

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
CITY COUNCIL CHAMBER
October 1, 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; Jeff Tyne, Deputy City Manager; Michael Wawro, Acting City Attorney; Linda Blas, Acting City Clerk; Julie Ayers, Human Resources Director; Andy Granger, Engineering Director; Chris Jacques, Planning and Community Development Director; Bo Larsen, Public Information Director; Bill Mattingly, Public Works Director; and John Sefton, Community Services 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 Aames seconded by Councilmember Carlat, to approve the Consent Agenda.

Upon vote, the motion carried unanimously Z to Q.

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: (a) 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; (b) discussion and consultation with legal counsel for legal advice pertaining to the potential sale of land and the Lease Agreement with Arizona Broadway Theatre pursuant to A.R.S. § 38-431.03.A.7; and (c) discussion and consultation with legal counsel for legal advice pertaining to the acquisition of private water companies pursuant to A.R.S. § 38-431.03.A.7.

ADJOURNMENT:

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

STUDY SESSION AGENDA

Subject(s) for Discussion Only

2. Citywide Sustainability Update

The Study Session portion of the meeting was not held due to time constraints.

EXECUTIVE SESSION AGENDA

3. An Executive Session was convened immediately following the Special City Council Meeting pursuant to A.R.S. § 38-431.03 for the purpose of: (a) 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; (b) discussion and consultation with legal counsel for legal advice pertaining to the potential sale of land and the Lease Agreement with Arizona Broadway Theatre pursuant to A.R.S. § 38-431.03.A.7; and (c) discussion and consultation with legal counsel for legal advice pertaining to the acquisition of private water companies pursuant to A.R.S. § 38-431.03.A.7.

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 Aames, Cathy Carlat, Jon Edwards, Carlo Leone, and Bill Patena.

Other Municipal Officials Present: Carl Swenson, City Manager; Susan Daluddung, Deputy City Manager; Jeff Tyne, Deputy City Manager; Michael Wawro, Acting City Attorney; Linda Blas, Acting 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 Director; Bill Mattingly, Public Works Director; Brent Mattingly, Finance and Budget Director; Roy Minter, Police Chief; Bobby Ruiz, Fire Chief; John Schell, Intergovernmental Affairs Director; John Sefton, Community Services Director; Rebecca Zook, Economic Development Services Deputy Director; Corina Russo, Assistant to the City Manager; and Natalie Gilstrap, City Clerk Specialist.

Other Officials Present: Speaker of the House, Andy Tobin; House Majority Whip, Rick Gray; and House Representative, Debbie Lesko.

Audience: Approximately 50 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.

REGULAR AGENDA

New Business:

4R. **Appointments, Council Youth Liaisons**

RESOLUTION 2013-132

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, APPOINTING JACOB JELINEK AND THOMAS PRIOR AS YOUTH COUNCIL LIAISONS AND ESTABLISHING THE TERMS OF OFFICE.

Approved the recommendations from the Council Subcommittee on Policy and Appointments pertaining to the following appointments and adopted the Resolution as presented:

Motion made by Councilmember Edwards, seconded by Councilmember Carlat, to adopt **RES. 2013-132** appointing Jacob Jelinek, as a Youth Council Liaison, and Thomas Prior, as a Youth Council Liaison Alternate.

Upon vote, the motion carried unanimously 7 to 0.

SWEARING IN BY PRESIDING MUNICIPAL JUDGE GEORGE ANAGNOST AND SEATING OF NEW COUNCIL YOUTH LIAISON

Council Youth Members:

- Jacob Jelinek
- Thomas Prior

Speaker of the House Andy Tobin acknowledged Peoria's efforts to engage youth through the appointment of Council Youth Liaisons. House Speaker Tobin read a proclamation from the Arizona House of Representatives recognizing Peoria's leadership role in recognizing the importance of youth engagement to the community's future.

A short recess was called at 7:16 p.m. to allow for the seating of the Council Youth Liaisons. Council reconvened at 7:26 p.m.

Presentations:

5. **Legislative update from Arizona Speaker of the House of Representatives, Andy Tobin**

Mayor Barrett introduced Speaker of the House Andy Tobin who provided a legislative update.

