

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
CITY COUNCIL CHAMBER
May 16, 2023

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 5:05 p.m.

Members Present: Mayor Jason Beck; Vice Mayor Denette Dunn; Mayor Pro Tem Jon Edwards; Councilmembers Jennifer Crawford, Michael Finn (via video conferencing), Bill Patena and Brad Shafer.

Members Absent: None.

Other Municipal Officials Present: Henry Darwin, City Manager; Rick Buss, Assistant City Manager; Kevin Burke, Deputy City Manager; Travis Cutright, Deputy City Manager; Mike Faust, Deputy City Manager; Emily Jurmu, City Attorney; Lori Dyckman, City Clerk; Gary Bernard, Fire Chief; Chris Calcaterra, Parks and Recreation Director; Peter Christensen, Deputy Finance Director; Chris Hallett, Neighborhood and Human Services Director; Chris Jacques, Planning and Community Development Director; Scott Kurish, Office of Innovation Director; Adina Lund, Development and Engineering Director and Marylou Stephens, Arts, Culture and Library Services Director.

Audience: Approximately 8 members of the public were present.

STUDY SESSION AGENDA

Subject(s) for Discussion Only

1. **Amend Council Policy 1-11: Community Services Recreation Pricing and Fees: Update, Fee Table 27-5: Community Services Department Fees**

Kevin Burke, Deputy City Manager, introduced the proposed amendment to Council Policy 1-11 and Fees Schedule Update for Parks and Recreation, Arts, Culture and Library Services, and Neighborhood and Human Services. Mr Burke informed Council these fees have not been adjusted since pre-pandemic and this study session will look at the overall structure, cost recovery and inflation issues.

Blake Englert, Community Facilities and Recreation Manager, presented on the Council Policy Amendment and Fee Update. Information included:

- Current and Amended Council Policy 1-11
- Moving fee table to an Administrative Procedure
- Updated Fee Table 27-5
- Summary of Outcomes
- Staff Recommendation

Chris Calcaterra, Parks and Recreation Director, explained the amendments to the Council Policy and Fee Table will come back to Council for approval at a subsequent Council meeting.

Discussion ensued regarding:

- Scholarships for families in need
- Clarification on rate
- Social return on investment and cost recovery
- Special events and library programs
- Policy on updating fees

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 5:20 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 6:01 p.m.

Following an invocation, Vice Mayor Dunn led the Pledge of Allegiance.

Members Present: Mayor Jason Beck; Vice Mayor Denette Dunn; Mayor Pro Tem Jon Edwards; Councilmembers Jennifer Crawford, Michael Finn (via video conferencing), Bill Patena and Brad Shafer.

Council Youth Liaisons: Mikah Dyer.

Members Absent: None.

Other Municipal Officials Present: Henry Darwin, City Manager; Rick Buss, Assistant City Manager; Kevin Burke, Deputy City Manager; Travis Cutright, Deputy City Manager; Mike Faust, Deputy City Manager; Emily Jurmu, City Attorney; Lori Dyckman, City Clerk; Thomas Adkins, Intergovernmental Affairs Director; Gary Bernard, Fire Chief; Chris Calcaterra, Parks and Recreation Director; Peter Christensen, Deputy Finance Director; Chris Hallett, Neighborhood and Human Services Director; Rhonda Humbles, Deputy Public Works Director; Chris Jacques, Planning and Community Development Director; Scott Kurish, Office of Innovation Director; Adina Lund, Development and Engineering Director; Christine Nickel, Human Resources Director; Cape Powers, Water Services Director; Jennifer Stein, Economic Development Services Director; Marylou Stephens, Arts, Culture and Library Services Director and Jill Boltz, Deputy City Clerk

Audience: Approximately 100 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.

Clerk's Note: Agenda Items 2C, 3C and 4R were voted on separately by the Mystic Community Facilities District Board. The legal actions for these items will be reflected separately in the May 16, 2023 Mystic Community Facilities District Board minutes.

Clerk's Note: Agenda Items 5C, 6C and 7R were voted on separately by the Vistancia North Community Facilities District Board. The legal actions for these items will be reflected separately in the May 16, 2023 Vistancia North Community Facilities District Board minutes.

