

**MINUTES OF THE PEORIA CITY COUNCIL**  
CITY OF PEORIA, ARIZONA  
CITY COUNCIL CHAMBER  
June 6, 2023

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, Councilmember Patena led the Pledge of Allegiance.

**Members Present:** Mayor Jason Beck; Vice Mayor Denette Dunn; Mayor Pro Tem Jon Edwards; Councilmembers Jennifer Crawford, Michael Finn, 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; Chris Hallett, Neighborhood and Human Services Director; Rhonda Humbles, Public Works Deputy Director; Chris Jacques, Sean Kindell, Finance and Budget Deputy Director; Planning and Community Development Director; Adina Lund, Development and Engineering Director; Art Miller, Police Chief; Christine Nickel, Human Resources Director; Cape Powers, Water Services Director; Marylou Stephens, Arts, Culture and Library Services Director and Jill Boltz, Deputy City Clerk.

**Audience:** Approximately 21 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 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.

The Consent Agenda included a Public Hearing on a liquor license application for On-Sale Beer and Wine (Series 07) Liquor License for Silver Dragon Games, located at 8085 West Bell Road Suite 107, Scott M. DeBoard, Applicant, LL#22-010730. There were no requests from those present to address this agenda item.

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 Mayor Pro Tem Edwards, to approve the Consent Agenda.

Upon vote, the motion carried unanimously 7 to 0.

1 C. **Minutes**

Approved the May 16, 2023 City Council Meeting minutes.

2 C. **Board and Commission Appointments**

Approved the recommendations from the Council Boards and Commissions Subcommittee and adopted **RES. 2023-75** to appoint/reappoint members to various Boards and Commissions.

3 C. **Council Policy 1-11 Amendment, Fee Table 27-5 Amendment**

Approved the amendment of Council Policy 1-11 and adopted **ORD. 2023-08** amending City Code Fee Table 27-5 related to service fees in the Parks and Recreation, Neighborhood & Human Services, and Arts, Culture & Library Services Departments.

4 C. **Code Amendment, Chapter 26, Procurement Code**

Adopted **ORD. 2023-09** amending Chapter 26, Procurement Code of Peoria City Code.

5 C. **Intergovernmental Agreement, Flood Control District of Maricopa County, 83rd Avenue/Peoria Avenue/Grand Avenue Drainage Improvements**

Adopted **RES. 2023-76** approving the Intergovernmental Agreement with the Flood Control District of Maricopa County for the local cost share of the 83rd Avenue/Peoria Avenue/Grand Avenue Drainage Improvements, in accordance with budget authority previously approved by Council.

6 C. **Intergovernmental Agreement, State of Arizona, El Mirage Road; SR 303L to Jomax Road**

Adopted **RES. 2023-77** approving an Intergovernmental Agreement with the State of Arizona for the local cost share and preparation of a Design Concept Report and Environmental Assessment for extending El Mirage Road from SR 303L on the south to Jomax Road on the north, in accordance with budget authority previously approved by Council.

7 C. **VOID**

8 C. **Agreement, Long Lead Steel and Electrical Switchgear Procurement, Sports Complex Maintenance Building and Auxiliary Fields, Peoria Sports Complex at 83rd Avenue and Stadium Way**

Approved an agreement to Haydon Building Corp for a not-to-exceed Guaranteed Maximum Price amount of \$546,126 for the advance procurement of a pre-engineered steel building package and new electrical switchgear for a replacement Sports Complex Maintenance Building and lighted auxiliary sports fields located at the Peoria Sports Complex at 83rd Avenue and Stadium Way.

9 C. **Agreement, Salt River Project and Central Arizona Water Conservation District and Participating Entities, Salt River Project-Central Arizona Project Interconnection Facility**

Entered into a Cost Share Agreement with Salt River Project, Central Arizona Water Conservation District and participating entities, substantially in the form as presented, to fund the technical review of the Salt River Project-Central Arizona Project Interconnection Facility.

10 C. **Pension Funding Policy, Accept Actuarial Report for Public Safety Personnel Retirement System**

Adopted **RES. 2023-78** adopting a Pension Funding Policy for the City's Public Safety Personnel Retirement System and accepting the City's share of actuarial assets and liabilities under the Public Safety Personnel Retirement System actuarial valuation report.

11 C. **Designation of Chief Fiscal Officer for Submittal of Annual Expenditure Limitation Report**

Adopted **RES. 2023-79** designating Kevin Burke, Deputy City Manager/Chief Financial Officer, to submit the Annual Expenditure Limitation Report to the Arizona Auditor General.

12 C. **Fiscal Year 2024 Property Tax Levy**

Adopted **RES. 2023-80** and **ORD. 2023-10** adopting the City of Peoria, Arizona Primary and Secondary Property Tax Levies for Fiscal Year 2024.

13 C. **Fiscal Year 2024 Maintenance Improvement District/Street Light Improvement District Levies**

Adopted **ORD. 2023-11** and **ORD. 2023-12** approving the Street Light and Maintenance Improvement District Levies for Fiscal Year 2024 and declaring an emergency.

14 C. **Fiscal Year 2023 Third Quarter Budget Amendments and Fiscal Year 2023 Second and Third Quarter Chargebacks**

Approved the Fiscal Year 2023 Third Quarter Budget Amendments and Fiscal Year 2023 Second and Third Quarter Chargebacks.

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

Adopted **RES. 2023-81** accepting Deeds and Easements for various Real Property interests acquired by the City.

16 C. **Re-plat of Lots 4 and 5 of the Replat of Peoria Place, Hatcher Road & 79th Avenue (Project No. R230004)**

Approved a Replat of Lots 4 and 5 of the Replat of Peoria Place, located at the Northeast Corner of Hatcher Road and 79th Avenue, subject to stipulations.

