

# City Council Meeting Notice & Agenda - RESULTS



Tuesday, November 13, 2012  
City Council Chamber  
8401 West Monroe Street  
Peoria, AZ 85345

## Special Meeting & Study Session

5:00 P.M. Convene

**Roll Call**  
**Final Call To Submit Speaker Request Forms**

### Consent Agenda

**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.

### Consent

1C. **Authorization to Hold an Executive Session - PASSED**

Pursuant to A.R.S. § 38-431.03 Discussion and possible action to authorize the holding of an Executive Session for the purposes of discussion with City staff in order to consider the City's position and instruct staff regarding negotiations for the purchase of real property in the vicinity of 99th Avenue and Northern Avenue. (Pursuant to A.R.S. § 38-431.03(A)(7)).

### Study Session Agenda

**Subject(s) for Discussion Only**

2. Community/Outside Agency Funding and Assistance Policy – **DISCUSSION ONLY- NO ACTION TAKEN**
3. Capital Improvement Program End of Year Update - **DISCUSSION ONLY- NO ACTION TAKEN**

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Mayor  
Bob Barrett

Palo Verde  
District  
Ron Aames,  
Vice Mayor

Acacia  
District  
Tony Rivero

Ironwood  
District  
Dave Pearson

Mesquite  
District  
Cathy Carlat

Pine  
District  
Carlo Leone

Willow  
District  
Joan Evans

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

If you wish to address the City Council, please complete a Speaker Request Form and return it to the clerk before the call to order for this meeting. The City Council is not authorized by state law to discuss or take action on any issue raised by public comment until a later meeting.

### **Adjournment**

## **Executive Session**

**Convene immediately following Special City Council Meeting  
Executive Room, City Council Chamber**

Under the provisions of A.R.S. § 38-431.02 there will be a **CLOSED EXECUTIVE SESSION**.

### **Executive Session Agenda**

4. Pursuant to A.R.S. § 38-431.03. An Executive Session for the purposes of discussion with City staff in order to consider the City's position and instruct staff regarding negotiations for the purchase of real property in the vicinity of 99th Avenue and Northern Avenue. (Pursuant to A.R.S. § 38-431.03(A)(7))

### **Adjournment**

The above-named Public Body of the City of Peoria, Arizona will convene into Executive Session pursuant to A.R.S. § 38-431.03 for those items listed on the agenda. Only those persons who are:

- Members of the Public Body, or
- Officers of the City that are required to attend, or
- Those individuals whose presence is reasonably necessary for the Public Body to carry out its Executive Session responsibilities as determined by the City Attorney may be present during the Executive Session.

All persons who remain present during the Executive Session are reminded that the business conducted in Executive Session, including all discussion taking place herein, is confidential and may not be disclosed to any person, except as permitted by law.

## Regular Meeting

7:00 P.M. Convene

### Pledge of Allegiance Roll Call

### Final Call To Submit Speaker Request Forms

### Presentation

5. Honoring SPC Robert J. Donevski
6. Friends of the Library
7. Certificates of Appointment to the following Board and Commission members who were appointed by Resolution at the October 23, 2012 City Council meeting:
  - Lois Galpert appointed to the Arts Commission,
  - Cecil Daniels appointed to the Board of Adjustment,
  - Brent Taylor appointed to the Parks and Recreation Board, and
  - Ian Mullane appointed to the Youth Advisory Board.
8. 12th Annual U.S. Constitution Contest

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### Consent

9C. **Disposition of Absence - PASSED**

Discussion and possible action to approve the absences of:

(a) Councilmember Cathy Carlat from the Special Meeting & Study Session held at 5:00 p.m. on October 23, 2012, and (b) Councilmember Cathy Carlat and Councilmember Joan Evans from the Regular City Council Meeting held at 7:00 p.m. on October 23, 2012.

10C. **Minutes - PASSED**

Discussion and possible action to approve the October 23, 2012 City Council meeting minutes.

11C. **Appointments, Boards and Commissions - PASSED**

Discussion and possible action to approve the recommendation from the Council Subcommittee on Boards and Commissions Appointments pertaining to the following appointments, and adopt the Resolutions as presented:

Adopt **RES. 2012-124** appointing Michael Kwederis, as a regular member, and Brian Greathouse, as an alternate member, to the Board of Adjustment,

Adopt **RES. 2012-125** reappointing Roy Bade, as a regular member, to the Building Board of Appeals,

Adopt **RES. 2012-126** reappointing Phil Hanson, as a regular member, to the Citizens Commission on Salaries,

Adopt **RES. 2012-127** appointing Michelle Lehman, as a regular member, and Neil Terry, as an alternate member, to the Economic Development Advisory Board,

