

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
CITY COUNCIL CHAMBER
June 2, 2015

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 Cathy Carlat; Vice Mayor Jon Edwards; Councilmembers Bridget Binsbacher, Michael Finn, Vicki Hunt, Carlo Leone and Bill Patena.

Council Youth Liaisons: Ian Mullane and Michael Helt.

Members Absent: None.

Other Municipal Officials Present: Carl Swenson, City Manager; Susan Daluddung, Deputy City Manager; Steve Kemp, City Attorney; Rhonda Geriminsky, City Clerk; Andy Granger, Development and Engineering Director; Chris Jacques, Planning and Community Development Director; Bo Larsen, Public Information Director; Brent Mattingly, Finance and Budget Director and Scott Whyte, Economic Development Services Director.

Audience: Approximately two 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 Hunt, seconded by Vice Mayor Edwards, to approve the Consent Agenda. Upon vote, the motion carried unanimously 7 to 0.

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

Authorized the holding of an Executive Session for discussion and consultation with designated representatives of the public body to consider its position and instruct its representatives regarding negotiations for: (a) the potential sale of land and the Lease Agreement with Arizona Broadway Theater pursuant to A.R.S. § 38-431.03.A.7.; and (b) the purchase, sale or lease of real property located in the vicinity of Loop 101 and Peoria Avenue pursuant to A.R.S. § 38-431.03.A.7.

ADJOURNMENT:

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

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 6:11 p.m.

Members Present: Mayor Cathy Carlat; Vice Mayor Jon Edwards; Councilmembers Bridget Binsbacher, Michael Finn, Vicki Hunt, Carlo Leone and Bill Patena.

Council Youth Liaisons: Ian Mullane and Michael Helt.

Members Absent: None.

Other Municipal Officials Present: Carl Swenson, City Manager; Susan Daluddung, Deputy City Manager; Rhonda Geriminsky, City Clerk; Chris Jacques, Planning and Community Development Director; Bo Larsen, Public Information Director; and Linda Blas, Deputy City Clerk.

Audience: Approximately five members of the public were present.

STUDY SESSION AGENDA

Subject(s) for Discussion Only

2. Digital and Static Billboards Near Bell Road and the Loop 101

Carl Swenson, City Manager, provided the history on the land near Bell Road and the Loop 101 regarding the attempts to place billboards on the land that negatively impacts Peoria residents.

Chris Jacques, Community Development Director, provided a status update regarding Becker Boards' request to place billboards on the land in question.

Mr. Jacques presented regarding:

- Glendale Palm Canyon site
- Becker Boards first proposal to the Glendale City Council
- Peoria's opposition points to Becker Boards first proposal to the Glendale City Council
- Becker Boards second proposal currently pending before the Glendale City Council

Discussion ensued regarding:

- Glendale City Council's feelings regarding the current proposal
- Revenue generation for the City of Glendale
- Restriction on advertisements on the billboards
- Glendale's Planning and Zoning Commission appeal process
- Number of proposals Becker Boards can submit after a denial
- Resolution in opposition of billboards

It was the consensus of Council to have a Resolution drafted demonstrating Peoria's opposition.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 6:27 p.m.

EXECUTIVE SESSION AGENDA

3. An Executive Session was convened immediately following the 5:00 p.m. Special Meeting for the purpose of discussion and consultation with designated representatives of the public body to consider its position and instruct its representatives regarding negotiations for: (a) the potential sale of land and the Lease Agreement with Arizona Broadway Theater pursuant to A.R.S. § 38-431.03.A.7.; and (b) the purchase, sale or lease of real property located in the vicinity of Loop 101 and Peoria Avenue pursuant to A.R.S. § 38-431.03.A.7.

Clerk's Note: In accordance with A.R.S. § 38-431.03(B), minutes of executive sessions must be kept confidential except as outlined in statute.

A **Regular Meeting** of the City Council of the City of Peoria, Arizona was convened at 8401 West Monroe Street in open and public session at 7:00 p.m.

