

**MINUTES OF THE PEORIA CITY COUNCIL**  
CITY OF PEORIA, ARIZONA  
CITY COUNCIL CHAMBER  
AUGUST 15, 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 5:01 p.m.

**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; Jill Boltz, Acting City Clerk; Thomas Adkins, Intergovernmental Affairs Director; Gary Bernard, Fire Chief; Chris Calcaterra, Parks and Recreation Director; Rhonda Humbles, Public Works Director; Chris Hallet, Neighborhood and Human Service Director; Chris Jacques, Planning and Community Development Director; Adina Lund, Development and Engineering Director; Cape Powers, Water Services Director; Sean Kindell, Finance and Budget Director; Arthur Miller, Police Chief; and Scott Kurish, Office of Innovation.

**Audience:** Approximately 4 members of the public were present.

**STUDY SESSION AGENDA**

**Subject(s) for Discussion Only**

**Water Services Department Update**

Cape Powers, Water Services Director, Brett Fleck, Water Resources Manager and Jennifer Peterson, Environmental Resources Manager, presented the Water Services Department Update. Information included:

- Department Overview
- Water system
- Wastewater system
- Staffing
- Water resources
- Water quality
- Regulatory compliance
- Future policy considerations
- Financial viability
- Stakeholder understanding and support

Discussion ensued regarding:

- Future supply and demand
- 30-year projection
- Water purification
- City of Peoria's water independence
- Capital Improvement Program

**ADJOURNMENT:**

Being no further business to come before the Council, the meeting was duly adjourned at 5:36 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.

Mayor Beck requested a moment of silence in remembrance of city employee Julie Beloit.

Following an invocation, Councilmember Bill 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.

**Council Youth Liaisons:** Ana Shrivastava and Alliyz Whetstine

**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; Jill Boltz, Acting City Clerk; Thomas Adkins, Intergovernmental Affairs Director; Gary Bernard, Fire Chief; Chris Calcaterra, Parks and Recreation Director; Rhonda Humbles, Public Works Director; Chris Hallet, Neighborhood and Human Service Director; Chris Jacques, Planning and Community Development Director; Adina Lund, Development and Engineering Director; Cape Powers, Water Services Director; Marylou Stephens, Arts, Culture and Library Services Director; Sean Kindell, Finance and Budget Director; Arthur Miller, Police Chief; Scott Kurish, Office of Innovation; Kyana Hayes, City Clerk Specialist.

**Audience:** Approximately 25 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.**

**SWEARING IN BY PRESIDING MUNICIPAL JUDGE GEORGE ANAGNOST AND  
SEATING OF NEW COUNCIL YOUTH LIAISONS ANA SHRIVASTAVA AND ALLIYZ  
WHETSTINE**

Presiding Municipal Judge George Anagnost administered the Oath of Office to Council Youth Liaisons Ana Shrivastava and Alliyz Whetstine.

**CONSENT AGENDA:** All items listed on the Consent Agenda are considered 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.

Vice Mayor Dunn requested that Agenda Item 15C be removed for separate discussion.

Motion was made by Councilmember Finn, seconded by Councilmember Shafer, to approve the Consent Agenda with the exception of Agenda Item 15C. Upon vote, the motion carried unanimously 7 to 0.

4 C. **Disposition of Absence**

Approved the absence of Councilmember Michael Finn from the Regular City Council Meeting held on June 27, 2023.

5 C. **Minutes**

Approved the June 27, 2023 City Council Meeting minutes.

6 C. **Designation of Chief Fiscal Officer for Submittal of Fiscal Year 2023 Annual Expenditure Limitation Report**

Approved **RES. 2023-84** designating Sean Kindell, Chief Financial Officer, to submit the Fiscal Year 2023 Annual Expenditure Limitation Report to the Arizona Auditor General.

7 C. **Designation of Chief Fiscal Officer for Submittal of Fiscal Year 2024 Annual Expenditure Limitation Report**

Approved **RES. 2023-85** designating Sean Kindell, Chief Financial Officer, to submit the Fiscal Year 2024 Annual Expenditure Limitation Report to the Arizona Auditor General.

8 C. **Grant, Arizona Sports and Tourism Authority, Parks and Recreation Improvements**

- (a) Accepted a grant from the Arizona Sports and Tourism Authority in the amount of \$132,500 for Parks and Recreation improvements; and
- (b) Entered into the 2024 Biennial Grant funding agreement; and
- (c) Authorized the appropriate budget amendment.

