

**MINUTES OF THE PEORIA CITY COUNCIL**  
CITY OF PEORIA, ARIZONA  
CITY COUNCIL CHAMBER  
September 4, 2012

A **Special Meeting and Study Session** of the City Council of the City of Peoria, Arizona was convened at 8401 West Monroe Street in open and public session at 5:00 p.m.

**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; Linda Blas, Acting City Clerk; Julie Ayers, Human Resources Director; Andy Granger, Engineering Director; Chris Jacques, Planning and Community Development Director; Bo Larsen, Public Information Manager; Brent Mattingly, Finance Director; Roy Minter, Police Chief; Bobby Ruiz, Fire Chief; John Sefton, Community Services Director; Jeff Tyne, Management and Budget Director; Scott Whyte, Economic Development Services Director; Claudia Luján, Assistant to the City Manager; and Natalie Gilstrap, City Clerk Specialist.

**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**

**CONSENT AGENDA:** All items listed on the Consent Agenda 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. Having no requests from Council, motion was made by Councilmember Pearson, seconded by Councilmember Evans, to approve the Consent Agenda. Upon vote, the motion carried unanimously 7 to 0.

### **1C Authorization to Hold an Executive Session**

**Pursuant to A.R.S. § 38-431.03:** Authorized the holding of an Executive Session for the purpose of discussion with legal counsel for legal advice pertaining to the Lease Agreement with Arizona Broadway Theatre. (Pursuant to A.R.S. § 38-431.03.A.3)

## STUDY SESSION AGENDA

### Subjects for Discussion Only:

#### 2. Peoria Youth Master Plan

Jeff Tyne, Management and Budget Director, and Peter Christensen, Budget Analyst, introduced the draft Peoria Youth Master Plan which was developed as a guide for the community to meet the needs of the City's youth. The plan creates a shared vision for the future, allows for an assessment of current resources and needs, and will guide actions moving forward.

The vision statement for the Youth Master Plan is:

**Engaged** in life,  
**Empowered** to shape their community,  
**Equipped** for a bright future.

Through focus groups, the Youth Master Plan Steering Committee, in conjunction with various community partners, identified the vision and focus areas of the plan. The goals and recommendations incorporated into the plan are organized around the following focus areas.

- Education and Life Preparation – Youth have a sense of purpose and graduate from high school with a life plan.
- Safety – Youth are safe at home, at school, and in the community.
- Out-of-School Enrichment – Youth know about and participate in quality programs during out-of-school time.
- Civic Engagement – Youth have opportunities to have their voice heard and positively impact their community.
- Community Collaboration – Government agencies, schools, faith-based organizations, non-profit organizations, and private entities work collaboratively for the benefit of youth.
- Access – Youth have access to community programs and services and have efficient transportation options that allow them to connect with positive opportunities in the community.

Brenda Rehnke, Recreation Manager, reported on progress toward identified focus areas including new programs for teens, job preparation, school programs, library programs, and arts programs.

Ms. Rehnke also reported on the following objectives to continue forward motion of the Youth Master Plan:

- Continue Collaborative Efforts
  - Community Council for Youth
- Leadership/Civic Training
  - West Valley Youth Leadership Council
- Community Plan Steps
- Formal Adoption
  - City Council
  - Other Partner Agencies

### 3. Entertainment District Mixed-Use Redevelopment Project Update

Scott Whyte, Economic Development Services Director, provided updates regarding the Peoria Sports Park, LLC and P83 Public Improvements plan. Jared Chandler, CEO and President of Chandler Hotel Group, was also present and provided information regarding hotel interests in the project.

Discussion ensued around the following topics and conceptual site plans:

- New Development Partner and Hotel Interest,
- Mixed-Use Redevelopment Project,
- Parking Garage Elevations and Financing,
- P83 Design Concept Report (DCR) Project Schedule, and
- Next Steps.

Mr. Whyte reported on the P83 District improvements, including signage, reputation, and lighting. Discussion ensued regarding:

- Stakeholder workshops – September and November 2012 and March 2013
- City Council/public meetings – September and November 2012 and March 2013
- Final Design Concept Report (DCR) – April 2013
- Next Steps:

### **ADJOURNMENT:**

Being no further business to come before the Council, the meeting was duly adjourned at 6:30 p.m.

