

RESOLUTION NO. 17-32

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, CANCELLING THE NOVEMBER 7, 2017 SPECIAL ELECTION FOR THE PURPOSE OF REFERRING CONDITIONAL USE PERMIT 17-01 TO THE QUALIFIED ELECTORS OF THE CITY OF MARICOPA, REPEALING RESOLUTION 17-26 AND DECLARING THIS RESOLUTION TO BE AN EMERGENCY MEASURE THAT IS OPERATIVE IMMEDIATELY AS PROVIDED BY LAW.

WHEREAS, on April 18, 2017 City Council approved Conditional Use Permit 17-01 allowing a motorsports facility at a 280 acre site at the northwest corner of Ralston Road and State Route 238; and

WHEREAS, referendum petitions, under the serial number REF 17-01 were filed in the Office of the City Clerk for the purpose of referring CUP 17-01 to a vote of the qualified electors of the City of Maricopa; and

WHEREAS, on August 15, 2017, City Council approved Resolution 17-26 calling a special election for the purpose of referring conditional use permit 17-01 to the qualified electors of the City of Maricopa at an election to be held on November 7, 2017; and

WHEREAS, the Arizona courts have determined the approval of CUP 17-01 was an administrative action and, therefore, not subject to referendum; and

WHEREAS, the Mayor and City Council of the City of Maricopa believe, after consultation with its staff and representatives, that cancelling the special election for the purpose of referring CUP 17-01 to the qualified electors of the City of Maricopa and repealing Resolution 17-26 is in the City's best interest.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, AS FOLLOWS:

SECTION 1. The Special Election regarding REF 17-01 previously set for November 7, 2017 in the City of Maricopa, Arizona shall be cancelled.

SECTION 2. Resolution 17-26, approved on August 15, 2017 by the Mayor and City Council, is hereby repealed in its entirety.

SECTION 3. In order to preserve the peace, health and safety of the City of Maricopa, an emergency is hereby declared to exist and this Ordinance shall become immediately effective upon its approval by the Mayor and City Council.

PASSED AND ADOPTED by the Mayor and City Council of the City of Maricopa, Arizona, on this 14th day of September, 2017.

Christian Price
Mayor

ATTEST:

APPROVED AS TO FORM:

Vanessa Bueras, CMC
City Clerk

Denis Fitzgibbons
City Attorney