6. **Christmas for the Troops**

Rachelle Barrett provided information on the upcoming 2013 Christmas for the Troops campaign sponsored by the Peoria Sunset Lions Club.

CONSENT AGENDA: All items listed with a “C” are considered to be routine or have been previously reviewed by the City Council, and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests; in which event the item will be removed from the General Order of Business, and considered in its normal sequence on the Agenda.

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

Councilmember Edwards requested that Agenda Item 8C be removed for separate discussion.

Motion was made by Councilmember Aames, seconded by Councilmember Leone, to approve the Consent Agenda with the exception of Agenda Item 8C. Upon vote, the motion carried unanimously 7 to 0.

7C. **Appointments, Boards and Commissions**

RESOLUTION 2013-133

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, ACCEPTING THE RESIGNATION OF ROBERT BENSON AND APPOINTING ROBERT PANZER TO THE ARTS COMMISSION AND ESTABLISHING THE TERM OF OFFICE.

RESOLUTION 2013-134

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING BRIAN GREATHOUSE AND MICHAEL MEEK TO THE BOARD OF ADJUSTMENT AND ESTABLISHING THE TERMS OF OFFICE.

RESOLUTION 2013-135

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING MICHAEL WATT TO THE BUILDING BOARD OF APPEALS AND ESTABLISHING THE TERM OF OFFICE.

RESOLUTION 2013-136

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING DAVID EBERHART TO THE CITIZENS COMMISSION ON SALARIES FOR ELECTED CITY OFFICIALS AND ESTABLISHING THE TERM OF OFFICE.

RESOLUTION 2013-137

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, APPOINTING CLIFF COLWELL TO THE INDUSTRIAL DEVELOPMENT AUTHORITY AND ESTABLISHING THE TERM OF OFFICE.

RESOLUTION 2013-138

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING JIM CUTLER TO THE MUNICIPAL DEVELOPMENT AUTHORITY AND ESTABLISHING THE TERM OF OFFICE.

RESOLUTION 2013-139

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

RESOLUTION 2013-140

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING ANTHONY IRBY AND CHUCK STRANGE TO THE VETERANS MEMORIAL BOARD AND ESTABLISHING THE TERMS OF OFFICE.

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

Adopted **RES. 2013-133** appointing Robert Panzer, as a regular member, to the Arts Commission,

Adopted **RES. 2013-134** reappointing Brian Greathouse and Michael Meek, as regular members, to the Board of Adjustment,

Adopted **RES. 2013-135** reappointing Michael Watt, as a regular member, to the Building Board of Appeals,

Adopted **RES. 2013-136** reappointing David Eberhart, as a regular member, to the Citizens Commission on Salaries for Elected City Officials,

Adopted **RES. 2013-137** appointing Cliff Colwell, as a regular member, to the Industrial Development Authority,

Adopted **RES. 2013-138** reappointing Jim Cutler, as a regular member, to the Municipal Development Authority,

Adopted **RES. 2013-139** reappointing Shawn Hutchinson, as a regular member, to the Planning and Zoning Commission, and

Adopted **RES. 2013-140** reappointing Anthony Irby and Chuck Strange, as regular members, to the Veterans Memorial Board.

8C. **Ordinance, Community Commission on Youth**

Clerk's Note: Agenda Item 8C was removed from the Consent Agenda for separate discussion.

John Sefton provided information regarding the formation, membership, and responsibilities of the proposed Community Commission on Youth.

Motion was made by Councilmember Aames, seconded by Councilmember Patena, to assign the responsibilities as outlined in proposed Ordinance 2013-18 to the Youth Advisory Board for a period of one year.

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

9C. **Grant Agreement, Tohono O'odham Nation, Police Surveillance Tower**

(a) Authorized the City Manager to accept a grant in the amount of \$60,000 from the Tohono O'odham Nation Proposition 202 Grant Program to purchase a surveillance tower; and

- (b) Authorized a budget amendment in the amount of \$120,000 from the Proposed Grants Division Contingency account to the Tohono O'odham Nation Grant account for \$60,000 and Police Department Asset Forfeiture account in the amount of \$60,000 in order to establish appropriation for the funds to be expended.