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, Boy Scout Troop 239 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; Linda Blas, Acting City Clerk; Julie Ayers, Human Resources Director; Andy Granger, Engineering Director; Chris Jacques, Planning and Community Development Director; Bo Larsen, Public Information Manager; Bill Mattingly, Public Works and Utilities Director; Roy Minter, Police Chief; Bobby Ruiz, Fire Chief; John Sefton, Community Services Director; Jeff Tyne, Management and Budget Director; Scott Whyte, Economic Development Services Director; Claudia Luján, Assistant to the City Manager; and Natalie Gilstrap, City Clerk Specialist.

**Audience:** Approximately 25 members of the public were present.

Mayor Barrett read a Proclamation declaring September 8 - 15, 2012 as "Peoria Hispanic Heritage Week".

**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 Evans requested that Agenda Item 5C be removed and Councilmember Pearson asked that Agenda Items 6C and 8C be removed for separate discussions.

Motion was made by Vice Mayor Aames, seconded by Councilmember Leone, to approve the Consent Agenda with the exception of Agenda Items 5C, 6C, and 8C. Upon vote, the motion carried unanimously 7 to 0.

**5C Code Amendment, Chapter 13, Home Detention Alternative Program**

ORDINANCE NO. 2012-20

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA AMENDING CHAPTER 13 OF THE PEORIA CITY CODE (1992) BY ENACTING SECTION 13-104 PERTAINING TO THE HOME DETENTION ALTERNATIVE PROGRAM AND BY ENACTING SECTION 13-105 PERTAINING TO THE HOME DETENTION ALTERNATIVE PROGRAM; ELIGIBILITY AND BY ENACTING SECTION 13-106 PERTAINING TO HOME DETENTION ALTERNATIVE PROGRAM; VIOLATIONS OF A.R.S. § 28-1381; NOTICE TO THE CITY ATTORNEY AND BY ENACTING SECTION 13-107 PERTAINING TO HOME DETENTION ALTERNATIVE PROGRAM; POWERS AND DUTIES AND BY ENACTING SECTION 13-108 PERTAINING TO HOME DETENTION ALTERNATIVE PROGRAM; FEES; REQUIREMENTS AND BY ENACTING SECTION 13-109 PERTAINING TO HOME DETENTION ALTERNATIVE PROGRAM; VIOLATIONS AND PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

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

At the request of Councilmember Evans, Agenda Item 5C was pulled from the Consent Agenda for separate discussion.

Steve Kemp, City Attorney, reported that regarding the Home Detention Alternative Program which is an alternative to traditional jail time where the individual is electronically monitored and serves time pursuant to a restrictive sentencing order at home.

Discussion ensued about victim rights, program eligibility, medical documentation, and program reporting.

Motion was made by Councilmember Pearson, seconded by Vice Mayor Aames to adopt **ORD. 2012-20** amending Chapter 13 of the Peoria City Code (1992 Edition) by enacting Section 13-104 pertaining to the Home Detention Alternative Program with a comprehensive, detailed report to be submitted to Council after one year of implementation. Upon vote, the motion carried 6 to 1 with Councilmember Evans voting "no".

**6C Fine Arts Grant Funding**

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

At the request of Councilmember Pearson, Agenda Item 6C was pulled from the Consent Agenda for separate discussion.

Kirk Haines, Parks Manager, presented an overview of the community related grant awards as recommended by the Arts Commission.

Council requested additional information on how the grant money is being put to use and who is served by the grant recipient agencies.

Motion was made by Councilmember Carlat, seconded by Vice Mayor Aames to approve the recommendations from the Arts Commission and award various arts-related grants. Upon vote, the motion carried unanimously 7 to 0.

**7C Grant, Arizona State Library, Archives and Public Records, Library Services**

- (a) Accepted a Library Services and Technology Act Grant in the amount of \$19,069 administered by Arizona State Library, Archives and Public Records for noise reduction funding and one early literacy computer with work station; and
- (b) Approved a budget transfer in the amount of \$19,069 from the Proposed Grant Contingency Account to the Buildings and Improvement Program Account in the amount of \$7,753; to the Computer Hardware Program Account in the amount of \$3,419; and to the Office Equipment Program Account in the amount of \$7,897.