Clerk's Note: Agenda Items 8C and 9R were voted on separately by the Vistancia Community Facilities District Board. The legal actions for these items will be reflected separately in the May 16, 2023 Vistancia Community Facilities District Board minutes.

Clerk's Note: Agenda Items 10C, and 11R were voted on separately by the Vistancia West Community Facilities District Board. The legal actions for these items will be reflected separately in the May 16, 2023 Vistancia West Community Facilities District Board minutes.

Presentation

12. Youth Council Liaison Service Awards

Henry Darwin, City Manager, explained that each year the Peoria City Council provides two Youth Advisory Board members an opportunity to serve as a non-voting members of the City Council as Youth Council Liaisons. Mikah Dyer and Avi Agarwal served as our two Youth Council Liaisons for the 2022-2023 school year.

Brian Carrico, Family and Youth Services Superintendent, presented an appreciation service award to Mikah Dyer. (Avi Agarwal was not in attendance)

CONSENT AGENDA: All items listed on the Consent Agenda are considered to be routine or have been previously reviewed and/or discussed by the City Council and will be enacted by one motion. There will be no separate discussion of these items. If the Presiding Officer receives a timely notice of a request for removal, an item may be removed from the Consent Agenda for consideration on the Regular Agenda.

Mayor Beck asked if any Councilmember wished to have an item removed from the Consent Agenda. Having no requests from Council, motion was made by Councilmember Patena, seconded by Vice Mayor Dunn, to approve the Consent Agenda.

Upon vote, the motion passed unanimously 7 to 0.

13 C. Minutes

Approved the following minutes:

- April 25, 2023
- May 2, 2023

14 C. Deeds and Easements, Various Locations

Adopted **RES. 2023-66** accepting Deeds and Easements for various Real Property interests acquired by the City.

15 C. First Amendment to the District Development, Financing Participation and Intergovernmental Agreement, Mystic at Lake Pleasant Heights Community Facilities District

Adopted **RES. 2023-67** amending the District Development, Financing Participation and Intergovernmental Agreement with Mystic at Lake Pleasant Heights Community Facility District. This resolution amends an infrastructure project in Exhibit B that is eligible for Community Facility District reimbursement.

16 C. Second Amendment to District Development, Financing Participation and Intergovernmental Agreement, Vistancia North Community Facilities District

Approved **RES. 2023-68** amending the District Development, Financing Participation and Intergovernmental Agreement with Vistancia North Community Facilities District. This resolution amends an infrastructure project in Exhibit B that is eligible for Community Facility District reimbursement.

17 C. Amended and Restated Development Agreement between the City of Peoria and CBDG Peoria, LLC

Amended the original agreement approved by Council on July 5, 2022, by adding two land lease agreements, one purchase and sale agreement, and providing corrections to language in the original agreement.

REGULAR AGENDA

New Business:

Clerk's Note: Agenda items 18R and 19R were presented together

18 R. PUBLIC HEARING - Specific Area Plan Amendment, Overland Peoria Commons, 84th Avenue and Grand Avenue

Chris Jacques, Planning and Community Development Director, presented on the Specific Area Plan Amendment and Rezone for Overland Peoria Commons. Information included:

- Project Overview
- Site and Area Context
- General Plan Land Use Map
- Old Town Site Area Plan – Current and Proposed Designation
- Current and Proposed Zoning
- Site Development
- Amenities
- Traffic Improvements
- Conceptual Development Plan
- Public Outreach
- Peoria Unified School District Report
- Planning and Zoning Public Hearing
- Key Findings
- Staff Recommendation

Discussion ensued regarding:

- Previously proposed project
- Commendation for the applicant and current project

Mayor Beck called the Public Hearing open to public comment.

Eva Osuna, Peoria resident, spoke in favor of the project.

Having no further requests to speak from those present, Mayor Beck declared the Public Hearing closed.

Motion was made by Vice Mayor Dunn, seconded by Councilmember Crawford to concur with the Planning and Zoning Commission's recommendation to adopt **RES. 2023-69**, approving an amendment to the Old Town Specific Area Plan Land Use Map for a 7.5 acre site located at the west corner of 84th Avenue and Grand Avenue, modifying the land use designation from Flex Mixed Use to High Density Residential (25-40 dwelling units per acre).

Upon vote, the motion passed unanimously 7 to 0.

