

**MINUTES OF THE PEORIA CITY COUNCIL**  
CITY OF PEORIA, ARIZONA  
CITY COUNCIL CHAMBER  
December 10, 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; Councilmembers Ron Aames, Cathy Carlat, Jon Edwards, Carlo Leone and Bill Patena.

**Members Absent:** Vice Mayor Tony Rivero.

**Other Municipal Officials Present:** Susan Daluddung, Deputy City Manager; Rhonda Geriminsky, City Clerk; John Schell, Intergovernmental Affairs Director; and Scott Whyte, Economic Development Services Director.

**Audience:** Approximately 200 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 6 to 0.

### **1C. Authorization to Hold an Executive Session**

Authorized the holding of an Executive Session for discussion with legal counsel and designated representatives of the public body for legal advice regarding issues pertaining to a pending litigation case: Peter See and Casey See v. Arturo Francisco Avina, Jr. and City of Peoria, Maricopa County, Superior Court CV2012-094670 pursuant to A.R.S. § 38-431.03.A.3.

### **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 5:23 p.m.

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

**Council Youth Liaison:** Jacob Jelinek.

**Members Absent:** Vice Mayor Tony Rivero.

**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; Stacy Irvine, Deputy Fire Chief; Bo Larsen, Public Information Director; Roy Minter, Police Chief; John Sefton, Community Services Director; Scott Whyte, Economic Development Services Director; and Corina Russo, Assistant to the City Manager.

**Audience:** Approximately 200 members of the public were present.

## **STUDY SESSION AGENDA**

### **Subject(s) for Discussion Only**

#### 2. Economic Analysis, Revised Sports Complex Redevelopment Project

Scott Whyte, Economic Development Services Director, introduced the Peoria Sports Park (PSP) development team.

Mr. Whyte discussed the following:

- Refining the development program
- Improvements to the second proposal
- Ernst & Young report recommendations
- Possibility for a development agreement
- Staff recommendation
- Next steps
- Process pursuant to the Memorandum of Understanding
- First PSP Project proposal
- Challenges in the first PSP Project proposal

Discussion ensued regarding the total cost of the first PSP Project proposal (\$180 million).

Mr. Whyte continued regarding:

- City's investment in the project
- Second PSP Project proposal options

Discussion ensued regarding:

- Overall cost for second proposal (\$180 million to \$90 million)
- Potential anchor tenants
- Marketability of the project

Mr. Whyte continued the discussion regarding:

- Design elements in the entertainment district
- Comparison of the first project proposal and the second project proposal
- Master developer
- Ernst & Young recommendations

Discussion ensued regarding elements of the proposed development agreement.

Mr. Whyte continued regarding:

- Staff recommendation of a one-year development agreement
- National/regional retail partner
- Tenant leases (80 percent)
- Equity financing (100 percent)
- Debt financing (100 percent)
- City obtaining anchor tenant approval rights
- No billboards until allowed by the City's sign code
- Development agreement to have an automatic termination provision with an option for the City to extend based on developer performance

Discussion ensued regarding:

- Anchor tenant approval rights
- Length of term of the development agreement
- City's Sign Code

Mr. Whyte advised the next step in the process would be for a development agreement and amended ground lease to be submitted to the Council for approval.

Discussion ensued regarding:

- Staff recommendations
- Parking
- Tenant leases in relation to the current market
- Lack of quality retail space
- Vacancy rates

It was the consensus of Council to proceed with a development agreement and an amended ground lease with the provisions outlined in staff's recommendation and the option for Council to amend the agreement after one year.

**ADJOURNMENT:**

Being no further business to come before the Council, the meeting was duly adjourned at 6:09 p.m.

**EXECUTIVE SESSION AGENDA**

3. An Executive Session was convened immediately following the Special City Council Meeting for the purpose of discussion with legal counsel and designated representatives of the public body for legal advice regarding issues pertaining to a pending litigation case: Peter See and Casey See v. Arturo Francisco Avina, Jr. and City of Peoria, Maricopa County, Superior Court CV2012-094670, pursuant to A.R.S. § 38-431.03.A.3.

**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 Patena 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.

**Council Youth Liaison:** Jacob Jelinek.

**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; Andy Granger, Engineering 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; John Schell, Intergovernmental Affairs Director; 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 400 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:**

4. Relay for Life Presentation - Katrina Eaton

Katrina Eaton and Troy Baker, American Cancer Society representatives, presented information on the annual Relay for Life fundraising event to be held at the Peoria Sports Complex on April 26, 2014.