10C. **Grant-in-Aid, Fiscal Agent Agreement, Tohono O'odham Nation and Theater Works**

- (a) Approved the Grant-in-Aid Agreement between the Tohono O'odham Nation and the City of Peoria on behalf of Theater Works for the Completion of Technical Capabilities for the Peoria Center for the Performing Arts; and
- (b) Authorized a budget amendment in the amount of \$44,000 from the Proposed Grant Contingency account to the General Fund Non-departmental-Community Promotions account to allow for the payment to Theater Works.

11C. **Budget Amendments**

Approved budget amendments for Fiscal Year 2013 and Fiscal Year 2014, and carryovers for Fiscal Year 2013.

12C. **Maintenance Improvement District No. 1066, Tierra Del Rio Parcel 10A, 103rd Drive and Yearling Road**

RESOLUTION NO. 2013-141

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. 1066, TIERRA DEL RIO PARCEL 10A, 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. 2013-142

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. 1066, TIERRA DEL RIO PARCEL 10A; 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. 2013-141** intention and ordering the formation of proposed Maintenance Improvement District No. 1066, Tierra Del Rio Parcel 10A, located at 103rd Drive and Yearling Road; and adopted **RES. 2013-142** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

13C. **Maintenance Improvement District No. 1134, Tierra Del Rio Parcel 13B, Tierra Del Rio Boulevard and Happy Valley Road**

RESOLUTION NO. 2013-145

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. 1134, TIERRA DEL RIO PARCEL 13B, 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. 2013-146

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. 1134, TIERRA DEL RIO PARCEL 13B; 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 adopt **RES. 2013-145** intention and ordering the formation of proposed Maintenance Improvement District No. 1134, Tierra Del Rio Parcel 13B, located at Tierra Del Rio Boulevard and Happy Valley Road; and adopted **RES. 2013-146** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

14C. **Street Light Improvement District No. 1073, Tierra Del Rio Parcel 13B, Tierra Del Rio Boulevard and Happy Valley Road**

RESOLUTION NO. 2013-145

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. 1134, TIERRA DEL RIO PARCEL 13B, 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. 2013-146

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. 1134, TIERRA DEL RIO PARCEL 13B; 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. 2013-147** intention and ordering the formation of proposed Street Light Improvement District No. 1073, Tierra Del Rio Parcel 13B, located at Tierra Del Rio Boulevard and Happy Valley Road; and adopted **RES. 2013-148** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

15C. **Street Light Improvement District No. 1030, Tierra Del Rio Parcel 10A, 103rd Drive and Yearling Road**

RESOLUTION NO. 2013-143

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. 1030, TIERRA DEL RIO PARCEL 10A; 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. 2013-144

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. 1030, TIERRA DEL RIO PARCEL 10A 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. 2013-143** intention and ordering the formation of proposed Street Light Improvement District No. 1030, Tierra Del Rio Parcel 10A, located at 103rd Drive and Yearling Road; and adopted **RES. 2013-144** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

16C. **Land Transfer, Maricopa County Department of Transportation, 77th Avenue and Deer Valley Road Bridge**

RESOLUTION NO. 2013-149

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, AUTHORIZING THE ACCEPTANCE OF RIGHT OF WAY LOCATED AT 77TH AVENUE AND DEER VALLEY ROAD.

Adopted **RES. 2013-149** authorizing the acceptance of right-of-way from the Maricopa County Department of Transportation located in the vicinity of 77th Avenue and the Deer Valley Road Bridge.

17C. **Final Plat, Vistancia Parcel F3 Phase 1, Vistancia Boulevard and Westland Road**

Approved the Final Plat of Vistancia Parcel F3 Phase 1, located at Vistancia Boulevard and Westland Road, subject to stipulations.

18C. **Replat, Lake Pleasant Towne Center Parcels 17A and 19A, Happy Valley Parkway and Lake Pleasant Parkway**

Approved the Replat of Lake Pleasant Towne Center Parcels 17A and 19A, located at Happy Valley Parkway and Lake Pleasant Parkway, subject to stipulations.

