

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
PINE ROOM, CITY HALL
January 20, 2009

A **Special Meeting and Study Session** of the City Council of the City of Peoria, Arizona was convened at 8401 West Monroe Street in open and public session at 4:02 p.m.

Members Present: Mayor Bob Barrett; Vice Mayor Joan Evans; Councilmembers Ron Aames, Vicki Hunt, Carlo Leone and Dave Pearson.

Members Absent: Councilmember Cathy Carlat.

Other Municipal Officials Present: Carl Swenson, City Manager; Deputy City Manager; Susan Thorpe, Deputy City Manager; John F. Wenderski, Deputy City Manager; Steve Kemp, City Attorney; Mary Jo Kief, City Clerk; Stephen Bontrager, J.P. de la Montaigne, Andy Granger, Bill Mattingly, Brent Mattingly, Grady Miller, Steve Prokopek, Larry Ratcliff, Thomas Solberg, Sandy Teetsel, Jeff Tyne, Glen Van Nimwegen and Rhonda Simmons.

Audience: Approximately 3 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 "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 – New Business:

1C Authorization to Hold an Executive Session

Mayor Barrett requested consensus of the Council for the Executive Session to be held after the 7:00 p.m. Regular Council Meeting if time does not permit between the Study Session and the Regular Council Meeting. Consensus of the Council was that it would be acceptable to hold the Executive Session after the 7:00 p.m. Regular Council Meeting if necessary.

Motion was made by Councilmember Hunt, seconded by Councilmember Leone, to authorize the holding of an Executive Session for the purpose of discussion and consultation with legal counsel for legal advice on pending litigation and arbitration in City of Tolleson v. City of Peoria. Upon vote, the motion carried unanimously.

Note: Executive Session was held after the adjournment of the 4:00 p.m. Special Meeting and Study Session.

ADJOURNMENT:

Being no further business to come before the Council on the Consent Agenda, Mayor Barrett adjourned the Special Meeting at 4:04 p.m.

Mayor Barrett convened the **Study Session Meeting** of the City Council of the City of Peoria, Arizona at 8401 West Monroe Street in open and public session at 4:04 p.m.

STUDY SESSION AGENDA

Members Present: Mayor Bob Barrett; Vice Mayor Joan Evans; Councilmembers Ron Ames, Cathy Carlat, Vicki Hunt, Carlo Leone and Dave Pearson.

Members Absent: None

Subjects for Discussion Only:

1. Public Safety Radio System Update

Sandy Teetsel, Information Technology Director, reported the public safety radio system project is in the final phases and will seek implementation this quarter. She explained the project has been a partnership between Police, Fire and general government.

John Imig, Information Technology Operations Manager, reviewed the physical site construction status at the Technology Center, Public Safety Administration Building (PSAB), Greenway Water Treatment Plant, Quintero Water Treatment Plant, and the Agua Fria Booster Site. He noted dispatch consoles and recorders need to be installed at PSAB which will ensure the transition to the new system is well coordinated.

Discussion ensued on user equipment. Mr. Imig highlighted a police mobile radio, general radio, and portable radios for police use and general government use. The system was designed to provide coverage to 95 percent of populated city area. Mr. Imig explained this does not include the advantages of utilizing sites that have already been placed by the City of Phoenix and additional sites included in the future phases of the Regional Wireless Cooperative (RWC).

Mr. Imig discussed the completion schedule, highlighting general government training and pilot testing will begin in March 2009. Police training and pilot testing will begin in April 2009. Mr. Imig noted any adjustments will be completed before training begins in public safety. System approval and final acceptance is scheduled for May 2009.

Discussion ensued on the RWC. Mr. Imig reported the benefits of joining the RWC include roaming across multiple systems. He explained the RWC will provide the three essential elements in the Department of Homeland Security National Emergency Communications Plan: operability, interoperability, and the continuity of communications.

