

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
CITY COUNCIL CHAMBER
January 22, 2013

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 Tony Rivero; Councilmembers Ron Aames, Cathy Carlat, Jon Edwards, Carlo Leone and Bill Patena.

Members Absent: None

Other Municipal Officials Present: Carl Swenson, City Manager; Susan Daluddung, Deputy City Manager; Susan Thorpe, Deputy City Manager; Steve Burg, Chief Assistant City Attorney; Rhonda Geriminsky, Interim City Clerk; Julie Ayers, Human Resources Director; Bo Larsen, Public Information Manager; Bill Mattingly, Public Works Director; Roy Minter, Police Chief; Bobby Ruiz, Fire Chief; John Sefton, Community Services Director; Jeff Tyne, Management and Budget Director; and Claudia Luján, Assistant to the City Manager.

Audience: Approximately five 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 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.

Motion was made by Councilmember Patena, seconded by Councilmember Aames, 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.A.5: Authorized the holding of an Executive Session for the purpose of: (a) Discussion and consultation with legal counsel and designated representatives of the public body pertaining to labor negotiations; and (b) Discussion of records exempt by law from public inspection regarding campus security.

STUDY SESSION AGENDA

Subject(s) for Discussion Only

2. 2013 Labor Negotiations

Carl Swenson, City Manager, outlined the 2013 Labor Negotiations process.

Julie Ayers, Human Resources Director, provided an overview of the labor negotiations process. Ms. Ayers outlined the negotiating teams and timeline.

Steve Burg, Chief Assistant City Attorney, outlined the scope of bargaining and the negotiation items. Additional information included:

- Bargaining framework
- Union rights
- Management rights
- Permissive rights
- Negotiation items
- Roles of public employees

Discussion ensued regarding authorized representatives for the City and the union and equality in negotiation recommendations.

Mr. Swenson outlined the City's use of interest-based negotiations.

Discussion ensued regarding training provided to the management and employee association representatives.

Ms. Ayers provided a comparison between traditional bargaining and interest-based bargaining. Ms. Ayers supplied additional information regarding the Council's role in negotiations.

Jeff Tyne, Management and Budget Director, summarized the General Fund forecast for Fiscal Years 2014-2018.

Discussion ensued regarding the General Fund forecast and projections.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 5:55 p.m.

EXECUTIVE SESSION AGENDA

3. An Executive Session was convened immediately following the Special City Council Meeting and Study Session pursuant to A.R.S. § for the purpose of discussion and consultation with legal counsel and designated representatives of the public body pertaining to labor negotiations. (Pursuant to A.R.S. § 38-431.03.A.5); and
4. Discussion of records exempt by law from public inspection regarding campus security. (Pursuant to A.R.S. § 38-431.03.A.2)

Clerk's Note: In accordance with A.R.S. § 38-431.03(B), minutes of executive sessions must be kept confidential except as outlined in statute.

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, Vice Mayor Rivero led the Pledge of Allegiance.

Members Present: Mayor Bob Barrett; Vice Mayor Tony Rivero; Councilmembers Ron Aames, Cathy Carlat, Jon Edwards, Carlo Leone and Bill Patena.

Other Municipal Officials Present: Carl Swenson, City Manager; Susan Daluddung, Deputy City Manager; Susan Thorpe, Deputy City Manager; Steve Burg, Chief Assistant City Attorney; Rhonda Geriminsky, Interim City Clerk; Julie Ayers, Human Resources Director; John Imig, Information Technology Director; Chris Jacques, Planning and Community Development Director; Bo Larsen, Public Information Manager; Bill Mattingly, Public Works Director; Brent Mattingly, Finance Director; Roy Minter, Police Chief; Dan Nissen, Assistant City Engineer; Bobby Ruiz, Fire Chief; John Schell, Intergovernmental Affairs Director; 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 Linda Blas, Deputy City Clerk.

Audience: Approximately 25 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:

5. Certificates of Appointment

Mayor Barrett presented Certificates of Appointment to the following Board and Commission members who were appointed by Resolution at the January 8, 2013 City Council meeting:

- George Johnson appointed to the Citizens Commission on Salaries for Elected City Officials,
- George Johnson appointed to the Public Safety Personnel Retirement System - Fire,
- George Johnson appointed to the Public Safety Personnel Retirement System - Police,
- William Schindler appointed to the Industrial Development Authority, and
- William Conner appointed to the Parks and Recreation Board.

Note: William Schindler and William Conner were not present to receive their certificates.

6. Bioinspire Update

Scott Whyte, Economic Development Services Director, introduced Tom Rainey, Executive Director of Bioinspire.

Mr. Rainey presented an update on the incubator's accomplishments to date including:

- Negotiated and launched a contract with BioAccel
- Completed renovation and opening of the facility
- Hired additional industry experts for the program
- Recruited Council of Advisors
- Selected first six companies
- Achieved 60 percent occupancy in the facility

Mr. Rainey described each of the companies currently residing at the Bioinspire facility.

