

**MINUTES OF THE PEORIA CITY COUNCIL**  
CITY OF PEORIA, ARIZONA  
CITY COUNCIL CHAMBER  
June 5, 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 Rivero 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 Daluddung, Deputy City Manager; Steve Kemp, City Attorney; Wanda Nelson, City Clerk; Katie Gregory, Interim Management and Budget Director; Stacy Irvine, Interim Fire Chief; Chris Jacques, Planning and Community Development Director; Bo Larsen, Public Information Manager; Claudia Luján, Interim Human Resources Director; Bill Mattingly, Public Works and Utilities Director; Brent Mattingly, Finance Director; Dan Nissen, Assistant City Engineer; Rocky Smith, Deputy Police Chief; Jeff Tyne, Interim Community Services Director; Scott Whyte, Economic Development Services Director; 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.

**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 Leone requested that **RES. 2012-78** be removed from Agenda Item 2C.

Motion was made by Vice Mayor Aames, seconded by Councilmember Pearson, to approve the Consent Agenda with the exception of Agenda Item 2C pertaining only to RES. 2012-78. Upon vote, the motion carried unanimously 7 to 0.

**CONSENT – New Business:**

**1C Minutes**

Approved the following minutes:

May 15, 2012 Special Meeting and Study Session

May 15, 2012 Regular Meeting

**2C Appointments, Boards and Commissions**

RESOLUTION 2012-70

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING ROBERT BENSON AND CHRISTOPHER HEARN TO THE ARTS COMMISSION AND ESTABLISHING THE TERMS OF OFFICE.

RESOLUTION 2012-71

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING MICHAEL BELLARD TO THE INDUSTRIAL DEVELOPMENT AUTHORITY AND ESTABLISHING THE TERM OF OFFICE.

RESOLUTION 2012-72

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING MICHAEL BAILEY AND KEVIN KADLEC TO THE JUDICIAL SELECTION ADVISORY BOARD AND ESTABLISHING THE TERMS OF OFFICE.

RESOLUTION 2012-73

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING JOAN LEONE AND JACK MCCLEARY TO THE LIBRARY BOARD AND ESTABLISHING THE TERMS OF OFFICE.

RESOLUTION 2012-74

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING THOMAS CAMPBELL TO THE PERSONNEL BOARD AND ESTABLISHING THE TERM OF OFFICE.

RESOLUTION 2012-75

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING JOHN BUONAGURIO TO THE PUBLIC DEFENDER CONTRACT REVIEW COMMITTEE AND ESTABLISHING THE TERM OF OFFICE.

RESOLUTION 2012-76

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING GILBERT OLIVERA TO THE VOLUNTEER FIREFIGHTER PENSION BOARD AND ESTABLISHING THE TERM OF OFFICE.

RESOLUTION 2012-77

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING LORRAINE BARKER, TYLER CRUMP, ELIZABETH GONZALEZ, KODY KNUTH, TAYLOR PARADISO, AND VANESSA VELASQUEZ AND APPOINTING USAMMA AMJAD, LINCOLN CRUMP, JANELL COOKE, JASMINE KUNKES, KILEY PERKINS, AND ALEC WILLEMS TO THE YOUTH ADVISORY BOARD AND ESTABLISHING THE TERMS OF OFFICE.

RESOLUTION 2012-79

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, APPOINTING DONALD BIERY AND RICHARD WARD TO THE PARKS AND RECREATION BOARD AND ESTABLISHING THE TERM OF OFFICE.

RESOLUTION 2012-80

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, APPOINTING LEONARD SPRAKER TO THE PLANNING AND ZONING COMMISSION AND ESTABLISHING THE TERM OF OFFICE.