Councilmember Carlat inquired if neighboring cities that join the RWC will be able to use/lease Peoria towers. Mr. Imig responded that when Peoria joins the RWC, an intergovernmental agreement with the City of Phoenix on behalf of the RWC will be presented to Council. All members will share ownership of the infrastructure that gets used, which will allow for the ability to roam across multiple sites and interoperate with neighboring cities. Mr. Imig explained there is an existing agreement with the City of Phoenix to facilitate current joint activities. He commented on the anticipated structure for the RWC, highlighting a Board of Directors which will be represented by one executive staff member from each participating agency, an executive committee made up of representatives from fire, police, and information technology and an executive director to oversee finances.

Mr. Imig discussed the budget for the project, highlighting operating and maintenance costs for Fiscal Year 2010. Mayor Barrett inquired if the system will provide coverage to the areas around Lake Pleasant that are dead zones for most cell phones. Mr. Imig clarified the system was designed with 95 percent coverage for populated areas of the City but initial testing revealed better coverage which will be enhanced with the advantage of more sites. In response to Councilmember Pearson, Mr. Imig explained a detailed testing will be conducted before the RWC system goes live. Ms. Teetsel clarified that the City of Phoenix and Motorola, Inc. will conduct additional tests. Councilmember Pearson inquired on disaster preparedness. Larry Ratcliff, Chief of Police, explained there will be more activity related to disaster preparedness once the system is live. Ms. Teetsel reported the City of Phoenix Fire Department is not yet on the RWC system; however, they will be connected through other methods.

2. E-Government Update

Carl Swenson, City Manager, explained it has been a priority of the Council and staff to improve interaction with citizens using the Web. He noted the City recently introduced a new Web site to improve citizens' ability to transact business with the City.

Ms. Teetsel reported the E-Government project has been on-going for about three years and the Web site has been live for 10 years. It was determined that as services grew the city needed to be prepared for performing services over the Web. She commented on committees that envisioned Peoria to provide electronic access to City information and services, with focus on the customer and a secure system.

Ms. Teetsel discussed the goals of the project, which include: increased visibility and awareness of E-government, integrated government information and services online, increased security for online credit card users, Web site redesign, and increased online services. She noted the preceding nine months were dedicated to the Web redesign, which is a content management system.

Discussion ensued on the current status of the project. Ms. Teetsel reported the network infrastructure is accessible, secure and available twenty-four hours a day. She reported the Web site is in compliance with the Payment Card Industry (PCI) requirements and is continuously monitored for intrusions and hackers. Councilmember Aames inquired on the recourse of a citizen whose credit information might be compromised while using the City's Web site. Steve Kemp, City Attorney, explained the citizen would follow guidelines set forth by the Federal Trade Commission to dispute any charges. He stated the City has an obligation to notify citizens if their information has been compromised. Ms. Teetsel emphasized there is an IT security person who is responsible for monitoring the site continuously. She clarified full credit card information is not stored in the system.

Discussion occurred regarding the new Web redesign. Ms. Teetsel reported the Web site uses current technology, is convenient and citizen centric. She discussed the content management system, highlighting flexibility, enhanced navigation and better quality control. Departments are responsible for their own pages which will allow IT to focus on technical issues. The Communications and Public Affairs Department will review data for consistency.

Councilmember Pearson inquired if each department is responsible for answering/receiving input from e-users and what quality control is in place to ensure timely responses. Kelly Corsette, Public Information Manager, replied there is not an automated system in place to track individual requests to departments; therefore, each department maintains responsibility for the content on their sites and the customer

service. Mr. Corsette clarified requests are not automatically entered into a database. Ms. Teetsel stated the system could eventually allow for the tracking of service levels but is not currently available. Kris Lambertus, IT Development Services Manager, explained currently some information is stored in a database, such as business license applications and bid solicitations, and when the new permitting system goes online submissions to code compliance will go into a database as well. Mr. Swenson stated standards are established in each of the service areas and monitored, similar to a customer request via the telephone. Performance data is being collected, just not through the system.

