [PUR 15-08](#) The Mayor and City Council shall discuss and possibly take action on approving a purchase of a 9-1-1 telephony network in the Copper Sky Police Sub station in an amount not to exceed \$198,752.15 and authorizing the City Manager to sign the Statement of Work related thereto. Included in this purchase is a Airbus DS VESTA 9-1-1 system for call taking solution, four 9-1-1 trunks, two ALI circuits and two make busy circuits. This purchase is in accordance with the City of Maricopa Purchasing Code, Article IV, Section 3-223, Cooperative Purchasing and will be paid from Public Safety-Development Impact Fee Fund, Maricopa Police Department Sub Station, (35022121-67710-32016). Discussion and Action.

This Purchase was Approved.

- 9.3 [PUR 15-09](#) The Mayor and City Council shall discuss and possibly take action on approving a purchase from San Tan Ford for one (1) 2015 Ford F550 XL Super Cab 4X2 pursuant to Section 3-223, "Cooperative Purchasing" of the City Code in an amount not to exceed \$83,500.00. The expenditure will be paid from the Fire Development Impact Fees (DIF) Project-Fire Support, budget line (34422528-67742). Discussion and Action.

This Purchase was Approved.

- 9.4 [CON 15-48](#) The Mayor and City Council shall discuss and possibly take action on approval of the first amendment to the contract to Heinfeld, Meech & Co. for professional auditing services for fiscal year 2015 - 2016. This amendment is for an amount not to exceed \$36,925.00 and will be paid from the General Fund, Financial Services, Professional and Occupational (10011313-53320). Discussion and Action.

This Contract was Approved.

- 9.5 [CON 15-49](#) The Mayor and City Council shall discuss and possibly take action to approve a contract renewal with Albert Holler and Associates for Transaction Privilege Tax (TPT) services in an amount not to exceed \$36,000, funding will be from General Fund, Financial Services, Professional and Occupational (10011313-53320). Discussion and Action.

Councilmember Smith inquired how the Transaction Privilege Tax (TPT) would be collected if the contract was to be rejected. Interim Finance Director Kent Brooksby responded that the City would have to rely on the State of Arizona Department of Revenue's (DOR) audit which would take longer because they are understaffed. He stated that the audits from Albert and Holler have collected 1.2 million dollars over eight years. Councilmember Smith stated that the City had to increase the payment amount to DOR as part of the budget shifts and to enhance the software used for TPT collection. She expressed concerns that it seems to be a double payment and asked for clarification. Mr. Brooksby elaborated and explained that the DOR would have to abide by strict performance measures and that the increase guarantees better service.

Intergovernmental Affairs Direct Paul Jepson explained that the funds allocated for the DOR increase were a mechanism for cost recovery and clarified that this agenda item is a separate issue. Councilmember Smith reiterated her concerns. Discussion ensued. Mr. Brooksby confirmed that Mr. Holler's firm has brought in over \$150,000 per year, and that it is a good return on investment.

City Manager Rose reiterated that there are two separate issues and clarified that Mr. Holler's firm provides auditing for the City's TPT collection. He stated without the

contract, the state would perform the audit for free but it would not be timely and some things might be missed. He explained the second issue is for a service that the City did not initially pay for and it is a separate agenda item. Mr. Brooksby elaborated.

Mayor Price reiterated that the DOR does not have a track record for efficiency and that this contract takes matters into the local level.

A motion was made by Councilmember Smith, seconded by Councilmember Wade, that this Contract be Approved. The motion carried by a unanimous vote.

- 9.6** **[BDGT 15-10](#)** The Mayor and City Council shall discuss and possibly take action on approval of a budgetary transfer of \$1,906,507.20 from 35244146-67750 to Highway User Revenue Fund, Public Works, Buildings, Public Works & Fire Administrative Maintenance Facility (20055151-67720-35023), Transportation DIF2, Transportation, Buildings, Public Works & Fire Administrative Maintenance Facility (34644146-67720-35023), and General Government CIP Fund, Fire Support Services, Buildings, Public Works & Fire Administrative Maintenance Facility (35022528-67720-35023). Discussion and Action.
- This Budgetary Transfer was Approved.**
- 9.7** **[CON 15-51](#)** The Mayor and City Council shall discuss and possibly take action on approval of the first amendment to the contract with Valutrans Holdings, LLC authorizing two (2) one year extensions to provide City transit services. Discussion and Action.
- This Contract was Approved.**
- 9.8** **[GRAAC 15-05](#)** The Mayor and City Council shall discuss and possibly take action to accept a grant award and enter into a contract the U.S. Department of Homeland Security, (FEMA) Assistance to Firefighters Grant in the amount of \$67,760 and designate the City Manager to sign the grant agreements. Funds for the award are available in the grants fund, fire administration, non-capital equipment (22022525-55690). There is a 10% matching requirement of \$6,776 which is the responsibility of Maricopa Community College and its Virtual Incident Command Center through Memorandums of Understanding. Matching funds are available in the general fund, fire operations, training (10022527-55570) Discussion and Action.
- This Grant Acceptance was Approved.**
- 9.9** **[MOU 15-06](#)** The Mayor and City Council shall hear and possibly take action to enter into a Memorandum of Understanding between the City of Maricopa, The City of Mesa, The City of Scottsdale, The Town of Queen Creek and the Sun Lakes Fire District to fulfill the obligations of the U.S. Department of Homeland Security, FEMA, Assistance to Fire Grant award match in an amount not to exceed \$6,776. Matching funds are available in the general fund, fire operations, training (10022527-55570). Discussion and Action.
- This Memorandum of Understanding was Approved.**
- 9.10** **[SPEVLIQ 15-03](#)** The Mayor and City Council shall discuss and possibly take action on recommending approval to the Arizona Department of Liquor Licenses and Control for a Special Event Liquor License application submitted by Wendy Weber on behalf of the Province Community Association for special events to be held on September 17, October 15, November 19, and December 17, 2015, January 21, February 18, March 17, April 21, and May 19, 2016 to be held at 20942 N. Province Parkway, Maricopa, Arizona 85138. Discussion and Action.

