

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
CITY COUNCIL CHAMBER
March 4, 2014

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 5:00 p.m.

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

Council Youth Liaisons: Jacob Jelinek and Thomas Prior.

Members Absent: None

Other Municipal Officials Present: Carl Swenson, City Manager; Susan Daluddung, Deputy City Manager; Jeff Tyne, Deputy City Manager; Steve Burg, Chief Assistant City Attorney; Rhonda Geriminsky, City Clerk; John Sefton, Community Services Director; and Corina Russo, Assistant to the City Manager.

Audience: Approximately two members of the public were present.

STUDY SESSION AGENDA

Subject(s) for Discussion Only

1. Council Subcommittees

Tammy Shreeve, Council Office and Grant Program Manager, presented regarding:

- Subcommittee policy and process overview
- Staff support activities
- Flow of subcommittee agenda items
- Subcommittee activity
- Items submitted each quarter
- Next scheduled meetings
- Council support needs

Discussion ensued regarding:

- Why subcommittees were developed
- Number of items that did not proceed to Council
- Citizen involvement in subcommittees
- Improvements to subcommittees
- Need and purpose of subcommittees

City Council Meeting Minutes

March 4, 2014

Page 2 of 9

- Keeping only subcommittees having specific tasks
 - Subcommittee on Policy and Appointments
 - Ethics Subcommittee
 - Subcommittee on Not-for-Profit Review and Housing

It was the consensus of the Council to leave subcommittees in tact.

2. Draft Amendment Concept, Chapter 2 of the Peoria City Code, Procedures for City Council Special Meeting Requests

Carl Swenson, City Manager, introduced the item regarding placing an item on the Council Agenda.

Steve Burg, Chief Assistant City Attorney, outlined the City Charter provision requiring four Councilmembers to agree to place an item on an agenda and the potential for Open Meeting Law violations.

Mr. Burg outlined a proposed process to avoid potential Open Meeting Law violations which would require an amendment to City Code.

Discussion ensued regarding:

- Potential Charter amendments
- Open Meeting Law violations as it relates to a meeting of a quorum of Council

It was the consensus of the Council to have an ordinance presented as an agenda item to amend the City Code as discussed.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 5:38 p.m.

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 Ron Aames; Councilmembers Cathy Carlat, Jon Edwards, Carlo Leone, Bill Patena and Tony Rivero.

Council Youth Liaisons: Jacob Jelinek and Thomas Prior.

Members Absent: None

Other Municipal Officials Present: Carl Swenson, City Manager; Susan Daluddung, Deputy City Manager; Jeff Tyne, Deputy City Manager; Steve Burg, Chief Assistant City Attorney; Rhonda Geriminsky, City Clerk; Andy Granger, Engineering Director; John Imig, Information Technology Director; Chris Jacques, Planning and Community Development Director; Bill Mattingly, Public Works Director; Brent Mattingly, Finance and Budget Director; Roy Minter, Police Chief; John Sefton, Community Services Director; Scott Whyte, Economic Development Services Director; and Linda Blas, Deputy City Clerk.

Audience: Approximately 20 members of the public were present.

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

Presentation:

3. Mayor Barrett and Councilmember Carlat presented Certificates of Appointment to the following Board and Commission members who were appointed by Resolution at the February 18, 2014 City Council meeting:
 - Joan Evans to the Citizens Commission on Salaries for Elected City Officials, and
 - Russ Lachance to the Veterans Memorial Board.

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

Mayor Barrett asked if any Councilmember wished to have an item removed from the Consent Agenda. Having no requests from Council, motion was made by Vice Mayor Aames, seconded by Councilmember Carlat, to approve the Consent Agenda. Upon vote, the motion carried unanimously 7 to 0.

4C. **Disposition of Absence**

Approved the absence of Councilmember Carlo Leone from the Special Study Session held at 5:00 p.m. on February 25, 2014.

5C. **Minutes**

Approved the following minutes:

- January 7, 2014 Meeting Minutes
- January 21, 2014 Meeting Minutes
- January 28, 2014 Special Meeting and Study Session Minutes

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

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

Adopted **RES. 2014-22** appointing Bridget Binsbacher, as a regular member, and Jeff Nelson, as an alternate member, to the Planning and Zoning Commission.

