



# 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  
PO Box 610  
Maricopa, AZ 85139  
Ph: (520) 568-9098  
Fx: (520) 568-9120  
www.maricopa-az.gov

**Mayor Anthony Smith**  
**Vice Mayor Edward Farrell**  
**Councilmember Marvin Brown**  
**Councilmember Carl Diedrich**  
**Councilmember Marquisha Griffin**  
**Councilmember Julia Gusse**  
**Councilmember Alan Marchione**

---

Tuesday, March 20, 2012

7:00 PM

MUSD Board Room

---

**1. Call to Order**

*The City of Maricopa Regular Meeting was called to order at 7:12 p.m.*

**2. Roll Call**

**Present:** 5 - Vice Mayor Edward Farrell, Councilmember Marvin Brown, Councilmember Carl Diedrich, Councilmember Marquisha Griffin and Councilmember Julia Gusse

**Absent:** 2 - Mayor Anthony Smith and Councilmember Alan Marchione

**3. Proclamations, Acknowledgements and Awards**

*Vice Mayor Farrell stated that Mayor Smith and Councilmember Marchione were absent. He recognized the birthday of Mayor Elect Christian Price as well as the successful election of Councilmember elects Leon Potter, Bridger Kimball and the reelection of Councilmember Brown.*

**4. Report from the Mayor**

*There was no report from the Mayor.*

**5. Report from the City Manager**

*There was no report from the City Manager.*

**6. Call to the Public**

*JoAnn Ortega announced that the Rotary Club had met the \$10,000 match requirement to receive funding from the City for the Rotary Park Beautification Program. She stated that the Rotary Club would be receiving a \$6,000 donation from the Pinal County Attorney's Office. She thanked them for their contribution.*

*Cindy Dunn with Action Alliance Network distributed this year's Salsa Festival*

*program. She provided details of collaboration with local businesses and organizations.*

## 7. Minutes

- 7.1 MIN 12-019 Approval of minutes from the March 6, 2012 Work Session meeting.

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

- 7.2 MIN 12-020 Approval of minutes from the March 6, 2012 Regular meeting.

**A motion was made by Councilmember Diedrich, seconded by Councilmember Brown, that thie Minutes be Approved. The motion carried by a unanimous vote.**

## 8. Public Hearings

- 8.1 PH 12-002 The Mayor and City Council shall hear public comment regarding the use of Community Development Block Grant (CDBG), State Special Project (SSP) funds with a maximum funding amount of \$300,000. SSP is a competitive grant submitted to the Arizona Department of Housing and is awarded based on eligibility and funding availability.

*Grants Manager Mary Witkofski introduced the item for discussion. Vice Mayor Farrell opened and then closed the public hearing at 7:23 p.m. No one spoke during the public hearing.*

- 8.2 PH 12-003 The Mayor and City Council shall hear public comment regarding a request by Our Lady of Grace Catholic Church for rezoning and a Planned Area Development overlay for a proposed mixed use development located south of Cowpath Road, east of Whisker Road alignment, west of Gunsmoke Road alignment and north of Parcel #1 of the Desert Passage Community. Case # ZON (Rezoning) 11-03 and PAD (Planned Area Development) 11-01.

*Planning Manager Kazi Haque introduced the item for discussion. Vice Mayor Farrell opened and then closed the public hearing at 7:24 p.m. No one spoke during the public hearing.*

## 9. Consent Agenda

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

- 9.1 MISC 12-017 The Mayor and City Council shall discuss and possibly take action on a request for the approval of expenditures exceeding \$25,000, pursuant to the City Purchasing Code, Article IV, Section 3-0213(e) "Cumulative Annual Purchases in Excess of \$25,000," with Alternative Air Heating and Cooling not to exceed \$35,000; Target Specialty Products not to exceed \$35,000; and Motorola, Inc. not to exceed \$35,000. Discussion and Action.

**This Miscellaneous Item was Approved on the Consent Agenda.**

- 9.2 GRA 12-007 The Mayor and City Council shall discuss and possibly take action to provide consent

to submit an application to the Collector's Foundation in an amount not to exceed \$10,000 for the restoration of the 1946 Ford/Howe F-4 Pumper Truck. Consent to submit provides the City Manager with the authority to sign all documents necessary to complete the application and grant process. There is no matching requirement. Discussion and Action.

**This Consent to Apply for Grant was Approved on the Consent Agenda.**

- 9.3 GRA 12-008** The Mayor and City Council shall discuss and possibly take action to provide consent to submit a grant application to the U.S. Department of Justice, Office of Community Oriented Policing Services in an amount not to exceed \$688,519 for the hiring of three additional police officers. Consent to submit an application includes completion of all necessary paperwork for the application process and designates the City Manager to sign all documents. There is a 25% matching requirement for each year of the grant. If awarded, the Maricopa Police Department will come before Council to request \$56,143 General Fund contingency funding in FY12-13. Discussion and Action.

