



City of Maricopa

Meeting Minutes - Final City Council Regular Meeting

City Hall
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Mayor Christian Price
Vice-Mayor Henry M. Wade Jr.
Councilmember Marvin L. Brown
Councilwoman Julia R. Gusse
Councilmember Vincent Manfredi
Councilmember Nancy Smith
Councilmember Rich Vitiello

Tuesday, July 16, 2019

7:00 PM

Council Chambers

1. Call to Order

The City Council Regular Meeting was called to order at 7:01 p.m. Maricopa Lutheran Church Pastor, Glenn Zimbelman gave the invocation and Councilmember Rich Vitiello led the public in the Pledge of Allegiance.

2. Roll Call

Present: 7 - Councilwoman Julia R. Gusse, Mayor Christian Price, Councilmember Nancy Smith, Councilmember Vincent Manfredi, Councilmember Rich Vitiello, Vice Mayor Henry Wade and Councilmember Marvin L. Brown

3. Proclamations, Acknowledgements and Awards

4. Report from the Mayor

Mayor Price reported participating in the 347 Overpass Ribbon Cutting Ceremony and elaborated on the construction process.

Councilmember Smith reported attending the Pinal Partnership Breakfast and elaborated on the topics of the event. Next, she reported attending the Senior Lunch & Learn on senior safety and reminded the public of the next one would be on Friday, July 19 at Copper Sky at 11 a.m. She added the Pinal County Assessor, Douglas Wolf would be the keynote speaker. Lastly, she reported attending a global drug policy summit with the Be Awesome Coalition and elaborated on the impact of legalization of marijuana in Colorado.

5. Report from the City Manager

There were no items reported.

6. Call to the Public

Linda Sullivan of N. Warren Road in Thunderbird Farms expressed concerns with the I-11 preferred route and spoke in support of the orange route alternative.

Stanley Rios of W. Papago Road in Hidden Valley spoke in support of the orange

route.

Maryeileen Flanagan of N. Apaloosa Road expressed concerns with the I-11 preferred route. She encouraged the Mayor to join the Stop I-11 and Hidden Valley Neighbors and asked for his help in campaigning for the existing orange route.

LeeAnna Matelli of W. Gene Drive in Thunderbird Farms read a letter from Canadian homeowner, Nancy N. The letter expressed disappointment with the I-11 blue line proposal and asked that the orange route be considered as an alternative.

Georgie Otis of N. Reggae Road, encouraged the Mayor and Council to visit the Hidden Valley- Thunderbird area at night time. She spoke in favor of the orange route alternative for the I-11. She opposed the preferred route.

Jim Shoaf, of Hidden Valley Road spoke against the train tracks being closed at State Route 347. He stated it would hurt businesses in the area and elaborated on his frustration on separate entities having a say.

Pam of Hidden Valley expressed concerns by the lack of effort to inform those impacted by the I-11 proposed route. She stated most of the community was not aware until the effort by neighbors to distribute flyers with information.

Mayor Price introduced Transportation Policy Manager, David Maestas and directed anyone with questions or concerns regarding the I-11 to contact him. City Manager Horst added that Mr. Maestas would be available in the lobby during the meeting.

7. Minutes

- 7.1 [MIN 19-49](#) Approval of Minutes from the June 18, 2019 City Council Regular meeting.

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

8. Consent Agenda

Approval of the Consent Agenda

A motion was made by Councilmember Marvin L. Brown, seconded by Councilmember Vincent Manfredi, to Adopt the Consent Agenda. The motion carried by a unanimous vote.

- 8.1 [MISC 19-25](#) The Mayor and City Council shall discuss and possibly take action to approve a proposed amendment to the existing final plat for the Estrella Gin Business Park, case # SUB19-08. Discussion and Action.

This Miscellaneous Item was Approved.

- 8.2 [MISC 19-26](#) The Mayor and City Council shall discuss and possibly take action on a request by Chief Leffler for a new firefighter in the Fire Department in FY2019/2020. Discussion and Action.

This Miscellaneous Item was Approved.

- 8.3 [SPEV 19-02](#) 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 Nancy Ehrhart on behalf of the Province Community Association for special events to be held on September 19, 2019, October 17, 2019, November 21, 2019, December 19, 2019, January 16, 2020, February 20, 2020, March 19, 2020, April 16, 2020, May 5, 2020, and May 21, 2020 at 20942 N. Province Parkway, Maricopa, Arizona 85138. Discussion and Action.