Councilmember Aames inquired on automated feedback to a request. Mr. Corsette reported feedback is specific to the department and how they conduct customer service. Councilmember Pearson commented on the possibility of a central dispatch to initially receive emails and forward to the appropriate department. Mr. Swenson clarified the system is an ability for citizens to interact with the government over the Web and responses are being measured by individual departments, not through a central communications center where all data is tracked on a citywide basis. Mr. Corsette clarified departments provide feedback to citizen requests.

Discussion ensued on upcoming services for E-Government. Ms. Teetsel highlighted the permitting system, agenda manager, interactive maps and e-billing.

Bill Mims, Webmaster, commented the organization and structure of information on Web sites is vital to the navigation of the site by a citizen. He navigated through the Web site, highlighting menus and quick links. Mr. Mims discussed the interactive mapping function and council districts maps, which is integrated with Google™ maps. Mr. Mims reported on the ability to view Channel 11 online as well as City Council meetings.

Councilmember Pearson inquired on the search function. Mr. Mims explained staff is working on the organization of the search results as sometimes the desired information does not show up on the first page of the search results.

Mr. Mims discussed printer and email friendly pages. He highlighted the calendar which has all of the events in the City.

Ms. Teetsel reported new services will continue to be available on the Internet; and staff will ensure information is up-to-date, services have a quality aspect to them, and security is the highest available. She discussed an option for the main page to allow citizens to comment on the new site.

Councilmember Carlat thanked staff for producing a quality product that may be the first time citizens view/interact with the City of Peoria.

3. Redistricting

Mary Jo Kief, City Clerk, explained Peoria became a charter city in 1983 and pursuant to a charter amendment in 1989, there are six districts in the City and each is represented by a Councilmember elected by that district. She explained the City is required to make adjustments to the electoral district lines after each census and will be required to do so after the 2010 census. Ms. Kief clarified redistricting is based on the total population of the City and not registered voters.

Steve Kemp, City Attorney, reported Arizona is one of 17 states subject to the Voting Rights Act (VRA) of 1965, which is a federal law designed to guarantee all Americans would be able to equally exercise the right to vote. Mr. Kemp explained the VRA requires the United States Department of Justice to review and approve cities' election decisions before they are implemented. Governing jurisdictions that are subject to the VRA need to ensure there is an opportunity for minority representation and minority candidates, which is a vital aspect of the redistricting process.

Ms. Kief reviewed a map of the districts based on the 2000 census, which determined Peoria's population to be 108,364. The 2007 estimated population is 146,743, with an estimated Hispanic or Latino population of 27,348, or 18.36 percent. She highlighted a 35.4 percent increase in growth since the 2000 census. Mr. Kemp explained a number of sources are used to project population in between the census. The Arizona Department of Commerce's data center projected Peoria's 2008 population at 156,000. Mr. Kemp reported the 2010 population is likely to fall between 156,000 and 162,000 based on reduced growth.

Discussion ensued on the requirements for redistricting. Mr. Kemp reported districts must be contiguous. He commented on natural and artificial boundaries, which will be reviewed when creating districts. Mr. Kemp discussed the effort to keep communities of interest together and respecting boundaries such as political subdivisions, county precinct lines, legislative and congressional lines. Mr. Kemp emphasized the requirements of the VRA is the priority and only after those requirements are met will other boundaries be considered.

Discussion ensued on the requirements of the VRA. Mr. Kemp explained redistricting decisions must protect the ability of recognized minority voters to influence the election process. In urban Arizona, the minority is primarily Latino voters. He stated a minority emphasis district must be formed if there are significant minority populations. Currently the Acacia district is a minority emphasis district. Mr. Kemp explained there has been a

reflection in the community of the income growth and diversity of the Latino population and the population percentage will likely continue to drop. In response to Mayor Barrett, Mr. Kemp clarified the courts have determined it becomes functionally impossible to create a minority district where such gerrymandering would interfere with the political process and the standards for a concentrated minority area include cohesive voting. Discussion ensued on district population. Mr. Kemp reported all districts have to be essentially equal in population with a 10% deviation target range.

