

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
CITY COUNCIL CHAMBER
August 20, 2013

A **Special Meeting** 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; Rhonda Geriminsky, City Clerk; and Bo Larsen, Public Information Director.

Audience: No 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 Carlat, 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: 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 pursuant to A.R.S. § 38-431.03.A.5.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 5:01 p.m.

EXECUTIVE SESSION AGENDA

2. An Executive Session was convened immediately following the Special City Council Meeting pursuant to A.R.S. § 38-431.03 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.

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, Boy Scout Troop 568 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; Jeff Tyne, Deputy City Manager; Steve Kemp, City Attorney; Rhonda Geriminsky, City Clerk; Julie Ayers, Human Resources Director; Katie Gregory, Deputy Finance and Budget Director; John Imig, Information Technology Director; Chris Jacques, Planning and Community Development Director; Bo Larsen, Public Information Director; Bill Mattingly, Public Works Director; Roy Minter, Police Chief; Bobby Ruiz, Fire Chief; John Sefton, Community Services Director; Rebecca Zook, Deputy Economic Development Services Director; Corina Russo, Assistant to the City Manager; and Linda Blas, Deputy City Clerk.

Audience: Approximately 30 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:

3. Recognition of Channel 11 for Collaboration with Peoria Unified School District

Danielle Airey, Peoria Unified School District Public Relations Director, presented an Award of Excellence received from the Arizona School Public Relations Association to Bo Larsen, Public Information Director. The award was bestowed in recognition of the partnership between the City and the School District for the production of the Peoria Education News Show on Channel 11. The show highlights programs throughout the district, including academic excellence, staff awards and district-wide community events.

4. Certificates of Appointment to the following Board and Commission members who were appointed by Resolution at the July 2, 2013 City Council meeting:

Mayor Barrett and Councilmember Carlat presented Certificates of Appointment to the following Board and Commission members who were appointed by Resolution at the July 2, 2013 City Council meeting:

- Joseph McCord appointed to the Citizens Commission on Salaries for Elected City Officials
- Deborah DeSimone appointed to the Economic Development Advisory Board, and
- Colleen McElroy appointed to the Library Board.

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 Leone, seconded by Councilmember Aames, to approve the Consent Agenda. Upon vote, the motion carried unanimously 7 to 0.

5C. **Minutes**

Approved the following minutes:

May 21, 2013 Meeting Minutes

June 4, 2013 Meeting Minutes

June 18, 2013 Meeting Minutes

June 25, 2013 Special Meeting and Study Session Minutes

July 2, 2013 Meeting Minutes

6C. **Grant, Attorney General's Office of Victim Services, Victims' Rights Program**

- (a) Accepted \$10,100 from the Arizona Attorney General's Office of Victim Services for Peoria's participation in the Fiscal Year 2014 Victims' Rights Program; and
- (b) Approved a budget transfer in the amount of \$10,100 from the Proposed Grants Contingency account to the Victims' Rights Program Grant account.

7C. **Grant, Arizona Criminal Justice Commission, Crime Victim Assistance Program**

- (a) Accepted \$17,913 from the Arizona Criminal Justice Commission for Peoria's participation in the Fiscal Year 2014 Crime Victim Assistance Program; and
- (b) Approved a budget transfer in the amount of \$17,913 from the Proposed Grants Contingency account to the Arizona Criminal Justice Commission Grant account.

8C. **Grant, Arizona Department of Public Safety, Victims of Crime Act**

- (a) Accepted \$50,057 from the Arizona Department of Public Safety Victims of Crime Act for Peoria's participation in the Fiscal Year 2014 Crime Victim Assistance Grant Program; and
- (b) Approved a budget transfer in the amount of \$50,057 from the Proposed Grants Contingency account to the Victims of Crime Act Grant account.

9C. **Grant, State of Arizona, Department of Homeland Security, Thermal Imaging Equipment**

- (a) Authorized the Peoria Police Department to accept a grant award in the amount of \$6,000 from the Arizona Department of Homeland Security to be used to strengthen chemical, biological, radiological, nuclear or explosive weapon detection, response and decontamination capabilities; and
- (b) Approved a budget adjustment in the amount of \$6,000 from the Proposed Grants Contingency account to the Homeland Security Fund.

