

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
CITY COUNCIL CHAMBER
April 17, 2012

A **Regular Meeting** of the City Council of the City of Peoria, Arizona was convened at 8401 West Monroe Street in open and public session at 7:00 p.m.

Following a moment of silent reflection, Councilmember Carlat led the Pledge of Allegiance.

Members Present: Mayor Bob Barrett; Vice Mayor Ron Aames; Councilmembers Cathy Carlat, Joan Evans, Carlo Leone, Dave Pearson and Tony Rivero.

Members Absent: None

Other Municipal Officials Present: Carl Swenson, City Manager; Susan Thorpe, Deputy City Manager; Steve Burg, Chief Assistant City Attorney; Wanda Nelson, City Clerk; Katie Gregory, Interim Management and Budget Director; Bo Larsen, Public Information Manager; Claudia Luján, Interim Human Resources Director; Bill Mattingly, Public Works and Utilities Director; Brent Mattingly, Finance Director; Roy Minter, Police Chief; Dan Nissen, Assistant Engineering Director; Rick Picard, Deputy Fire Chief; Jeff Tyne, Interim Community Services Director; Corina Russo, Assistant to the City Manager; Rhonda Geriminsky; Chief Deputy City Clerk.

Audience: Approximately 15 members of the public were present.

Note: The order in which items appear in the minutes is not necessarily the order in which they were discussed in the meeting.

PRESENTATION:

CONSENT AGENDA: All items listed with a "C" are considered to be routine or have been previously reviewed by the City Council, and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests; in which event the item will be removed from the General Order of Business, and considered in its normal sequence on the Agenda.

Mayor Barrett asked if any Councilmember wished to have an item removed from the Consent Agenda.

Councilmember Rivero requested that Agenda Item 4C be removed for separate discussion.

Motion was made by Vice Mayor Aames, seconded by Councilmember Leone, to approve the Consent Agenda with the exception of Agenda Item 4C. Upon vote, the motion carried unanimously 7 to 0.

CONSENT – New Business:

1C Disposition of Absence

Excused the absence of Mayor Bob Barrett for the following meetings:

March 28, 2012 Budget Study Session Meeting
March 30, 2012 Budget Study Session Meeting
April 3, 2012 Special Meeting and Study Session
April 3, 2012 Regular Meeting

2C Minutes

Approved the following minutes:

March 26, 2012 Budget Study Session Meeting
March 27, 2012 Budget Study Session Meeting
March 28, 2012 Budget Study Session Meeting
March 30, 2012 Budget Study Session Meeting
April 3, 2012 Special Meeting and Study Session
April 3, 2012 Regular Meeting

3C Grant, Peoria Police Department, Governor's Office of Highway Safety, Click It or Ticket

- (a) Authorized the City Manager to accept \$7,500 from the Governor's Office of Highway Safety (GOHS) to be used by the Peoria Police Department for safety belt and child passenger law enforcement; and
- (b) Approved a budget adjustment of \$7,500 from the Proposed Grants Contingency account to the Governor's Office of Highway Safety Grant Overtime account.

4C Ratification, Employee Benefits Trust Board, Affiliate Agencies; Rescind Council Policy 2-5

Clerk's Note: This item was heard separately at the end of the Consent Agenda.

Claudia Lujan, Interim Human Resources Director, provided background regarding the request to ratify the Employee Benefits Trust Board's decision to rescind benefits to affiliate agencies and rescind Council Policy 2-5.

Discussion ensued regarding the length of time to determine the need to rescind benefits to affiliate agencies.

Motion was made by Councilmember Rivero, seconded by Councilmember Leone, to ratify the decision of the Employee Benefits Trust Board to determine that employees of the Affiliated Agencies are ineligible to participate as members of the city's health plans and to rescind Council Policy CP2-5.

Upon vote, motion carried unanimously 7 to 0.

5C Appropriation of Funds, Westland Park Construction

Approved a budget transfer in the amount of \$21,930 in order to make the final payment to Sunbelt Holdings for the Westland Park Project.

6C Third Quarter Budget Amendments, Fiscal Year 2012

Approved the Fiscal Year 2012 Third Quarter budget amendments.

7C Maintenance Improvement District No. 1094, Silver Canyon Ranch Unit 1, 77th Lane and Happy Valley Road

RESOLUTION NO. 2012-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEORIA, ARIZONA, DECLARING ITS INTENTION TO CREATE AN IMPROVEMENT DISTRICT TO MAINTAIN LANDSCAPING INCLUDED WITHIN, NEAR AND ADJACENT TO A PARKWAY AND RELATED FACILITIES TOGETHER WITH APPURTENANT STRUCTURES AS SHOWN ON THE PLANS, FOR MAINTENANCE WITHIN AN AREA IN THE CITY OF PEORIA AS DESCRIBED HEREIN; ADOPTING PLANS FOR CITY OF PEORIA MAINTENANCE IMPROVEMENT DISTRICT NO. 1094, SILVER CANYON RANCH UNIT 1, AS MORE PARTICULARLY DESCRIBED HEREIN, AND DECLARING THE WORK OR IMPROVEMENT TO BE OF MORE THAN LOCAL OR ORDINARY PUBLIC BENEFIT, AND THAT THE COST OF SAID WORK OR IMPROVEMENT SHALL BE ASSESSED UPON A CERTAIN DISTRICT, AND PROVIDING THAT THE PROPOSED WORK OR IMPROVEMENT SHALL BE PERFORMED UNDER ARIZONA REVISED STATUTES TITLE 48, CHAPTER 4, ARTICLE 2, AND AMENDMENTS THERETO AND DECLARING AN EMERGENCY.