19 R. PUBLIC HEARING - Rezone, Overland Peoria Commons, 84th Avenue and Grand Avenue

Mayor Beck called the Public Hearing open to public comment.

Having no requests to speak on the matter, Mayor Beck declared the Public Hearing closed.

Motion was made by Vice Mayor Dunn, seconded by Councilmember Patena to concur with the Planning and Zoning Commission's recommendation by adopting **ORD. 2023-06**, approving the rezoning of an approximately 7.5-acre site located west of 84th Avenue and Grand Avenue, from Central Commercial (C-3) Zoning District to the Overland Peoria Commons Planned Area Development Zoning District.

Upon vote, the motion passed unanimously 7 to 0.

Clerk's Note: Agenda items 20R and 21R were presented together

20 R. PUBLIC HEARING – Minor General Plan Amendment, Streamliner Peoria, Southwest Corner of 87th Avenue and Peoria Avenue

Chris Jacques, Planning and Community Development Director, presented on the Minor General Plan Amendment and Planned Area Development Amendment for Streamliner Peoria. Information included:

- Introduction
- Site and Area Context
- Specific Area Plan
- General Plan Land Use
- Old Town Site Area Plan – Current and Proposed
- Rezone
- Acacia Village Planned Area Development (2006)
- Conceptual Plans – Residential and Commercial
- Site Access
- Public Outreach
- Peoria Unified School District Report
- Planning and Zoning Public Hearing
- Key Findings
- Staff Recommendation

Discussion ensued regarding:

- Commendation for the applicant and current project
- Quality housing for essential workers
- Project features of affordable rent
- Amenities

Mayor Beck called the Public Hearing open to public comment.

Michelle Williams, Peoria resident, spoke in opposition of the project.

Paul Smith, Peoria resident, spoke in opposition of the project.

Chris Styles, Peoria resident, spoke in favor of the project.

Eva Osuna, Peoria resident, spoke in favor of the project.

Having no further requests to speak from those present, Mayor Beck declared the Public Hearing closed.

Motion was made by Vice Mayor Dunn, seconded by Councilmember Crawford to concur with the Planning and Zoning Commission's recommendation, by adopting **RES 2023-70**, approving an amendment to the Old Town Specific Area Plan, by re-designating a 6.2-acre site located at the southwest corner of 87th Avenue and Peoria Avenue, from Office Mixed Use to Old Town High-Density Residential (25 – 40 dwelling units per acre).

Upon vote, the motion passed unanimously 7 to 0.

21 R. PUBLIC HEARING – Planned Area Development Amendment, Streamliner Peoria, Southwest Corner of 87th Avenue and Peoria Avenue

Mayor Beck called the Public Hearing open to public comment. Having no requests to speak on the matter, Mayor Beck declared the Public Hearing closed.

Motion was made by Vice Mayor Dunn, seconded by Councilmember Crawford to concur with the Planning and Zoning Commission's recommendation and adopt **ORD. 2023-07**, approving the rezoning of a 7.6-acre site located at the southwest corner of Peoria Avenue and 87th Avenue, from Acacia Village Planned Area Development to the Streamliner Peoria Planned Area Development, to facilitate the development of a mixed-use development consisting of a gated, 190-unit multi-family development and a pad reserved for a future commercial development.

Upon vote, the motion passed unanimously 7 to 0.

22 R. Contract, Felix Construction Company, Greenway Water Treatment Plant On-Site Hypochlorite Generation project in accordance with budget authority previously approved by Council

Cape Powers, Water Services Director, presented on the contract with Felix Construction Company for the Greenway Water Treatment Plant On-Site Hypochlorite Generation. Information included:

- Background
- Proposal
- Security Concerns
- Schedule
- Construction Costs
- Staff Recommendation

Motion was made by Councilmember Shafer, seconded by Mayor Pro Tem Edwards to approve a contract for \$1,096,488.49 with Felix Construction Company for the installation of equipment for the Greenway Water Treatment Plant On-Site Hypochlorite Generation project.

Upon vote, the motion passed unanimously 7 to 0.