9C. **State Library Grants-in-Aid**

- (a) Accepted the State Library Grants-in-Aid of \$8,964 from the Arizona State Library, Archives and Public Records Office to support the library's materials collection; and
- (b) Authorized a budget amendment of \$8,964 from the Contingency to the Main Library Division.

10 C. **Intergovernmental Agreement, City of Glendale, Maintenance of Traffic Control on Bordering Streets**

Adopted **RES. 2023-86** approving an Intergovernmental Agreement with the City of Glendale for the installation, maintenance, and emergency repair of traffic control on streets bordering Glendale and Peoria where the right-of-way is not wholly within one jurisdiction.

11 C. **Intergovernmental Agreement, Maricopa County HOME Consortium, Amendment of Fiscal Year 2019/2020 HOME Investment Partnership Program Grant Funds**

- (a) Approved an amendment to the Federal Fiscal Year 2019 Intergovernmental Agreement (LCON06616C) with Maricopa County governing the City's annual HOME Investment Partnership Program grant allocation to extend the deadline from September 30, 2023 to September 30, 2024; and
- (b) Authorized staff to execute all required documents.

12 C. **Intergovernmental Agreement, City of Mesa, for the Regional Water Use It Wisely Campaign**

Approved Intergovernmental Agreement with the City of Mesa, substantially in the form presented, to fund the Water Use It Wisely regional campaign in accordance with budget authority previously approved by Council.

13 C. **Wireless License Agreement, Dish Wireless, LLC, 91st Avenue and Beardsley Road**

Approved the execution of a Wireless License Agreement between the City of Peoria and Dish Wireless, LLC, for the purpose of granting permission to install, construct, operate and maintain the wireless facility and ground equipment with perimeter screening within the City's right-of-way located at the northeast corner

of 91st Avenue and Beardsley Road.

14 C. **Memorandum of Understanding, City of Phoenix and Participating Entities, Regional Advanced Water Purification Facility Study, 91st Avenue Wastewater Treatment Plant**

Approved a Memorandum of Understanding with the City of Phoenix and participating entities, substantially in the form as presented, primarily to develop a cost share agreement funding a feasibility study of a new regional advanced water purification facility at the existing 91st Avenue Wastewater Treatment Plant in the City of Phoenix.

15 C. **Expenditure Authority, Solid Waste Vehicle Replacement Purchase**

**Clerk's Note: Agenda item 15C was pulled from the Consent Agenda for separate discussion.**

Rhonda Humbles, Public Works Director and John Friedan, presented on the Expenditure Authority, Solid Waste Vehicle Replacement Purchase. Information included:

- Solid Waste purchase of (5) automated side-loading refuse trucks
- Expenditure Authority

Discussion ensued regarding:

- Reasons for the replacement

Motion was made by Vice Mayor Dunn, seconded by Councilmember Crawford to approve the expenditure of funds from the Solid Waste Equipment Reserve Fund for the replacement of five automated side loader refuse trucks for Solid Waste Residential Recycling and Residential Collection divisions in the total amount of \$2,361,941 to RUSH Peterbilt.

Upon vote, the motion carried unanimously 7 to 0.

16 C. **Fiscal Year 2023 Fourth Quarter Budget Amendments and Fiscal Year 2023 Fourth Quarter Chargebacks**

Approved the Fiscal Year 2023 Fourth Quarter Budget Amendments and Fiscal Year 2023 Fourth Quarter Chargebacks.

17 C. **Maintenance Improvement District No. 1272, Legacy Place Phase 1, Northwest Corner of Northern Avenue and 79th Avenue**

Approved the Petition for Formation and adopted **RES. 2023-87** Intention and ordering the formation of proposed Maintenance Improvement District No. 1272, Legacy Place Phase 1, located at the northwest corner of Northern Avenue and 79th Avenue; and adopted **RES. 2023-88** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

18 C. **Maintenance Improvement District No. 1280, Village J at Vistancia J14/15, Northeast Corner of Vistancia Boulevard and Twin Buttes Road**

Approved the Petition for Formation, adopted **RES. 2023-89** Intention and ordering the formation of proposed Maintenance Improvement District No. 1280, Village J at Vistancia J14/15, located at the northeast corner of Vistancia Boulevard and Twin Buttes Road; and adopted **RES. 2023-90** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

19 C. **Maintenance Improvement District No. 1281, Village J at Vistancia J9/11/16, North of the Northeast Corner of Vistancia Boulevard and Twin Buttes Road**