**8C Grants, Governor's Office of Highway Safety, Peoria Police Department, Highway Safety Projects**

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

At the request of Councilmember Pearson, Agenda Item 8C was pulled from the Consent Agenda for separate discussion.

Roy Minter, Police Chief, provided an overview of the Governor's Office of Highway Safety Grant projects.

Discussion ensued regarding traffic accident trends and data.

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

- (a) Authorize the City Manager to accept \$94,375 from the Governor's Office of Highway Safety for participation in three highway safety projects; and

- (b) Approve a budget transfer in the amount of \$94,375 from the Proposed Grants Contingency Account to the Governor's Office of Highway Safety Grant Account.

Upon vote, the motion carried unanimously 7 to 0.

**9C Grant, State Grants-in-Aid, Peoria Main Library, Expansion of Large Print and Adult Audio CD Collection**

- (a) Accepted a grant in the amount of \$7,975 from State Grants-in-Aid to update and expand the large print and adult audio CD collection; and
- (b) Approved a budget transfer in the amount of \$7,975 from the Proposed Grant Contingency Account to the Books, Periodicals and Subscription program account in the amount of \$7,975.

**10C Grant, Target Corporation, Sunrise Mountain Library, Story Time Craft Supplies**

- (a) Accepted a grant in the amount of \$2,000 from Target Corporation to fund craft supplies for story time at Sunrise Mountain Library; and
- (b) Approved a budget transfer in the amount of \$2,000 from the Proposed Grant Contingency Account to the Recreation Supplies Program Account.

**11C Donation, Blue Cross/Blue Shield of Arizona, Fiestas Peoria Committee**

Accepted the donation from Blue Cross/Blue Shield of Arizona in the amount of \$15,000, and in turn serve as a pass-through to disburse funds to the Fiestas Peoria Committee for the Fiestas Peoria event on September 15, 2012.

**12C Budget Adjustment, Peoria Unified School District, Summer Sports Programs, Various School Locations**

- (a) Authorized the use of General Fund reserves; and
- (b) Approved a budget adjustment in the amount of \$25,740 from the General Fund Contingency Account to the Youth Sports Program Building and Land Lease Rental Account in the amount of \$20,700 and to the Adult Sports Program Building and Land Lease Rental Account in the amount of \$5,040 to supplement the Sports Programs budget and cover payment to the Peoria Unified School District for utility charges due to evening summer youth and adult sports programs at multiple elementary and high school locations.

**13C Intergovernmental Agreement Amendment, Regional Public Transportation Authority, Americans with Disabilities Act Paratransit Service, Fiscal Year 2013**

Authorized the City Manager to execute Intergovernmental Agreement Amendment #2 for Americans with Disabilities Act Paratransit Service with the Regional Public Transportation Authority.

**14C Intergovernmental Agreement Amendment, United States Department of Justice, Drug Enforcement Administration**

- (a) Authorized the renewal of an Intergovernmental Agreement between the United States Department of Justice, Drug Enforcement Administration (DEA) and the Peoria Police Department and assign an officer to the DEA Task Force for a period of not less than two years; and
- (b) Approved a budget transfer in the amount of \$17,202.25 from the Proposed Grants Contingency Account to the Federal DEA IGA Fund Account to provide expenditure authority for overtime.

**15C Maintenance Improvement District No. 1126, Vistancia F1 Phase 1, Calle De Baca and Westland Road**

RESOLUTION NO. 2012-99

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. 1126, VISTANCIA F1 PHASE 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. 2012-100

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. 1126, VISTANCIA F1 PHASE 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. 2012-99** intention and ordering formation of proposed Maintenance Improvement District No. 1126, Vistancia F1 Phase 1, located at Calle De Baca and Westland Road; and adopted **RES. 2012-100** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

**16C Maintenance Improvement District No. 1127, Vistancia F1 Phase 2, 133rd Drive and Westland Road**

RESOLUTION NO. 2012-103

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. 1127, VISTANCIA F1 PHASE 2, 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- 104