17 C. **Re-plat, Lot 17 Ventana Picachos, 87th Lane and Calle Lejos (Project No. R220090)**

Approved a Replat of Lot 17, Ventana Picachos, located on 87th Avenue and Calle Lejos, subject to stipulations.

18 C. **Re-Plat, Village H, I, and J at Vistancia, Parcels H-7/8/9, H-25/26, I-1/2, J-9/11/16, J-14/15, and H/I/J Master Final Plat, Vistancia Blvd and White Peak Drive (Project No. R230021)**

Approved a Re-Plat of Village H, I, and J at Vistancia, Parcels H-7/8/9, H-25/26, I-1/2, J-9/11/16, J-14/15, and H/I/J Master Final Plat, located at Vistancia Blvd and White Peak Drive, subject to stipulation.

19 C. **Final Plat, Village J at Vistancia, Parcel J-14/15, Northeast Corner of Vistancia Blvd and Twin Buttes Road (Project No. R230019)**

Approved a Final Plat of Village J at Vistancia, Parcel J-14/15, located at the Northeast Corner Vistancia Blvd and Twin Buttes Road, subject to stipulation.

20 C. **Final Plat, Village J at Vistancia, Parcel J-9/11/16, North of the Northeast Corner of Vistancia Blvd and Twin Buttes Road (Project No. R230020)**

Approved a Final Plat of Village J at Vistancia, Parcel J-9/11/16, located at North of the Northeast Corner Vistancia Blvd and Twin Buttes Road, subject to stipulation.

21 C. **PUBLIC HEARING - Liquor License, Silver Dragon Games, 8085 West Bell Road Suite 107**

Recommended approval to the State Liquor Board for a new On-Sale Beer and Wine (Series 07) Liquor License for Silver Dragon Games, located at 8085 West Bell Road Suite 107, Scott M. DeBoard, Applicant, LL#22-010730.

**REGULAR AGENDA**

**New Business:**

22 R. **PUBLIC HEARING – Marijuana Delivery and Retail Establishment Text Amendment**

Mayor Beck announced a request from the petitioner was received to postpone agenda item 22R Public Hearing – Marijuana Delivery and Retail Establishment Text Amendment.

Motion was made by Vice Mayor Dunn, seconded by Mayor Pro Tem Edwards to postpone the Public Hearing – Marijuana Delivery and Retail Establishment Text Amendment.

23 R. **Budget Amendment, Public Safety Personnel Retirement System**

Kevin Burke, Deputy City Manager, presented on a budget amendment and lump sum payment to pay down the Public Safety Retirement Accounts. Information included:

- Lump sum payment option
- Public Safety Personnel Retirement System history
- Public Safety Personnel Retirement System funded status
- Approved strategy to pay down liability
- 2036 requirement for total repayment
- Annual required contributions
- Annual actuarial
- Staff Recommendation

Discussion ensued regarding:

- The effect of the annual contribution on the percentage of funding
- No penalty for payment and full funding

Motion was made by Councilmember Shafer, seconded by Councilmember Finn to approve a budget amendment and lump sum payment in the amount of \$6,000,000 from the General Fund Contingency to the Public Safety Retirement Accounts.

Upon vote, the motion carried unanimously 7 to 0.

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

24 R. **Contract Design Amendment and Construction Agreement, Felix Construction Company, Zone 6E Reservoir & Booster Pump Station**

Cape Powers, Water Services Director, and Adina Lund, Development and Engineering Director, presented on the contract design amendment and construction agreement with Felix Construction and Archer Western Construction, LLC. Information included:

- Project overview
- Project coordination
- Design Build Team selection process
- Proposed contract design and construction costs
- Long lead procurement
- Project schedule
- Staff recommendation

Motion was made by Councilmember Shafer, seconded by Councilmember Crawford to approve a contract design amendment and construction agreement in the amount of \$12,997,577 with Felix Construction Company to provide design and construction services for Zone 6E Reservoir and Booster Pump Station project, in accordance with budget authority previously approved by Council.

Upon vote, the motion carried unanimously 7 to 0.

25 R. **Contract Design Amendment and Construction Agreement, Archer Western Construction, LLC, Central Arizona Project/Lake Pleasant Parkway Intersection Wellfield**

Motion was made by Councilmember Shafer, seconded by Councilmember Crawford to approve Phase 2 of this project through a design contract amendment and construction agreement in the amount of \$8,722,570 with Archer Western Construction, LLC for Guaranteed Maximum Price to provide design, long lead procurement and well drilling construction services for the Central Arizona Project/Lake Pleasant Parkway Intersection Wellfield project, in accordance with budget authority previously approved by Council.

Upon vote, the motion carried unanimously 7 to 0.

26 R. **Contract, Felix Construction Company, Salter Site Tank Rehabilitation**

Motion was made by Councilmember Crawford, seconded by Vice Mayor Dunn to approve a contract in the amount of \$1,346,880 with Felix Construction Company to provide construction services for the Salter Site Tank Rehabilitation project, in accordance with budget authority previously approved by Council.

Upon vote, the motion carried unanimously 7 to 0.

**Call To The Public (Non-Agenda Items)**

None.

**Reports from City Manager:**

**27. Reports**

**A. Upcoming Special Events Video**

A video highlighting upcoming Special Events was presented.

**Reports from the Mayor:**

Mayor Beck spoke to the 79<sup>th</sup> Anniversary of D-Day and the commissioning of City of Peoria Fire-Medical Rescue Vehicle 196.

**ADJOURNMENT:**

Being no further business to come before the Council, the meeting was duly adjourned at 6:33 p.m.

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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 June 6, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 27th day of June, 2023.

(Seal)

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Lori Dyckman, City Clerk