This Special Event Liquor License was Approved.**10. Regular Agenda**

- 10.1** **APP 15-13** The Mayor and City Council shall discuss and possibly take action on making an appointment to the Transportation Advisory Committee. Discussion and Action.
- Councilmember Manfredi nominated Harold Cole, Mr. Cole stood for recognition.*
- A motion was made by Councilmember Manfredi, seconded by Councilmember Smith, that this Appointment be Appointed. The motion carried by a unanimous vote.**
- 10.2** **PUR 15-11** The Mayor and City Council shall discuss and possibly take action on approving the purchase of two street sweepers for a total amount of \$485,494.69 from RWC International, LTD to be used by the City's street maintenance division. \$445,671.88 will be drawn from Grant CIP, Engineering, Vehicles, Street Sweepers-CMAQ (35255155-67742-16501) and \$39,822.81 will be drawn from Highway Users Revenue Fund-Public Works, Heavy Equipment, Street Sweepers (20055151-67740-35033). This purchase is based on State of Arizona Cooperative Contract No. ADSPO 14-063235 and is in compliance with City of Maricopa Purchasing Code Article IV, Section 3-223 "Cooperative Purchasing." Discussion and Action.
- Public Works Director, Bill Fay presented. He stated that grant money would cover 95% of the purchase for the street sweepers. He recognized Ray Arrellin, his crew and Mary Witkofski. Mayor Price provided some history on the item and credited the partnership with the Maricopa Association of Governments (MAG).*
- A motion was made by Councilmember Smith, seconded by Councilmember Manfredi, that this Purchase be Approved. The motion carried by a unanimous vote.**
- 10.3** **MOU 15-05** The Mayor and City Council shall discuss and possibly take action on approving a Memorandum of Understanding with the Arizona Department of Revenue regarding Transaction Privilege Tax collections for Fiscal Year 2015 - 2016. Discussion and Action.
- Mayor Price gave some history on the agenda item and stated that while it is unfortunate, it is required by law. Councilmember Smith inquired about performance measurements. Mr. Brooksby elaborated.*
- A motion was made by Councilmember Manfredi, seconded by Councilmember Smith, that this Memorandum of Understanding be Approved. The motion carried by a unanimous vote.**
- 10.4** **CON 15-50** The Mayor and City Council shall discuss and possibly take action on approval of a contract to Devau Services Inc. dba Devau Human Resources to provide payroll services for the Census. This contract is for an amount not to exceed \$72,000.00 and will be paid from the Capital Project Fund, City Manager, Professional and Occupational, Census (35011115-53320-36001). Discussion and Action.
- Intergovernmental Affairs Director Paul Jepson presented. He stated the City would be using the City of Chandler's contract with Devau. He explained that the \$72,000 will come from the amount (\$473,325) set aside for the special census. Mayor Price reiterated why the special census is important.*
- A motion was made by Councilmember Chapados, seconded by**

Councilmember Wade, that this Contract be Approved. The motion carried by a unanimous vote.

11. Executive Session

The City Council regular meeting entered into executive session at 8:18 p.m.

A motion was made by Councilmember Vincent Manfredi, seconded by Councilmember Nancy Smith, to enter in to Executive Session. The motion carried unanimously.

11.1 ES 15-16

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 obtain an update on the status of the development agreement with AZALTA, LLLP and Sorrento Phoenix Return, LLC and the legal obligations contained therein related to the Sorrento development, to give staff direction on how to proceed and for legal advice regarding the 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 1st day of September, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 15th day of September, 2015.

Vanessa Bueras
City Clerk