



**MINUTES OF THE PEORIA CITY COUNCIL**  
CITY OF PEORIA, ARIZONA  
CITY COUNCIL CHAMBER  
November 19, 2024

An **Executive 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 3:36 p.m.

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

**Members Absent:** None.

**Other Municipal Officials Present:** Henry Darwin, City Manager; Kevin Burke, Deputy City Manager; Travis Cutright, Deputy City Manager; Mike Faust, Deputy City Manager; Emily Jurmu, City Attorney; Agnes Goodwine, City Clerk.

**Note: The order in which items appear in the minutes is not necessarily the order in which they were discussed in the meeting.**

**1. 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) Discussion or consultation for legal advice concerning the proposed settlement of Natasha Pritchett v. City of Peoria and general Litigation updates, pursuant to A.R.S. § 38-431.03 (A)(3) and A.R.S. § 38-431.03 (A)(4).
- (b) Discussion or consultation for legal advice concerning Agreement Negotiation - North Peoria pursuant to A.R.S. § 38-431.03(A)(2); A.R.S. § 38-431.03(A)(3); A.R.S. § 38-431.03(A)(4); A.R.S. § 38-431.03(A)(7)
- (c) Discussion or consultation for legal advice concerning employment, assignment, appointment, promotion, or salaries of a public officer or appointee pertaining to the evaluation process and performance of the City Manager pursuant to A.R.S. § 38-431.03(A)(1), A.R.S. § 38-431.03(A)(2), A.R.S. § 38-431.03(A)(3).

Motion was made by Vice Mayor Edwards, seconded by Councilmember Shafer, to enter into an Executive Session.

Upon tabulation of votes, it showed:

AYES – Beck, Edwards, Crawford, Finn (telephonically), Patena, Dunn, Shafer

NAYS – None.

ABSENT – None

Motion carried unanimously.

### **ADJOURNMENT:**

Being no further business to come before the Council, the meeting was duly adjourned at 3:37 p.m.

## **STUDY SESSION**

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 5:41 p.m.

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

**Members Absent:** None.

**Other Municipal Officials Present:** Henry Darwin, City Manager; Kevin Burke, Deputy City Manager; Travis Cutright, Deputy City Manager; Mike Faust, Deputy City Manager; Emily Jurmu, City Attorney; Agnes Goodwine, City Clerk.

### **Subject(s) for Discussion Only**

3. **Mid-Year Financial Review**

Postponed to the December 17, 2024 City Council Study Session.

4. **Large Water User Ordinance, Future Customers, Water Resources Management**

Kevin Burke, Deputy City Manager; David Burks, Water Services Director and Brett Fleck, Water Resources Manager presented on the Large Water User Ordinance Proposal, Future Customers and Water Resources Management. Information included:

- Ordinance Rationale
- Concept Background – Incorporate Water Use and Conservation Examples
- Precedent - Water Management and Policy
- Proposal Details – Large Water Users

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- Proposal Details – Water Intensive Users
- Existing Large Water Users – Grandfathered
- Proposal Details – Enforcement
- Next Steps

Discussion ensued regarding:

- Support for the Ordinance.
- Denial of permits, if water use is proposed in excess of 100,000 gallons per day.

**ADJOURNMENT:**

Being no further business to come before the Council, the meeting was duly adjourned at 5:59 p.m.

## REGULAR MEETING

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.

Invocation by Reverend Kyle Layne, Peoria Fire-Medical Chaplain.

Pledge of Allegiance was led by Mayor Beck.

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

**Council Youth Liaisons:** Sarah Adamsha and Manya Tewari

**Members Absent:** None.

**Other Municipal Officials Present:** Henry Darwin, City Manager; Kevin Burke, Deputy City Manager; Travis Cutright, Deputy City Manager; Mike Faust, Deputy City Manager; Emily Jurmu, City Attorney; Agnes Goodwine, City Clerk.

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### **Presentation:**

#### 5. **Candeo Peoria Jr. High Girls Volleyball Team State Championship**

Councilmember Shafer read and presented the Proclamation to the Candeo Peoria Jr. High Girls Volleyball Team State Champions.

## 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.

#### 6 C. **Minutes**

Approved the October 15, 2024 City Council meeting minutes.

#### 7 C. **Board and Commission Appointments**

Approved the recommendations from the Council Boards and Commissions

Subcommittee and adopt **RES. 2024-81** appointing and reappointing members to various Boards and Commissions.