10C. **Fine Arts Grants**

Approved the recommendations from the Arts Commission and awarded various arts related grants.

11C. **Intergovernmental Agreement, Maricopa County Library District, Library Assistance Program**

Approved an Intergovernmental Agreement with the Maricopa Country Library District for the purpose of entering into the Library Assistance Program, thereby facilitating the purchase of library materials for Peoria's Library System.

12C. **Intergovernmental Agreement, 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 and the Peoria Police Department and assign an officer to the Drug Enforcement Administration 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 Drug Enforcement Administration Intergovernmental Agreement Fund account to provide expenditure authority for overtime.

13C. **Intergovernmental Agreement, Maricopa County Parks and Recreation Department, Lake Pleasant Regional Park**

Approved an Intergovernmental Agreement with Maricopa County, Arizona for shared recreational opportunities, programs, marketing and special events at Lake Pleasant Regional Park.

14C. **Memorandum of Understanding, Arizona Department of Fire, Building and Life Safety, Plan Review and Inspections, Office of the State Fire Marshal**

Authorized the City Manager to execute a Memorandum of Understanding with the Arizona Department of Fire, Building and Life Safety, Office of the Fire Marshal, to continue the agreement to review plans of state, county and public school buildings and grounds, and the inspections performed in conjunction therewith; as well as regularly scheduled inspections of state and county-owned buildings and all public and private schools.

15C. **Memorandum of Understanding, State of Arizona Department of Health Services, CHEMPACK Program**

Approved an updated Memorandum of Understanding with the State of Arizona, Department of Health Services, to authorize the Fire Department to participate in the CHEMPACK Program in conjunction with the State and the Centers for Disease Control to maintain and store pharmaceuticals for providing antidotes to nerve agent exposure.

16C. **Authorize Expenditure, Sellers & Sons, Inc., Peoria Sports Complex, Batting Cage Tunnel Lighting Improvement Project**

- (a) Approved the expenditure of \$85,000 to Sellers & Sons, Inc. utilizing existing Job Order Contract No. 120565-04, Park Lighting Installation and Repair between the City of Tucson and Sellers & Sons, Inc. for Peoria Sports Complex batting cage tunnel lighting improvements; and
- (b) Approved a budget amendment in the amount of \$85,000 from the General Fund Contingency account to the Sports Complex Fund-Grounds/Detention Repair and Maintenance account.

17C. **Authorize Expenditure, Sellers & Sons, Inc., Peoria Sports Complex, Field Lighting Capital Improvement Project**

- (a) Approved the expenditure of \$1,170,000 to Sellers & Sons, Inc., utilizing existing Job Order Contract No. 120565-04, Park Lighting Installation and Repair, between the City of Tucson and Sellers & Sons, Inc., for the Peoria Sports Complex Field Lighting Capital Improvement Project; and

- (b) Approved a budget amendment in the amount of \$1,170,000 from the Half-Cent Sales Tax Fund-Sports Complex Lighting Improvements Project, Other Equipment account to the Half-Cent Sales Tax Fund-Sports Complex Lighting Improvements Project, Grounds/Detention Repair and Maintenance account.

18C. **Maintenance Improvement District No. 1072, Tierra Del Rio 4A, 108th Avenue and Happy Valley Road**

RESOLUTION NO. 2013-85

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. 1072, TIERRA DEL RIO 4A, 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. 2013-86

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. 1072, TIERRA DEL RIO 4A; 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. 2013-85** intention and ordering the formation of proposed Maintenance Improvement District No. 1072, Tierra Del Rio 4A, located at 108th Avenue and Happy Valley Road; and adopted **RES. 2013-86** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

19C. **Maintenance Improvement District No. 1089, Tierra Del Rio 4B, 107th Avenue and Happy Valley Road**

RESOLUTION NO. 2013-89

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. 1089, TIERRA DEL RIO 4B, 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. 2013-90