RESOLUTION NO. 2012- 47

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA DECLARING ITS INTENTION TO ORDER THE IMPROVEMENTS OF A CERTAIN AREA WITHIN THE CORPORATE LIMITS OF THE CITY AND CREATING AN IMPROVEMENT DISTRICT KNOWN AS THE CITY OF PEORIA MAINTENANCE IMPROVEMENT DISTRICT NO. 1094, SILVER CANYON RANCH UNIT 1; PROVIDING THAT THE COST OF THE MAINTENANCE OF THE LANDSCAPING INCLUDED WITHIN, NEAR, AND ADJACENT TO A PARKWAY AND RELATED FACILITIES TOGETHER WITH APPURTENANT STRUCTURES AS SHOWN ON THE PLANS, SHALL BE ASSESSED UNDER THE PROVISIONS OF TITLE 48, CHAPTER 4, ARTICLE 2, ARIZONA REVISED STATUTES, AS AMENDED; AND DECLARING AN EMERGENCY.

Approved the Petition for Formation and adopted **RES. 2012-46** intention and ordering formation of proposed Maintenance Improvement District No. 1094, Silver Canyon Ranch Unit 1, located at 77th Lane and Happy Valley Road; and adopted **RES. 2012-47** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

8C Easement, Salt River Project, 75th Avenue and Thunderbird Road Intersection Widening Project

RESOLUTION NO. 2012-44

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, AUTHORIZING THE GRANTING OF AN EASEMENT TO SALT RIVER PROJECT FOR THE RELOCATION OF EXISTING IRRIGATION FACILITIES IN THE VICINITY OF 75TH AVENUE AND THUNDERBIRD ROAD.

Adopted **RES. 2012-44** authorizing the execution of an Irrigation Easement to Salt River Project for the relocation and maintenance of irrigation facilities associated with the construction of the 75th Avenue and Thunderbird Road Intersection Widening Project.

9C Easement, Arizona Public Service, Peoria Community Center, 8335 West Jefferson Street

RESOLUTION NO. 2012-45

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, AUTHORIZING THE GRANTING OF AN EASEMENT TO ARIZONA PUBLIC SERVICE COMPANY FOR THE INSTALLATION AND MAINTENANCE OF ELECTRICAL FACILITIES ASSOCIATED WITH THE REMODEL OF THE COMMUNITY CENTER LOCATED AT 8335 WEST JEFFERSON STREET.

Adopted **RES. 2012-45** authorizing the execution of a Utility Easement to Arizona Public Service for the installation and maintenance of power facilities related to the Community Center remodel project.

REGULAR AGENDA

NEW BUSINESS

10R Charter Amendment, Article II, Section 15, Special Meetings

RESOLUTION NO. 2012-50

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA PROPOSING AN AMENDMENT TO THE CITY OF PEORIA, ARIZONA, CITY CHARTER, AMENDING ARTICLE II, BY AMENDING SECTION 15 PERTAINING TO SPECIAL MEETINGS.

Steve Burg, Chief Assistant City Attorney, provided an overview of the proposed Charter Amendment regarding Special Meetings.

Motion was made by Vice Mayor Aames, seconded by Councilmember Rivero, to adopt **RES. 2012-50** placing a proposed charter amendment on the August 28, 2012 Regular Election Ballot that would amend Article II, Section 15 of the Peoria City Charter pertaining to Special Meetings.

Upon vote, the motion carried 4 to 3, with Mayor Barrett and Councilmembers Carlat and Evans voting "no".

11R One-Time Budget Adjustments, Fiscal Year 2012

Katie Gregory, Interim Budget and Management Director, provided an overview of the request for one-time budget adjustments for various operating expenses.

Discussion ensued regarding the number of fire fighters on light duty.

Motion was made by Councilmember Carlat, seconded by Councilmember Evans, to approve the use of reserves and a budget amendment from city contingency to various operating funds so that available cash balances in these funds may be used for the purposes stated.

Upon vote, the motion carried unanimously 7 to 0.

12R Defeasance of Outstanding Municipal Development Authority, Revenue Refunding Bonds, Series 2003

Brent Mattingly, Finance Director, reviewed the request for a cash transfer and budget authorization from the Municipal Development Authority Revenue Refunding Bonds – Series 2003.

Motion was made by Councilmember Carlat, seconded by Vice Mayor Aames, to approve a cash transfer of approximately \$1.2 million and additional budget authorization in the amount of \$2.9 million to defease \$2.9 million in remaining Municipal Development Authority, Revenue Refunding Bonds, Series 2003.

