

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
CITY COUNCIL CHAMBER
November 9, 2021

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 Cathy Carlat; Vice Mayor Jon Edwards; Councilmembers Bridget Binsbacher, Denette Dunn, Michael Finn, Vicki Hunt, and Bill Patena.

Members Absent: None.

Other Municipal Officials Present: Jeff Tyne, City Manager; Andy Granger, Deputy City Manager; Katie Gregory, Deputy City Manager; Erik Strunk, Deputy City Manager; Vanessa Hickman, City Attorney; Rhonda Geriminsky, City Clerk; Thomas Adkins, Intergovernmental Affairs Director; Kevin Burke, Interim Finance and Budget Director; Jay Davies, Interim Public Works Director; Chris Hallett, Neighborhood and Human Services Director; Chris Jacques, Planning and Community Development Director; Adina Lund, Development and Engineering Director; Art Miller, Police Chief; Christine Nickel, Human Resources Director; John Sefton, Parks, Recreation, and Community Facilities Director; Jennifer Stein, Interim Economic Development Director and Office of Communications Director; Sharon Roberson, Assistant to the City Manager and Kelsea Holian, City Clerk Specialist.

Audience: Approximately 10 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.

STUDY SESSION AGENDA

Subject(s) for Discussion Only

1. Mid-Year Financial Review

Kevin Burke, Interim Finance and Budget Director, announced that the City's bond rating was upgraded to AAA status, which results in savings to tax payers.

Mr. Burke presented regarding the Mid-Year Financial Review, including:

- Economic update
 - U.S. Gross Domestic Product
 - Consumer Confidence Index
 - Retail Sales Growth

- Unemployment Rate
 - Case-Shiller Home Price Index
- Peoria's economy

Peter Christensen, Deputy Finance and Budget Director, presented regarding:

- State General Fund revenue growth
- General Fund revenue composition
 - Local Sales Tax Revenues
 - State-Shared Sales Tax
 - Urban Revenue Sharing
- Impact of 2020 Census on State-Shared Revenue
- FY2023 Financial Forecast
 - General Fund Forecast
 - Half Cent Sales Tax Fund
 - Transportation Sales Tax Fund
 - Streets Fund
 - Wastewater Fund
 - Residential Solid Waste Fund
- Reasons to observe caution

Andy Granger, Deputy City Manager, presented regarding the next steps, including:

- Growth Management Series
- Public Safety
 - Staffing needs
 - Water redundancy and conservation/Drought Contingency Plans
 - The City's sixth ambulance

Discussion ensued regarding:

- Importance of the City's first responders and being an employer of choice
- Increases in revenue contrary to the decrease in auto sales due to supply shortages
- Importance of planning and community development and getting ahead of growth
- Number of Public Safety staffing vacancies
- Increase in sick-time in Public Safety Departments as a direct result of the pandemic and associated overtime costs
- Overtime abuses and mental health issues
- Telestaff system in Public Safety and whether employees have to select whether they are available for overtime
- Law enforcement challenges in hiring and recruiting – What is the City doing to recruit and retain public safety personnel
 - Recruitment Strategic Plan

- Five percent vacancy rating
- Overfill process to address vacancies
- Personnel requests and caseloads in the Special Victims Unit
 - Caseload comparisons with neighboring cities
- Overtime concerns
- Vacancy rate increases due to adding positions
- Bonds for public health and safety
 - Proposed midyear Public Safety adjustments
 - Other Proposed midyear adjustments
 - FY2023 Budget Process

2. Redistricting Update

Andy Granger, Deputy City Manager, presented the Redistricting timeline.

Jennifer Stein, Interim Economic Development Services Director and Office of Communications Director presented regarding:

- Background on Redistricting requirements
- Population history and growth
- Current districts based on the 2015 census and redistricting process
- Population goals for new districts
- Federal and Council-approved redistricting criteria
- Public engagement process
- Recommended finalist maps
- Public engagement efforts
- Next steps

Discussion ensued regarding:

- Communities of Interest
- Master Planned Communities
- Maps that do not meet the criteria
- Hiring an attorney for a second opinion regarding the redistricting process
- Redistricting candidates to run against the Pine Councilmember
- Public process used during redistricting
- Retrogression of minority population

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 5:56 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 a moment of silent reflection, Councilmember Binsbacher led the Pledge of Allegiance.

