

MINUTES OF THE PEORIA CITY COUNCIL

CITY OF PEORIA, ARIZONA

CITY COUNCIL CHAMBER

January 10, 2017

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 5:02 p.m.

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

Other Municipal Officials Present: Carl Swenson, City Manager; Julie Arendall, Deputy City Manager; Jeff Tyne, Deputy City Manager; Rhonda Geriminsky, City Clerk; Katie Gregory, Management and Budget Director; Roy Minter, Police Chief; and Linda Blas, Deputy City Clerk.

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 Edwards, seconded by Councilmember Hunt, to approve the Consent Agenda. Upon vote, the motion carried unanimously 6 to 0.

1 C. Authorization to Hold an Executive Session

Authorized the holding of an Executive Session for the purpose of discussions or consultations with designated representatives of the public body and/or legal counsel in order to consider its position and instruct its representatives regarding:

- (a) Legal issues pertaining to the pending litigation case David Dominguez Mendoza v. City of Peoria pursuant to A.R.S. § 38-431.03.A.4.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 5:03 p.m.

EXECUTIVE SESSION AGENDA

2. An Executive Session was convened immediately following the 5:00 p.m. Special Meeting for the purpose of discussions and consultations with designated representatives of the public body and/or legal counsel in order to consider its position and instruct its representatives regarding:
 - (a) Legal issues pertaining to the pending litigation case David Dominguez Mendoza v. City of Peoria pursuant to A.R.S. § 38-431.03.A.4.

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 **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 5:50 p.m.

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

Members Absent: None.

Other Municipal Officials Present: Carl Swenson, City Manager; Julie Arendall, Deputy City Manager; Jeff Tyne, Deputy City Manager; Steve Burg, City Attorney; Rhonda Geriminsky, City Clerk; Thomas Adkins, Intergovernmental Affairs Director; Gary Bernard, Deputy Fire Chief; Katie Gregory, Management and Budget Director; Laura Krause, Human Resources Director; Brent Mattingly, Finance and Budget Director; Roy Minter, Police Chief; Jennifer Stein, Office of Communications Director; Dawn Prince, Assistant to the City Manager; and Linda Blas, Deputy City Clerk.

Audience: Approximately ten members of the public were present.

STUDY SESSION AGENDA

Subject(s) for Discussion Only

3. Legislative Update and Financial Overview

Thomas Adkins, Intergovernmental Affairs Director, presented regarding:

- New federal administration
 - President's first 100-day plan
- Challenges for new administration
 - Congressional support for new policies
 - Cabinet and Supreme Court Justice confirmations
 - Foreign policy changes
- Funding for infrastructure

City Council Meeting Minutes

January 10, 2017

Page 3 of 12

- Luke Air Force Base
 - F-35 mission
 - Future military investment
- State overview
 - Recent legislative impacts
 - Highway User Revenue Fund (HURF)
 - Impact fees
 - Tax policies
 - State budget

Discussion ensued regarding:

- Collection of taxes given back to the City through State Shared Revenues
- Whether any laws exist to protect the City's share
- HURF being used to pay for Arizona Department of Public Safety costs
 - Is it legal?

Ginna Carico, Intergovernmental Affairs Coordinator, presented regarding:

- 2016 legislative highlights
- Residential rental transaction privilege tax
- Pipe bill
- Community Facilities Districts (CFD)
- Census bill
- HURF Task Force
- Senate Bill 1487

Discussion ensued regarding City challenges resulting from Senate Bill 1487.

Ms. Carico continued regarding:

- Legislative election process
- Peoria's legislative districts
- Legislative leadership
- Session statistics
- City's process for review of bills
- Governor's State of the State recap
- Legislative proposals
 - Peace Office Employment Study Committee
 - CFD Round 2
 - Surface Transportation Funding Task Force
- Arizona Board of Regents sales tax recapture

Mr. Adkins presented regarding:

- Ad Hoc on Prosperity Districts

City Council Meeting Minutes

January 10, 2017

Page 4 of 12

- Regional overview
 - Rebalancing of Arizona Prop 400 projects

Katie Gregory, Management and Budget Director, presented regarding:

- Economic outlook
- Budget trends
 - Revenues and expenditures
- Budget impacts
 - Prop 206 – minimum wage
 - Public Safety Personnel Retirement System impacts
 - Capital program
- Budget Study Session schedule

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 6:48 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 7:01 p.m.