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. 1127, VISTANCIA F1 PHASE 2; 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. 2012-103** intention and ordering formation of proposed Maintenance Improvement District No. 1127, Vistancia F1 Phase 2, located at 133rd Avenue and Westland Road; and adopted **RES. 2012-104** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

**17C Street Light Improvement District No. 1065, Vistancia F1 Phase 1, Calle De Baca and Westland Road**

RESOLUTION NO. 2012-101

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. 1065, VISTANCIA F1 PHASE 1; 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. 2012-102

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. 1065, VISTANCIA F1 PHASE 1, 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. 2012-101** intention and ordering formation of proposed Street Light Improvement District No. 1065, Vistancia F1 Phase 1, located at Calle De Baca and Westland Road; and adopted **RES. 2012-102** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

**18C Street Light Improvement District No. 1066, Vistancia F1 Phase 2, 133rd Drive and Westland Road**

RESOLUTION NO. 2012-105

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. 1066, VISTANCIA F1 PHASE 2; 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. 2012-106

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. 1066, VISTANCIA F1 PHASE 2, 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. 2012-105** intention and ordering formation of proposed Street Light Improvement District No. 1066, Vistancia F1 Phase 2, located at 133rd Drive and Westland Road; and adopted **RES. 2012-106** ordering the improvements within the proposed Street Light Improvement District and declaring and emergency.

**19C Exchange of Easement Interests, 75th Avenue and Thunderbird Road**

RESOLUTION NO. 2012-107

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA AUTHORIZING THE EXCHANGE OF EASEMENT INTERESTS WITH THE UNITED STATES OF AMERICA THROUGH THE BUREAU OF RECLAMATION TO ACCOMMODATE THE RELOCATION OF A USA IRRIGATION LATERAL.

Approved **RES. 2012-107** authorizing the exchange of easement interests with the United States of America Bureau of Reclamation as part of the 75th Avenue and Thunderbird Road Intersection Widening Project.

**20C Final Plat, Empire at 89th Avenue and Windsor (also known as Grand Avenue Produce), 89th Avenue North of Cactus Road**

Approved the Final Plat of Empire at 89th Avenue and Windsor (also known as Grand Avenue Produce), located at 89th Avenue north of Cactus Road, subject to stipulations.

**REGULAR AGENDA**

**21R PUBLIC HEARING – Special Use Permit Overlay, 115th and Northern Inert Land Reclamation Facility, 115th Avenue Alignment and Northern Avenue**

ORDINANCE NO 2012-19

AN ORDINANCE OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA ESTABLISHING A SPECIAL USE PERMIT OVERLAY (SUP) OVER THE PLANNED AREA DEVELOPMENT (PAD) ZONING FOR THE PROPERTY KNOWN AS 115<sup>TH</sup> AND NORTHERN FOR AN INERT LAND RECLAMATION FACILITY; AMENDING THE ZONING MAP AND PROVIDING FOR AN EFFECTIVE DATE.

**Staff Report/Public Comment:**

Chris Jacques, Planning and Community Development Director, provided a staff report on the request for a Special Use Permit overlay to allow for inert land reclamation facility. The request is to allow inert fill materials to be deposited on the property over the next thirty (30) years. Inert materials include non-leaching materials, i.e., asphalt, concrete, gravel, soil, sand, and other non-biodegradable materials. Hazardous waste, household waste, glass, metal, construction debris and biodegradable waste will not be permitted on the premises.

**PUBLIC HEARING**

Mayor Barrett opened the Public Hearing and asked if any Councilmember or citizen wished to comment on the Special Use Permit Overlay.

Discussion ensued regarding property access and traffic, current mining operations, and the use restrictions for the property if the Special Use Permit is approved.

Joe McCord addressed Council regarding whether there is a long-range plan for use of the property once the work is completed and if the area will be mined again after the inert land reclamation has been concluded.

Paul Gilbert, Attorney at Law with Beus Gilbert, PLLC, was present on behalf of the Special Use Permit applicant. Mr. Gilbert indicated that the current situation allows for unrestricted mining operations. Under the new Special Use Permit, restrictions will be placed on the mining operation. Mr. Gilbert also responded to questions from Mr. McCord and reported that there are no long-range plans for the property and that mining operation will not renew after the area has been filled.