Approved the recommendation from the Council Subcommittee on Boards and Commissions Appointments pertaining to the following appointments, and adopted the Resolutions as presented:

Adopted **RES. 2012-70** reappointing Robert Benson and Christopher Hearn, as regular members, to the Arts Commission,

Adopted **RES. 2012-71** reappointing Michael Bellard, as a regular member, to the Industrial Development Authority,

Adopted **RES. 2012-72** reappointing Michael Bailey and Kevin Kadlec, as regular members, to the Judicial Selection Advisory Board,

Adopted **RES. 2012-73** reappointing Joan Leone and Jack McCleary, as regular members, to the Library Board,

Adopted **RES. 2012-74** reappointing Thomas Campbell, as a regular member, to the Personnel Board,

Adopted **RES. 2012-75** reappointing John Buonagurio, as a regular member, to the Public Defender Contract Review Committee,

Adopted **RES. 2012-76** reappointing Gilbert Olivera, as a regular member, to the Volunteer Firefighter Pension Board,

Adopted **RES. 2012-77** reappointing Lorraine Barker, Tyler Crump, Elizabeth Gonzalez, Kody Knuth, Taylor Paradiso, and Vanessa Velasquez; and appointing Usamma Amjad, Lincoln Crump, Janell Cooke, Jasmine Kunkes, Kiley Perkins, Arria Reams, and Alec Willems, as regular members, to the Youth Advisory Board,

**Clerk's Note: RES. 2012-78 appointing Jamey Lynne Bishop, as a regular member, and Philip Denaro, Jr., as an alternate member, to the Economic Development Advisory Board, was removed from the Consent Agenda to be placed on a future meeting.**

Adopted **RES. 2012-79** appointing Donald Biery and Richard Ward, as regular members, to the Parks and Recreation Board, and

Adopted **RES. 2012-80** appointing Leonard Spraker, as a regular member, to the Planning and Zoning Commission.

**3C Intergovernmental Agreement Amendment, Americans with Disabilities Act Paratransit Service, Regional Public Transportation Authority**

Approved the Intergovernmental Agreement Amendment No. 2 for Americans with Disabilities Act Paratransit Service between the City of Peoria and the Regional Public Transportation Authority.

**4C Intergovernmental Agreement, City of Phoenix, Federal Transit Authority Surface Transportation Program, Reimbursement**

Approved an Intergovernmental Agreement with the City of Phoenix for reimbursement of preventative maintenance costs in the amount of \$15,745 from the Federal Transit Authority (FTA) by way of pass through grant from the City of Phoenix.

**5C Intergovernmental Agreement, City of Phoenix, Federal Transit Authority Surface Transportation Program, Reimbursement**

Approved an Intergovernmental Agreement with the City of Phoenix for reimbursement of preventative maintenance costs in the amount of \$92,038 from the Federal Transit Authority (FTA) by way of pass through grant from the City of Phoenix.

**6C Contract Amendment, Kimley-Horn and Associates, Beardsley Road Widening, 99th Avenue to Lake Pleasant Road**

Approved Contract Amendment No. 3 with Kimley-Horn and Associates in the amount of \$10,045 for additional design services associated with the Beardsley Road Widening; 99th Avenue to Lake Pleasant Road project.

**7C Maintenance Improvement District No. 1128, Sunset Ranch IIC, 99th Avenue and Jessie Lane**

RESOLUTION NO. 2012-62

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. 1128, SUNSET RANCH IIC, 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- 63

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. 1128, SUNSET RANCH IIC; 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. 2012-62** intention and ordering formation of proposed Maintenance Improvement District No. 1128, Sunset Ranch IIC, located at 99th Avenue and Jessie Lane; and adopted **RES. 2012-63** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

**8C Maintenance Improvement District No. 1129, Sunset Ranch IID, 102nd Avenue and Patrick Lane**

RESOLUTION NO. 2012-66

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. 1129, SUNSET RANCH IID, 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- 67

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. 1129, SUNSET RANCH IID; 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. 2012-66** intention and ordering formation of proposed Maintenance Improvement District No. 1129, Sunset Ranch IID, located at 102nd Avenue and Patrick Lane; and adopted **RES. 2012-67** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