5. Certificates of Appointment to the following Board and Commission members who were appointed by Resolution at the November 19, 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 November 19, 2013 City Council meeting:

- Brian Wiley to the Municipal Development Authority, and
- Gloria Migal to the Personnel Board.

**Clerk's Note: At the discretion of the Mayor, Agenda Item 21R was presented prior to the Consent Agenda. Vice Mayor Rivero left the meeting following the vote on Agenda Item 21R.**

**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 Carlat requested that Agenda Item 6C be removed for separate discussion.

Motion was made by Councilmember Aames, seconded by Councilmember Edwards, to approve the Consent Agenda with the exception of Agenda Item 6C. Upon vote, the motion carried unanimously 6 to 0.

6C. **General Plan Amendment, General Plan Circulation Element Text and Map Revisions**

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

At the request of Councilmember Carlat, Agenda Item 6C was pulled from the Consent Agenda for separate discussion.

RESOLUTION NO. 2013-192

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

Shawn Kreuzwiesner, Planning Manager, provided background on a City-initiated amendment to the General Plan Circulation Element to ensure it is current with local, regional and development planning efforts and to incorporate changes in the City's transportation system.

Dr. William Jennings addressed Council in support of classifying Vistancia Boulevard as a limited access parkway.

Motion was made by Councilmember Carlat, seconded by Councilmember Patena, to concur with the Planning and Zoning Commission's recommendation and adopt **RES. 2013-192** amending the General Plan Circulation Element, including the Circulation Plan Map and Street Classification Map pertaining to the City's transportation systems. (GPA 13-0005)

Upon vote, the motion carried unanimously 6 to 0.

7C. **Intergovernmental Agreement, Maricopa County, HOME Investment Partnership Program**

Approved an Intergovernmental Agreement with Maricopa County for the use of the City's annual program allocation as a member of the Maricopa County HOME Consortium.

8C. **Agreement, Drug Enforcement Administration, Organized Crime Drug Enforcement Task Force**

(a) Authorized the City Manager to enter into an Agreement with the Drug Enforcement Administration to allow the Peoria Police Department to participate in Organized Crime Drug Enforcement Task Force Investigations; and

- (b) Approved a budget amendment in the amount of \$15,000 from the Proposed Grants Contingency account to the Federal Drug Enforcement Administration account for overtime.

9C. **Temporary Water Service Agreement, EPCOR Water Arizona Incorporated**

Approved a Temporary Water Service Agreement with EPCOR Water Arizona Incorporated to enable the City to provide water in emergency situations in areas served by EPCOR Water Arizona Incorporated.

10C. **Fiscal Year 2013 Comprehensive Annual Financial Report, Single Audit, Management Letter, and SAS114 Letter**

Received and filed the Comprehensive Annual Financial Report, Single Audit, Management Letter, and SAS114 Letter for the fiscal year ended June 30, 2013.

11C. **Exemption Request, Requirement to Post Security for Self-Insured Workers Compensation Claims**

Authorized the execution of documents necessary to certify the City of Peoria exemption from the Industrial Commission of Arizona requirements to post security for pending self-insured Workers Compensation claims.

12C. **Termination, Nationwide Retirement Solutions Retiree Health Savings Plan, Peoria Police Officers Association**

RESOLUTION NO. 2013-193

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, AUTHORIZING THE TERMINATION OF AN EMPLOYER PARTICIPATION AGREEMENT WITH NATIONWIDE RETIREMENT SOLUTIONS, CURRENTLY PROVIDING ADMINISTRATION OF A RETIREMENT HEALTH SAVINGS PROGRAM FOR CERTAIN CITY EMPLOYEES AND AUTHORIZING THE CITY MANAGER TO EXECUTE CERTAIN TRUST DOCUMENTS ON BEHALF OF THE CITY FOR TRANSFER OF TRUST PROCEEDS INTO AN INTEGRAL PART TRUST ADMINISTERED BY THE INTERNATIONAL CITY MANAGEMENT ASSOCIATION RETIREMENT CORPORATION (ICMA-RC).

- (a) Adopted **RES. 2013-193** approving the termination of the Peoria Police Officers Association's Retiree Health Savings Plan with Nationwide Retirement Solutions; and
- (b) Authorized the City Manager to execute documentation for the distribution of funds to the International City Management Association Retirement Corporation, Retiree Health Savings Plan.

13C. **Budget Amendment, Fleet Reserve Fund, Fiscal Year 2014 Proposed Budget**

Approved a budget amendment in the amount of \$133,000 from the General Fund Contingency account to the Fleet Reserve Fund, Trucks and Vans account for the purchase of one Ford F-250 4x4 for the North Peoria Battalion and one Ford F-550 4x4 chassis and related equipment to replace the existing Brush Truck.