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

**COUNCIL ACTION:**

Motion was made by Councilmember Leone, seconded by Councilmember Carlat to concur with the Planning and Zoning Commission's recommendation and adopt **ORD. 2012-19** approving a Special Use Permit overlay to permit an inert land reclamation facility on 127 acres located on the northeast corner of the 115th Avenue alignment and Northern Avenue on property which is zoned Planned Area Development and currently being mined for sand and gravel. (Z11-0007)

Upon vote, the motion carried unanimously 7 to 0.

**22R Contract Services, Building and Development Activities**

Scott Whyte, Economic Services Director, and Chris Jacques, Planning and Community Development Director, provided reported on the requests for contract services for building plan review and inspection services, as well as contract planner services.

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

- (a) Authorize a request for proposals (RFP) process and appropriation of one-time general fund reserves for consulting services to provide building plan review and inspection services on an as-needed basis for the Economic Development Services Department; and
- (b) Authorize and appropriate the use of one-time general fund reserves in an amount not to exceed \$141,000 to provide contract planner services to the Planning and Community Development Department for a term of eighteen (18) months.

Upon vote, the motion carried unanimously 7 to 0.

**23R Contracts, First Strategic and ESI Corporation, Building Re-Use Implementation Strategy**

Scott Whyte, Economic Services Director, provided a brief overview of the professional services contracts with First Strategic and ESI Corporation to provide a building reuse implementation strategy and on-call services, respectively. Discussion ensued regarding the scope and necessity of the contract services.

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

- (a) Approve a professional services contract with First Strategic in an amount not to exceed \$320,000 to prepare a Building Re-Use Implementation Strategy to assess strategies, approaches, and targeted end-users to repurpose idle, vacant and/or under-utilized large format buildings in the City; and
- (b) Award a contract to ESI Corporation to provide on-call services on an as needed basis in the future.

Upon vote, the motion carried unanimously 7 to 0.

**Call To The Public (Non-Agenda Items)**

None.

**Reports from City Manager**

**24. Council Calendar**

**25. Reports with Presentation**

- a. Community Oriented Policing Update

Roy Minter, Police Chief provided an update on the Police Department's Community Oriented Policing program. The Chief provided information on the community/agency partnerships that have been developed, performance statistics, technology resources, and the Volunteer Program.

- b. Eye on Public Works - Channel 11

Bill Mattingly, Public Works and Utilities Director, and Maher Hazine, Public Works Deputy Director, reported on the Eye on Public Works – Channel 11 program and showed a video that was produced by Channel 11.

- 26. 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. Announcement of New Director for Bioinspire
- B. City Use of Peoria's Center for Performing Arts
- C. Council Subcommittee Update
- D. Public Input for Dial-A-Ride Rate Review
- E. Scotland Yard Park Ribbon Cutting

**Reports from City Council:**

Councilmember Leone reported on the various City of Peoria activities he attended. Councilmember Leone also attended the 2012 League Annual Conference in Scottsdale, Arizona at which he carried the flag in the flag ceremony.

Councilmember Rivero spoke on the upcoming Fiesta Peoria events. A Hispanic Heritage Reception and Dinner will be held at the Arizona Broadway Theater on September 13<sup>th</sup> featuring Mexico's Ex-President, Vicente Fox, as the Keynote Speaker. Fiesta Peoria will be held on September 15<sup>th</sup> from 10:00 a.m. to Midnight at Osuna Park and the Performing Arts Center in Oldtown Peoria. Councilmember Rivero invited the Mayor, City Council, and all Peoria citizens to attend the events and entertainment.

Councilmember Evans reported that she attended the Flag Lowering Ceremony honoring astronaut Neil Armstrong at the Challenger Space Center.

Councilmember Aames reported on the electronic billboard public meetings he attended.

**Reports from the Mayor:**

None.

**ADJOURNMENT:**

Being no further business to come before the Council, the meeting was duly adjourned at 9:52 p.m.

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Bob Barrett, Mayor

ATTEST:

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Rhonda Geriminsky, Interim City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct summary of the proceedings of the City Council Meetings of the City Council of Peoria, Arizona held on the 4<sup>th</sup> day of September, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 18<sup>th</sup> day of September, 2012.

(Seal)

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Rhonda Geriminsky, Interim City Clerk