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

Vice Mayor Rivero requested that Agenda Item 10C be removed for separate discussion.

Motion was made by Councilmember Leone, seconded by Councilmember Aames, to approve the Consent Agenda with the exception of Agenda Item 10C. Upon vote, the motion carried unanimously 7 to 0.

7C. **Minutes**

Approved the January 8, 2013 City Council meeting minutes.

8C. **Appointments, Boards and Commissions**

RESOLUTION NO. 2013-13

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, APPOINTING MATTHEW JOHNSON TO THE PERSONNEL BOARD AND ESTABLISHING THE TERM OF OFFICE.

RESOLUTION NO. 2013-14

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

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

Adopted **RES. 2013-13** appointing Matthew Johnson, as a regular member, to the Personnel Board, and

Adopted **RES. 2013-14** appointing Shawn Hutchinson, as a regular member, to the Planning and Zoning Commission.

9C. **License Agreement, Housing Authority of Maricopa County, Parking, Municipal Operations Center**

Authorized entering into a License Agreement with the Housing Authority of Maricopa County to provide parking for six county-owned vehicles at the Municipal Operations Center.

10C. **Council Policy, Development Services User Fees Cost Recovery Policy**

Clerk's Note: Agenda Item 10C was removed from the Consent Agenda for separate discussion.

At the request of Councilmember Rivero, Katie Gregory, Development Agreement Coordinator, presented a brief overview of the proposed Development Services User Fees Cost Recovery Policy.

Motion was made by Councilmember Carlat, seconded by Vice Mayor Rivero, to adopt the Development Services User Fees Cost Recovery Policy which establishes a set procedure for reviewing and adjusting fees and identifies cost recovery targets and pricing policy considerations.

Upon vote, the motion carried unanimously 7 to 0.

REGULAR AGENDA

New Business:

11R. **PUBLIC HEARING - Liquor License, Young Brothers Pizza, Located at 8996 West Union Hills Drive Suite 105**

Staff Report:

Brent Mattingly, Finance Director, reported on staff's recommendation to recommend approval to the State Liquor Board for a New Restaurant Liquor License (Series 12) for Young Brothers Pizza, located at 8996 West Union Hills Drive Suite 105, Abedin Ollomani, Applicant, LL#20007031.

Mr. Mattingly advised 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 Young Brothers Pizza, located at 8996 West Union Hills Drive Suite 105, Abedin Ollomani, Applicant, LL#20007031.

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

Council Action:

Motion was made by Councilmember Aames, seconded by Councilmember Leone, to recommend approval to the State Liquor Board for a New Restaurant Liquor License (Series 12) for Young Brothers Pizza, located at 8996 West Union Hills Drive Suite 105, Abedin Ollomani, Applicant, LL#20007031.

Upon vote, the motion carried unanimously 7 to 0.

12R. **PUBLIC HEARING - General Plan Amendment, Land Use Map, Cholla Hills, State Route 74 and Old Lake Pleasant Road**

Clerk's Note: Agenda Items 12R and 13R were presented together.

RESOLUTION NO. 2013-15

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA AMENDING THE LAND USE MAP OF THE PEORIA GENERAL PLAN FOR THE CITY OF PEORIA, ARIZONA; AND PROVIDING FOR SEPARABILITY AND AN EFFECTIVE DATE.

Staff Report:

Chris Jacques, Planning and Community Development Director, reported on a request for a minor amendment to the General Plan Land Use Map for approximately 23 acres and a request to amend the existing Estates at Lakeside Planned Area Development and rezoning of an additional 244 gross acres, located northwest of State Route 74 and Old Lake Pleasant Road.

The proposed amendment to the General Plan Land Use Map would change the current Residential Estate designation to Neighborhood Commercial allowing future development of a commercial center which would be integrated into the Cholla Hills Planned Area Development.

The proposed Major Planned Area Development amendment and rezoning would increase the overall project area and allow for development of a recreational vehicle resort.

Discussion ensued regarding City-imposed stipulations for the recreational vehicle resort.

Mike Curley, representing the applicant, addressed Council in support of the Cholla Hills General Plan and Planned Area Development amendment.

Public Hearing:

Mayor Barrett opened the Public Hearing and asked if any Councilmember or citizen wished to comment on a request to amend the General Plan Land Use Map by re-designating approximately 23 gross acres located northwest of State Route 74 and Old Lake Pleasant Road from Residential Estate 0-2 du/ac to Neighborhood Commercial.

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

Council Action:

Motion was made by Councilmember Aames, seconded by Councilmember Edwards, to concur with the Planning and Zoning Commission's recommendation and adopt **RES. 2013-15** approving an amendment to the General Plan Land Use Map by re-designating a site encompassing approximately 23 gross acres, located northwest of State Route 74 and Old Lake Pleasant Road from Residential Estate 0-2 du/ac to Neighborhood Commercial (GPA 11-0010).