14C. **Maintenance Improvement District No. 1110, The Meadows Parcel 11, 97th Avenue and Deer Valley Road**

RESOLUTION NO. 2013-188

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. 1110, THE MEADOWS PARCEL 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. 2013-189

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. 1110, THE MEADOWS PARCEL 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. 2013-188** intention and ordering the formation of proposed Maintenance Improvement District No. 1110, The Meadows Parcel 11, located at 97th Avenue and Deer Valley Road; and adopted **RES. 2013-189** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

15C. **Street Light Improvement District No. 1053, The Meadows Parcel 11, 97th Avenue and Deer Valley Road**

RESOLUTION NO. 2013-190

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. 1053, THE MEADOWS PARCEL 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. 2013-191

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. 1053, THE MEADOWS PARCEL 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. 2013-190** intention and ordering the formation of proposed Street Light Improvement District No. 1053, The Meadows Parcel 11, located at 97th Avenue and Deer Valley Road; and adopted **RES. 2013-191** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

16C. **Final Plat, Habitat for Humanity on 86th Avenue, 86th Avenue and Monroe Street**

Approved the Final Plat of Habitat for Humanity on 86th Avenue, located at 86th Avenue and Monroe Street, subject to stipulations.

17C. **Final Plat, Vistancia Parcel A18, Ridgeline and El Mirage Road**

Approved the Final Plat of Vistancia Parcel A18, located at Ridgeline and El Mirage Road, subject to stipulations.

18C. **Final Plat, Vistancia Parcels A21 and A22, Westward Skies Drive and El Mirage Road**

Approved the Final Plat of Vistancia Parcels A21 and A22, located at Westward Skies Drive and El Mirage Road, subject to stipulations.

## REGULAR AGENDA

### New Business:

19R. **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 Sushi Doraku, located at 9940 West Happy Valley Road #1060, Eunjung Kim, Applicant, LL#20008355;
- (b) A Person to Person Transfer for an On-Sale All Liquor License (Series 06) for Pleasant Harbor Marina/Waterfront Grill, located at 40202 North 87th Avenue, Andrea Lewkowitz, Applicant, LL#20009425;
- (c) A New Wine and Beer Liquor License (Series 10) for Pleasant Harbor located at 8708 W. Harbor Blvd, Andrea Lewkowitz, Applicant, LL#20009425; and
- (d) A Person to Person Transfer for an On-Sale All Liquor License (Series 06) for Funugyz Sports Grill, located at 8378 West Thunderbird Road #B101-B104, Raymond A. Shelley, Applicant, LL#20009425.

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 Sushi Doraku, located at 9940 West Happy Valley Road #1060, Eunjung Kim, Applicant, LL#20008355;
- (b) A Person to Person Transfer for an On-Sale All Liquor License (Series 06) for Pleasant Harbor Marina/Waterfront Grill, located at 40202 North 87th Avenue, Andrea Lewkowitz, Applicant, LL#20009425;
- (c) A New Wine and Beer Liquor License (Series 10) for Pleasant Harbor located at 8708 W. Harbor Blvd, Andrea Lewkowitz, Applicant, LL#20009425; and
- (d) A Person to Person Transfer for an On-Sale All Liquor License (Series 06) for Funugyz Sports Grill, located at 8378 West Thunderbird Road #B101-B104, Raymond A. Shelley, Applicant, LL#20009425.

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

**Council Action:**

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

- (a) A New Restaurant Liquor License (Series 12) for Sushi Doraku, located at 9940 West Happy Valley Road #1060, Eunjung Kim, Applicant, LL#20008355;
- (b) A Person to Person Transfer for an On-Sale All Liquor License (Series 06) for Pleasant Harbor Marina/Waterfront Grill, located at 40202 North 87th Avenue, Andrea Lewkowitz, Applicant, LL#20009425;
- (c) A New Wine and Beer Liquor License (Series 10) for Pleasant Harbor located at 8708 W. Harbor Blvd, Andrea Lewkowitz, Applicant, LL#20009425; and
- (d) A Person to Person Transfer for an On-Sale All Liquor License (Series 06) for Funugyz Sports Grill, located at 8378 West Thunderbird Road #B101-B104, Raymond A. Shelley, Applicant, LL#20009425.

Upon vote, the motion carried unanimously 6 to 0.