8 C. **Quarterly Investment Report**

Received and filed the Quarterly Investment Report for July through September 2024.

9 C. **Fiscal Year 2025 1st Quarter Budget Amendments and Chargebacks**

Approved the Fiscal Year 2025 1st Quarter Budget Amendments and Chargebacks.

10 C. **Citizen Commission on Salaries for Elected City Officials**

The recommendation made by the Citizens Commission on Salaries for Elected City Officials to increase the Mayor and Council salaries by five percent (5%) effective January 1, 2025 was tabled to the next City Council Meeting.

This item was moved to the December 17, 2024 Council Meeting.

11 C. **Settlement Agreement, Natasha Pritchett v. City of Peoria**

(a) Approved a settlement in the amount of \$185,000 to settle a claim brought by Natasha Pritchett against the City of Peoria; (b) Authorized the City Manager and City Attorney to execute all necessary documents to settle the claim; and (c) approve a budget amendment in the amount of \$185,000 from Contingency to the Insurance Reserve Fund.

12 C. **Grant, Arizona Department of Administration, Fire Incident Management Program**

(a) Authorized the Fire-Medical Department to accept a grant award in the total amount of \$383,000 from the Arizona Department of Administration to be used for participation in a fire incident management and response system being implemented by the State of Arizona and administered by Versaterm; (b) Authorized an agreement with Versaterm; and (c) Approved a budget amendment in the amount of \$383,000 from the Proposed Grants Contingency account to Arizona Department of Administration Grant Fund account.

13 C. **Memorandum of Agreement, Peoria Unified School District, 21<sup>st</sup> Century Grant Program at Ira Murphy Elementary School**

Authorized the City Manager to execute the Memorandum of Agreement between the City of Peoria and Peoria Unified School District and the 21st Century Grant Program at Ira Murphy Elementary School.

14 C. **Intergovernmental Agreement, City of Phoenix, Federal Transit Funding,**

**Transit Operating Expense Reimbursements, Purchase of Replacement Dial-A-Ride Vehicles**

(a) Authorized the Neighborhood and Human Services Department to accept two Intergovernmental Agreements totaling \$235,161 between the City of Peoria and the City of Phoenix through Federal Transit Authority; and (b) Approved a budget amendment in the amount of \$211,448 from the Contingency account to the Transit Fund; and (c) Authorized use of the funds as recommended.

15 C. **Intergovernmental Agreement Amendment, Regional Public Transportation Authority, Transit Services Agreement**

Approved an Intergovernmental Agreement Amendment #151-75-2025 with the Regional Public Transportation Authority, also known as Valley Metro.

16 C. **Commercial Ground Lease, Beardsley Storage LLC, 111th Avenue Right of Way**

Approved a Commercial Ground Lease for RV and Boat Storage at the 111th Ave Alignment (“Lease”); and authorized the Mayor, City Attorney and City Clerk to sign and record the Memorandum of Lease Agreement with the Maricopa County Recorder’s Office.

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

(a) Adopted **RES. 2024-82** Easement per the Final Plat for Parke West Lot 3 as Recorded in Book 927 Page 29 located at 9550 West Northern Avenue and (b) Adopted **RES. 2024-83** Easement within Lot 6 per the Final Plat for Marketplace at Vistancia as recorded in Book 1776 Page 4 located at 11627 West Lone Mountain Parkway.

18 C. **Land Acquisition for a Drainage Basin, 83<sup>rd</sup> Avenue/Peoria Avenue/Grand Avenue**

(a) Adopted **RES. 2024-84** authorizing the acquisition of property rights for the future drainage improvements located north of Grand Avenue west of 83rd Avenue and south of Peoria Avenue on land currently owned by American Outdoor Advertising LLC. as part of 83rd Avenue/Peoria Avenue/Grand Avenue Drainage Improvement project and (b) Approved a budget amendment in the amount of \$820,000 from contingency to the 83rd Avenue/Peoria Avenue/Grand Avenue Drainage Improvements project.

19 C. **Reconciliation, North of Pinnacle Peak Road between 68th Drive and 70th Avenue**

Approved **ORD. 2024-18** to reconcile the assigned Council District identified within the adopted Ordinance 2024-11 corresponding to the City Council action on October 1,

2024 approving the annexation of 0.15 acres of private property located north of Pinnacle Peak Road between approximately 68th Drive and 70th Avenue.