23 R. Central Arizona Program System Conservation Implementation Agreement, United States Bureau of Reclamation, Colorado River Stabilization, Lake Mead

Cape Powers, Water Services Director, presented the Central Arizona Program System Conservation agreement. Information included:

- Colorado River System Conservation
- Lake Mead Allocation Proposal
- Agreement Required
- Schedule
- Possible Financial Implications
- Benefits to the City
- Staff Recommendation

Discussion ensued regarding:

- Maximum contribution
- Mandated conservation options

Motion was made by Councilmember Patena, seconded by Mayor Pro Tem Edwards to approve entry into a System Conservation Implementation Agreement and necessary amendments with the United States Bureau of Reclamation and the Central Arizona Water Conservation District to forgo delivery of up to 7,200 acre-feet of Peoria's Central Arizona Project allocation in calendar years 2023, 2024, and 2025 for contribution to Lake Mead in exchange for monetary compensation.

Clerk's Note: Agenda items 24R and 25R were presented together.

24 R. PUBLIC HEARING - Fiscal Years 2024 and 2025 Water and Wastewater Rates

Benjamin Beutler, Budget Manager, presented on the Fiscal Years 2024 and 2025 Water and Wastewater rate adjustments and the 2024 and 2025 Solid Waste rate adjustment. Information included:

- Timeline
- Rate Objectives
- Cost Drivers
- Rate Recommendations
- Average Residential Utility Bill
- Utility Bill Comparison among other cities
- Staff Recommendation

Discussion ensued regarding:

- Recycling cost recovery

Mayor Beck called the Public Hearing open to public comment.

Michelle Williams, Peoria resident, spoke regarding educating residents about recycling.

Having no further requests to speak from those present, Mayor Beck declared the Public Hearing closed.

Motion was made by Mayor Pro Tem Edwards, seconded by Councilmember Crawford to adopt **RES. 2023-71** regarding a proposed adjustment to the water and wastewater rates, making the new rates and fees effective July 1, 2023 and July 1, 2024.

Upon vote, the motion passed unanimously 7 to 0.

25 R. PUBLIC HEARING - Fiscal Years 2024 and 2025 Solid Waste Rate Adjustments

Mayor Beck called the Public Hearing open to public comment.

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

Motion was made by Councilmember Crawford, seconded by Councilmember Patena to adopt **RES. 2023-72** regarding a proposed adjustment to the Residential Solid Waste and Commercial Solid Waste programs making the new rates effective July 1, 2023 and July 1, 2024.

Upon vote, the motion passed 6 to 1, with Vice Mayor Dunn voting “no.”

26 R. PUBLIC HEARING - Fiscal Year 2024 Final Budget Adoption and Truth in Taxation

Peter Christensen, Deputy Finance Director, presented regarding the Fiscal Year 2024 Final Budget Adoption and Truth in Taxation on Primary Property Tax Levy Fiscal Year 2024. Information included:

- Formal budget adoption process
- Fiscal Year 2024 final budget overview
- Budget summary
- Authorized personnel by function (FTE)
- Truth in Taxation
- Fiscal Year 2024 property tax overview
- Property taxes for Arizona cities
- Tax rate by fiscal year from 2009 through 2024
- Property tax rates
- Property tax levy comparison to prior year
- No changes proposed for Fiscal Year 2024
- Outreach and notification steps
- Recommended Actions

Mayor Beck called the Public Hearing open to public comment.

Tom Botorff, Peoria resident spoke in support of the Fiscal Year 2024 Final Budget.

Geri Vance, Peoria resident spoke in support of the Fiscal Year 2024 Final Budget.

Jim Keller, Peoria resident spoke in support of the Fiscal Year 2024 Final Budget.

J.J. McCarthy, Peoria resident spoke in support of the Fiscal Year 2024 Final Budget and the Peoria Leadership Institute.

Joe Clure, Peoria resident spoke in support of the Fiscal Year 2024 Final Budget.

Lori Bango, Peoria resident spoke in support of the Fiscal Year 2024 Final Budget.

Lorraine Botorff, Peoria resident spoke in support of the Fiscal Year 2024 Final Budget.

Paul Smith, Peoria resident spoke in opposition of the Fiscal Year 2024 Final Budget.

Having no further requests to speak from those present, Mayor Beck declared the Public Hearing closed.

Motion was made by Mayor Pro Tem Edwards, seconded by Vice Mayor Dunn to:

Hold a public hearing on the final budget for Fiscal Year 2024 and on the Truth in Taxation increase to the primary property tax levy; and

Adopt **RES. 2023-73** approving the Truth in Taxation increase of \$255,291 for Fiscal Year 2024.