Ms. Kief discussed the planning stages for redistricting. She stated the census will begin in April of 2010 and staff will need to prepare in advance for the data. A request for proposal is being prepared to obtain a consultant with expertise in reviewing and analyzing census block data to assist with the redistricting.

Discussion ensued on the elements of a successful redistricting, which include information collection and public input from the community. Ms. Kief reported at least one public meeting will be held in each council district as well as at City Hall. Information will be available on the Web site through an interactive Web page which will allow citizens to offer suggestions. She stated staff will ensure compliance with all of the VRA requirements and the submission to the U.S. Department of Justice.

Ms. Kief commented meetings will be held with different minority representation groups and staff will work closely with the Communications and Public Affairs Department to ensure residents are informed. In response to Councilmember Aames, Mr. Kemp reported the redistricting should be completed by early 2011 and will be in effect for the 2012 elections. Councilmember Pearson inquired on packets for citizens who may submit their own plans. Mr. Kemp replied packets will be available for citizens and staff will work with the Information Technology Department for a more technologically advanced approach. In response to Councilmember Pearson, Mr. Kemp explained there is a small pool of consultants and the city will seek competitive proposals.

Ms. Kief reported Maricopa County will redraw precinct lines and the state's Independent Redistricting Commission will redraw legislative and congressional boundaries. Staff will be mindful of those boundaries and the impact on the city's district lines. Ms. Kief reported there is a portion of Peoria in Yavapai County that does not contain registered voters, but staff will need to be cognizant of activities in the area. She commented on advocacy groups and explained the redistricting process is a civic engagement process.

Councilmember Carlat commented on the city's part to ensure people are being counted in the 2010 census. Mr. Kemp replied it is in the City's interest to ensure people are counted and commented on issues in the 2000 census that Congress is expected to address.

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Ms. Kief reported once the 2010 census population data is obtained, any major changes and new communities of interest since the last redistricting process will be identified along with changes in racial and ethnic composition. Existing statistical data will be updated to include population statistics by enumeration districts, ethnic background and age information on all residents. Ms. Kief stated a series of public meetings will be held throughout the process, citizen kits will be distributed and information will be available on the Web. At least two to three proposals will be developed and presented to Council for any comments and a final report will be developed. Mr. Kemp explained the residences of current elected officials will not be a factor. He noted district boundaries can change by a considerable degree in a fast growing city.

Discussion ensued on the expectations for districts. Mr. Kemp reported the Acacia and Palo Verde districts have not had significant growth; therefore, the population boundaries will have to extend and they will gain residents. Mr. Kemp stated three districts primarily north of Bell Road are expected.

Ms. Kief reported suggestions from the public and council will be kept in a database. Each suggestion will be reviewed for its effect on the population and the resulting deviation to ensure it is within the target range of 10 percent.

Mr. Kemp explained it is expected the City will continue to have a minority emphasis district and the Acacia, Palo Verde, Pine, Ironwood and Willow districts will become geographically larger and the Mesquite district will become geographically smaller.

In response to Councilmember Aames, Mr. Kemp clarified the 2010 elections will be conducted under the current boundaries and the 2012 elections will be under the new district boundaries. Any Councilmember whose district is changed would finish their term in that office as they were duly qualified at the time they were elected. Mr. Kemp explained the Councilmember would not be eligible to run for another term in the same district he was serving because he is no longer a member of that district.

Ms. Kief reported the estimated populations per district for 2010 are approximately 25,000 to 27,000 per district. She discussed the current voter registration figures for each district, which are expected to change significantly after the redistricting process.

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Adjournment:

Being no further business to come before the Council, the Study Session meeting was duly adjourned at 5:35 p.m.

Bob Barrett, Mayor

ATTEST:

Mary Jo Kief, City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session Meeting of the City Council of Peoria, Arizona held on the 20th day of January, 2009. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 17th day of February, 2009.

(Seal)

Mary Jo Kief, City Clerk