20 C. **Maintenance Improvement District No. MID 1291, Village F at Vistancia Parcel F-9, Westland Road and Garambullo Drive**

Adopted **RES. 2024-85** Intention and ordering the formation of proposed Maintenance Improvement District No. 1291, Village F at Vistancia Parcel F-9, located at Westland Road and Garambullo Drive; and adopt **RES. 2024-86** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

21 C. **Maintenance Improvement District No. MID 1294, Village I at Vistancia, Parcel I-1/2, Southeast Corner of Vistancia Boulevard and Twin Buttes Road**

Approved the Petition for Formation, adopt **RES. 2024-87** Intention and ordering the formation of proposed Maintenance Improvement District No. 1294, Village I at Vistancia, Parcel I-1/2, located at the southeast corner of Vistancia Boulevard and Twin Buttes Road; and adopt **RES. 2024-88** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

22 C. **Street Light Improvement District No. 1189, Village F at Vistancia Parcel F-9, Westland Road and Garambullo Drive**

Approved the Petition for Formation and adopt **RES. 2024-89** intention and ordering the formation of proposed Street Light Improvement District No. 1189, Village F at Vistancia Parcel F-9, located at Westland Road and Garambullo Drive; and adopted **RES. 2024-90** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

23 C. **Street Light Improvement District No. 1192, Village I at Vistancia, Parcel I-1/2, Southeast Corner of Vistancia Boulevard and Twin Buttes Road**

Approved the Petition for Formation and adopt **RES. 2024-91** intention and ordering the formation of proposed Street Light Improvement District No. 1192, Village I at Vistancia, Parcel I-1/2, located at the southeast corner of Vistancia Boulevard and Twin Buttes Road; and adopted **RES. 2024-92** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

24 C. **Final Plat, Peoria Self Storage, Peoria Avenue and 88th Drive (Project No. R200068A)**

Approved a Final Plat of Peoria Self Storage, located on Peoria Avenue and 88th Drive, and authorized the Mayor and City Clerk to sign and record the Final Plat with the Maricopa County Recorder's Office.

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

Adopted **RES. 2024-93** 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.

26 C. **Liquor License Application Various Locations**

Recommended approval to the State Liquor Board for:

- (a) a New Restaurant (Series 12) Liquor License for AZ Pizza Co. Peoria, located at 16955 N. 75<sup>th</sup> Avenue Ste 115, Brandi E. Mostofo, Applicant, LL#24-001115.
- (b) a New Restaurant (Series 12) Liquor License for Harkins Theatres, located at 9804 W. Northern Avenue, Andrea D. Lewkowitz, Applicant, LL#10010468.
- (c) a New Restaurant (Series 12) Liquor License for Harkins Arrowhead Fountains, located at 16046 N. Arrowhead Fountain Center Drive, Andrea D. Lewkowitz, Applicant, LL#16432.

A motion was made by Vice Mayor Edwards, seconded by Councilmember Shafer to table Consent Agenda Item 10C to the next City Council Meeting.

A motion was made by Councilmember Patena, seconded by Vice Mayor Edwards, to approve the Consent Agenda with the exception of Item 10C.

Upon tabulation of votes, it showed:

AYES – Beck, Edwards, Crawford, Finn (telephonically), Patena, Dunn, Shafer

NAYS – None.

ABSENT – None

Motion carried unanimously.

## REGULAR AGENDA

### **New Business:**

27 R. **PUBLIC HEARING - Conditional Use Permit Appeal, Cibola Vista Self Storage**

Mike Faust, Deputy City Manager and Chris Jacques, Planning and Community Development Director presented on the Conditional Use Permit Appeal for Cibola Vista Self Storage. Information included:

- Background: Council Priority Areas and Environmental Scan
- Self-Storage Code Amendment
- Appeal Introduction
- Site and Area Context
- Cibola Vista PAD Zoning
- Applicant Proposal
- Design Mitigation
- Public Outreach
- Planning and Zoning Commission
- Appeal of Conditional Use Permit
- Analysis of Appeal
- Key Findings
- Appeal Decision Options
- Special Limitations

Discussion ensued regarding:

- Number of storage facilities in the City and the vicinity of the proposed Cibola Vista Self Storage site.
- Council Priorities – Economic Development
- Property Rights
- Planning and Zoning Decision Criteria

At 6:48 p.m. Mayor Beck opened the Public Hearing.

Jeremy Bowen, Peoria resident, spoke in opposition to Cibola Vista Self Storage.