Girl Scout Troop 2156 posted the Colors and led the Pledge of Allegiance.

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

Council Youth Liaisons: Sam Owen.

Members Absent: Council Youth Liaison Kaitlyn Edwards.

Other Municipal Officials Present: Carl Swenson, City Manager; Julie Arendall, Deputy City Manager; Jeff Tyne, Deputy City Manager; Steve Burg, City Attorney; Rhonda Geriminsky, City Clerk; Thomas Adkins, Intergovernmental Affairs Director; Gary Bernard; Deputy Fire Chief; Andy Granger, Development and Engineering Director; John Imig, Information Technology Director; Chris Jacques, Planning and Community Development Director; Stuart Kent, Public Works/Utilities Director; Laura Krause, Human Resources Director; Brent Mattingly, Finance and Budget Director; Roy Minter, Police Chief; John Sefton, Community Services Director; Jennifer Stein, Office of Communications Director; Dawn Prince, Assistant to the City Manager; and Linda Blas, Deputy City Clerk.

Audience: Approximately 30 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. Presiding Municipal Judge George Anagnost administered the Oath of Office to Councilmembers Bill Patena, Jon Edwards and Bridget Binsbacher.

Councilmember Patena expressed his gratitude to his wife, Mayor Carlat, Councilmember Edwards, his campaign manager, the voters in the Ironwood District and all of his supporters.

Councilmember Edwards thanked his wife and family and the constituents of the Willow District for their support. Councilmember Edwards recognized Mayor Carlat, the City Council and City staff for their dedication to the residents of Peoria.

Vice Mayor Binsbacher expressed her gratitude to her husband, the constituents of the Mesquite District, Mayor Carlat, the City Council and City staff for their support.

5. Proclamation Recognizing January as “Care Enough to Get in the Way Month”

Mayor Carlat read aloud a Proclamation declaring the month of January as “Care Enough to Get in the Way Month”.

6. Sustain & Gain Photo Contest Winner

Mayor Carlat and Lisa Estrada, Economic Efficiency and Sustainability Manager, presented a Certificate of Recognition to Peoria resident, Kristy Tucker, as the winner of Peoria’s 2016 Water Photo Contest. Ms. Tucker’s winning photograph was featured on the cover of the 2017 Sustain and Gain booklet to be delivered to every residence in Peoria and distributed at locations and events across the City throughout the year.

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 the Consent Agenda included a Public Hearing on liquor license applications for various locations. There were no requests from those present to address this agenda item.

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 Binsbacher, to approve the Consent Agenda. Upon vote, the motion carried unanimously 7 to 0.

7C. **Minutes**

Approved the following minutes:

- November 22, 2016 Meeting Minutes
- November 28, 2016 Meeting Minutes

8C. **Grant, Arizona Department of Public Safety, Victims of Crime Act**

- Authorized the Peoria Police Department to accept \$86,808 from the Arizona Department of Public Safety Victims of Crime Act to fund personnel for the Victim Assistance program; and
- Approved a budget adjustment in the amount of \$86,808 from the Proposed Grants Contingency account to the Victims of Crime Act Grant account.

9C. **Intergovernmental Agreement, Amendment No. 1, Flood Control District of Maricopa County, City of Surprise, Maricopa County Department of Transportation, 115th Avenue and Union Hills Drive Drainage Improvement Project**

Approved Amendment No. 1 to the intergovernmental agreement with the Flood Control District of Maricopa County, City of Surprise and Maricopa County for rights-of-way acquisition, utility relocations, construction, construction management, and operation and maintenance of the project.

10C. **Intergovernmental Agreement, City of Phoenix, Processing Solid Waste Recyclable Materials**

Approved an intergovernmental agreement between the City of Peoria and City of Phoenix under the terms above for Processing Recyclable Materials.

11C. **Intergovernmental Agreement, Maricopa County, Pinnacle Peak Road Improvements from 99th Avenue to 91st Avenue**

Adopted **RES. 2017-03** approving an intergovernmental agreement with Maricopa County to improve and annex Pinnacle Peak Road from 99th Avenue to 91st Avenue.

12C. **Intergovernmental Agreement, Participating Arizona Cities and Towns, Waste Collection and Transportation Mutual Aid**

Approved an Intergovernmental Agreement for Waste Collection and Transportation Mutual Aid with participating Cities and Towns for waste collection and transportation.