7C. **Right-of-Way Annexation, Pinnacle Peak Road, 103rd Avenue to City Limits**

Adopted **ORD. 2014-11** approving the annexation of a drainage channel and right-of-way for a portion of Pinnacle Peak Road from 103rd Avenue east to existing City limits.

8C. **Grant, State of Arizona, Department of Homeland Security, Night Vision Optical Equipment**

- (a) Authorized the Peoria Police Department to accept a grant award in the amount of \$7,000 from the Arizona Department of Homeland Security to be used to strengthen chemical, biological, radiological, nuclear or explosive weapon detection, response and decontamination capabilities; and
- (b) Approved a budget amendment in the amount of \$7,000 from the Proposed Grants Contingency account to the Homeland Security Fund.

9C. **Intergovernmental Agreement, Arizona Department of Transportation, Pave Shoulders, Lake Pleasant Parkway**

Adopted **RES. 2014-23** approving an Intergovernmental Agreement with the Arizona Department of Transportation for the design and construction to pave the shoulders along Lake Pleasant Parkway from the Loop 303 to State Route 74.

10C. **Intergovernmental Agreement, City of Phoenix, Reimbursement of Operating Assistance, Dial-a-Ride Plus**

Approved an Intergovernmental Agreement with the City of Phoenix for reimbursement of operating assistance with Dial-a-Ride Plus from the Federal Transit Authority by way of a pass-through grant from the City of Phoenix (Grant Number AZ-57-X016-5317-New Freedom).

11C. **Intergovernmental Agreement, City of Phoenix, Reimbursement of Preventative Maintenance Costs**

Approved an Intergovernmental Agreement with the City of Phoenix, to provide \$133,607 in preventative maintenance funds from the Federal Transit Authority by way of a pass-through grant from the City of Phoenix (Grant Number AZ-90-X114).

12C. **Deeds and Easements, Various Locations**

Adopted **RES. 2014-24** accepting Deeds and Easements for various Real Property interests acquired by the City.

13C. **Map of Dedication, El Mirage Road, Ridgeline Road and Westward Skies Drive**

Approved the Map of Dedication of El Mirage Road, located at Ridgeline Road and Westward Skies Drive, subject to stipulations.

14C. **Final Plat, Community Park No. 2, 83rd Avenue and Butler Drive**

Approved the Final Plat of Community Park No. 2, located at 83rd Avenue and Butler Drive, subject to stipulations.

15C. **Final Plat, Vistancia Parcel A16, Lone Mountain Road and El Mirage Road**

Approved the Final Plat of Vistancia Parcel A16, located at Lone Mountain Road and El Mirage Road, subject to stipulations.

REGULAR AGENDA

New Business:

16R. **PUBLIC HEARING - Liquor Licenses, Various Locations**

Staff Report:

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

- (a) A New Wine and Beer Liquor License (Series 10) for Shell Food Mart, located at 9102 West Peoria Avenue, Joseph Fradi, Applicant, LL#20009767; and
- (b) A New Restaurant Liquor License (Series 12) for Café Maria's, located at 13560 North 94th Drive Suite N, Maria D Andrade, Applicant, LL#20009768.

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 Wine and Beer Liquor License (Series 10) for Shell Food Mart, located at 9102 West Peoria Avenue, Joseph Fradi, Applicant, LL#20009767; and

- (b) A New Restaurant Liquor License (Series 12) for Café Maria's, located at 13560 North 94th Drive Suite N, Maria D Andrade, Applicant, LL#20009768.

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 Vice Mayor Aames, to recommend approval to the State Liquor Board for:

- (a) A New Wine and Beer Liquor License (Series 10) for Shell Food Mart, located at 9102 West Peoria Avenue, Joseph Fradi, Applicant, LL#20009767; and
- (b) A New Restaurant Liquor License (Series 12) for Café Maria's, located at 13560 North 94th Drive Suite N, Maria D Andrade, Applicant, LL#20009768.

Upon vote, the motion carried unanimously 7 to 0.

