

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
CITY COUNCIL CHAMBER
October 15, 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; Susan Daluddung, Deputy City Manager; Jeff Tyne, Deputy City Manager; Steve Kemp, City Attorney; Rhonda Geriminsky, City Clerk; Julie Ayers, Human Resources Director; Bo Larsen, Public Information Director; and Roy Minter, Police Chief.

Audience: Approximately five members of the public were present.

Note: The order in which items appear in the minutes is not necessarily the order in which they were discussed in the meeting.

CONSENT AGENDA

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

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

1C. Authorization to Hold an Executive Session

Authorized the holding of an Executive Session for the purpose of: (a) discussion with legal counsel and designated representatives of the public body regarding legal issues pertaining to three pending litigation cases; David Dominguez Mendoza v. City of Peoria, Christine Youatt v. Parkey and City of Peoria and Demaree v. City of Peoria pursuant to A.R.S. § 38-431.03.A.4.; and (b) discussion and consultation with legal counsel and designated representatives of the public body pertaining to labor negotiations with Peoria Police Officers Association and Peoria Fire Fighters Association 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.

A **Study Session Meeting** of the City Council of the City of Peoria, Arizona was convened at 8401 West Monroe Street in open and public session at 6:10 p.m.

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

Members Absent: None

Council Youth Liaisons: Jacob Jelinek and Thomas Prior.

Other Municipal Officials Present: Carl Swenson, City Manager; Susan Daluddung, Deputy City Manager; Jeff Tyne, Deputy City Manager; Steve Kemp, City Attorney; Rhonda Geriminsky, City Clerk; Julie Ayers, Human Resources Director; Andy Granger, Engineering Director; Katie Gregory, Deputy Finance and Budget Director; Bo Larsen, Public Information Director; John Sefton, Community Services Director; and Corina Russo, Assistant to the City Manager.

Audience: Approximately 15 members of the public were present.

STUDY SESSION AGENDA

Subject(s) for Discussion Only

2. 2013-2014 Development Impact Fee Study

Carl Swenson, City Manager, provided an outline of the 2013-2014 Development Impact Fee Study.

Katie Gregory, Deputy Finance and Budget Director, defined development impact fees and outlined how impact fees may be used.

Ms. Gregory provided the legal framework that the City uses regarding development impact fees including:

- Statutory requirements
- New requirements
- Other requirements/provisions

Discussion ensued regarding:

- Level of service while using impact fees
- Limitations for parks, recreation facilities, and libraries when using impact fees as a funding source

Ms. Gregory outlined the fee adoption process.

Discussion ensued regarding:

- Information sharing with stakeholders doing business with the City who are affected by the new legislation
- Development impact fees
- Land use assumptions

Ms. Gregory discussed industry accepted methodologies.

Discussion ensued regarding the State Land Department as a stakeholder.

Frank Davis, Manager of Raftelis Financial Consultants, Inc., outlined the methodology used for utility fees.

Clancy Mullin, Vice President of Duncan Associates, outlined the methodology used for general government fees.

Discussion ensued regarding North Peoria zone service areas.

Ms. Gregory outlined the following service area considerations:

- Two transportation zones
 - One zone north of Bell Road
 - One zone south of Bell Road
- Three zones for park service areas
- One service area for Fire/Police
- North and south zones for water service areas
- East and west zones for wastewater service areas

Ms. Gregory reviewed the project timeline for implementing the development impact fees.

Discussion ensued regarding land use assumptions and neighborhood parks.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 6:50 p.m.

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 with legal counsel and designated representatives of the public body regarding legal issues pertaining to three pending litigation cases; David Dominguez Mendoza v. City of Peoria, Christine Youatt v. Parkey and City of Peoria and Demaree v. City of Peoria pursuant to A.R.S. § 38-431.03.A.4.; and (b) discussion and consultation with legal counsel and designated representatives of the public body pertaining to labor negotiations with Peoria Police Officers Association and Peoria Fire Fighters Association 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 7:01 p.m.

Following a moment of silent reflection, Councilmember Edwards 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.

Members Absent: None

Council Youth Liaisons: Jacob Jelinek and Thomas Prior.