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. 1089, TIERRA DEL RIO 4B; 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. 2013-89** intention and ordering the formation of proposed Maintenance Improvement District No. 1089, Tierra Del Rio 4B, located at 107th Avenue and Happy Valley Road; and adopted **RES. 2013-90** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

20C. **Maintenance Improvement District No. 1095, Tierra Del Rio 11, Tierra Del Rio Boulevard and Happy Valley Road**

RESOLUTION NO. 2013-97

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. 1095, TIERRA DEL RIO 11, 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. 2013-98

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. 1095, TIERRA DEL RIO 11; 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. 2013-97** intention and ordering the formation of proposed Maintenance Improvement District No. 1095, Tierra Del Rio 11, located on Tierra Del Rio Boulevard north of Happy Valley Road; and adopted **RES. 2013-98** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

21C. **Maintenance Improvement District No. 1096, Tierra Del Rio 12, Tierra Del Rio Boulevard and Happy Valley Road**

RESOLUTION NO. 2013-101

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. 1096, TIERRA DEL RIO 12, 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. 2013-102

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. 1096, TIERRA DEL RIO 12; 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. 2013-101** intention and ordering the formation of proposed Maintenance Improvement District No. 1096, Tierra Del Rio 12, located on Tierra Del Rio Boulevard north of Happy Valley Road; and adopted **RES. 2013-102** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

22C. **Maintenance Improvement District No. 1130, Sunset Ranch IIE, Lake Pleasant Parkway and Williams Road**

RESOLUTION NO. 2013-93

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. 1130, SUNSET RANCH IIE, 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. 2013-94

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. 1130, SUNSET RANCH IIE; 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. 2013-93** intention and ordering the formation of proposed Maintenance Improvement District No. 1130, Sunset Ranch IIE, located at Lake Pleasant Parkway north of Williams Road; and adopted **RES. 2013-94** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

23C. **Maintenance Improvement District No. 1135, Sunset Ranch II Parcel F, 99th Avenue and Williams Road**

RESOLUTION NO. 2013-105

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. 1135, SUNSET RANCH II PARCEL F, 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. 2013-106

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. 1135, SUNSET RANCH II PARCEL F; 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. 2013-105** intention and ordering the formation of proposed Maintenance Improvement District No. 1135, Sunset Ranch II Parcel F, located at 99th Avenue north of Williams Road; and adopted **RES. 2013-106** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

24C. **Street Light Improvement District No. 1035, Tierra Del Rio Parcel 4A, 108th Avenue and Happy Valley Road**

RESOLUTION NO. 2013-87

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. 1035, TIERRA DEL RIO PARCEL 4A; 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. 2013-88

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. 1035, TIERRA DEL RIO PARCEL 4A 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. 2013-87** intention and ordering the formation of proposed Street Light Improvement District No. 1035, Tierra Del Rio 4A, located at 108th Avenue and Happy Valley Road; and adopted **RES. 2013-88** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

25C. **Street Light Improvement District No. 1045, Tierra Del Rio Parcel 4B, 107th Avenue and Happy Valley Road**

RESOLUTION NO. 2013-91

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. 1045, TIERRA DEL RIO PARCEL 4B; 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. 2013-92

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. 1045, TIERRA DEL RIO PARCEL 4B 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. 2013-91** intention and ordering the formation of proposed Street Light Improvement District No. 1045, Tierra Del Rio 4B, located at 107th Avenue and Happy Valley Road; and adopted **RES. 2013-92** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

26C. **Street Light Improvement District No. 1049, Tierra Del Rio 11, Tierra Del Rio Boulevard and Happy Valley Road**

RESOLUTION NO. 2013-99

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. 1049, TIERRA DEL RIO 11; 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. 2013-100

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. 1049, TIERRA DEL RIO 11 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. 2013-99** intention and ordering the formation of proposed Street Light Improvement District No. 1049, Tierra Del Rio 11, located on Tierra Del Rio Boulevard north of Happy Valley Road; and adopted **RES. 2013-100** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