19C. **Replat, Tierra Del Rio Parcel 20 and 21, 99th Avenue and Jomax Road**

Approved the Replat of Tierra Del Rio Parcel 20 and 21, located at 99th Avenue and Jomax Road, subject to stipulations.

Regular Agenda

New Business:

20R. **Arizona Broadway Theatre Land Lease**

Jeff Tyne, Deputy City Manager, provided information on the proposed temporary increase to the monthly lease amount for the Arizona Broadway Theater pending negotiation of a potential land sale with KLOS Enterprises, LLC.

Motion was made by Councilmember Edwards, seconded by Councilmember Patena, to authorize a 120-day extension of the lease with monthly payments of \$4,600 while land sale and lease negotiations are finalized for Council consideration and approval.

Upon vote, the motion carried unanimously 7 to 0.

21R. **Public Hearing-Liquor Licenses, Various Locations**

Brent Mattingly, 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 OCarnivores, located at 9832 West Northern Avenue Suite 1650, Jeffrey J. Olson, Applicant, LL#20008330; and
- (b) A New Government Liquor License (Series 05) for Pioneer Community Park, located at 8755 North 83rd Avenue, Brenda J. Rehnke, Applicant, LL#20009043.

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 the requests for:

- (a) A New Restaurant Liquor License (Series 12) for OCarnivores, located at 9832 West Northern Avenue Suite 1650, Jeffrey J. Olson, Applicant, LL#20008330; and
- (b) A New Government Liquor License (Series 05) for Pioneer Community Park, located at 8755 North 83rd Avenue, Brenda J. Rehnke, Applicant, LL#20009043.

Having no 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 Leone, to recommend approval to the State Liquor Board for:

- (a) A New Restaurant Liquor License (Series 12) for OCarnivores, located at 9832 West Northern Avenue Suite 1650, Jeffrey J. Olson, Applicant, LL#20008330; and
- (b) A New Government Liquor License (Series 05) for Pioneer Community Park, located at 8755 North 83rd Avenue, Brenda J. Rehnke, Applicant, LL#20009043.

Upon vote, the motion carried unanimously 7 to 0.

22R. Public Hearing-Class A (Small Game) Bingo License, Peoria Senior Center

Brent Mattingly, Finance and Budget Director, reported on staff's recommendation to recommend approval to the Arizona Department of Revenue for a Class A (Small Game) Bingo License for the Peoria Senior Center located at 8335 West Jefferson Street, Josie Salas, Applicant, #20008815.

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 the request for a Class A (Small Game) Bingo License for the Peoria Senior Center located at 8335 West Jefferson Street, Josie Salas, Applicant, #20008815.

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 Aames, to recommend approval to the Arizona Department of Revenue a Class A (Small Game) Bingo License for the Peoria Senior Center located at 8335 West Jefferson Street, Josie Salas, Applicant, #20008815.

Upon vote, the motion carried unanimously 7 to 0.

23R. **Public Hearing-Rezoning, 83rd Avenue and Happy Valley Road**

ORDINANCE NO 2013-19

AN ORDINANCE OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA REZONING CERTAIN PROPERTY FROM GENERAL AGRICULTURAL (AG) ZONING DISTRICT TO R1-18 SINGLE-FAMILY RESIDENTIAL; AMENDING THE ZONING MAP AND PROVIDING FOR AN EFFECTIVE DATE.

Chris Jacques, Planning and Community Development Director, provided a brief overview on the rezoning request which included data related to the current and proposed zoning, the development plan, the land use designation and the citizen participation process.

Public Hearing:

Mayor Barrett opened the Public Hearing and asked if any Councilmember or citizen wished to comment on a request to rezone approximately 26.28 acres of property, located at the southeast corner of 83rd Avenue and Happy Valley Road east of the 81st Avenue alignment, from General Agriculture (AG) to R1-18 Single-Family Residential as proposed under zoning case number Z13-0005.

Matthew Bennett addressed Council and spoke in favor of the staff recommended proposal. Mr. Bennett indicated his opposition to the Planning and Zoning Commission's recommendation to approve Case Z13-0005 with the addition of two new stipulations.