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

Council Youth Liaisons: Arizbeth Fierro and Savana Rodriguez.

Members Absent: None.

Other Municipal Officials Present: Jeff Tyne, City Manager; Andy Granger, Deputy City Manager; Katie Gregory, Deputy City Manager; Erik Strunk, Deputy City Manager; Vanessa Hickman, City Attorney; Rhonda Geriminsky, City Clerk; Thomas Adkins, Intergovernmental Affairs Director; Kevin Burke, Interim Finance and Budget Director; Jay Davies, Interim Public Works Director; Chris Hallett, Neighborhood and Human Services Director; Chris Jacques, 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; Bobby Ruiz, Fire Chief; John Sefton, Parks, Recreation, and Community Facilities Director; Jennifer Stein, Interim Economic Development Director and Office of Communications Director; Sharon Roberson, Assistant to the City Manager and Kelsea Holian, City Clerk Specialist.

Audience: Approximately 50 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 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 asked if any Councilmember wished to have an item removed from the Consent Agenda.

Councilmember Dunn requested that Agenda Items 4C, 7C, 13C, 14C and 15C be removed for separate discussion.

Councilmember Finn requested that Agenda Item 1C be removed for separate discussion.

Motion was made by Councilmember Hunt, seconded by Councilmember Finn, to approve the Consent Agenda with the exception of Agenda Items 1C, 4C, 7C, 13C, 14C and 15C.

Discussion ensued regarding Agenda Item 1C and Councilmember Hunt moved to rescind her motion to approve the Consent Agenda with the exception of Agenda Items 1C, 4C, 7C, 13C, 14C and 15C. Upon vote, the motion carried 6 to 1, with Councilmember Dunn voting “no”.

Councilmember Finn requested that Agenda Item 3C be removed for separate discussion.

Motion was made by Vice Mayor Edwards, seconded by Councilmember Patena, to approve the Consent Agenda with the exception of Agenda Items 3C, 4C, 7C, 13C, 14C and 15C. Upon vote, the motion carried unanimously 7 to 0.

3C. Minutes

Clerk’s Note: Agenda Item 3C was pulled from the Consent Agenda for separate discussion.

Councilmember Finn reminded the Council of the Robert’s Rules of Order and stated that the Council has spoken off topic during recent meetings and he urged the Council to be aware of the Robert’s Rules of Order.

Motion was made by Councilmember Patena, seconded by Councilmember Hunt, to approve the minutes from the October 26, 2021 City Council Meeting. Upon vote, the motion carried unanimously 7 to 0.

4C. Board and Commission Appointments

Clerk’s Note: Agenda Item 4C was pulled from the Consent Agenda for separate discussion.

Councilmember Dunn outlined the process the Council’s Boards and Commissions Subcommittee uses to recommend appointments to the City’s Boards and Commissions and expressed concern that citizens are applying to serve on boards and commissions, but they are not getting appointed.

Councilmember Patena informed that the Boards and Commissions Subcommittee make recommendations for appointment based on the individual’s interests, experience and qualifications. Councilmember Patena explained that appointment recommendations are made based on criteria and processes outlined in Council Policies and recommended that Councilmembers actively recruit citizens in their district to increase the applicant pool.

Mycheal Gamble addressed the Council regarding her application to serve on Peoria's Boards and Commissions and expressed concern that the demographics on the boards and commissions may not accurately represent the community.

Motion was made by Councilmember Hunt, seconded by Councilmember Patena, to approve the recommendations from the Council Boards and Commission Subcommittee and adopt **RES. 2021-102** appointing/reappointing members to various boards and commissions.

Upon vote, the motion carried 6 to 1, with Councilmember Dunn voting "no".