20R. **PUBLIC HEARING - Annexation, 83rd Avenue and Pinnacle Peak Road**

Chris Jacques, Planning and Community Development Director, provided an overview of a proposed annexation of four parcels comprised of approximately 7.22 acres of City-owned property located at the northwest corner of 83<sup>rd</sup> Avenue and Pinnacle Peak Road. (ANX13-0004)

**Public Hearing:**

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

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

**Council Action:** No Council action required.

21R. **PUBLIC HEARING - Rezoning, Trilogy West, Vistancia Boulevard and Dixileta Parkway**

ORDINANCE NO 2013-26

AN ORDINANCE OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA REZONING CERTAIN PROPERTY FROM THREE SEPARATE SINGLE FAMILY PLANNED AREA DEVELOPMENTS (PADS) [ENCLAVE AT WHITE PEAK, VISTAS AT WHITE PEAK, AND BOULDERS AT WHITE PEAK] AND SUBURBAN RANCH SR-43 TO THE TRILOGY WEST PLANNED AREA DEVELOPMENT (PAD) ZONING DISTRICT; AMENDING THE ZONING MAP AND PROVIDING FOR AN EFFECTIVE DATE.

Chris Jacques, Planning and Community Development Director, introduced the following staff members who were in attendance to answer questions related to the requested rezone: Andy Granger, Engineering Director; Rebecca Zook, Deputy Economic Development Services Director; Melissa Sigmund, Senior Planner; and Bill Mattingly, Public Works Director.

Ms. Sigmund provided an overview of the request to rezone a 360± acre site located west of the northwest corner of Vistancia Boulevard and Dixileta Parkway from three individual Single-Family Residential Planned Area Developments (PAD) and Suburban Ranch SR-43 to a Single-Family PAD for the Trilogy West property.

Ms. Sigmund presented the following key findings pertaining to the proposed development:

- The proposal is consistent with the General Plan Land Use designations.

- The development character and density is compatible with adjacent development and will continue a cohesive development pattern with Vistancia.
- The development plan is an improvement in quality and design to the underlying existing entitlements.
- The development will integrate a thematic palette and amenity program that greatly exceeds City standards and is comparable to adjacent neighborhoods.
- The development will preserve sensitive areas while providing opportunities to access open spaces and other trail systems and recreational networks.

**Public Hearing:**

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

The following citizens addressed Council citing their concerns in opposition of the rezoning request:

Dr. William Jennings  
Chris Langowski  
Keith Jones  
Ann Bryan  
Adrienne Kirschner  
John Vekich  
Matthew Lewandowski  
Carol Eicher-Vekich  
Fred Coad  
Barbara Brown  
Sue Goldberg  
Stuart Kirschner  
Jacqueline Vogle  
Eleanor Hess  
Lee Lewandowski  
Yvonne Blackman  
Joel Brosse  
Peggy Mandelbaum  
Elaine Hertz  
Melvin Bazerman  
Annette Winnick  
Andrea Dixon  
Brian Bailey  
Cheryl Lyons  
Sabrina Forgan  
Harry Newman  
Frank Riebli  
Thomas Bergantino  
Howard Radziminsky

Jackie Radzimirsky  
Mike Holpuch  
Brian Kullman  
Mary Grammas  
George Stevens  
Tom Nolan  
Walter Schumacher  
Darnell Allen  
Jeff Kelly  
Don Paisley  
Mary Jacoby  
Rex McDowell  
Joyce Frame  
Eric Rosenstein  
Robert Schwarz  
Gail Long  
Linda Parker  
Marie Britain

The following citizens addressed Council in support of the rezoning request:

Franklin Schiller  
Laree Graham  
Joe Setticase  
Kathleen Johnson  
Corinne Haynes  
Bruce Strand  
Stan McCormack  
Robert Johnson  
Gloria Migal  
Scott Carty  
Ron Schaub  
Jack McCleary  
Murray Allen

In response to questions from Council, Rod Jarvis, representing the applicant, reported that Shea Homes will not be annexing additional territory for homes beyond the 360± acres.

Discussion ensued regarding:

- Traffic impacts
- Transportation target goals
- Formation of a Community Facilities District

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

Motion was made by Councilmember Carlat, seconded by Councilmember Edwards, to concur with the Planning and Zoning Commission's recommendation and adopt **ORD. 2013-26** rezoning approximately 360 gross acres located west of the northwest corner of Vistancia Boulevard and Dixileta Parkway from Single-Family Planned Area Developments (Z02-26, Z04-23, Z04-10) and Suburban Ranch SR-43, to the Trilogy West Planned Area Development (Z13-0007).

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.**

Mayor Barrett declared a short recess at 10:00 p.m. and reconvened the meeting at 10:10 p.m.

