

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
CITY COUNCIL CHAMBER
March 5, 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; Steve Kemp, City Attorney; Rhonda Geriminsky, Interim City Clerk; Julie Ayers, Human Resources Director; Andy Granger, Engineering Director; John Imig, Information Technology 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; and Claudia Luján, Assistant to the City Manager.

Audience: Approximately two 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

Motion was made by Councilmember Aames, seconded by Councilmember Patena, 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 discussion and consultation with legal counsel and designated representatives of the public body pertaining to labor negotiations.

STUDY SESSION AGENDA

Subject(s) for Discussion Only

2. Proposed Site and Building Development Initiatives

Carl Swenson, City Manager, introduced the Building and Site Development Initiatives to respond to the needs of permit applicants.

Scott Whyte, Economic Development Services Director, outlined the proposed process improvements for plan review and permit processing.

Mr. Whyte noted that the proposed initiatives respond to two key Council goals:

- Enhance customer service
- Economic development

Proposed initiatives to enhance customer service include:

- Electronic plan review
- Over-the-counter plan review
- Online permitting
- Self-certification program

Mr. Whyte outlined the following:

- Building safety considerations
- Electronic plan review
- Over-the-counter plan review concept
- Online permitting objectives
- Plan review self-certification program
- Self-certification program evaluation process

Brad Remp, a Certified Building Official and Senior Associate with Zucker Systems, provided background on his company's experience and outlined the purpose of the self-certification study. The study included:

- Evaluating the City of Phoenix self-certification program
- Determining the appropriateness for the City of Peoria
- Providing recommendations

Mr. Remp outlined the program benefits and challenges of eliminating in-house plan reviews.

Mr. Remp reviewed the Phoenix self-certification model, as well as the documentation required to implement a successful self-certification program. Mr. Remp reviewed lessons learned from implementing a self-certification program in the City of Phoenix. Mr. Remp discussed City of Phoenix staff recommendations for the implementation of a self-certification program.

Discussion ensued regarding:

- Auditing internal staff reviews
- The pass/fail rate for projects submitted
- How to proceed with implementing a self-certification program
- Checks and balances within the plan review process

- Building/citizen safety
- Improvement of customer service
- Appropriateness of self-certification for the City of Peoria
- Liability to the City if a self-certification program is adopted
- Percentage of projects audited
- Potential for “de-certification”
- Zoning and inspections
- What neighboring cities are doing

Chris Jacques, Planning and Community Development Director, explained land use elements related to self-certification for zoning projects.

It was the consensus of Council to proceed with analysis for electronic plan review, over-the-counter plan review and online permitting programs.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 6:19 p.m.

EXECUTIVE SESSION AGENDA

3. An Executive Session was convened immediately following the City Council Special Meeting and Study Session pursuant to A.R.S. §38-431.03 for 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)

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, Councilmember Carlat led the Pledge of Allegiance.

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

Other Municipal Officials Present: Carl Swenson, City Manager; Susan Daluddung, Deputy City Manager; Steve Kemp, City Attorney; Rhonda Geriminsky, Interim City Clerk; Julie Ayers, Human Resources Director; Andy Granger, Engineering 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; Bobby Ruiz, Fire Chief; John Sefton, Community Services Director; Jeff Tyne, Management and Budget Director; Claudia Luján, Assistant to the City Manager; and Linda Blas, Deputy City Clerk.

Audience: Approximately ten 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. Having no requests from Council, motion was made by Councilmember Carlat, seconded by Councilmember Patena, to approve the Consent Agenda. Upon vote, the motion carried unanimously 7 to 0.

4C. **Minutes**

Approved the February 5, 2013 Meeting Minutes.

5C. **Intergovernmental Agreement, Maricopa County, Deer Valley Road Project, El Mirage Road to 109th Avenue**

Approved an Intergovernmental Agreement with Maricopa County for the design, utility relocation, construction, construction management, operation and maintenance of the proposed Deer Valley Road project from El Mirage Road to 109th Avenue.

6C. **Contract, DBA Construction Inc., Sidewalk and Brick Paver Replacement, Washington Street between 83rd and 85th Avenue**

- (a) Awarded a construction contract to DBA Construction, Inc. in the amount of \$18,251.60 for the replacement of decorative sidewalk slabs and the removal and reinstallation of decorative brick pavers along Washington Street between 83rd and 85th Avenues;
- (b) Authorized the use of Highway User Fund reserves; and
- (c) Approved a budget transfer in the amount of \$18,252 from the Highway User Fund contingency to the Highway User Fund Street System account.

7C. **Budget Transfer, 15-Passenger Van, Adult Day Program**

Approved a budget transfer in the amount of \$31,860.89 from the Proposed Grant Contingency account to the Adult Day Fund - Trucks and Vans account for the purchase of a 15-passenger van for the Adult Day Program in order to double the number of participants that are able to attend off-site trips in the community.