Upon vote, the motion carried unanimously 7 to 0.

13R Naming Community Park 2

Kirk Haines, Parks Manager, outlined the process used for selecting an official name for the City's second community park and provided options for Council to select from. The proposed park naming options are: Peoria Pioneer Community Park, Olive Branch Community Park and Desert Sage Community Park.

Discussion ensued regarding additional park name options and possible ground-breaking ceremonies.

Motion was made by Councilmember Rivero, seconded by Vice Mayor Aames, to select Pioneer Community Park as the official name for the City of Peoria's second community park, located at Olive and 83rd Avenue.

Upon vote, the motion carried unanimously 7 to 0.

14R Council Subcommittee Appointments

RESOLUTION No. 2012-48

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, CONSENTING TO THE APPOINTMENTS TO THE CITY OF PEORIA, ARIZONA CITY COUNCIL SUBCOMMITTEE ON COMMUNITY CULTURE AND PUBLIC SAFETY AND ESTABLISHING THE TERM OF OFFICE.

RESOLUTION No. 2012-49

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, CONSENTING TO THE APPOINTMENTS TO THE CITY OF PEORIA, ARIZONA CITY COUNCIL SUBCOMMITTEE ON SUSTAINABLE DEVELOPMENT AND PUBLIC SERVICES AND ESTABLISHING THE TERM OF OFFICE.

Mayor Barrett outlined the selection for appointments to the Council Subcommittee on Community Culture and Public Safety and the Council Subcommittee on Sustainable Development and Public Services.

Motion was made by Vice Mayor Aames, seconded by Councilmember Pearson, to adopt **RES. 2012-48** and **RES. 2012-49** consenting to the Mayor's appointments to the Council Subcommittee on Community Culture and Public Safety and the Council Subcommittee on Sustainable Development and Public Services.

Upon vote, the motion carried unanimously 7 to 0.

15R Purchase, Public Art, Old Town Peoria

Kirk Haines, Parks Manager, reviewed the proposed art to be located at Johnny E. Osuna Park, Centennial Plaza and the 84th Avenue Streetscape. Mr. Haines reviewed options and the reason for selecting the proposed art.

Discussion ensued regarding night reflection on the public art proposed to be located at Centennial Plaza.

Motion was made by Councilmember Rivero, seconded by Councilmember Evans, to approve the recommendations from the Arts Commission to purchase public art to be located at Johnny E. Osuna Park, Centennial Plaza and along the 84th Avenue Streetscape.

Upon vote, the motion carried unanimously 7 to 0.

16R Call and Notice of Election

Wanda Nelson, City Clerk, reviewed the Call and Notice of Election.

Motion was made by Vice Mayor Aames, seconded by Councilmember Carlat, to:

- (a) Direct the City Clerk to publish the Call and Notice of Election for a Citywide Primary Election on August 28, 2012 and if necessary, a General Election on November 6, 2012; and
- (b) Authorize the City Clerk and the City Attorney to take all action necessary to conduct the elections.

Upon vote, the motion carried unanimously 7 to 0.

CALL TO THE PUBLIC: (NON-AGENDA ITEMS)

None.

Reports from the City Manager:

1. Council Calendar
2. Reports with Presentation
 - a. Celebration of Artists

Jeff Tyne, Interim Community Services Director, presented regarding the Celebration of Artists display in the Art Gallery.

3. Informational (The following items are included for informational purposes only. There will be no separate discussion of these items unless a Councilmember so requests.)

Carl Swenson, City Manager, informed Council that their Agenda packet contains information related to the following items:

- a. Spring Events
- b. Students with Aspiring Goals Program (SWAG)
- c. Fill the Boot Fundraiser
- d. City of Peoria 2011 PACE Conference - 100th Arizona Town Hall Background Report

Reports from City Council:

Councilmember Leone reported on the various City of Peoria activities he attended.

Councilmember Carlat reported on the various City of Peoria activities she attended.

Councilmember Rivero reported on the various City of Peoria activities he attended.

Councilmember Pearson reported on the various City of Peoria activities he attended.

Councilmember Evans reported on the various City of Peoria activities she attended. Councilmember Evans encouraged citizens to visit a new business opening in Peoria called "All in the Game", located near the Peoria Sports Complex. "All in the Game" opens for business on Sunday, April 22, 2012.

Reports from the Mayor:

Mayor Barrett reported that Relay for Life will be held on April 28th, 2012 at the Peoria Sports Complex. Mayor Barrett informed that this year he will be wearing a purple shirt to indicate that he is now a cancer survivor. Mayor Barrett encouraged citizens to attend Relay for Life and donate \$5.00 to take a swipe out of his hair.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 7:47 p.m.

Bob Barrett, Mayor

ATTEST:

Wanda Nelson, City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct summary of the proceedings of the Regular Meeting of the City Council of Peoria, Arizona held on the 17th day of April, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 1st day of May, 2012.

(Seal)

Wanda Nelson, City Clerk