Upon roll call vote, the motion passed unanimously 7 to 0.

Call To The Public (Non-Agenda Items)

Tom Traw, spoke regarding the condition of Castle Hot Springs Road.

Christina Rogers, spoke regarding the Peoria Unified School District's bathroom policy.

At 8:06pm, Mayor Beck called for a recess.

At 8:15pm, Mayor Beck reconvened the Regular Council Meeting.

Alex Vasquez Rocha, Peoria Flex Academy, spoke regarding Borderlands' Produce Rescue and Produce on Wheels Without Waste.

Mike Steg, spoke regarding the Peoria Unified School District's bathroom policy.

Verel Nabor, spoke regarding the condition of Castle Hot Springs Road.

Becky Smith, spoke regarding the Peoria Unified School District's bathroom policy.

George Colebrook, Peoria Flex Academy, spoke regarding Borderlands rescue and Produce on Wheels Without Waste.

Tabitha Wall, spoke regarding the Peoria Unified School District's bathroom policy.

Kylee Skelley, spoke regarding the Peoria Unified School District's bathroom policy.

Heather Rooks, spoke regarding the Peoria Unified School District's bathroom policy.

James Carlo, spoke regarding the condition of Castle Hot Springs Road.

Ashley Harris, spoke regarding the Peoria Unified School District's bathroom policy.

Rodrlick Ripley, spoke regarding the safety and overcrowding at Liberty High School and Peoria Unified School District's bathroom policy.

Michele Williams, requested the Mayor and Council issue a proclamation for "Personhood."

Steven Sidlovsky, requested the Mayor and Council issue a proclamation for "Personhood."

Shelly Bond, spoke regarding the Peoria Unified School District's bathroom policy.

Reports from City Manager:

Henry Darwin, City Manager reported on May 21 – 27, as National Public Works Week recognizing the men and women of public works for all they do to maintain and support infrastructure on a daily basis, and as first responders during emergency situations.

Reports from Council Youth Liaisons:

Council Youth Liaison Dyer reported on:

- Hart Pantry Sneaker Drive
- Office of Communication's Public Service Announcement videos regarding stress management during finals week.

Council Youth Liaison Dyer thanked the Mayor and Council for the opportunity to represent the youth of Peoria.

Reports from the Mayor:

Mayor Beck thanked everyone for the public comments made at tonight's meeting.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 8:59 p.m.

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 9:00 p.m.

Members Present: Mayor Jason Beck; Vice Mayor Denette Dunn; Mayor Pro Tem Jon Edwards; Councilmembers Jennifer Crawford, Michael Finn (via video conferencing), Bill Patena and Brad Shafer.

Council Youth Liaisons: Mikah Dyer.

Members Absent: None.

Other Municipal Officials Present: Henry Darwin, City Manager; Rick Buss, Assistant City Manager; Kevin Burke, Deputy City Manager; Travis Cutright, Deputy City Manager; Mike Faust, Deputy City Manager; Emily Jurmu, City Attorney; Lori Dyckman, City Clerk; Thomas Adkins, Intergovernmental Affairs Director; Gary Bernard, Fire Chief; Chris Calcaterra, Parks and Recreation Director; Peter Christensen, Deputy Finance Director; Chris Hallett, Neighborhood and Human Services Director; Rhonda Humbles, Deputy Public Works Director; Chris Jacques, Planning and Community Development Director; Scott Kurish, Office of Innovation Director; Adina Lund, Development and Engineering Director; Christine Nickel, Human Resources Director; Cape Powers, Water Services Director; Jennifer Stein, Economic Development Services Director; Marylou Stephens, Arts, Culture and Library Services Director and Jill Boltz, Deputy City Clerk.

Special Agenda

New Business

27 R. Fiscal Year 2024 Final Budget Adoption

Motion was made by Mayor Pro Tem Edwards, seconded by Vice Mayor Dunn to adopt **RES. 2023-74** approving the Final Budget for fiscal year 2024 in the amount of \$950,000,000.

Upon vote, the motion passed unanimously 7 to 0.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 9:02 p.m.

Jason Beck, Mayor

CERTIFICATION AND ATTESTATION

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 16th day of May, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 6th day of June, 2023.

(Seal)

Lori Dyckman, City Clerk