8C. **Maintenance Improvement District No. 1050, Vistancia Parcel G1, 137th Drive and Lone Mountain Road**

RESOLUTION NO. 2013-16

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. 1050, VISTANCIA PARCEL G1, 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. 2013-17

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. 1050, VISTANCIA PARCEL G1; 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 of Formation and adopted **RES. 2013-16** intention and ordering the formation of proposed Maintenance Improvement District No. 1050, Vistancia Parcel G1, located at 137th Drive and Lone Mountain Road; and adopted **RES. 2013-17** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

9C. **Street Light Improvement District No. 1019, Vistancia Parcel G1, 137th Drive and Lone Mountain Road**

RESOLUTION NO. 2013-18

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. 1019, VISTANCIA PARCEL G1; 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. 2013-19

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. 1019, VISTANCIA PARCEL G1, 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. 2013-18** intention and ordering formation of proposed Street Light Improvement District No. 1019, Vistancia Parcel G1, located at 137th Drive and Lone Mountain Road; and adopted **RES. 2013-19** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

10C. **Deeds and Easements, Various Locations**

RESOLUTION NO. 2013-26

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. 2013-26** accepting Deeds and Easements for various Real Property interests acquired by the City.

11C. **Designate Roadways, Establish Rights of Way, Various Locations**

RESOLUTION NO. 2013-27

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA ADOPTING A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF PUBLIC STREETS, TO BE OPENED AND MAINTAINED BY THE CITY.

Adopted **RES. 2013-27** designating various real properties to be used as City roadway and authorize the establishment of public right-of-way to be opened and maintained by the City as a public street.

12C. **Abandonment of City Interest, Easements for Public Water and Sewer Lines, Silver Canyon Ranch Unit 1, 78th Avenue and Calle Lejos**

RESOLUTION NO. 2013-28

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA FINDING THAT A PORTION OF CERTAIN EASEMENTS FOR PUBLIC WATER AND SEWER LINES TO BE UNNECESSARY TO CITY PURPOSES AND NO LONGER REQUIRED TO BE RETAINED BY THE CITY AND DIRECTING THAT SUCH UNNECESSARY EASEMENT FOR PUBLIC WATER LINE BE DISPOSED OF IN THE MANNER PROVIDED BY LAW AND DECLARING AN EMERGENCY.

Adopted **RES. 2013-28** authorizing the abandonment of the City's interest in two Easements for Public Water and Sewer Lines within the Silver Canyon Ranch Unit 1 subdivision located along 78th Avenue north of Calle Lejos and declaring an emergency.

13C. **Final Plat, Blackstone at Vistancia Parcel B6 and B9, Lone Mountain Road and El Mirage Road**

Approved the Final Plat of Blackstone at Vistancia Parcel B6 and B9, located at Lone Mountain Road and El Mirage Road, subject to stipulations.

REGULAR AGENDA

Unfinished Business:

14R. **Public Art Selection Process and Pioneer Community Park Public Art**

John Sefton, Community Services Director, presented on the history of the Peoria public art program and the public art collection.

Andre Licardi, Cultural Arts Coordinator, explained the public art selection process which includes:

- Call to Artists
- Organize a review panel
- Panel convenes to view all submittals

- Finalists identified
- Panel convenes for presentations by finalists
- Arts Commission reviews all finalists' submittals and votes on a final recommendation for City Council approval

Discussion ensued regarding:

- Percentage of local artists participating in the selection
- Additional steps to enhance the selection process
- Limiting the Call to Artists to Arizona
- Whether options for art should be part of the recommendation to Council

Mr. Sefton introduced Mr. Robert Benson, Arts Commission Chair, and provided background on Mr. Benson's professional experience and qualifications.

Mr. Benson reviewed the selection process and recommendation by the Arts Commission for the Pioneer Community Park public art.

Discussion ensued regarding safety concerns related to the proposed public art for Pioneer Community Park and seeking artists residing in Arizona.

Motion was made by Councilmember Carlat, seconded by Councilmember Patena, to change the existing public art selection process to seek community input at the beginning of the process, during the panel review and when the recommendation is presented to the Arts Commission; and that the community input be provided to Council to be utilized in their decision making.

Councilmember Aames amended the motion that at least two options for public art be submitted to Council for consideration. The amended motion was seconded by Vice Mayor Rivero.

Discussion ensued regarding community input and options being submitted to Council.

Upon vote, the amended motion passed 4 to 3 with Mayor Barrett, Councilmember Carlat and Councilmember Edwards voting "no".

Upon vote, the motion as amended to change the existing public art selection process and at least two options for public art be submitted for Council consideration carried 5 to 2 with Mayor Barrett and Councilmember Carlat voting "no".

Motion was made by Councilmember Carlat to approve the recommended artwork for Pioneer Community Park. The motion died for lack of a second.

Motion was made by Vice Mayor Rivero, seconded by Councilmember Aames to reject the recommended artwork for Pioneer Community Park.

Upon vote, the motion carried 5 to 2 with Mayor Barrett and Councilmember Carlat voting "no".