Following a moment of silent reflection, Councilmember Hunt led the Pledge of Allegiance.

Members Present: Mayor Cathy Carlat; Vice Mayor Jon Edwards; Councilmembers Bridget Binsbacher, Michael Finn, Vicki Hunt, Carlo Leone and Bill Patena.

Council Youth Liaisons: Ian Mullane and Michael Helt.

Members Absent: None.

Other Municipal Officials Present: Carl Swenson, City Manager; Susan Daluddung, Deputy City Manager; Steve Kemp, City Attorney; Rhonda Geriminsky, City Clerk; Julie Ayers, Human Resources Director; Robert Goodhue, Deputy Economic Development Services Director; Andy Granger, Development and Engineering Director; John Imig, Information Technology Director; Chris Jacques, Planning and Community Development Director; Bo Larsen, Public Information Director; Bill Mattingly, Public Works Director; Brent Mattingly, Finance and Budget Director; Roy Minter, Police Chief; Bobby Ruiz, Fire Chief; John Sefton, Community Services Director; Corina Russo, Assistant to the City Manager; 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.

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 Carlat announced that Agenda Item 6C was being removed from the agenda for discussion and possible action at a future City Council meeting.

Mayor Carlat asked if any Councilmember wished to have an item removed from the Consent Agenda. Having no requests from Council, motion was made by Councilmember Hunt, seconded by Vice Mayor Edwards, to approve the Consent Agenda with the exception of Agenda Item 6C. Upon vote, the motion carried unanimously 7 to 0.

4. **C - Disposition of Absence**

Approved the absence of Council Youth Liaison Ian Mullane and Council Youth Liaison Michael Helt from the City Council Meetings held on May 19, 2015.

5. **C - Appointments and Reappointments, Boards and Commissions**

Approved the recommendations from the Council Boards and Commissions Subcommittee pertaining to the following appointments and reappointments, and adopt the Resolutions as presented:

- Adopted **RES. 2015-56** appointing Ronald Friedman and reappointing Tisha Tulle-Webber as regular members to the Judicial Selection Advisory Board,
- Adopted **RES. 2015-57** reappointing James Abraham and Michael Evans as regular members to the Library Board,
- Adopted **RES. 2015-58** appointing Gloria Migal as a regular member to the Personnel Board,
- Adopted **RES. 2015-59** appointing Cassidy Gatrost, Caitlin King, Hailey Lekan, Wuxin Zeng, Destini Mohn, and Judith Patrick as regular members to the Youth Advisory Board.

6. **C - Code Amendment, Policy and Administration Procedures**

Clerk's Note: Agenda Item 6C was removed from the Consent Agenda for future action.

Discussion and possible action to adopt **ORD. 2015-11** amending Section 2-163 of Chapter 2 of the Peoria City Code, 1992 Edition, with changes to the Administrative Procedures review process was removed from the agenda for discussion and action at a future Council meeting.

7. **C - Council Policy Amendment, CP 1-1, Teamwork and Cooperation**

Adopted an amendment to Council Policy CP 1-1, Teamwork and Cooperation.

8. **C - Council Policy Amendment, CP 1-2, Council Meeting Procedures**

Adopted an amendment to Council Policy CP 1-2, Council Meeting Procedures.

9. **C - Council Policy Amendment, CP 1-4, Requesting Use of Staff Time for Research Requests or Reports**

Adopted an amendment to Council Policy CP 1-4, Requesting Use of Staff Time for Research Requests or Reports.

10. **C - Council Policy Amendment, CP 1-5, Appointment to Boards and Commissions**

Adopted an amendment to Council Policy CP 1-5, Appointment to Boards and Commissions.

11. **C - Council Policy Amendment, CP 2-2, City Council District Funds**

Adopted an amendment to Council Policy CP 2-2, City Council District Funds.

