

City Council Meeting Notice & Agenda - RESULTS



Tuesday, October 15, 2013
City Council Chamber
8401 West Monroe Street
Peoria, AZ 85345

Special Meeting & Study Session

5:00 P.M. Convene

Roll Call

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.

Consent

1C. Authorization to Hold an Executive Session - PASSED

Discussion and possible action to authorize 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.

Study Session Agenda

Subject(s) for Discussion Only

2. 2013-2014 Development Impact Fee Study – DISCUSSION ONLY – NO ACTION TAKEN

Mayor
Bob Barrett

Acacia
District
Tony Rivero,
Vice Mayor

Ironwood
District
Bill Patena

Mesquite
District
Cathy Carlat

Palo Verde
District
Ron Aames

Pine
District
Carlo Leone

Willow
District
Jon Edwards

Adjournment

Executive Session

Convene immediately following Special City Council Meeting Executive Room, City Council Chamber

Under the provisions of A.R.S. § 38-431.02 there will be a **CLOSED EXECUTIVE SESSION**.

Executive Session Agenda

3. 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

The above-named Public Body of the City of Peoria, Arizona will convene into Executive Session pursuant to A.R.S. § 38-431.03 for those items listed on the agenda. Only those persons who are:

- Members of the Public Body, or
- Officers of the City that are required to attend, or
- Those individuals whose presence is reasonably necessary for the Public Body to carry out its Executive Session responsibilities as determined by the City Attorney may be present during the Executive Session.

All persons who remain present during the Executive Session are reminded that the business conducted in Executive Session, including all discussion taking place herein, is confidential and may not be disclosed to any person, except as permitted by law.

Arizona Open Meeting Act:

Arizona law requires that persons who are present in an executive session receive instruction regarding the confidentiality requirements of the Arizona Open Meetings Act. Minutes and discussions made during executive sessions are confidential and may not be disclosed to any party, except:

- Members of the council,
- Appointees or employees who were subject of discussion under the personnel item subsection of the Open Meetings Act,

- County Attorney or Attorney General pursuant to an investigation of a violation of the Open Meetings Act, and
- Arizona Auditor General in connection with an audit authorized by law.

Any person who violates or who knowingly aids, agrees to aid, or attempts to aid another person in violating the Arizona Open Meetings Law may be punished by fine of up to \$500.00 per violation and/or by removal from public office.

Regular Meeting

7:00 P.M. Convene

Pledge of Allegiance

Roll Call

Final Call To Submit Speaker Request Forms

Presentation

4. Certificates of Appointment to the following Board and Commission members who were appointed by Resolution at the October 1, 2013 City Council meeting:
 - Robert Panzer to the Arts Commission, and
 - Cliff Colwell to the Industrial Development Authority.

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.

Consent

5C. Minutes - **PASSED**

Discussion and possible action to approve 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 - **PASSED**

Discussion and possible action to adopt **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 - PASSED**

Discussion and possible action to adopt RES. 2013-161 appointing Administrative Hearing Officers and designate a Taxpayer Problem Resolution Officer.

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

Discussion and possible action to approve 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 - PASSED**

Discussion and possible action to approve (a) Contract Amendment No. 1 with Sellers & Sons, Inc., in the amount of \$174,000, utilizing existing Job Order Contract No. 120565-04; and b) approve 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 - PASSED**

Discussion and possible action to approve 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 - PASSED**

Discussion and possible action to authorize 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 - PASSED**

Discussion and possible action 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.

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

Discussion and possible action to approve the Petition for Formation and adopt **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 adopt **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 - PASSED**

Discussion and possible action to approve the Petition for Formation and adopt **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 adopt **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 IIH, 102nd Avenue and Pinnacle Peak Road - PASSED**

Discussion and possible action to approve the Petition for Formation and adopt **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 adopt **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 - PASSED**

Discussion and possible action to approve the Petition for Formation and adopt **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 adopt **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 - PASSED**

Discussion and possible action to approve the Petition for Formation and adopt **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 adopt **RES. 2013-154** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

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

Discussion and possible action to adopt **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 - PASSED**

Discussion and possible action to adopt a **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 - PASSED**

Discussion and possible action to approve the Final Plat of Country Meadows, located at 111th Avenue and Butler Drive, subject to stipulations.

Regular Agenda

New Business

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

Discussion and possible action 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.

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

PUBLIC HEARING: RE: A 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.)

Staff Report:

Open Public Hearing:

Public Comment:

Close Public Hearing:

COUNCIL ACTION: Discussion and possible action 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 at the 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)

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

PUBLIC HEARING: RE: A 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.

Staff Report:

Open Public Hearing:

Public Comment:

Close Public Hearing:

COUNCIL ACTION: Discussion and possible action to concur with the Planning and Zoning Commission's recommendation to adopt **ORD. 2013-20** rezoning approximately 168 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).

Call To The Public (Non-Agenda Items)

If you wish to address the City Council, please complete a Speaker Request Form and return it to the clerk before the call to order for this meeting. The City Council is not authorized by state law to discuss or take action on any issue raised by public comment until a later meeting.

Reports from City Manager

24. **Council Calendar**

25. **Reports with Presentation**

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

B. 2013 Halloween Monster Bash

C. Keep it Safe: A Family Affair

Reports from City Council Reports from the Mayor

Adjournment

NOTE: Documentation (if any) for items listed on the Agenda is available for public inspection, a minimum of 24 hours prior to the Council Meeting, at any time during regular business hours in the Office of the City Clerk, 8401 W. Monroe Street, Room 150, Peoria, AZ 85345.

Accommodations for Individuals with Disabilities. *Alternative format materials, sign language interpretation and assistive listening devices are available upon 72 hours advance notice through the Office of the City Clerk, 8401 West Monroe Street, Peoria, Arizona 85345 – Phone: (623) 773-7340 or FAX (623) 773-7304. To the extent possible, additional reasonable accommodations will be made available within the time constraints of the request. The City has a TDD line where accommodations may be requested at: (623) 773-7221.*

PUBLIC NOTICE:

In addition to the City Council members noted above, one or more members of the City of Peoria Boards and Commissions may be present to observe the City Council meeting as noticed on this agenda.

City Council Meetings can be viewed live on Channel 11 (Cox Cable) and are available for viewing on demand at <http://www.peoriaaz.gov/content2.aspx?id=2151>.