Approved the Petition for Formation, adopted **RES. 2023-91** Intention and ordering the formation of proposed Maintenance Improvement District No. 1281, Village J at Vistancia J9/11/16, located north of the northeast corner of Vistancia Boulevard and Twin Buttes Road; and adopted **RES. 2023-92** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

20 C. **Street Light Improvement District No. 1174, Legacy Place Phase 1, Northwest Corner of Northern Avenue and 79th Avenue**

Approved the Petition for Formation and adopted **RES. 2023-93** Intention and ordering the formation of proposed Street Light Improvement District No. 1174, Legacy Place Phase 1, located at the northwest corner of Northern Avenue and 79th Avenue; and adopted **RES. 2023-94** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

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

Adopted **RES. 2023-95** accepting Deeds and Easements for various Real Property interests acquired by the City. The deeds and easements have been recorded by the Maricopa County Recorder's Office and this process will formally accept them into the system.

22 C. **Abandonment of City Interest, Easements for Water and Drainage, Multiple Locations**

- (a) Adopted **RES. 2023-96** abandoning the City's interest in a certain Water Line Easement per the Big Feat Ventures, LLC Subdivision as Recorded in Book 1039 Page 26 located at 17561 North 91st Avenue; and
- (b) Adopted **RES. 2023-97** abandoning the City's interest in a certain Drainage Easement within Lot 1 per the Saddlehorn Ranch Plat as recorded in Book 1222 Page 50 located at 9438 West Saddlehorn Road.

23 C. **Map of Dedication, Forest Pleasant Place, South West of El Mirage Road and Westland Road**

Approved a Map of Dedication of Forest Pleasant Place, located South West of El Mirage Road and Westland Road, subject to stipulations.

24 C. **Final Plat Thunderbird and North 88th Avenue, 88th Avenue between Thunderbird Road and Ludlow Drive**

Approved a Final Plat of Thunderbird and North 88th Avenue located approximately 300-feet North of Thunderbird Road on the East side of 88th Avenue, subject to stipulations.

25 C. **Final Plat Calle Lejos, Calle Lejos Between 73rd and 74th Avenues**

Approved a Final Plat of Calle Lejos, located on Calle Lejos just West of 73rd Avenue, subject to stipulation.

26 C. **Final Plat, Mystic A4, West and North of the Intersection of El Mirage Road and Forest Pleasant Place**

Approved a Final Plat of Mystic A4, located West and North of the intersection of El Mirage Road and Forest Pleasant Place, subject to stipulations.

27 C. **Re-plat, of Lots A-7 and A-8 Empire Business Park Unit I per Book 900 of Maps 24 MCR, Northwest Corner of 89th Avenue and Bloomfield Road**

Approved a Re-Plat of Lots A-7 and A-8 Empire Business Park Unit I per Book 900 of maps 24 MCR, Northwest Corner of 89th Avenue and Bloomfield Road, subject to stipulations.

28 C. **Re-plat, of Lot 3 of the Replat of Peoria Place, Northeast Corner of Hatcher Road and 81st Avenue**

Approved a Replat of Lot 3 of the Replat of Peoria Place, located at the Northeast Corner of Hatcher Road and 81st Avenue, subject to stipulations.

29 C. **Re-plat, Lots 1 and 2, of 85th Avenue Self Storage, North of the Northwest Corner of 85th Avenue and Northern Avenue**

Approved a Re-Plat of Lots 1 and 2, of 85th Avenue Self Storage, located North of Northwest Corner of 85th Avenue and Northern Avenue, subject to stipulations.

30 C. **Rezone, Haciendas 5, One-Half Mile West of the Southwest Corner of 135th Avenue and the Dixileta Road Alignment**

Adopted **ORD. 2023-15**, approving the rezoning of a five-acre site from Suburban Ranch (SR-43) to Haciendas 5 Planned Area Development. The site is located

approximately one-half mile west of the southwest corner of 135th Avenue and the Dixileta Road alignment.

## REGULAR AGENDA

### Unfinished Business:

31 R. **PUBLIC HEARING - Code Amendment: Delivery Services for Marijuana Establishments (Item 22R. June 6, 2023)**

Chris Jacques, Planning and Community Development Director, presented on the Code Amendment: Delivery Services for Marijuana Establishments (Item 22R. June 6, 2023). Information included:

- Applicant's request to remove prohibition on delivery, subject to updated security plan.
- Active Marijuana Establishments
- Considerations
- Resulting change, if approved
- Police Department review
- Summary of code changes

Motion was made by Councilmember Crawford, seconded by Mayor Pro Tem Edwards to adopt **ORD. 2023-13**, amending Chapter 21 of the City Code (Zoning), as it pertains to the delivery of marijuana products from Qualifying Marijuana Dispensaries.