Greg Stultz spoke in favor of the staff recommended proposal and indicated his opposition to the Planning and Zoning Commission's recommended proposal. Mr. Stultz also presented documentation of neighborhood opposition to the extension of 81st Avenue.

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

Motion was made by Councilmember Aames, seconded by Councilmember Patena, to adopt **ORD. 2013-19** rezoning approximately 26.28 acres of property, located at the southeast corner of 83rd Avenue and Happy Valley Road east of the 81st Avenue alignment, from General Agriculture (AG) to R1-18 Single-Family Residential as proposed under zoning case number Z13-0005 with full vehicular access at Happy Valley Road and median break and no extension of 81st Avenue.

Upon vote, the motion carried unanimously 7 to 0.

24R. **Amended Contract Update, Theater Works**

John Sefton, Community Services Director, and Brenda Rehnke, Recreation Manager, provided an update on the Theater Works amended contract requirements, including information related to financial services, board development, marketing focus and programming and rentals.

Motion was made by Councilmember Carlat, seconded by Councilmember Edwards, to approve a one-time payment in the amount of \$150,000 to Theater Works per the adopted requirements in the First Amendment to the Improved Property Lease.

Upon vote, the motion carried 6 to 1 with Vice Mayor Rivero voting “no”.

Clerk’s Note: Councilmember Aames abstained from voting. In accordance with Article II, Section 18, of the Peoria City Charter, should the Mayor or Councilmember fail to vote, his vote shall be counted with the majority vote on the issue.

Call To The Public (Non-Agenda Items)

None.

Reports from City Manager:

25. **Council Calendar**

26. **Reports with Presentation**

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. Carl Swenson, City Manager, provided information to Council related to Council Subcommittee updates.
- B. Carl Swenson, City Manager, provided information on the Peoria Community Center LEED Gold Certification.
- C. John Sefton, Community Services Director, provided information on the Neighborhood ParkFest! Series.

Reports from City Council:

Councilmember Leone reported on the various activities he attended. Councilmember Leone invited citizens to attend the Parkfest! event to be held at Country Meadows Park on Saturday, October 5, 2013 from 6:00 p.m. to 9:00 p.m. Councilmember Leone encouraged citizens to participate in the November 13, 2013 Turkey Trot and the January 29, 2014 New Year's Resolution Walk sponsored by the Community Center. Councilmember Leone also expressed his congratulations to the two newly-appointed Council Youth Liaisons.

Councilmember Carlat welcomed the two newly-appointed Council Youth Liaisons. Councilmember Carlat congratulated Michelle Dionisio, President and CEO of Benevilla, who was recently voted "Woman of the Year" by the West Valley Women's Association.

Councilmember Edwards congratulated the newly-appointed Council Youth Liaisons. Councilmember Edwards reported that he recently participated in the *Homes for our Troops* event and encouraged citizens to volunteer through this organization.

Council Youth Liaison Jelinek thanked the City Council and the City Manager for the opportunity to serve as liaison to Council. Mr. Jelinek also expressed his appreciation to Councilmember Edwards and John Sefton, Community Services Director, and city staff for their efforts on behalf of the Council Youth Liaison program.

Councilmember Aames welcomed the two newly-appointed Council Youth Liaisons. Councilmember Aames reported on the various City of Peoria activities he attended.

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

Vice Mayor Rivero presented a plaque from the American Planning Association, Arizona Chapter, which recognized the City for the Old Town Commercial Rehabilitation Program. Vice Mayor Rivero reported on the various City of Peoria activities he attended. Vice Mayor Rivero thanked the citizens, city staff and sponsors for their support of the Fiesta Peoria event and recognized the elected officials in attendance including, House Representatives Grey and Lesko, Board of Supervisor Hickman, Glendale Councilmember Ian Hugh, and Peoria Councilmembers Aames, Edwards, Leone and Patena.

Reports from the Mayor:

Mayor Barrett thanked everyone who participated in the recent *Homes for our Troops* event.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 9:36 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 1st day of October, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 19th day of November, 2013.

(Seal)

Rhonda Geriminsky, City Clerk