Other Municipal Officials Present: Carl Swenson, City Manager; Susan Daluddung, Deputy City Manager; Jeff Tyne, Deputy City Manager; Steve Kemp, City Attorney; Rhonda Geriminsky, City Clerk; Julie Ayers, Human Resources Director; Chris Jacques, Planning and Community Development Director; Katie Gregory, Deputy Finance and Budget Director; Bo Larsen, Public Information Director; Bill Mattingly, Public Works Director; Roy Minter, Police Chief; Bobby Ruiz, Fire Chief; John Sefton, Community Services Director; Corina Russo, Assistant to the City Manager; and Linda Blas, Deputy City Clerk.

Audience: Approximately 60 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.

Councilmember Aames requested that Agenda Items 7C and 12C 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 Items 7C and 12C. Upon vote, the motion carried unanimously 7 to 0.

5C. **Minutes**

Approved the following minutes:

- August 20, 2013 Meeting Minutes
- September 3, 2013 Meeting Minutes
- September 6, 2013 City Council Workshop Minutes

6C. **Appointments, Boards and Commissions**

RESOLUTION 2013-150

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, ADJUSTING THE TERM FOR BRIAN GREATHOUSE ON THE INDUSTRIAL DEVELOPMENT AUTHORITY AND ESTABLISHING THE NEW TERM OF OFFICE.

Adopted **RES. 2013-150** adjusting the term length for Brian Greathouse on the Industrial Development Authority.

7C. **Appointment, Administrative Hearing Officers, Designation of Taxpayer Problem Resolution Officer**

Clerk’s Note: This item was heard separately at the end of the Consent Agenda.

At the request of Councilmember Aames, Agenda Item 7C was pulled from the Consent Agenda for separate discussion.

RESOLUTION NO. 2013-161

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA ESTABLISHING TERMS AND APPOINTING ONE OR MORE HEARING OFFICERS PURSUANT TO A.R.S. §9-500.12 TO HEAR, RECOMMEND AND DECIDE MATTERS ARISING UNDER THE CITY'S PERSONNEL, TAX, LICENSING AND LAND USE CODES AND LICENSING CODES AND DESIGNATING A TAXPAYER PROBLEM RESOLUTION OFFICER AND DECLARING AN EMERGENCY.

Steve Kemp, City Attorney, provided a brief overview of the functions of an Administrative Hearing Officer and a Taxpayer Problem Resolution Officer.

Motion was made by Councilmember Aames, seconded by Councilmember Carlat, to adopt **RES. 2013-161** appointing Administrative Hearing Officers and designating a Taxpayer Problem Resolution Officer.

Upon vote, the motion carried unanimously 7 to 0.

8C. **Contract Amendment, Peoria Diamond Club**

Approved Contract Amendment No. 5 with the Peoria Diamond Club providing services for Spring Training Baseball through the 2015 season.

9C. **Contract Amendment, Peoria Sports Complex Field Lighting**

- (a) Approved Contract Amendment No. 1 with Sellers & Sons, Inc., in the amount of \$174,000, utilizing existing Job Order Contract No. 120565-04; and
- (b) Approved a budget amendment in the amount of \$174,000 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, Ground/Detention Repair and Maintenance account.

10C. **Amendment, Arizona Public Service, City of Peoria and Seattle Mariners, Renewable Energy Credit Purchase Agreement, Peoria Sports Complex**

Approved an amendment to the Renewable Energy Credit Purchase Agreement for the duration of 15 years, in the amount of zero dollars as a requisite component of a solar energy power purchase agreement initiated by the Seattle Mariners clubhouse at the Peoria Sports Complex.

11C. **Amended Multi-Party Agreement, West Salt River Valley Central Arizona Project Subcontractors**

Authorized the City Manager to execute an amended Multi-Party Agreement for continued participation in the West Salt River Valley Central Arizona Project Subcontractors organization.

12C. **Budget Amendment, Wellness Fund, Biometric Screening Machines**

Clerk's Note: This item was heard separately at the end of the Consent Agenda.

At the request of Councilmember Aames, Agenda Item 12C was pulled from the Consent Agenda for separate discussion.