5C. Intergovernmental Agreement, Maricopa County HOME Consortium, Use of HOME Investment Partnership Program Grant Funds

Approved the Federal Fiscal Year 2020 and 2021 Intergovernmental Agreement with Maricopa County governing the City's annual HOME Investment Partnership Program grant allocations, in accordance with budget authority previously approved by Council.

6C. Intergovernmental Agreement, State of Arizona, Stadium Trail Phase 2, 75th Avenue to Skunk Creek

Adopted **RES. 2021-103** approving an Intergovernmental Agreement with the State of Arizona for the local cost share, design, rights-of-way acquisition, construction, and construction management for a new multi-use trail called Stadium Trail Phase 2, in accordance with budget authority previously approved by Council.

7C. Intergovernmental Agreement, City of Phoenix, City of Glendale, Butler Drive Water Reclamation Facility Wastewater Bypass

Clerk's Note: Agenda Item 7C was pulled from the Consent Agenda for separate discussion.

Cape Powers, Water Services Director, presented regarding the intergovernmental agreement with the Cities of Phoenix and Glendale pertaining to the Butler Drive Water Reclamation Facility Wastewater Bypass.

Discussion ensued regarding who is responsible for costs associated with unforeseen emergencies and the function and purpose of the Sub-Regional Operating Group.

Motion was made by Councilmember Binsbacher, seconded by Councilmember Finn, to approve an Intergovernmental Agreement with the Cities of Phoenix and Glendale that will allow wastewater from the Peoria wastewater collection system to enter the 99th Avenue Interceptor sewer line in the event a bypass of the Butler Water Reclamation Facility is necessary.

Upon vote, the motion carried unanimously 7 to 0.

8C. Cost-Share Agreement, Salt River Project and other Cost-Share Partners, Bartlett Dam Modification Feasibility Study

- (a) Entered into an agreement to share costs for the feasibility study of Bartlett Dam modification alternatives among cost-share partners and Salt River Agricultural Improvement and power district; and
- (b) Approved additional budget authority in the amount of \$100,000 in Fiscal Year 2022 to pay the first of four equal, annual installments under the agreement.

9C. Maintenance and Landscape Easement Agreement, Parkridge Homeowners' Association

Approved a Maintenance and Landscape Easement Agreement with the Parkridge Homeowners' Association.

10C. Reimbursement Agreement, Arizona Public Service Company, Jomax Road Pavement Seal coat and Restripe

Approved a Reimbursement Agreement with Arizona Public Service Company for installation of a pavement seal coat treatment and restriping of Jomax Road.

11C. Major General Plan Amendment, PlanPeoriaAz General Plan, Chapter 3, 4, 7 and 8 Update

Concurred with the Planning and Zoning Commission's unanimous recommendation to adopt **RES. 2021-104**, modifying Chapters 3, 4, 7 and 8 of the Peoria General Plan to ensure the plan remains up to date and consistent with the overarching goals of the City.

12C. Exemption Request, Requirement to Post Security for Self-Insured Workers' Compensation Claims

Authorized the execution of documents necessary to certify the City of Peoria exemption from the Industrial Commission of Arizona requirements to post security for self-insured Workers' Compensation claims.

13C. Appointment of Administrative Hearing Officers

Clerk's Note: Agenda Item 13C was pulled from the Consent Agenda for separate discussion.

Jeff Tyne, City Manager, outlined the appointment of Hearing Officers.

Vanessa Hickman, City Attorney, explained the process used to appoint Hearing Officers.

Discussion ensued regarding:

- The process used to select Administrative Hearing Officers
- Whether the City pays the Hearing Officers and whether they can be impartial
- Number of employee grievances the City receives.

Motion was made by Councilmember Hunt, seconded by Councilmember Patena, to adopt **RES. 2021-105** to appoint Administrative Hearing Officers for personnel, tax, licensing, and land use matters for a two-year term.

Upon vote, the motion carried 6 to 1, with Councilmember Dunn voting "no".

14C. Fiscal Year 2021 Year-End Budget Amendments and Fiscal Year 2022 1st Quarter Budget Amendments and Carryovers

Clerk's Note: Agenda Item 14C was pulled from the Consent Agenda for separate discussion.