13C. **Contract, Felix Construction, New River System Improvements**

Approved the contract with Felix Construction to construct site improvements for three well and reservoir sites recently acquired by the City.

14C. **Settlement Agreement, David Dominguez Mendoza v. City of Peoria**

Approved a Settlement Agreement between David Dominguez Mendoza and the City of Peoria.

15C. **Budget Amendment, Two Contract Part-Time Judicial Assistant Positions, Peoria Municipal Court**

- (a) Authorized the use of the Peoria Municipal Court Enhancement Funds for two part-time contract Judicial Assistants;
- (b) Approved two contract part-time Judicial Assistant positions, non-benefited, each for 20 hours weekly for six months; and
- (c) Approved a budget amendment in the amount of \$25,000 from the General Fund Contingency account to the Peoria Municipal Court Enhancement Fund Salaries and Wages account.

16C. **Standards of Financial Disclosure for Local Elected Officials**

Adopted **RES. 2017-04** prescribing standards of financial disclosure for local elected officials consistent with the provisions adopted by the legislature.

17C. **Strategic Plan for Human Resources**

Adopted the five-year Strategic Plan for Human Resources.

18C. **Fiscal Year 2016 Comprehensive Annual Financial Report, Single Audit Report and Auditor Communications**

Received and filed the Comprehensive Annual Financial Report, Single Audit Report, Management Letter, and Auditor Communication to Governance Letter for the fiscal year ended June 30, 2016.

19C. **Power Distribution Easements, Salt River Project, Olive Avenue Overhead Power Undergrounding**

Adopted **RES. 2017-05** authorizing the City Manager to execute two Power Distribution Easements to Salt River Project for the undergrounding of 3,100 lineal feet of existing overhead lines along the south side of Olive Avenue between 85th Avenue and 90th Avenue.

20C. **Final Plat, Union Hills Medical & Professional, Union Hills Drive and 91st Avenue**

Approved the Final Plat of Union Hills Medical & Professional, located at Union Hills Drive and 91st Avenue, subject to stipulations.

21C. **Final Plat, Vistancia Village D Parcels D1, D2, D3A, D3B, & D4, Lone Mountain Parkway and El Mirage Road**

Approved the Final Plat of Vistancia Village D Parcels D1, D2, D3A, D3B, & D4, located at Lone Mountain Parkway and El Mirage Road, subject to stipulations.

22C. **Condominium Replat, Building F of Westbrook Office Park, Union Hills Drive and 87th Avenue**

Approved the Condominium Replat of Building F of Westbrook Office Park, located at Union Hills Drive and 87th Avenue, subject to stipulations.

23C. **Condominium Replat, 8506 W. Deer Valley Road, 85th Avenue and Deer Valley Road**

Approved the Condominium Replat for 8506 W. Deer Valley Road, located at 85th Avenue and Deer Valley Road, subject to stipulations.

24C. **Replat, The Meadows – Parcel 12A, Lots 88 & 89, 97th Avenue and Deer Valley Road**

Approved the Replat of The Meadows – Parcel 12A, Lots 88 & 89, located at 97th Avenue and Deer Valley Road, subject to stipulations.

25C. **PUBLIC HEARING - Liquor Licenses, Various Locations**

Recommended approval to the State Liquor Board for:

- (a) A New Restaurant (Series 12) Liquor License for Revolu Modern Taqueria + Bar, located at 15703 North 83rd Avenue #110, Jeremiah Gracia, Applicant, LL#20016658;
- (b) A New Wine and Beer (Series 10) Liquor License for Corner Mart, located at 8268 West Deer Valley Road, Alexiss S. Murrieta Rosas, Applicant, LL#20016350; and
- (c) A New Wine and Beer (Series 10) Liquor License for ARCO AmPm, located at 8271 West Thunderbird Road, Harkirat Singh, Applicant, LL#20016296.

REGULAR AGENDA

New Business:

26R. **Election of Vice Mayor**

Mayor Carlat provided a brief overview of the process to establish the term length, nominate and elect a Vice Mayor.

City Council Meeting Minutes

January 10, 2017

Page 9 of 12

Motion was made by Councilmember Hunt, seconded by Councilmember Patena, to establish a one-year term length for Vice Mayor.

Upon vote, the motion carried unanimously 7 to 0.

Councilmember Patena nominated Councilmember Edwards to the position of Vice Mayor.

Upon vote, the nomination by acclamation to select Councilmember Edwards to serve as Vice Mayor carried 6 to 1, with Councilmember Leone voting "no".