Adopt **RES. 2012-128** reappointing Shelby Duplessis and Steve Poe, as regular members, to the Historic Preservation Commission,

Adopt **RES. 2012-129** appointing Kristin Phelps, as a regular member, to the Personnel Board,

Adopt **RES. 2012-130** reappointing Nancy Golden and Leonard Spraker, as regular members, to the Planning and Zoning Commission,

Adopt **RES. 2012-131** reappointing Joe McCord and Kenneth Lambert, as regular members, to the Veterans Memorial Board,

Adopt **RES. 2012-132** appointing John Albright, as a regular member, to the Volunteer Firefighter Pension Board, and

Adopt **RES. 2012-134** appointing Hama Amjad, as a regular member, and Emily Sarbacker, as an alternate member, to the Youth Advisory Board.

12C. **Investment Report for the Quarter Ended September 30, 2012 - PASSED**

Discussion and possible action to accept the Investment Report for the Quarter Ended September 30, 2012.

13C. **Budget Transfers, Sports Complex Improvements, 83rd Avenue and Mariners Way - PASSED**

Discussion and possible action for the City Council to approve a series of budget transfers for the Sports Complex Improvements to fully appropriate this project using available cash in several funds.

14C. **Grant, State of Arizona, Department of Homeland Security, Various Police and Fire Department Programs - PASSED**

Discussion and possible action to: a) authorize the Peoria Police and Fire Departments to accept three grant awards totaling \$133,990 from the Arizona Department of Homeland Security to be used to strengthen chemical, biological, radiological, nuclear or explosive (CBRNE) weapon detection, response and decontamination capabilities; and sustain and enhance the Terrorism Liaison Officer (TLO) program; and b) approve a budget adjustment in the amount of \$133,990 from the Proposed Grants Contingency Account to the Homeland Security Fund.

15C. **Fiscal Year 2012 Comprehensive Annual Financial Report, Single Audit, Management Letter and SAS114 Letter - PASSED**

Discussion and possible action to receive and file the Comprehensive Annual Financial Report, Single Audit, Management Letter, and SAS114 Letter for the fiscal year ended June 30, 2012.

16C. **Annexation, 97th Avenue and Avenida Del Sol - PASSED**

Discussion and possible action to adopt **ORD. 2012-25** approving the annexation of approximately 2.33 acres of privately-owned property located west of the southwest corner of 97th Avenue and Avenida Del Sol (ANX12-0001).

17C. **Initial Zoning, 97th Avenue and Avenida Del Sol - PASSED**

Discussion and possible action to concur with the Planning and Zoning Commission's recommendation and adopt **ORD. 2012-26** establishing initial zoning of Suburban Ranch (SR-43) on approximately 2.33 acres of privately-owned property recently annexed from Maricopa County, generally located west of the southwest corner of 97th Avenue and Avenida Del Sol.

18C. **Deeds and Easements, Various Locations - PASSED**

Discussion and possible action to adopt **RES. 2012-133** accepting Deeds and Easements for various Real Property interests acquired by the City.

19C. **Maintenance Improvement District No. 1132, Umbria Estates, 101st Avenue and Williams Road - PASSED**

Discussion and possible action to approve the Petition for Formation and adopt **RES. 2012-119** intention and ordering the formation of proposed Maintenance Improvement District No. 1132, Umbria Estates, located at 101st Avenue and Williams Road; and adopt **RES. 2012-120** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

20C. **Street Light Improvement District No. 1071, Umbria Estates, 101st Avenue and Williams Road - PASSED**

Discussion and possible action to approve the Petition for Formation and adopt **RES. 2012-121** intention and ordering formation of proposed Street Light Improvement District No. 1071, Umbria Estates, located at 101st Avenue and Williams Road; and adopt **RES. 2012-122** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

## Regular Agenda

### Unfinished Business

21R. **PUBLIC HEARING – Major Planned Area Development (PAD) Amendment, Donation Center, Fletcher Heights PAD, Lake Pleasant Parkway and 83rd Avenue - PASSED**

**PUBLIC HEARING:** RE: A request to amend the Fletcher Heights Planned Area Development (PAD) by amending the permitted use list to allow donation centers as conditional uses on a 17-acre parcel located at the northeast corner of Lake Pleasant Parkway and 83rd Avenue.