27C. **Street Light Improvement District No. 1048, Tierra Del Rio 12, Tierra Del Rio Boulevard and Happy Valley Road**

RESOLUTION NO. 2013-103

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. 1048, TIERRA DEL RIO 12; 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. 2013-104

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. 1048, TIERRA DEL RIO 12 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. 2013-103** intention and ordering the formation of proposed Street Light Improvement District No. 1048, Tierra Del Rio 12, located on Tierra Del Rio Boulevard north of Happy Valley Road; and adopted **RES. 2013-104** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

28C. **Street Light Improvement District No. 1070, Sunset Ranch IIE, Lake Pleasant Parkway and Williams Road**

RESOLUTION NO. 2013-95

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. 1070, SUNSET RANCH IIE; 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. 2013-96

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. 1070, SUNSET RANCH IIE 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. 2013-95** intention and ordering the formation of proposed Street Light Improvement District No. 1070, Sunset Ranch IIE, located at Lake Pleasant Parkway north of Williams Road; and adopted **RES. 2013-96** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

29C. **Street Light Improvement District No. 1074, Sunset Ranch IIF, 99th Avenue and Williams Road**

RESOLUTION NO. 2013-107

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. 1074, SUNSET RANCH II PARCEL F; 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. 2013-108

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. 1074, SUNSET RANCH II PARCEL F 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. 2013-107** intention and ordering the formation of proposed Street Light Improvement District No. 1074, Sunset Ranch IIF, located at 99th Avenue north of Williams Road; and adopted **RES. 2013-108** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

30C. **Deeds and Easements, Various Locations**

RESOLUTION NO. 2013-114

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. 2013-114** accepting Deeds and Easements for various Real Property interests acquired by the City.

31C. **Irrigation Easement, Salt River Project, 91st Avenue and Northern Avenue**

RESOLUTION NO. 2013-113

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, AUTHORIZING THE GRANTING OF AN EASEMENT TO SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT FOR IRRIGATION FACILITIES.

Adopted **RES. 2013-113** authorizing the execution of an Irrigation Easement to Salt River Project for the construction and maintenance of an underground irrigation pipe crossing 91st Avenue north of Northern Avenue.

32C. **Designate Roadways, Establish Rights-of-Way, Various Locations**

RESOLUTION NO. 2013-115

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. 2013-115** designating Real Properties to be used as City roadways and authorizing the establishment of Public Rights-of-Way to be opened and maintained by the City as a Public Street.

33C. **Final Plat, A Condominium Final Re-Plat of Cibola Vista, Lake Pleasant Parkway and Cibola Vista Drive**

Approved the Final Plat, a Condominium Re-Plat of Cibola Vista Resort, located at Lake Pleasant Parkway and Cibola Vista Drive, subject to stipulations.

34C. **Final Plat, Terramar Parcel 10B, 74th Drive and Terramar Boulevard**

Approved the Final Plat of Terramar Parcel 10B, located at 74th Drive and Terramar Boulevard, subject to stipulations.

35C. **Replat, Tierra Del Rio Parcel 10B, Tierra Del Rio Boulevard and Happy Valley Road**

Approved the Replat of Tierra Del Rio Parcel 10B, located at Tierra Del Rio Boulevard north of Happy Valley Road, subject to stipulations.

36C. **Replat, Copper Sky Plaza I, 83rd Avenue and Cactus Road**

Approved the Replat of Copper Sky Plaza I, located at 83rd Avenue and Cactus Road, subject to stipulations.

REGULAR AGENDA

Unfinished Business:

37R. **PUBLIC HEARING - Rezoning, 75th Avenue and Greenway Road (Continued from April 9, 2013 - Agenda Item 19R)**

ORDINANCE NO 2013-03A

AN ORDINANCE OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA REZONING CERTAIN PROPERTY FROM SUBURBAN RANCH (SR-43) ZONING DISTRICT TO R1-10 SINGLE-FAMILY RESIDENTIAL; AMENDING THE ZONING MAP AND PROVIDING FOR AN EFFECTIVE DATE.