Upon vote, the motion carried 6 to 1. Councilmember Shafer voting no.

### New Business:

32 R. **Service Agreement, American Charter Schools Foundation dba Peoria Accelerated High School, School Resource Officer Assignment**

Art Miller, Police Chief, presented on the Service Agreement with American Charter Schools Foundation dba Peoria Accelerated High School, School Resource Officer Assignment. Information included:

- Overview of School Resource Officer in Peoria schools.

Discussion ensued regarding:

- The assignment of School Resource Officers at the two Peoria schools within the Deer Valley School District.

Motion was made by Councilmember Shafer, seconded by Mayor Pro Tem Edwards to approve a Service Agreement with the American Charter Schools Foundation doing business as Peoria Accelerated High School to assign a Peoria

police officer as a grant-funded school resource officer.

Upon vote, the motion carried unanimously 7 to 0.

33 R. **Authorize Water Infrastructure Finance Authority Loan to Construct New Wellfield**

Cape Powers, Water Service Director, and Sean Kindell, Chief Financial Officer, presented on the Water Infrastructure Finance Authority Loan to Construct New Wellfield. Information included:

- Project Overview: The construction of five new water wells, reservoir, piping, and booster pump station. Loan applies to five new water wells and piping and booster station.
- Water Infrastructure Finance Authority Loan and project cost.

Discussion ensued regarding:

- Stipulations and requirements from the city
- Interest rate

Motion was made by Councilmember Shafer, seconded by Mayor Pro Tem Edwards to approve **RES. 2023-98** authorizing a Water Infrastructure Financing Authority loan in an amount not to exceed \$35,075,000, with \$1,012,500 forgivable principal, to construct a new city wellfield.

Upon vote, the motion carried unanimously 7 to 0.

34 R. **Updating City Code Fee Table 27-5: Community Services Department Fees**

Chris Calcaterra, Parks and Recreation Director presented on the City Code Fee Table 27-5: Community Services Department Fees. Information included:

- Factors supporting rental fee increases
- Overview of price increases

Discussion ensued regarding:

- Clarification on new pricing
- Subsidized programs

Motion was made by Councilmember Finn, seconded by Councilmember Patena to approve **ORD. 2023-14**, updating City Code Fee, Rent, and Charges Table 27-5 related to maximum service fees in the Parks and Recreation, Neighborhood & Human Services, and Arts, Culture & Library Services departments.

Upon vote, the motion carried unanimously 7 to 0.

35R. **Budget Amendment, Fire-Medical Department Vehicles**

Gary Bernard, Fire Chief and Rod Brewster, Assistant Fire Chief, presented

Expenditure Authority, Solid Waste Vehicle Replacement Purchase. Information included:

- The purpose, features and benefits of a Utility/Rehabilitation Vehicle
- The purpose, features and benefits of a 3,000 Gallon Water Tender

Motion was made by Councilmember Patena, seconded by Councilmember Shafer to approve (a) approve a budget amendment not to exceed \$2,500,000 from the General Fund Contingency account to the Fire-Medical Department Vehicles account for the purchase of two vehicles: and (b) approve the purchase of a Utility Vehicle and Water Tender.

Upon vote, the motion carried unanimously 7 to 0.

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

Jon Forsythe, Peoria resident spoke regarding the City of Peoria's law enforcement.

### **Reports from City Manager:**

Henry Darwin, City Manager reported on:

- Drowning Impact Awareness Month
- Public Safety Facility in Vistancia
- Airpark Fact Sheet
- Peoria Restaurant Video Series
- Diane Arthur, new Communications Director
- Rhonda Humbles, new Public Works Director
- Sean Kindell, new Chief Financial Officer
- Community Grants Program

**Reports from Council Youth Liaisons:** None

### **Reports from the Mayor:**

Mayor Beck spoke regarding:

- City priorities
- Bite to Eat Series
- Drowning Impact Awareness Month

**ADJOURNMENT:**

Being no further business to come before the Council, the meeting was duly adjourned at 7:04 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 August 15, 2023. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 5th day of September 2023.

(Seal)

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Jill Boltz, Acting City Clerk