Julie Ayers, Human Resources Director, provided a brief overview of the request to approve a budget amendment to fund the purchase of two biometric screening machines. Ms. Ayers reported that employees had expressed interest in the City acquiring the machines to track health information that may assist in improving the overall health of employees, reduce health insurance costs and assist employees in passing stringent requirements for commercial driver's licenses.

Motion was made by Councilmember Aames, seconded by Councilmember Carlat, to authorize the use of reserves and approve a budget amendment in the amount of \$22,000 from the General Fund Contingency account to the Wellness Fund Medical Equipment account for the purchase of two biometric screening machines.

Upon vote, the motion carried unanimously 7 to 0.

13C. **Maintenance Improvement District No. 1061, Tierra Del Rio North, 99th Avenue and Jomax Road**

RESOLUTION NO. 2013-159

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. 1061, TIERRA DEL RIO NORTH, 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. 2013-160

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. 1061, TIERRA DEL RIO NORTH; 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. 2013-159** intention and ordering the formation of proposed Maintenance Improvement District No. 1061, Tierra Del Rio North, located at 99th Avenue and Jomax Road; and adopted **RES. 2013-160** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

14C. **Maintenance Improvement District No. 1069, Tierra Del Rio Parcel 13A, 103rd Drive and Jomax Road**

RESOLUTION NO. 2013-151

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. 1069, TIERRA DEL RIO PARCEL 13A, 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. 2013-152

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. 1069, TIERRA DEL RIO PARCEL 13A; 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. 2013-151** intention and ordering the formation of proposed Maintenance Improvement District No. 1069, Tierra Del Rio Parcel 13A, located at 103rd Drive and Jomax Road; and adopted **RES. 2013-152** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

15C. **Maintenance Improvement District No. 1144, Sunset Ranch Parcel III, 102nd Avenue and Pinnacle Peak Road**

RESOLUTION NO. 2013-155

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. 1144, SUNSET RANCH PARCEL III, 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. 2013-156

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. 1144, SUNSET RANCH PARCEL IIH; 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. 2013-155** intention and ordering the formation of proposed Maintenance Improvement District No. 1144, Sunset Ranch Parcel IIH, located at 102nd Avenue and Pinnacle Peak Road; and adopted **RES. 2013-156** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

16C. **Street Light Improvement District No. 1082, Sunset Ranch Parcel IIH, 102nd Avenue and Pinnacle Peak Road**

RESOLUTION NO. 2013-157

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. 1082, SUNSET RANCH PARCEL IIH; 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. 2013-158

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. 1082, SUNSET RANCH II PARCEL H, 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. 2013-157** intention and ordering the formation of proposed Street Light Improvement District No. 1082, Sunset Ranch Parcel IIH, located at 102nd Avenue and Pinnacle Peak Road; and adopted **RES. 2013-158** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

17C. **Street Light Improvement District No. 1032, Tierra Del Rio Parcel 13A, 103rd Drive and Jomax Road**

RESOLUTION NO. 2013-153

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. 1032, TIERRA DEL RIO PARCEL 13A; 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. 2013-154

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. 1032, TIERRA DEL RIO PARCEL 13A 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. 2013-153** intention and ordering the formation of proposed Street Light Improvement District No. 1032, Tierra Del Rio 13A, located at 103rd Drive and Jomax Road; and adopted **RES. 2013-154** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

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

RESOLUTION NO. 2013-162

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. 2013-162** accepting Deeds and Easements for various Real Property interests acquired by the City.

19C. **Designate Roadways, Establish Rights-of-Way, Various Locations**

RESOLUTION NO. 2013-163

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. 2013-163** designating Real Properties to be used as City roadways and authorize the establishment of Public Rights-of-Way to be opened and maintained by the City as a Public Street.

20C. Final Plat, Country Meadows, 111th Avenue and Butler Drive

Approved the Final Plat of Country Meadows, located at 111th Avenue and Butler Drive, subject to stipulations.