Staff Report:

Chris Jacques, Planning and Community Development Director, provided a brief overview of a request to rezone approximately 5.79 gross acres located at the northeast corner of 75th Avenue and Greenway Road from Suburban Ranch (SR-43) to Single-Family Residential (R1-10) as proposed under Zoning Case No. Z12-0010. Mr. Jacques noted the proposal was modified based on the outcome of the Public Hearing held at the April 9, 2013 City Council meeting and a second neighborhood meeting held on May 6, 2013.

Public Hearing:

Mayor Barrett opened the Public Hearing and asked if any Councilmember or citizen wished to comment on the proposed rezoning request.

Lorna Thacker spoke in support of the proposed rezoning. Ms. Thacker reported that the rezoning would complement the current zoning and complete the development of the area.

Mark Scussel, president of the Teresita Homeowners Association, advised Council that the Homeowners Association supported the R1-10 zoning. Mr. Scussel expressed concerns regarding his personal privacy. Mr. Scussel noted that the planned subdivision would allow neighbors to view his backyard. Mr. Scussel requested Lots 1, 2, 3 and 4 be restricted to single-story homes in order to maintain his privacy.

Ryan Weed, representing the applicant, responded to Mr. Scussel's concerns regarding single-story restrictions along Greenway Road. Mr. Weed advised that the developer had reduced the number of lots from 19 to 12 in response to public input regarding lot sizes. Mr. Weed noted that the two adjacent communities do not have single-story restrictions, and there is a buffer of 100 ft. to approximately 150 ft. between the homes to be constructed and Mr. Scussel's residence.

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

Council Action:

Motion was made by Councilmember Aames, seconded by Councilmember Carlat, to adopt **ORD. 2013-03A** rezoning approximately 5.79 gross acres of property, located at the northeast corner of 75th Avenue and Greenway Road, from Suburban Ranch (SR-43) to Single-Family Residential (R1-10).

New Business:

38R. **PUBLIC HEARING - Liquor Licenses, Various Locations**

Staff Report:

Katie Gregory, Deputy Finance and Budget Director, reported on staff's recommendation to recommend approval to the State Liquor Board for:

- (a) A New Restaurant Liquor License (Series 12) for Stevies NY Pizza, located at 28465 North Vistancia Boulevard Suite 101, Besa Klobucista, Applicant, LL#20008444,
- (b) A Person to Person Transfer for an On-Sale All Liquor License (Series 06) for Neighbors, located at 7530 West Peoria Avenue Suite F, Tammy D. Zollman, Applicant, LL#20007818; and
- (c) A New Wine and Beer Liquor License (Series 10) for 99 Cents Only Store #220, located at 8375 West Thunderbird Road Suite 102, Randy D. Nations, Applicant, LL#33734.

Ms. Gregory 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 the requests for:

- (a) A New Restaurant Liquor License (Series 12) for Stevies NY Pizza, located at 28465 North Vistancia Boulevard Suite 101, Besa Klobucista, Applicant, LL#20008444,
- (b) A Person to Person Transfer for an On-Sale All Liquor License (Series 06) for Neighbors, located at 7530 West Peoria Avenue Suite F, Tammy D. Zollman, Applicant, LL#20007818; and
- (c) A New Wine and Beer Liquor License (Series 10) for 99 Cents Only Store #220, located at 8375 West Thunderbird Road Suite 102, Randy D. Nations, Applicant, LL#33734.

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

Council Action:

Motion was made by Councilmember Leone, seconded by Councilmember Carlat, to recommend approval to the State Liquor Board for:

- (a) A New Restaurant Liquor License (Series 12) for Stevies NY Pizza, located at 28465 North Vistancia Boulevard Suite 101, Besa Klobucista, Applicant, LL#20008444,
- (b) A Person to Person Transfer for an On-Sale All Liquor License (Series 06) for Neighbors, located at 7530 West Peoria Avenue Suite F, Tammy D. Zollman, Applicant, LL#20007818; and
- (c) A New Wine and Beer Liquor License (Series 10) for 99 Cents Only Store #220, located at 8375 West Thunderbird Road Suite 102, Randy D. Nations, Applicant, LL#33734.