Staff Report:

Open Public Hearing:

Public Comment:

Close Public Hearing:

**COUNCIL ACTION:** Discussion and possible action to concur with the Planning and Zoning Commission's recommendation and adopt **ORD. 2012-27** amending a Planned Area Development (PAD) for approximately 17 acres located at the northeast corner of Lake Pleasant Parkway and 83rd Avenue. (Z 93-10A.7)

## New Business

22R. **PUBLIC HEARING - Liquor Licenses, Various Locations – ITEMS (a) (b) PASSED – ITEM (c) – Council voted to recommend denial to State Liquor Board**

**PUBLIC HEARING:** RE: (a) a New Restaurant Liquor License (Series 12) for Nineveh Restaurant, located at 9864 W. Peoria Avenue, Randy D. Nations, Applicant, LL#20005373; (b) a New Restaurant Liquor License (Series 12) for CheezHeadz Winning Pizza, Subs and more, located at 20283 N. Lake Pleasant Road Suite #110, Craig S. Maynard, Applicant, LL#20006321; and (c) a New Restaurant Liquor License (Series 12) for Times 3 Bar & Grill, located at 8279 W. Lake Pleasant Parkway Suite #101-103, Daniel C. Eastwood, Applicant, LL#20006523.

Staff Report:

Open Public Hearing:

Public Comment:

Close Public Hearing:

**COUNCIL ACTION:** Discussion and possible action to recommend approval to the State Liquor Board for: (a) a New Restaurant Liquor License (Series 12) for Nineveh Restaurant, located at 9864 W. Peoria Avenue, Randy D. Nations, Applicant, LL#20005373; (b) a New Restaurant Liquor License (Series 12) for CheezHeadz Winning Pizza, Subs and more, located at 20283 N. Lake Pleasant Road Suite #110, Craig S. Maynard, Applicant, LL#20006321; and (c) a New Restaurant Liquor License (Series 12) for Times 3 Bar & Grill, located at 8279 W. Lake Pleasant Parkway Suite #101-103, Daniel C. Eastwood, Applicant, LL#20006523.

23R. **PUBLIC HEARING - Off-Track Wagering License Renewal, American Greyhound Racing, Inc., Gallagher's of Peoria, 6750 West Peoria Avenue - PASSED**

**PUBLIC HEARING:** RE: An Off-Track Wagering License Renewal for Gallagher's of Peoria, 6750 West Peoria Avenue.

Staff Report:

Open Public Hearing:

Public Comment:

Close Public Hearing:

**COUNCIL ACTION:** Discussion and possible action to recommend approval to the Arizona Racing Commission for an Off-Track Wagering License Renewal for Gallagher's of Peoria, 6750 West Peoria Avenue.

24R. **Peoria Youth Master Plan - PASSED**

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Discussion and possible action to adopt the Peoria Youth Master Plan.

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

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### **Reports from City Manager**

25. **Council Calendar**

26. **Reports with Presentation**

- A. Capital Improvement Program End of Year Update - **Presented under Study Session agenda item #3**
- B. Budget/Financial Update

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

- A. Council Subcommittee Update
- B. Festival in the Plaza
- C. Peoria's 26th Annual Oldtown Holiday Festival
- D. Proposed 2013 City Council Meeting Calendar

### **Reports from City Council Reports from the Mayor**

### **Adjournment**

## Vistancia Community Facilities District Board Meeting

Convene immediately following Regular City Council Meeting

### Roll Call Final Call To Submit Speaker Request Forms

#### VCFD Consent Agenda

**CONSENT AGENDA:** All items listed with a "C" are considered to be routine or have been previously reviewed by the District Board, and will be enacted by one motion. There will be no separate discussion of these items unless a Board Member 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.

28C. **Minutes - PASSED**

Discussion and possible action to approve the August 21, 2012 Vistancia Community Facilities District meeting minutes.

29C. **Fiscal Year 2012 District Annual Financial Report - PASSED**

Discussion and possible action to receive and file the District Annual Financial Report for the fiscal year ended June 30, 2012.

30C. **Investment Report for the Quarter Ended September 30, 2012 - PASSED**

Discussion and possible action to accept the Investment Report for the Quarter Ended September 30, 2012.

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

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### **Adjournment**

**NOTE:** Documentation (if any) for items listed on the Agenda is available for public inspection, a minimum of 24 hours prior to the Council Meeting, at any time during regular business hours in the Office of the City Clerk, 8401 W. Monroe Street, Room 150, Peoria, AZ 85345.

**Accommodations for Individuals with Disabilities.** *Alternative format materials, sign language interpretation, assistive listening devices or interpretation in languages other than English are available upon 72 hours advance notice through the Office of the City Clerk, 8401 West Monroe Street, Room 150, Peoria, Arizona 85345 (623)773-7340, TDD (623)773-7221, or FAX (623) 773-7304. To the extent possible, additional reasonable accommodations will be made available within the time constraints of the request.*

### **PUBLIC NOTICE:**

In addition to the City Council members noted above, one or more members of the City of Peoria Boards and Commissions may be present to observe the City Council meeting as noticed on this agenda.

City Council Meetings can be viewed live on Channel 11 (Cox Cable) and are available for viewing on demand at <http://www.peoriaaz.gov/content2.aspx?id=2151>.