Upon vote, the motion carried unanimously 7 to 0.

13R. **PUBLIC HEARING - Rezoning & Major Planned Area Development Amendment, Cholla Hills, State Route 74 and Old Lake Pleasant Road**

ORDINANCE NO. 2013-02

AN ORDINANCE OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA AMENDING THE EXSITING PLANNED AREA DEVELOPMENT (PAD) ZONING ON CERTAIN PROPERTY AND AMENDING THE ZONING MAP AND PROVIDING FOR AN EFFECTIVE DATE.

Public Hearing:

Mayor Barrett opened the Public Hearing and asked if any Councilmember or citizen wished to comment on a request to amend the existing Estates at Lakeside Planned Area Development and rezone an additional 244 gross acres located northwest of State Route 74 and Old Lake Pleasant Road increasing the overall project area and renaming it to Cholla Hills Planned Area Development.

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 Aames, to concur with the Planning and Zoning Commission's recommendation and adopt **ORD. 2013-02** approving an amendment to the existing Estates at Lakeside Planned Area Development and rezone an additional 244 gross acres located northwest of State Route 74 and Old Lake Pleasant Road increasing the overall project area and renaming it Cholla Hills Planned Area Development. (Z 98-03A.1).

Upon vote, the motion carried unanimously 7 to 0.

14R. **Ground Lease, Peoria Sports Park, LLC**

Scott Whyte, Economic Development Services Director, summarized a request for consideration of a ground lease with Peoria Sports Park, LLC to redevelop the existing 17-acre parking lot west of the Peoria Sports Complex into an entertainment destination.

Motion was made by Councilmember Edwards, seconded by Councilmember Patena, to authorize the City Manager to enter into a Ground Lease with Peoria Sports Park, LLC for development of the mixed-use redevelopment project.

Upon vote, the motion carried unanimously 7 to 0.

15R. **Electronic Digital Billboard Civic Engagement Results**

Chris Jacques, Planning and Community Development Director, provided background on the civic engagement and community policy discussion regarding electronic digital billboards.

Mr. Jacques provided a summary of the results of an on-line survey, as well as the public opinion expressed during a series of community meetings.

Discussion ensued regarding the formation of an ad hoc citizens committee to study and explore the use of digital billboards within the City and further engage Peoria residents.

It was the consensus of Council to bring the item forward to a future Study Session for further consideration prior to forming a citizens committee.

Call To The Public (Non-Agenda Items)

None.

Reports from City Manager

16. **Council Calendar**

17. **Reports with Presentation**

A. Pioneer Community Park Public Art

John Sefton, Community Services Director, presented information on the Pioneer Park Public Art project. Mr. Sefton reviewed the process for selecting an artist. Mr. Sefton reported that the Peoria Arts Commission had approved an 18-20 foot wheel-shaped structure of weathered steel designed by Mr. Thomas Sayre of North Carolina.

Discussion ensued regarding safety concerns if individuals were to utilize the art structure as a climbing apparatus.

Council requested additional information regarding the process for commissioning public art.

B. School Safety Procedures

Roy Minter, Police Chief, provided a brief presentation on the Police Department's strategies to provide safety on school campuses.

Chief Minter discussed the following programs:

- Tabletop exercises
- Lunch with Blue
- Security measures
- School Resource Office programs
- Patrol liaisons
- Campus presence
- Daily Watch Patrol Plans
- Partnerships with Peoria Unified School District

C. Legislative Briefing - Arizona 51st Legislature – 1st Regular Session

John Schell, Intergovernmental Affairs Director, provided an overview of the 2013 Legislative Session and highlighted bills that would affect the City. Mr. Schell recapped the core principals that guide the City of Peoria's activities at the Legislature. Mr. Schell reported there are no projected impacts to state-shared revenues as a result of the Governor's proposed budget for Fiscal Year 2014.

18. **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, provided information to Council related to the following items:

- A. Parks, Recreation, Open Space and Trails Master Plan Update (PROST)
- B. 2013 PACE Conference
- C. Credentialed Manager Designation - Julie Ayers, Human Resources Director

Reports from City Council:

Councilmember Leone reported on the various City of Peoria activities and events he attended. Councilmember Leone encouraged citizens to visit newly renovated Peoria Community Center.

Councilmember Edwards extended his appreciation to staff for their assistance during his transition as a new Councilmember. Councilmember Edwards reminded the public to purchase tickets to the upcoming P83 event to be held on February 23, 2013.

Vice Mayor Rivero reported on his participation in an essay contest for students in Grades 5-8 at Peoria Elementary School. Vice Mayor Rivero recognized members of the Police Department who also participated in the event.

Reports from the Mayor:

None.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 8:40 p.m.

Bob Barrett, Mayor

ATTEST:

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 22nd day of January, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 5th day of February, 2013.

(Seal)

Rhonda Geriminsky, Interim City Clerk