12. **C - Council Policy Amendment, CP 2-3, Procurement Card Program**

Adopted an amendment to Council Policy CP 2-3, Procurement Card Program.

13. **C - Council Policy Amendment, CP 2-4, Special Allowance Programs**

Adopted an amendment to Council Policy CP 2-4, Special Allowance Programs.

14. **C - Council Policy Amendment, CP 3-4, Naming of Parks, Recreation Facilities and Special Areas**

Adopted an amendment to Council Policy CP 3-4, Naming of Parks, Recreation Facilities and Special Areas.

15. **C - Council Policy, Council Purchase of Food Guidelines**

Adopted Council Purchase of Food Guidelines.

16. **C - Intergovernmental Agreement, Arizona State University, Beneficial Uses of Green Organic Waste Study**

- (a) Approved an intergovernmental agreement with Arizona State University to participate in a Valley-wide study of green organic waste and identify opportunities for regional solutions to collection, processing and transportation of such material; and
- (b) Approved a budget amendment in the amount of \$16,000 from the Residential Solid Waste Fund Solid Waste Admin Advertising account to the Residential Solid Waste Fund Solid Waste Admin Other Professional Services account.

17. **C - Declare Surplus Property, Pleasant Valley Lift Station**

Adopted **RES. 2015-60** declaring the Pleasant Valley Lift Station, located on the east side of 99th Avenue north of Jomax Road, as surplus per the Council adopted Disposal of Surplus Land Policy and allow staff to dispose of it based on that policy.

18. **C - Maintenance Improvement District No. 1176, Tierra Del Rio Parcel 20B, 99th Avenue and Jomax Road**

Approved the Petition for Formation and adopted **RES. 2015-41** intention and ordering the formation of proposed Maintenance Improvement District No. 1176, Tierra Del Rio parcel 20B, located at 99th Avenue and Jomax Road; and adopted **RES. 2015-42** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

19. **C - Maintenance Improvement District No. 1157, Tierra Del Rio 21B, 99th Avenue and Jomax Road**

Approved the Petition for Formation and adopted **RES. 2015-45** intention and ordering the formation of proposed Maintenance Improvement District No. 1157, Tierra Del Rio 21B, located at 99th Avenue and Jomax Road; and adopted **RES. 2015-46** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

20. **C - Maintenance Improvement District No. 1113, The Meadows Parcel 12B, Lake Pleasant Parkway and Williams Road**

Approved the Petition for Formation and adopted **RES. 2015-49** intention and ordering the formation of proposed Maintenance Improvement District No. 1113, The Meadows Parcel 12B, located at Lake Pleasant Parkway and Williams Road; and adopted **RES. 2015-50** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

21. **C - Street Light Improvement District No. 1103, Tierra Del Rio Parcel 20B, 99th Avenue and Jomax Road**

Approved the Petition for Formation and adopted **RES. 2015-43** intention and ordering the formation of proposed Street Light Improvement District No. 1103, Tierra Del Rio Parcel 20B, located at 99th Avenue and Jomax Road; and adopted **RES. 2015-44** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

22. **C - Street Light Improvement District No. 1090, Tierra Del Rio Parcel 21B, 99th Avenue and Jomax Road**

Approved the Petition for Formation and adopted **RES. 2015-47** intention and ordering the formation of proposed Street Light Improvement District No. 1090, Tierra Del Rio 21B, 99th Avenue and Jomax Road; and adopted **RES. 2015-48** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

23. **C - Street Light Improvement District No. 1056, The Meadows Parcel 12B, Lake Pleasant Parkway and Williams Road**

Approved the Petition for Formation and adopted **RES. 2015-51** intention and ordering the formation of proposed Street Light Improvement District No.1056, The Meadows – Parcel 12B, located at Lake Pleasant Parkway and Williams Road; and adopted **RES. 2015-52** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

REGULAR AGENDA

New Business:

24a. **R - Appointments and Reappointments, Boards and Commissions**

Vice Mayor Edwards recused himself from the discussion and vote on Regular Agenda Item 24a due to a conflict of interest.