**9C Street Light Improvement District No. 1068, Sunset Ranch IIC, 99th Avenue and Jessie Lane**

RESOLUTION NO. 2012-68

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA DECLARING ITS INTENTION TO ORDER THE PURCHASE OF ELECTRICITY FOR LIGHTING THE STREETS AND PUBLIC PARKS WITHIN THE PROPOSED DISTRICT AND THAT THE COST OF THE PURCHASE OF ELECTRICITY FOR LIGHTING THE STREETS AND PUBLIC PARKS, BE ASSESSED UPON A CERTAIN IMPROVEMENT DISTRICT TO BE KNOWN AS CITY OF PEORIA STREETLIGHT IMPROVEMENT DISTRICT NO. 1068, SUNSET RANCH IIC; PROVIDING THAT THE COST OF THE ELECTRICITY REQUIRED TO OPERATE THE SYSTEM BE ASSESSED UNDER THE PROVISIONS OF TITLE 48, CHAPTER 4, ARTICLE 2, ARIZONA REVISED STATUTES, AS AMENDED; AND DECLARING AN EMERGENCY.

RESOLUTION NO. 2012-69

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA ORDERING THE IMPROVEMENTS OF CERTAIN STREETS AND RIGHTS-OF-WAY WITHIN THE CORPORATE LIMITS OF THE TOWN AND CREATING AN IMPROVEMENT DISTRICT KNOWN AS THE CITY OF PEORIA STREETLIGHT IMPROVEMENT DISTRICT NO. 1068, SUNSET RANCH IIC, PURSUANT TO TITLE 48, CHAPTER 4, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO FOR THE PURPOSE OF PURCHASING ELECTRICITY, WHICH INCLUDES A CHARGE FOR THE USE OF LIGHTING FACILITIES AND OTHER RELATED ITEMS TOGETHER WITH ALL APPURTENANT STRUCTURES AS SHOWN ON THE PLANS, AND DECLARING AN EMERGENCY.

Approved the Petition for Formation and adopted **RES. 2012-68** intention and ordering formation of proposed Street Light Improvement District No. 1068, Sunset Ranch IIC, located at 99th Avenue and Jessie Lane; and adopted **RES. 2012-69** ordering the improvements within the proposed Street Light Improvement District and declaring and emergency.

**10C Street Light Improvement District No. 1069, Sunset Ranch IID, 102nd Avenue and Patrick Lane**

RESOLUTION NO. 2012-64

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA DECLARING ITS INTENTION TO ORDER THE PURCHASE OF ELECTRICITY FOR LIGHTING THE STREETS AND PUBLIC PARKS WITHIN THE PROPOSED DISTRICT AND THAT THE COST OF THE PURCHASE OF ELECTRICITY FOR LIGHTING THE STREETS AND PUBLIC PARKS, BE ASSESSED UPON A CERTAIN IMPROVEMENT DISTRICT TO BE KNOWN AS CITY OF PEORIA STREETLIGHT IMPROVEMENT DISTRICT NO. 1069, SUNSET RANCH IID; PROVIDING THAT THE COST OF THE ELECTRICITY REQUIRED TO OPERATE THE SYSTEM BE ASSESSED UNDER THE PROVISIONS OF TITLE 48, CHAPTER 4, ARTICLE 2, ARIZONA REVISED STATUTES, AS AMENDED; AND DECLARING AN EMERGENCY.

RESOLUTION NO. 2012-65

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA ORDERING THE IMPROVEMENTS OF CERTAIN STREETS AND RIGHTS-OF-WAY WITHIN THE CORPORATE LIMITS OF THE TOWN AND CREATING AN IMPROVEMENT DISTRICT KNOWN AS THE CITY OF PEORIA STREETLIGHT IMPROVEMENT DISTRICT NO. 1069, SUNSET RANCH IID, PURSUANT TO TITLE 48, CHAPTER 4, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO FOR THE PURPOSE OF PURCHASING ELECTRICITY, WHICH INCLUDES A CHARGE FOR THE USE OF LIGHTING FACILITIES AND OTHER RELATED ITEMS TOGETHER WITH ALL APPURTENANT STRUCTURES AS SHOWN ON THE PLANS, AND DECLARING AN EMERGENCY.