This Special Event Permit was Approved.

- 8.4 [RES 19-33](#) The Mayor and City Council shall discuss and possibly take action to ratify a Resolution of the Mayor and City Council of the City of Maricopa, Arizona supporting the submission of a grant application to the Ak Chin Indian Community for funding Boys & Girls Clubs of the Casa Grande Valley and agreeing to act as the designated fiscal agent of such funding. Discussion and Action.

This Resolution was Approved.

- 8.5 [CON 19-15](#) The Mayor and City Council shall discuss and possibly take action on approving a Community Development Block Grant (CDBG) Cooperation and Coordination Agreement with Pinal County. Discussion and Action.

This Contract was Approved.

9. **Regular Agenda and/or Public Hearings**

- 9.1 [PH 19-07](#) The Mayor and City Council shall hear public comment regarding the DRAFT - Land Use Assumptions, Infrastructure Improvements Plan, and Development Fee report which, serves as the basis for development impact fees proposed to be effective February 2020. This item will be presented by Brenda Hasler.

Senior Financial Analyst, Brenda Hasler gave a brief presentation on the Development Impact Fees Biennial Audit. She stated TischlerBise was selected to prepare the update and stated that Land Use Assumptions (LUA), Infrastructure Improvement Plan (IIP) and the Development Impact Fees (DIF) must be updated at least every five years. She gave information on TischlerBise and noted Carson Bise, President of Tischler Bise was available for questions. She stated the Draft report was posted on the City's website for sixty days prior to this public hearing. She added an email was sent to stakeholders with a link to the draft report. She stated the next step was to place the report for adoption on the September 3rd, 2019 City Council Regular Agenda. She explained the following steps to adopt the updated development fees: post the report on the website on September 4, the public hearing on October 15, 2019 and final adoption on November 2019. She stated the new development fees would go into effect in February 2020. She opened the floor for comment at 7:35 p.m. Mayor Price asked Mrs. Hasler to elaborate on any feedback received during the process. Mrs. Hasler elaborated that two stakeholders reached out with concerns. She stated one local business had questions regarding the timing in relation to projects they were starting in the near future and how it would impact their budget. She stated the second stakeholder was the Home Builders Association of Central Arizona (HBACA) and that they submitted a letter with some concerns. She stated TischlerBise addressed their concerns and there was a mutual agreement. There were no additional comments from the public. The public hearing closed at 7:37 p.m.

The Public Hearing was held.

9.2 **PH 19-12**

The Mayor and City Council shall hear public comment regarding the Report on Applying Agreed-Upon Procedures Biennial Certification of Land Use Assumptions, Infrastructure Improvement Plan and Development Impact Fees for the Periods August 1, 2014 through June 30, 2016 and July 1, 2016 through June 30, 2018. This item will be presented by Angele Ozoemelam.

Financial Services Manager, Angele Ozoemelam explained that in 2011 Arizona State Statute, A.R.S §9-463.05 was changed to enable cities and towns to impose Development Fees an required municipalities to either appoint an infrastructure improvement advisory committee or implement a review process of ongoing infrastructure projects, collection and expenditures of development fees by either creating a five member impact fee advisory committee or conducting biennial certified audits. She stated the City Council decided on a biennial audit in 2013 and elaborated. She detailed the projects from Fiscal Years 2015-2016 and FY 2017-2018. She detailed the requirements for the audit review per ARS. She stated the City engaged the CPA firm Heinfeld Meech to conduct the agreed upon procedures which included a review of ongoing infrastructure projects, and collection and expenditures of development fees. She discussed the results of procedures of past audits and noted the report was available on the City's website. Vice Mayor Wade inquired how discrepancies would be handled. She responded that it would depend on the level of the discrepancy and elaborated on examples. The public hearing opened for comment at 7:43 p.m. there was no public comments received. The public hearing was closed at 7:43 p.m

The Public Hearing was held.

9.3 **RES 19-32**

A Resolution of the Mayor and City Council of the City of Maricopa, Arizona approving and adopting the Development Agreement between the City of Maricopa and Anderson Palmisano Farms, an Arizona General Partnerhsip, in compliance with A.R.S. 9-500.05. Discussion and Action.