Kim Corey, Peoria resident, spoke in opposition to Cibola Vista Self Storage.

Lanae Harris, Peoria resident, spoke in opposition to Cibola Vista Self Storage.

Thomas Youns, Peoria resident, spoke in opposition to Cibola Vista Self Storage.

Tony Dudzinski, Peoria resident, spoke in opposition to Cibola Vista Self Storage.

Charity Best, Peoria resident, spoke in opposition to Cibola Vista Self Storage.

Susan Leber, Peoria resident, spoke in opposition to Cibola Vista Self Storage.

Taylor Earl, Applicant representative, spoke in support of the Cibola Vista Self Storage.

At 7:13 p.m. Mayor Beck closed the Public Hearing and called for a recess.

At 7:28 p.m. Mayor Beck reconvened the regular City Council Meeting.

Discussion continued regarding:

- Planning and Zoning Commission Legal Authority Granting the Conditional Use Permit.
- Grandfathered Self-Storage Facilities prior to adoption of the new Code.

Motion was made by Councilmember Patena, seconded by Mayor Pro Tem Crawford to affirm the October 17, 2024 decision of the Planning and Zoning Commission unanimously approving a Conditional Use Permit (CUP) for a proposed self-storage facility, generally located at the northwest corner of Lake Pleasant Parkway and Cibola Vista Drive. The decision was appealed by a member of the public.

Upon tabulation of votes, it showed:

AYES – Beck, Edwards, Crawford, Finn (telephonically), Patena, Dunn

NAYS – Shafer

ABSENT – None

Motion carried unanimously.

28 R. **Grant, American Rescue Plan Act, Grant Funding Allocations and Interest Initiatives**

Chris Hallet, Neighborhood and Human Services Director, presented on the American Rescue Plan Act (ARPA) Grant Funding Allocations and Interest. Information included:

- Purpose Summary – Authorize the Repurpose of ARPA Funds
- ARPA Summary to Date
- ARPA Health and Social Services
- ARPA, Healthy Work Environment, Small Business Assistance, Infrastructure and Public Sector Staffing
- ARPA Revenue Recovery
- Key Initiatives and Budget Breakdown
- Supportive Grant Program for Revitalization
- Housing Assessment Study Update
- Pilot re-Opening of Before and After School Training
- ONEPEORIA
- Staff Reallocation and Allocation Request

Motion was made by Councilmember Shafer, seconded by Mayor Pro Tem Crawford to: (a) approve reallocating \$613,751 of current and any future unspent American Rescue Plan Act (ARPA) funds to projects listed in Attachment 1; (b) amend the budget and establish spending authority for the ARPA interest funds of \$447,118, as outlined in Attachment 2, including any future interest; and (c) authorize the necessary documentation and contract amendments to distribute funds in line with program and grant requirements through December 31, 2026.

Upon tabulation of votes, it showed:

AYES – Beck, Edwards, Crawford, Finn (telephonically), Patena, Dunn, Shafer

NAYS – None.

ABSENT – None

Motion carried unanimously.

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

Phyllis Gerner, Peoria resident, thanked city staff and Vice Mayor Edwards for their hard work during a water main break in the Ventana Lakes neighborhood.

Cicily Tegeler, Peoria resident, spoke regarding safety concerns at the North Vistancia and Lone Mountain intersection.

### **Reports from City Manager**

Henry Darwin, City Manager reported on:

- Tentative Agreement with City of Peoria Police Sergeants (COPPS) labor group.
- Police Recruit Academy
- Employee Recognition of Sean Egger
- Police Evidence Facility Acquisition
- Susan Trasente, Peoria Representative to Project North America
- Ribbon Cuttings for State Farm and Jet's Pizza
- Neighborhood Pride Event
- 2025 City Council Meeting Calendar
- Upcoming Events Video

### **Reports from Council Youth Liaisons**

Council Youth Liaison Adamsha reported on attendance at the National League of Cities Summit Conference.

Council Youth Liaison Tewari reported on the Youth Advisory Board volunteering at Monster Bash, attendance at the Boy Scouts Badge Presentation, and volunteering at the Neighborhood Pride Event.

**Reports from the Mayor**

Mayor Beck reported on Peoria's Day of Giving.

**ADJOURNMENT:**

Being no further business to come before the Council, the meeting was duly adjourned at 8:47 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 19<sup>th</sup> day of November, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 17th day of December, 2024.

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Agnes Goodwine, City Clerk