Upon vote, the motion carried unanimously 7 to 0.

39R. **PUBLIC HEARING - Annexation, Pinnacle Peak Road and 75th Avenue Alignments**

Clerk's Note: Mayor Barrett announced that **Agenda Item 39R was pulled from the agenda at the request of staff.**

PUBLIC HEARING: RE: Proposed annexation of approximately 1.17 acres of privately-owned property located south of the Pinnacle Peak Road alignment at the 75th Avenue alignment (ANX13-0002).

40R. **Code Amendment, Chapter 26, Zoning**

ORDINANCE NO. 2013-14

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA AMENDING CHAPTER 26 OF THE PEORIA CITY CODE (1992) BY REPEALING CHAPTER 26 IN ITS ENTIRETY PERTAINING TO ZONING AND PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Steve Kemp, City Attorney, provided a brief overview of the request to remove a vacant chapter in the Peoria City Code by repealing Chapter 26 of the City Code pertaining to zoning. Mr. Kemp explained that Chapter 14 of the 1977 edition of the Peoria City Code acts as the zoning regulations for the City.

Motion was made by Councilmember Carlat, seconded by Councilmember Aames, to adopt **ORD. 2013-14** amending Chapter 26 of the Peoria City Code (1992 Edition) pertaining to Zoning by repealing Chapter 26 in its entirety.

Upon vote, the motion carried unanimously 7 to 0.

Call To The Public (Non-Agenda Items)

David Evans addressed Council regarding the proposed P83 development project. Mr. Evans requested completion of the proposed project citing economic growth and quality of life opportunities for the City. Mr. Evans expressed his opinion in support of a comprehensive ordinance addressing electric signage in the P83 entertainment district and along the Loop 101.

Reports from City Manager

41. **Council Calendar**

42. **Reports with Presentation**

None.

43. **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. Permanent Registration of Apprenticeship Program

Carl Swenson, City Manager, provided information to Council related to the apprenticeship program in the area of Water Utilities. Mr. Swenson advised that the City has been recognized for the program by the State as the first of its kind in Arizona.

B. Red, White & Blues Festival and The First Responders Adult and Youth Sprint Triathlon and Duathlon

John Sefton, Community Services Director, provided a brief overview of the Red, White & Blues Festival to be held at Centennial Plaza on Saturday, September 7, 2013. Mr. Sefton announced that The First Responders Adult and Youth Sprint Triathlon and Duathlon would be held at the Sunrise Pool on Sunday, September 8, 2013.

C. Recognition of Personnel who Assisted the City of Prescott and on the Yarnell Hill Fire

Bobby Ruiz, Fire Chief, and Roy Minter, Police Chief, reported on the City's participation at events following the tragedy resulting from the Yarnell Hill Fire.

Reports from City Council:

Councilmember Leone reported on the various City of Peoria activities he attended. Councilmember Leone extended his appreciation to the public safety employees who provided assistance following the Yarnell Hill Fire.

Councilmember Edwards reported on the various City of Peoria activities he attended. Councilmember Edwards invited residents of the Willow District and Ventana Lakes to a groundbreaking ceremony and open house for the Agua Fria truck route reliever project to be held on Saturday, August 24, 2013 beginning at 8:30 a.m. at the Ventana Lakes Yacht Club located at 20015 North 108th Avenue.

Reports from the Mayor:

Mayor Barrett reported on a program sponsored by the Peoria Sunset Lions Club to aid small businesses affected by the Yarnell Hill Fire. Mayor Barrett invited citizens to attend a special performance of the musical "Big". The production, being offered by Theater Works to benefit the Yarnell Hill Recovery Group, will be held on Saturday, September 7, 2013.

Mayor Barrett announced the passing of former Mayor Ken Forgia on July 31, 2013. Mayor Barrett extended his condolences to the family and requested that Mayor Forgia and his family be kept in everyone's thoughts and prayers.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 7:45 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 20th day of August, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 15th day of October, 2013.

(Seal)

Rhonda Geriminsky, City Clerk