Planning and Zoning Manager, Rodolfo Lopez stated the agreement was to solidify the intent of the City's General Plan. He stated that the City was aware that the owner was unable to bring forward a Planned Area Development (PAD) rezoning application for the entire 637 acres at this time due to the high financial cost required from local utilities. He stated the agreement outlined the development of the property to confirm City standards will be met when the entire property is developed in accordance to the General Plan. City Manager Horst clarified that they would not be exempted from infrastructure improvement but that it would be built in phases. Councilwoman Gusse asked about the timeframe. City Manager Horst elaborated on the phases.

A motion was made by Councilmember Smith, seconded by Vice Mayor Wade, that this Resolution be Approved. The motion carried by the following vote:

Aye: 7 - Councilwoman Julia R. Gusse, Mayor Christian Price, Councilmember Nancy Smith, Councilmember Vincent Manfredi, Councilmember Rich Vitiello, Vice Mayor Henry Wade and Councilmember Marvin L. Brown

9.4 **ORD 19-06**

An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, levying separate amounts to be raised for primary and secondary property tax levies upon each one hundred dollars (\$100.00) of the assessed valuation of property subject to taxation within the City of Maricopa for the fiscal year ending June 30, 2020. Discussion and Action.

Financial Services Manager, Angele Ozoemelam stated that in accordance with Arizona Revised Statutes (A.R.S) Title 42, Section 17104, the City held a public hearing on June 4, 2019 on the Primary Property Tax Levy. She gave a brief summary

on the Primary Tax Levy approved by voters in November 2006. She stated the proposed primary tax levy for Fiscal Year 2019-202 (FY 19-20) was \$13,730,060 at a rate of \$4.7845 for each \$100 of assessed valuation. She explained that although the levy represented an increase over the FY 18-19 tax levy, the increase was due in part to new construction as well as maintaining the tax rate assessed per one hundred dollars of the assessed value of property subject to taxation. She stated that the City was truth-in-taxation requirements per A.R.S. and elaborated. Next, she gave a brief summary on the Secondary Tax Levy approved by voters in November 2008. She stated the proposed Secondary Property Tax Levy for FY 19-20 was \$3,406,624 at a rate of \$1.1871 for each \$100 of assessed valuation. She recommended approval of the Ordinance and opened the floor for question.

A motion was made by Councilmember Smith, seconded by Councilmember Vitiello, that this Ordinance be Approved. The motion carried by the following vote:

Aye: 7 - Councilwoman Julia R. Gusse, Mayor Christian Price, Councilmember Nancy Smith, Councilmember Vincent Manfredi, Councilmember Rich Vitiello, Vice Mayor Henry Wade and Councilmember Marvin L. Brown

9.5 **ORD 19-07**

An Ordinance of the Mayor and City Council of the City of Maricopa, Arizona, amending Sections 8-2-4(3) and 8-2-4(7)(a) of the City Code of Maricopa regarding the submission of fingerprints related to Adult Oriented Business Applications and providing for severability and the effective date thereof. Discussion and Action.

City Clerk Vanessa Bueras stated that the provisions related to Adult Oriented Business Applications required the applicant to submit fingerprints but did not specifically state that the fingerprints would be submitted for a criminal background check. She stated the City was contacted by the Arizona Department of Public Safety (DPS), regarding the concerns of DPS and the FBI who oversee the fingerprinting and background check process. She stated the revisions set forth in the Ordinance were meant to address those concerns.

A motion was made by Vice Mayor Wade, seconded by Councilwoman Gusse, that this Ordinance be Approved. The motion carried by the following vote:

Aye: 7 - Councilwoman Julia R. Gusse, Mayor Christian Price, Councilmember Nancy Smith, Councilmember Vincent Manfredi, Councilmember Rich Vitiello, Vice Mayor Henry Wade and Councilmember Marvin L. Brown

10. Executive Session

There was no executive session.

11. Adjournment

A motion was made by Councilmember Vincent Manfredi, seconded by Councilmember Nancy Smith, to Adjourn at 7:53 p.m. The motion carried unanimously.

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 16th day of July, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 6th day of August, 2019.

Vanessa Bueras
City Clerk