**This Consent to Apply for Grant was Approved on the Consent Agenda.**

- 9.4 CON 12-023** The Mayor and City Council shall discuss and possibly take action on approving an 18-month extension to the existing lease agreement between the City of Maricopa and Revilo, L.L.C., with the option of an additional six month extension on a month-to-month basis. Funding for this extension to the lease agreement, in the amount of \$8,070.00 per month, will be paid from General Fund, Facilities, Rental of Land and Buildings (10033138-54441). Discussion and Action.

**This Contract was Approved on the Consent Agenda.**

## **10. Regular Agenda**

- 10.1 ORD 12-01** An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, zoning certain property described in zoning case ZON11-03 and PAD11-01 for approximately 34.11 acres generally situated south of Cowpath Road, north of Bowlin Road, east of the Whisker Road alignment and west of the Gun Smoke Road alignment within the City of Maricopa incorporated limits. The parcels of land are situated in a portion of section 25 of township 4 south, range 3 east of the Gila and Salt River base and meridian, Pinal County, Arizona. Discussion and Action.

*Vice Mayor Farrell read the Ordinance.*

*City Planner Rudy Lopez presented.*

*There were no questions or comments from Council.*

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

**Aye:** 5 - Vice Mayor Edward Farrell, Councilmember Marvin Brown, Councilmember Carl Diedrich, Councilmember Marquisha Griffin and Councilmember Julia Gusse

- 10.2 PRES 12-032** The Mayor and City Council will hear a presentation on the City of Maricopa Strategic Plan by City Manager Brenda Fischer. Discussion only.

*City Manager Brenda Fischer presented.*

*As part of her presentation, Ms. Fischer Introduced new Police Commander Richard*

*Clare. She also recognized members of the Leadership Academy who were present in the audience. There were no questions or comments from Council.*

**10.3 PRES 12-035**

The Mayor and City Council shall hear a presentation and provide direction to staff about extending the hours during which the Copa Center is available for use to the public, including weekend hours. Discussion only.

*Interim Community Services Director Cynthia Seelhammer presented and sought direction from the Council.*

*Councilmember Brown stated that the cost would need to be considered. Councilmember Ms. Seelhammer stated that staff evaluated cost to be up to twenty percent higher. Councilmember Griffin asked if other cities had been evaluated to determine their cost. Ms. Seelhammer stated that the cost varied greatly on the size and accommodations available at the venue. Councilmember Diedrich asked if direction had been sought from the Parks, Recreation and Libraries Committee. City Manager Fischer stated that the issue was escalated to the Council because there is an upcoming request date for usage of the Copa Center. Discussion ensued. The consensus was in support of allowing use on weekends, extending hours and use for non profit as well as the desire for staff to return to Council with specifics regarding special use.*

**10.4 MISC 12-020**

The Mayor and City Council shall discuss and possibly take action on approving a pilot program to allow the City to promote the Salsa Festival through the use of banners. Discussion and Action.

*Acting Community Services Director Cynthia Seelhammer presented.*

*Will Dunn with the Action Alliance Network approached the podium and addressed the Council. He applauded staff for their hard work and spoke in support of allowing banners to advertise the Salsa Festival. Vice Mayor Farrell asked what the protocol was for placing banners on public safety buildings. Discussion ensued regarding what information would be on the banners and which events would be permitted to advertise with such banners.*

*Councilmember Diedrich motioned to approve deviating from the current code to allow for a pilot program limited to the Salsa Festival to be held on March 31, 2012 at 4:00 p.m. and to include the Salsa Festival and the City of Maricopa logos.*

**A motion was made by Vice Mayor Farrell, seconded by Councilmember Brown, that this Miscellaneous Item be Approved. The motion carried by a unanimous vote.**

**10.5 MISC 12-018**

The Mayor and City Council shall discuss and possibly take action on approving a City of Maricopa website redesign strategy and the transfer of \$10,000 from General Fund, Contingency (10010000-99000) to Economic Development Professional Occupational (10011616-53320) for contract web development services. Discussion and Action.

*Media Production Specialist Ruben Garcia presented. He provided a brief history of the evolution of the city's website.*

*Councilmember Diedrich asked why the funds would be taken from this year's contingency fund instead of waiting until next fiscal year.*

*City Manager Fischer stated that there was a budget deficit next fiscal year and there were funds available in this year's budget, she stated that the website was a primary communication tool and a priority.*

**A motion was made by Councilmember Diedrich, seconded by Councilmember Griffin, that this Miscellaneous Item be Approved. The motion carried by a unanimous vote.**

- 10.6 RES 12-05** A Resolution of the Mayor and City Council of the City of Maricopa, Arizona, declaring and adopting the results of the Primary Election held on March 13, 2012. Discussion and Action.

*City Clerk Vanessa Bueras presented.*

*There were no questions or comments from Council.*

**A motion was made by Councilmember Diedrich, seconded by Councilmember Griffin, that this Resolution be Approved. The motion carried by a unanimous vote.**

## **11. Executive Session**

*The Council entered into Executive Session at 8:20 p.m.*

*The Council adjourned from Executive Session at 8:58 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).

## **12. Adjournment**

*The City Council Regular Meeting adjourned at 8:59 p.m.*

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