New Business:

15R. **PUBLIC HEARING - Liquor License, Sprouts Farmers Market #6, located at 8375 West Thunderbird Road**

Brent Mattingly, Finance Director, reported on staff's recommendation to recommend approval to the State Liquor Board for adding sampling privileges to an existing Wine and Beer Liquor License (Series 10) for Sprouts Farmers Market #6, located at 8375 West Thunderbird Road, Randy D. Nations, Applicant, LL#20002349.

Mr. Mattingly advised that the property was 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 adding sampling privileges to an existing Wine and Beer Liquor License (Series 10) for Sprouts Farmers Market #6, located at 8375 West Thunderbird Road, Randy D. Nations, Applicant, LL#20002349.

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 to add sampling privileges to an existing Wine and Beer Liquor License (Series 10) for Sprouts Farmers Market #6, located at 8375 West Thunderbird Road, Randy D. Nations, Applicant, LL#20002349.

Upon vote, the motion carried unanimously 7 to 0.

16R. **Confirmation of Deputy City Manager Appointment**

Carl Swenson, City Manager, presented Jeff Tyne as the selection for appointment as Deputy City Manager. Mr. Swenson provided background on Mr. Tyne's professional experience and qualifications.

Motion was made by Councilmember Carlat, seconded by Councilmember Aames, to confirm the City Manager appointment of Jeff Tyne as Deputy City Manager, effective March 10, 2013.

Upon vote, the motion carried unanimously 7 to 0.

17R. Confirmation of City Clerk Appointment

Carl Swenson, City Manager, presented Rhonda Geriminsky as the selection for appointment as City Clerk. Mr. Swenson provided background on Ms. Geriminsky's professional experience and qualifications.

Motion was made by Councilmember Carlat, seconded by Councilmember Edwards, to confirm the City Manager appointment of Rhonda Geriminsky as City Clerk, effective March 10, 2013.

Upon vote, the motion carried unanimously 7 to 0.

18R. Confirmation of Public Information Director Appointment

Carl Swenson, City Manager, presented Bowen Larsen as the selection for appointment as Public Information Director. Mr. Swenson provided background on Mr. Larsen's professional experience and qualifications.

Motion was made by Councilmember Aames, seconded by Councilmember Leone, to confirm the City Manager appointment of Bowen Larsen as Public Information Director, effective March 10, 2013.

Upon vote, the motion carried unanimously 7 to 0.

Call To The Public (Non-Agenda Items)

None.

Reports from City Manager

19. Council Calendar

20. Reports with Presentation

A. Fill the Boot with Books Reading Program

Bobby Ruiz, Fire Chief, provided a brief presentation on the Fill the Boot with Books Reading Program. The program, funded by the Peoria Firefighter Charities, is designed to inspire reading and provide positive role models to third grade students in six City of Peoria elementary schools.

21. **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. Bravo Peoria
- B. 2013 Multicultural Music Festival
- C. Sister Cities - St. Patrick's Day Event
- D. Council Subcommittee Update

Reports from City Council:

Councilmember Leone reported on the various City of Peoria activities he attended. Councilmember Leone congratulated Jeff Tyne, Rhonda Geriminsky and Bo Larsen on their promotions.

Councilmember Carlat extended her congratulations to the employees receiving promotions. Councilmember Carlat encouraged citizens to attend the Bravo Peoria event to be held at Sunrise Mountain Library on Saturday, March 9, 2013. Councilmember Carlat thanked Joe McCord for his continued involvement in the community and for inviting her to a patriotic event honoring fallen soldiers and members of the military forces listed as missing.

Councilmember Edwards reported on the P83 block party. Councilmember Edwards presented a guitar autographed by the members of the band "Sugar Ray" to showcase at City Hall. Councilmember Edwards extended his appreciation to staff for their participation in making the 2013 P83 party a successful event.

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

Councilmember Patena recognized Jeff Tyne, Rhonda Geriminsky and Bo Larsen for their outstanding achievements and the promotions they received. Councilmember Patena congratulated Mayor Barrett for receiving the 2013 Visionary Award from the Peoria Education Foundation.

Vice Mayor Rivero reported on the "Councilmember for a Day" activity he hosted. The elementary school students who participated in the event had an opportunity to learn about City government and the relationship between the employees and the City Council.

Reports from the Mayor:

Mayor Barrett reported on his speaking engagement at a recent Valley Partnership meeting. Mayor Barrett was a "Mayor's Minute" guest and shared the latest news on economic development in Peoria. On Friday, March 8, 2013, Mayor Barrett announced he will host the Singapore Squadron currently training at Luke Air Force Base to a baseball game at the Peoria Sports Complex. Mayor Barrett congratulated the three staff members on their promotion.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 8:26 p.m.

Bob Barrett, Mayor

ATTEST:

Rhonda Geriminsky, 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 5th day of March, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 7th day of May, 2013.

(Seal)

Rhonda Geriminsky, City Clerk