Approved the Petition for Formation and adopted **RES. 2012-64** intention and ordering formation of proposed Street Light Improvement District No. 1069, Sunset Ranch IID, located at 102nd Avenue and Patrick Lane; and adopted **RES. 2012-65** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

**11C Deeds and Easements, Various Locations**

RESOLUTION NO. 2012-82

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA ADOPTING A RESOLUTION FORMALLY ACCEPTING DEEDS AND EASEMENTS FOR PROPERTY RIGHTS CONVEYED TO THE CITY OF PEORIA.

Adopted **RES. 2012-82** accepting Deeds and Easements for various real property interests acquired by the City and previously recorded by the Maricopa County Recorder's Office.

**12C Final Plat, Farin Heights Subdivision, 81st Avenue and Cactus Road**

Approved a Final Plat of Farin Heights Subdivision, located at 81st Avenue and Cactus Road, subject to stipulations.

**13C Replat, Units 94 and 95, Building 8, Olive Avenue Business Park Condominium, Olive Avenue and Loop 101**

Approved a Replat of Units 94 and 95, Building 8, Olive Avenue Business Park Condominium, located on Olive Avenue and Loop 101, subject to stipulations.

## **REGULAR AGENDA**

### **NEW BUSINESS**

**14R PUBLIC HEARING - Liquor License, Edisu Sushi and Grill, located at 16055 North Arrowhead Fountain Center #B.**

**Staff Report/Public Comment:**

Brent Mattingly, Finance Director, reported that the properties were posted in accordance with Arizona law, all fees were paid, all reviewing Departments recommended approval, and no comments were received from the public.

**PUBLIC HEARING:**

Mayor Barrett opened the Public Hearing and asked if any Councilmember or citizen wished to comment on a request for a New Restaurant Liquor License (Series 12) for Edisu Sushi and Grill, located at 16055 North Arrowhead Fountain Center #B, Dong H. Jung, Applicant, LL#20004903.

Discussion ensued regarding changes in liquor license applications.

Having no requests from the public to address this item, Mayor Barrett declared the Public Hearing closed.

**COUNCIL ACTION:**

Motion was made by Councilmember Carlat, seconded by Councilmember Leone to recommend approval to the State Liquor Board for a New Restaurant Liquor License (Series 12) for Edisu Sushi and Grill, located at 16055 North Arrowhead Fountain Center #B, Dong H. Jung, Applicant, LL#20004903.

Upon vote, the motion carried unanimously 7 to 0.

**14R(A) PUBLIC HEARING - Liquor License, LW's Hide-A-Way, located at 9098 W. Pinnacle Peak Road**

**Staff Report/Public Comment:**

Brent Mattingly, Finance Director, reported that staff recommends denial of a Liquor License for LW's Hide-A-Way located at 9098 West Pinnacle Peak Road. Mr. Mattingly explained that a denial is recommended because LW's Hide-A-Way currently has a past due sales tax obligation due to the City and a request has been made to the State Liquor Board to place a hold on a Liquor License request for this facility. Additionally, denial is recommended because a Series 6 license is not consistent for zoning in the requested area.

**PUBLIC HEARING:**

Mayor Barrett opened the Public Hearing and asked if any Councilmember or citizen wished to comment on a requests for a Person to Person Transfer for an On-Sale All Liquor License (Series 06) for LW's Hide-A-Way located at 9098 W. Pinnacle Peak Road, J D Campbell, Applicant, LL#20005129.

Discussion ensued regarding Liquor License types, past due sales tax obligations, and variances from the zoning code.

Andrew Gleeson addressed Council regarding the Liquor License request, past sales tax due and license types.

Discussion ensued regarding selling enough food in order to maintain a Series 12 Liquor License.

J.D. Campbell addressed Council regarding the request for a Liquor License transfer.

Having no further requests to address this item, Mayor Barrett declared the Public Hearing closed.

**COUNCIL ACTION:**

Motion was made by Councilmember Vice Mayor Aames, seconded by Councilmember Leone to recommend approval to the State Liquor Board for A Person to Person Transfer for an On-Sale All Liquor License (Series 06)for LW's Hide-A-Way located at 9098 W. Pinnacle Peak Road, J D Campbell, Applicant, LL#20005129.