REGULAR AGENDA

21R. Memorandum of Understanding, United Phoenix Fire Fighters Association Local 493, Peoria Fire Fighters

Julie Ayers, Human Resources Director, provided an overview of the negotiations with the United Phoenix Fire Fighters Association Local 493, representing Peoria Fire Fighters (PFFA). Ms. Ayers reported that the meet and confer process began on March 13, 2013 and was settled in mediation on July 29, 2013. The City was notified by PFFA on October 4, 2013 that their membership had ratified the proposed contract.

Ms. Ayers highlighted the following key provisions contained in the Memorandum of Understanding:

- Term of approximately two years commencing upon Council approval and ending June 30, 2015
- Market adjustment of 2.5 percent in the first year effective the beginning of the pay period that includes July 29, 2013
- Merit increase of 2.5 percent in the first year for eligible employees effective the beginning of the pay period that includes the anniversary date of the employee's position
 - If the anniversary date occurred between July 1 and July 29, 2013, the effective date would be the beginning of the pay period that includes July 29, 2013
- Market adjustment of 1 percent in the second year effective the beginning of the pay period that includes July 1, 2014
- Merit increase of 5 percent in the second year for eligible employees effective the beginning of the pay period that includes the anniversary date of the employee's position

Joe Manning, representing the PFFA, addressed Council to report the proposed Memorandum of Understanding is a reasonable contract for both the PFFA membership and the citizens of Peoria. Mr. Manning commended the firefighters for receiving a 98 percent approval rating in the 2013 Citizen Satisfaction Survey.

Motion was made by Councilmember Carlat, seconded by Councilmember Aames, to approve the Memorandum of Understanding with the United Phoenix Fire Fighters Association Local 493, Peoria Fire Fighters, for the period October 2013 through June 2015.

Upon vote, the motion carried unanimously 7 to 0.

22R. **PUBLIC HEARING - General Plan Amendment, Land Use Map, Trailside at Happy Valley, 93rd to 97th Avenues, Calle Lejos to Happy Valley Parkway**

Clerk's Note: Agenda Items 22R and 23R were presented together.

Chris Jacques, Planning and Community Development Director, provided an overview of the request for a Minor General Plan Amendment to re-designate approximately 148 acres from Estate Residential to Low-Density Residential and a request to rezone approximately 163 acres from R1-35 Single Family Residential to a Planned Area Development.

Public Hearing:

Mayor Barrett opened the Public Hearing and asked if any Councilmember or citizen wished to comment on the request for a minor amendment to the General Plan Land Use Map for approximately 148 acres located between 93rd and 97th Avenues and between Calle Lejos and Happy Valley Parkway from Residential Estate (0-2 du/ac, target: 1 du/ac) to Residential Low (2-5 du/ac, target: 3 du/ac.)

Ryan Denke addressed Council to voice his concerns in opposition of the increased density that would result from the proposed project.

Howard Cassutt spoke in opposition of the proposed project citing his concerns regarding increased traffic in the area without improvements to the existing streets.

Carol Shaw addressed Council in opposition of the higher density and increased traffic that would result from the proposed project.

Robert Stefanik spoke in favor of the proposed project but expressed concerns regarding traffic in the area.

Carol Meichner-Smith addressed Council in opposition of the proposed rezoning citing concerns regarding the higher density and increased traffic.

Nancy Paganelli spoke in opposition of the proposed project citing concerns regarding increased traffic in the area.

John Luke addressed Council in support of the revised proposal submitted by the developer in response to public input.

Gary Mandoske addressed Council in opposition of the proposed project citing concerns regarding increased traffic in the area without improvements to the existing streets.

Jay Coffey expressed his support of the revised proposal submitted by the developer in response to public input.

J. D. Campbell addressed Council in opposition of the proposed project citing concerns regarding the lot sizes in comparison to the surrounding area.

Kathy Erwin spoke in opposition of the proposed project citing concerns regarding increased traffic in the area without improvements to the existing streets.

Mike Curley, representing the applicant, summarized the history of the project and provided an overview of the changes to the project that were incorporated based on public input.

Discussion ensued regarding lot sizes, traffic patterns and the revised proposal submitted by the developer.