17R. Appointments, City Council Subcommittees

Discussion ensued regarding the Mayor's recommended appointments to various Council Subcommittees.

Motion was made by Vice Mayor Aames, seconded by Councilmember Rivero, to reject adoption of **RES. 2014-25, RES. 2014-26, RES. 2014-27** and **RES. 2014-28** consenting to the Mayor's appointments to the City Council Subcommittee on Community Culture and Public Safety, City Council Subcommittee on General Government, City Council Subcommittee on Policy and Appointments and City Council Subcommittee on Sustainable Development and Public Services.

Upon vote, the motion failed 3 to 4, with Mayor Barrett, Councilmember Carlat, Councilmember Edwards and Councilmember Patena voting "no".

Motion was made by Councilmember Carlat, seconded by Councilmember Patena, to adopt **RES. 2014-25, RES. 2014-26, RES. 2014-27** and **RES. 2014-28** consenting to the Mayor's appointments to the City Council Subcommittee on Community Culture and Public Safety, City Council Subcommittee on General Government, City Council Subcommittee on Policy and Appointments and City Council Subcommittee on Sustainable Development and Public Services.

Upon vote, the motion carried 4 to 3, with Vice Mayor Aames, Councilmember Leone and Councilmember Rivero voting "no".

18R. Development Agreement and Amended Ground Lease, The Avenue Shoppes at P83

Scott Whyte, Economic Development Services Director, provided an overview of the request to approve a development agreement and an amended ground lease with The Avenue Shoppes at P83.

Mr. Whyte provided information on how the new project tendered by the developer has improved including:

- Improved site plan
- Project costs reduced 50 percent
- Internal rate of return increased to 10.6 percent
- Stakeholder needs addressed
- Changes to the developer's role
 - Master developer not retail developer
 - Partner with national retail developer
 - Market expertise of the development team

Mr. Whyte provided a visual rendering of the proposed project.

Mr. Whyte outlined the terms of the development agreement and the amended ground lease.

Discussion ensued regarding the affect on traffic along 83rd Avenue.

Motion was made by Councilmember Edwards, seconded by Councilmember Carlat, to authorize the City Manager to execute a Development Agreement and Amended Ground Lease with The Avenue Shoppes at P83.

Upon vote, the motion carried unanimously 7 to 0.

Call To The Public (Non-Agenda Items):

Mike Oliver, developer for The Avenue Shoppes at P83, thanked the City Council and the development staff for their dedication and support of the project.

Reports from City Manager

19. **Council Calendar**

20. **Reports**

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

A. Council Subcommittee Update

John Sefton, Community Services Director, provided information on the following event:

B. Bravo Peoria

Mr. Sefton invited the public to attend the Friends of the Peoria Public Library Inaugural Membership Reception to be held at the Sunrise Mountain Library on Friday, March 7, 2014 beginning at 6:30 p.m.

Reports from City Council:

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

Councilmember Carlat recognized the volunteers of the Peoria Education Foundation and Friends of the Library for their dedication and efforts to benefit the community. Councilmember Carlat reported on the Trilogy at Vistancia Annual Food Drive.

Councilmember Edwards reported on the various City of Peoria activities he attended. Councilmember Edwards urged the public to attend the Cactus League baseball games at the Peoria Sports Complex.

Council Youth Liaison Prior reported on a unified sports varsity basketball game hosted by Ironwood High School.

Council Youth Liaison Jelinek reported on his attendance at the Peoria Unified School District Patriotic Speech Contest.

Vice Mayor Aames reported on the various City of Peoria events he attended.

Reports from the Mayor:

Mayor Barrett reported on the various City of Peoria events he attended. Mayor Barrett announced that the City of Peoria was the recipient of the 2014 West Valley Arts Council's Champion of the Arts Award for Organizations.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 7:56 p.m.

Bob Barrett, Mayor

ATTEST:

Rhonda Geriminsky, City Clerk

City Council Meeting Minutes

March 4, 2014

Page 9 of 9

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 4th day of March, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 20th day of May, 2014.

(Seal)

Rhonda Geriminsky, City Clerk