Carl Swenson, City Manager, presented an overview of the request to appoint Kaitlyn Edwards to the Youth Advisory Board.

Motion was made by Councilmember Patena, seconded by Councilmember Finn, to approve the recommendation from the Council Boards and Commissions Subcommittee pertaining to the following appointment, and adopt the Resolution as presented:

- Adopt **RES. 2015-64** appointing Kaitlyn Edwards as a regular member to the Youth Advisory Board.

Upon vote, the motion carried unanimously 6 to 0.

24. **R - 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 Restaurant Liquor License (Series 12) for The Heights, located at 20783 North 83rd Avenue Suite 112, Andrea Lewkowitz, Applicant, LL#20012644; and
- (b) A New Wine and Beer (Series 10) Liquor License for Carioca Shell #91, located at 9060 West Northern Avenue, Howard E. Magee, Applicant, LL#20012570.

Mr. Mattingly advised that the properties were posted in accordance with Arizona law, all fees were paid, all reviewing Departments recommended approval and one comment was received from the public pertaining to the Liquor License Application for The Heights.

Public Hearing:

Mayor Carlat opened the Public Hearing and asked if any Councilmember or citizen wished to comment on:

- (a) A New Restaurant Liquor License (Series 12) for The Heights, located at 20783 North 83rd Avenue Suite 112, Andrea Lewkowitz, Applicant, LL#20012644; and
- (b) A New Wine and Beer (Series 10) Liquor License for Carioca Shell #91, located at 9060 West Northern Avenue, Howard E. Magee, Applicant, LL#20012570.

Andrea Lewkowitz advised the Council that the owner of The Heights was in attendance to address any questions.

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

Council Action:

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

- (a) A New Restaurant Liquor License (Series 12) for The Heights, located at 20783 North 83rd Avenue Suite 112, Andrea Lewkowitz, Applicant, LL#20012644; and
- (b) A New Wine and Beer (Series 10) Liquor License for Carioca Shell #91, located at 9060 West Northern Avenue, Howard E. Magee, Applicant, LL#20012570.

Upon vote, the motion carried unanimously 7 to 0.

25. **R - Public Hearing - Off-Track Wagering License Renewal, Turf Paradise, located at 6750 West Peoria Avenue**

Staff Report:

Brent Mattingly, Finance and Budget Director, reported that all fees were paid and staff recommends approval to the Arizona Racing Commission for an Off-Track Wagering License Renewal for Turf Paradise to telecast at Gallagher's of Peoria, located at 6750 West Peoria Avenue.

Public Hearing:

Mayor Carlat opened the Public Hearing and asked if any Councilmember or citizen wished to comment on an Off-Track Wagering License Renewal for Turf Paradise to telecast at Gallagher's of Peoria, located at 6750 West Peoria Avenue.

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

Motion was made by Councilmember Finn, seconded by Vice Mayor Edwards to recommend approval to the Arizona Racing Commission for an Off-Track Wagering License Renewal for Turf Paradise to telecast at Gallagher's of Peoria, located at 6750 West Peoria Avenue.

Upon vote, the motion carried unanimously 7 to 0.

26. R - Adoption of Tentative Budget for Fiscal Year 2016

Katie Gregory, Deputy Finance and Budget Director, outlined the proposed Tentative Annual Budget for Fiscal Year 2016. Information included:

- Council direction on budget development
- Fiscal Year 2016 Budget approach
- Operating Budget
- Capital Budget
- Budget history
- Proposed total tentative budget categories
- Summary of the Fiscal Year 2016 Budget
- Budget adoption schedule

Motion was made by Councilmember Patena, seconded by Vice Mayor Edwards, to adopt **RES. 2015-63** approving the Tentative Annual Budget in the amount of \$511,000,000 for Fiscal Year 2016.

Upon vote, the motion carried unanimously 7 to 0.