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

**15R PUBLIC HEARING - Fiscal Year 2013 Final Budget Adoption**

RESOLUTION NO. 2012 - 83

A RESOLUTION OF THE MAYOR AND COUNCIL OF  
THE CITY OF PEORIA, ARIZONA, ADOPTING THE  
FISCAL YEAR 2013 BUDGET.

**Staff Report/Public Comment:**

Katie Gregory, Interim Management and Budget Director, outlined the budget adoption process and schedule. Ms. Gregory provided a historical preview of the City's budget. Ms. Gregory reported that the tentative budget adopted by Council on May 15, 2015 sets the maximum appropriation for FY2013. The FY2013 appropriation totals \$473 million.

**PUBLIC HEARING:**

Mayor Barrett opened the Public Hearing and asked if any Councilmember or citizen wished to comment on the FY2013 Budget.

There being no further comments from those present, Mayor Barrett declared the Public Hearing closed.

**COUNCIL ACTION:**

Motion was made by Vice Mayor Aames, seconded by Councilmember Rivero to adopt **RES. 2012-83** adopting the City of Peoria, Arizona Final Budget totaling \$473 million for Fiscal Year 2013.

Upon vote, the motion carried unanimously 7 to 0.

**16R PUBLIC HEARING - Property Tax Levy, Fiscal Year 2013**

**Staff Report/Public Comment:**

Katie Gregory, Interim Management and Budget Director, advised that State Statute requires that a hearing take place at least 14 days prior to the adoption of the tax levy ordinance. The recommended property tax levy for FY2013 remains at \$1.44 per \$100 of assessed valuation. The primary property tax rate is recommended to remain at \$.19 per \$100 of assessed valuation.

**PUBLIC HEARING:**

Mayor Barrett opened the Public Hearing and asked if any Councilmember or citizen wished to comment on the City of Peoria property tax levy for Fiscal Year 2013.

There being no comments from those present, Mayor Barrett declared the Public Hearing closed.

**COUNCIL ACTION:** No Council action required.

**17R Ratify Election Results, Public Safety Retirement System Local Boards, Police and Fire**

RESOLUTION NO. 2012-81

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA, ARIZONA, RATIFYING THE RESULTS OF THE PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM LOCAL BOARD ELECTIONS.

Wanda Nelson, City Clerk, outlined the results of the Public Safety Retirement System Local Boards for Police and Fire.

Motion was made by Vice Mayor Aames, seconded by Councilmember Evans, to adopt **RES. 2012-81** ratifying the election results of the Public Safety Retirement System Local Boards.

Upon vote, the motion carried unanimously 7 to 0.

**18R Amendment, Council Policy 1-5, Appointment to Boards and Commissions**

Wanda Nelson, City Clerk, outlined the proposed amendments to Council Policy 1-5.

Discussion ensued regarding the interview process for appointments to Boards and Commissions.

Motion was made by Vice Mayor Aames, seconded by Councilmember Pearson, to adopt amended Council Policy 1-5 pertaining to Appointment to Boards and Commissions.

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. Spring Training 2012

Chris Calcaterra, Sports Facilities Manager, presented regarding Spring Training in 2012.

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. Update on the First Strategic Bio-Manufacturing Feasibility Study
- b. Council Subcommittee Update
- c. Community Center Construction
- d. Neighborhood Pride Report
- e. Indie Book Awards Recipient, Battalion Chief Tom Pendley

**Reports from City Council:**

Councilmember Leone reported on the various City of Peoria events he attended. Councilmember Leone expressed appreciation to the Budget Office for the work in providing a balanced budget.

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

Councilmember Pearson informed that an item was removed from the agenda prior to the meeting regarding a potential Open Meeting Law violation for lack of merit.

Vice Mayor Evans outlined the City's Budget history and thanked the Budget Office for presenting a balanced budget.

**Reports from the Mayor:**

None.

**ADJOURNMENT:**

Being no further business to come before the Council, the meeting was duly adjourned at 8:57 p.m.

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Bob Barrett, Mayor

ATTEST:

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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 5<sup>th</sup> day of June, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 19<sup>th</sup> day of June, 2012.

(Seal)

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Wanda Nelson, City Clerk