**22R. Fiscal Year 2014 Mid-Year Budget Request, Development Services Departments**

Chris Jacques, Planning and Community Development Director, and Rebecca Zook, Deputy Economic Development Services Director, presented an overview of the Fiscal Year 2014 Mid-Year Budget request.

The presentation included:

- A review of entitlement and development activity
- A review of Fiscal Year 2013 and Fiscal Year 2014 staffing adjustments
- Development trends
- Current service area challenges
  - Administrative support
  - Plan review times beyond accepted level of service
  - Development activity has consumed capacity leading to challenges in progressing strategic planning work plan
  - Plan review times beyond accepted level of service
  - Rolled over inspections
  - Unanswered phone calls and emails
- Development service enhancements
  - Self-certification
  - Over-the-counter permitting
  - Electronic document review
  - On-line permitting

Discussion ensued regarding:

- Fees charged by credit card companies
- Cost recovery
- Service delivery enhancements

Motion was made by Councilmember Carlat, seconded by Councilmember Aames to:

- (a) Authorize and appropriate the use of one-time General Fund reserves, not to exceed \$327,370, to fund various specified staffing and resource requests pertaining to the steady increase in development-related activities;
- (b) Approve a budget transfer in the amount of \$11,232, from the General Fund Contingency account to the Planning and Community Development Services Contract Labor account;
- (c) Approve a budget transfer in the amount of \$100,438, from the General Fund Contingency account to the Planning and Community Development Services Other Professional Services account;
- (d) Approve a budget transfer in the amount of \$1,285, from the General Fund Contingency account to the Planning and Community Development Services Computer Hardware account and an amount of \$630 to the Planning and Community Development Services Computer Software account;
- (e) Approve a budget transfer in the amount of \$83,200, from the General Fund Contingency account to the Economic Development Services Building Development Division Other Professional Services account;
- (f) Approve a budget transfer in the amount of \$22,500, from the General Fund Contingency account to the Economic Development Services Contract Labor account;
- (g) Approve a budget transfer in the amount of \$60,000, from the General Fund Contingency account to the Economic Development Services Administrative Division Other Professional Services account; and
- (h) Approve a budget transfer in the amount of \$50,000 from the General Fund Contingency account to the Economic Development Services Building Development Division Bank Services Charges account.

Upon vote, the motion carried unanimously 6 to 0.

23R. **City Council Policy 1-3, Procedure for Consideration of Candidates when Vacancies Occur on the City Council**

Steve Kemp, City Attorney, reviewed the proposed changes to City Council Policy 1-3.

Motion was made by Councilmember Patena, seconded by Councilmember Carlat, to adopt proposed amendments to City Council Policy 1-3, Procedure for Consideration of Candidates when Vacancies Occur on the City Council.

Upon vote, the motion carried unanimously 6 to 0.

### **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.)**

Carl Swenson, City Manager, provided information to Council related to the following items:

- A. Council Subcommittee Update
- B. 2014 Winter Water Safety Day and Polar Plunge
- C. Sustainability Update

Mr. Swenson reminded citizens to shop in Peoria during the holiday season in order to support local businesses and the community.

### **Reports from City Council:**

Councilmember Leone reported on the various City of Peoria activities he attended. Councilmember Leone wished everyone a Happy Holiday season.

Councilmember Carlat thanked the citizens of Peoria for their involvement during the past year. Councilmember Carlat extended her wishes for a Merry Christmas and Happy New Year.

Councilmember Edwards wished Happy Holidays to the citizens of Peoria.

Council Youth Liaison Jelinek reported on his attendance at a Phoenix Suns basketball game on SWAG (Students with Aspiring Goals) night. The SWAG Program, sponsored by the Peoria Police Officers Association, selects students from each Peoria high school and middle school twice each year and recognizes the youth for their outstanding achievements. Council Youth Liaison Jelinek wished everyone a Merry Christmas and Happy New Year.

Councilmember Aames reported on the various City of Peoria activities and events he attended. Councilmember Aames extended Happy Holiday wishes to everyone.

Councilmember Patena reported on his attendance at various City of Peoria events.

**Reports from the Mayor:**

Mayor Barrett wished everyone a very Merry Christmas and a Happy New Year.

**ADJOURNMENT:**

Being no further business to come before the Council, the meeting was duly adjourned at 11:05 p.m.

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Bob Barrett, Mayor

ATTEST:

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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 10<sup>th</sup> day of December, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 18<sup>th</sup> day of February, 2014.

(Seal)

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Rhonda Geriminsky, City Clerk