27. R - Capital Improvement Program, Fiscal Years 2016-2025

Katie Gregory, Deputy Finance and Budget Director, outlined the Capital Improvement Program for Fiscal Years 2016 through 2025. Information included:

- Key considerations in the Capital Improvement Program development
- Significant Capital projects
- 10-year funding sources
- 10-year planned uses
- History of adopted 10-year Capital Improvement Program
- Capital Improvement Program schedule

Motion was made by Councilmember Hunt, seconded by Councilmember Finn, to adopt **RES. 2015-61** approving the Fiscal Years 2016-2025 Capital Improvement Program.

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

28. R - Sonoran Preservation Program (Open Space)

Chris Jacques, Planning and Community Development Director, presented an overview of the request to establish the Sonoran Preservation Program intended to identify areas that merit conservation and identify feasible strategies to fulfill the community's vision.

Mr. Jacques outlined the following:

- Key elements
- Identification model focused on protection, connection and preservation of resources
- Focus areas of interest
- Key program recommendations
 - Expand the City's planning area
 - Management opportunities with the Bureau of Land Management, Maricopa County and the State Land Department
 - Refine development standards to more effectively address cultural resources, scenic areas, edge treatments and wildlife corridors
 - Build support and expand partnerships
 - Identify funding resources and opportunities

Mr. Jacques concluded the presentation with a review of the progress to date and the next steps to implement the program.

Ian Dowdy, Sun Corridor Legacy Program Director for the Sonoran Institute, commended the staff and Council for the City's endeavors to protect its critical assets.

Robert Hall, a Peoria resident, addressed the Council in support of the program.

Sonia Perillo, Executive Director of the Desert Foothills Land Trust, addressed the Council in support of the program and the opportunities it provides to leave a permanent legacy for the community.

Motion was made by Vice Mayor Edwards, seconded by Councilmember Binsbacher, to adopt **RES. 2015-62** establishing the Sonoran Preservation Program as the City's guiding document and implementation framework for the identification, prioritization and assemblage of areas of special interest into a meaningful network of connected open spaces for a variety of users.

Upon vote, the motion carried unanimously 7 to 0.

Call To The Public (Non-Agenda Items)

None.

Reports from City Manager:

- A. Carl Swenson, City Manager, informed Council that their agenda packet contains information related to Development and Permitting Activity.
- B. Bill Mattingly, Public Works Director, recognized Rosie Lopez for placing first in the rear loader category at the Solid Waste Association of North America Road-E-O event on April 18, 2015.

C. Mr. Swenson informed Council that their agenda packet contains information on County Island Fire-Medical Subscriptions.

Reports from City Council:

Council Youth Liaison Helt extended his appreciation to the teachers at Liberty High School for making his freshman year a success.

Councilmember Leone reported on the various City of Peoria activities he attended. Councilmember Leone congratulated Council Youth Liaison Mullane for his acceptance to Harvard University.

Councilmember Hunt extended her best wishes to Battalion Chief Mike Moore and Fire Captain Rob Brewster who were involved in a vehicular accident while on duty. Councilmember Hunt reported on the various City of Peoria activities she attended.

Councilmember Finn thanked everyone who contributed to rebuilding a house for Tiara del Rio and Beau Zimbardo who lost their home in an explosion in October 2013.

Council Youth Liaison Mullane reported on his experience of working with the Council and learning the functions of the City.

Councilmember Binsbacher reported on the various City of Peoria activities she attended.

Vice Mayor Edwards announced that the Glendale Planning Commission will be conducting a meeting at the Glendale City Hall beginning at 6:00 p.m. on June 4, 2015 regarding digital billboards. Vice Mayor Edwards encouraged constituents to voice their opposition to the billboards being proposed at the exit of the Loop 101 and Bell Road.

Reports from the Mayor:

None.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 8:00 p.m.

Cathy Carlat, Mayor

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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 2nd day of June, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 26th day of August, 2015.

(Seal)

Rhonda Geriminsky, City Clerk