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 Carlat, seconded by Councilmember Edwards, to concur with the Planning and Zoning Commission's recommendation to adopt **RES. 2013-164** approving an amendment to the General Plan Land Use Map for approximately 148 acres located between 93rd Avenue and 97th Avenue and Calle Lejos and Happy Valley Parkway from Residential Estate (0-2 du/ac, target: 1 du/ac) to Residential Low (2-5 du/ac, target: 3 du/ac). (GPA12-0005)

Upon vote, the motion carried 6 to 1, with Councilmember Leone voting "no".

23R. **PUBLIC HEARING - Rezoning, Trailside at Happy Valley, 93rd to 97th Avenues, Calle Lejos to Happy Valley Parkway**

Public Hearing:

Mayor Barrett opened the Public Hearing and asked if any Councilmember or citizen wished to comment on the request to rezone approximately 163 gross acres located between 93rd and 97th Avenues and between Happy Valley Parkway and Calle Lejos from R1-35 Single Family Residential to Trailside at Happy Valley Planned Area Development.

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 Patena, seconded by Councilmember Edwards, to concur with the Planning and Zoning Commission's recommendation to adopt **ORD. 2013-20** rezoning approximately 163 gross acres located between 93rd Avenue and 97th Avenue from R1-35 Single Family Residential to the Trailside at Happy Valley Planned Area Development (Z12-0005).

Upon vote, the motion carried 6 to 1, with Councilmember Leone voting “no”.

Call To The Public (Non-Agenda Items)

None.

Reports from City Manager

24. **Council Calendar**

25. **Reports with Presentation**

None.

26. **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. Eight's Great GrillFest 2013

John Sefton, Community Services Director, reminded citizens to attend the Eight's Great Grillfest to be held at the Blackstone Country Club at Vistancia on Sunday, November 3, 2013, beginning at noon.

B. 2013 Halloween Monster Bash

John Sefton, Community Services Director, announced that the 2013 Halloween Monster Bash will be held at the Peoria Sports Complex from 5:00 p.m. to 9:00 p.m. on Saturday, October 26, 2013.

C. Keep it Safe: A Family Affair

John Sefton, Community Services Director, announced that the City has partnered with the St. Joseph's Medical Group to offer a free safety event for the community to be held at 7727 West Deer Valley Road from 8:00 a.m. to 11:00 a.m. on Saturday, October 19, 2013.

Reports from City Council:

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

Councilmember Carlat announced that the City will be participating in the National Prescription Drug Take Back Day on Saturday, October 26, 2013. Citizens can dispose of any expired, unused and unwanted prescription drugs between 10:00 a.m. and 2:00 p.m. at the North Pinnacle Peak Police Station, located at 23100 West Lake Pleasant Parkway. Councilmember Carlat congratulated the City of Peoria for receiving the Shining Star Award at the Arizona Broadway Theatre's Third Annual "Take a Bow" Awards ceremony held on October 11, 2013.

City Council Meeting Minutes

October 15, 2013

Page 17 of 18

Councilmember Edwards reported on the various City of Peoria activities he attended. Councilmember Edwards invited citizens to attend an event in support of the Special Olympics to be held on Thursday, October 24, 2013 at the Fry's Fuel located at 21630 North 83rd Avenue.

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

Councilmember Patena invited citizens to attend the City's second Parkfest which will be held in the Ironwood District on October 20, 2013 at Calbrisa Park located at 8957 West Tumblewood Drive beginning at 2:00 p.m.

Vice Mayor Rivero announced the grand reopening of the Peoria Central School Museum, located at 10304 North 83rd Avenue, will be held on Saturday, November 2, 2013 from 9:00 a.m. to 2:00 p.m.

Council Youth Liaison Jelinek reported that the Youth Advisory Board created a committee to build a partner network as outlined in the Youth Master Plan.

Council Youth Liaison Prior reported that the Youth Advisory Board had received completed surveys from all of the high schools in the City. The information provided will be used to create a Youth Bill of Rights and implement the Youth Master Plan.

Reports from the Mayor:

None.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 8:58 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 15th day of October, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 7th day of January, 2014.

(Seal)

Rhonda Geriminsky, City Clerk