27R. Election of Mayor Pro Tem

Mayor Carlat provided a brief overview of the process to establish the term length, nominate and elect a Mayor Pro Tem.

Motion was made by Councilmember Hunt, seconded by Councilmember Patena, to establish a one-year term length for Mayor Pro Tem.

Upon vote, the motion carried unanimously 7 to 0.

Vice Mayor Edwards nominated Councilmember Finn to the position of Mayor Pro Tem.

Upon vote, the nomination by acclamation to select Councilmember Finn to serve as Mayor Pro Tem carried unanimously 7 to 0.

28R. Redistricting

Julie Arendall, Deputy City Manager, acknowledged the members of the City's redistricting team. Ms. Arendall advised that Spanish language interpretation was available during the redistricting process.

Ms. Arendall presented regarding:

- District boundaries to be adjusted to provide equal population in each district
 - After each decennial census in accordance with Federal Law
 - After each mid-decennial census in accordance with City Charter
- Population history based on census counts
- Population goals for new district boundaries
- Redistricting criteria outlined in proposed Resolution
 - Districts must be substantially equal in population
 - Districts must protect minority voting rights pursuant to the Voting Rights Act
 - Districts must be contiguous
 - Districts should be compact to reinforce the ability of residents to relate to each other and their elected representatives

- Districts should follow visible natural or man-made boundaries
- Districts should not contain more than one master-planned aged-restricted community
- Preserve communities of interest
- Strive for continuity in office to minimize voter disruption
- Public participation
- Project timeline

Discussion ensued regarding:

- Mapping software application
- Access to mapping software on public computers
- Proposed maps submitted by the public
- Finalist maps for public feedback
- Public outreach

Mayor Carlat stressed the importance of citizen involvement in the redistricting process.

Motion was made by Councilmember Binsbacher, seconded by Councilmember Finn, to adopt **RES. 2017-07**, approving the redistricting criteria and declaring an emergency.

Upon vote, the motion carried unanimously 7 to 0.

Clerk's Note: Agenda Items 29C and 30C were voted on separately by the Vistancia Community Facilities District Board. The legal actions for these items will be reflected separately in the January 10, 2017 Vistancia Community Facilities District Board minutes.

Call To The Public (Non-Agenda Items)

Monica Ceja-Martinez, recently elected Peoria Unified School District Board Member, extended her appreciation to the Council for the City's commitment to Peoria students and its continued partnership with the School District.

Reports from City Manager:

31. Council Calendar

32. Reports

A. Upcoming City Events Video

A video presentation showcasing upcoming City events was displayed.

City Council Meeting Minutes

January 10, 2017

Page 11 of 12

Reports from City Council:

Councilmember Patena expressed his pleasure to be able to work with the Mayor and Council during the next four years in order to keep the City moving forward.

Vice Mayor Edwards thanked the residents of the Willow District for giving him the opportunity to represent them for a second term. Vice Mayor Edwards recognized Councilmember Binsbacher for serving as Vice Mayor in 2016.

Councilmember Binsbacher thanked the Council for the opportunity to serve as Vice Mayor during the past year. Councilmember Binsbacher stated she is looking forward to serving the constituents of the Mesquite District and working with the Council to serve all Peoria residents during the next four years.

Councilmember Finn thanked the Council for selecting him to serve as Mayor Pro Tem. Councilmember Finn recognized Councilmember Binsbacher for serving as Vice Mayor in 2016.

Councilmember Hunt thanked Curtis Aylward, Peoria High School mathematics teacher, and all of the community volunteers for repairing and renovating a home in the Acacia District. Councilmember Hunt reminded the public to attend the Domestic Violence Awareness and Prevention Summit hosted by the GFWC Peoria-West Valley Woman's Club. The summit will be held at the Peoria Community Center located at 8335 West Jefferson Street on January 21, 2017 beginning at 8:00 a.m.

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

Council Youth Liaison Owen expressed his pride in Peoria's involvement with the "Care Enough to Get in the Way" movement. Mr. Owen congratulated Vice Mayor Edwards, Councilmember Binsbacher and Councilmember Patena on their reelection.

Reports from the Mayor:

None.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 8:06 p.m.

Cathy Carlat, Mayor

City Council Meeting Minutes

January 10, 2017

Page 12 of 12

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 10th day of January, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 7th day of February, 2017.

(Seal)

Rhonda Geriminsky, City Clerk