Motion was made by Councilmember Dunn to table this item in order to give the Council time to review the Capital Improvement Plan (CIP) Budget; the motion died for a lack of second.

Discussion ensued regarding:

- The process used to approve the City's CIP Budget
- The Council's unanimous adoption of the CIP Budget during the budget adoption process
- Authorization to sell General Obligation (GO) Bonds
- Transparency in approving the CIP Budget and the authorization of GO Bonds

Motion was made by Councilmember Binsbacher, seconded by Councilmember Hunt, to approve the Fiscal Year 2021 year-end budget amendments and the Fiscal Year 2022 first quarter budget amendments and carryovers.

Upon vote, the motion carried 6 to 1, with Councilmember Dunn voting “no”.

15C. Authorize Sale and Issuance of General Obligation Bonds Series 2021

Adopted **RES. 2021-106** authorizing all matters necessary to sell and issue General Obligation Bonds in the amount not to exceed \$67,000,000 aggregate Principal Amount, in accordance with budget authority previously approved by Council.

16C. Abandonment of City Interest, Slope and Drainage Easement Abandonments, Beardsley Road Connector at Loop 101

Adopted **RES. 2021-107** abandoning City interest of slope and drainage easement areas encumbering the parcel located south of Beardsley Road just west of the Loop 101 frontage road due to development negating the need for an easement and rescind the assignment of said easement areas previously approved by City Council.

17C. Irrigation Easement, Salt River Project, 87th Avenue and Northern Avenue

Adopted **RES. 2021-108** authorizing the City Manager to execute an Irrigation Easement to Salt River Project (SRP) for the relocation and maintenance of irrigation facilities within the south half of Northern Avenue east of 87th Avenue.

18C. Right-of-Way Annexation, Pinnacle Peak Road at 99th Avenue

Adopted **ORD. 2021-22** approving the annexation of segments of unincorporated Pinnacle Peak Road right-of-way at 99th Avenue.

19C. Final Plat, Village H at Vistancia Parcels H-11/12, White Peak Drive and 134th Avenue

Approved a Final Plat of Village H at Vistancia Parcels H-11/12, located on White Peak Drive and 134th Avenue, subject to stipulations.

20C. Final Plat, Village H at Vistancia Parcel H-15, White Peak Drive and Forest Pleasant Place

Approved a Final Plat of Village H at Vistancia Parcel H-15, located at the intersection of White Peak Drive and Forest Pleasant Place, subject to stipulations.

21C. Final Plat, Village H at Vistancia Parcel H-17, White Peak Drive and Forest Pleasant Place

Approved a Final Plat of Village H at Vistancia Parcel H-17, located at the intersection of White Peak Drive and Forest Pleasant Place, subject to stipulations.

22C. Final Plat, Village H at Vistancia Parcels H-18, White Peak Drive and 134th Avenue

Approved a Final Plat of Village H at Vistancia Parcel H-18, located on White Peak Drive and 134th Avenue, subject to stipulations.

REGULAR AGENDA

New Business:

23 R. Contract, Lutheran Social Services, I-HELP Homeless Shelter Services

Chris Hallett, Neighborhood and Human Services Director, presented regarding the proposed contract with Lutheran Social Services, including:

- The need for additional services
- Homeless Emergency Lodging Program (I-HELP)
- Contract provisions
- Staff recommendations

Discussion ensued regarding:

- Location of the shelter
- How Peoria residents can contribute
- Whether youth can be offered services through I-HELP

Motion was made by Councilmember Hunt, seconded by Councilmember Binsbacher, to authorize the execution of a three-year contract in an amount not to exceed \$200,000 per year with Lutheran Social Services of the Southwest for homeless shelter services, in accordance with budget authority previously approved by Council.

Upon vote, the motion carried unanimously 7 to 0.

24 R. Contract, Deep Within Rehab, Homeless Shelter Bed Contract

Chris Hallett, Neighborhood and Human Services Director, presented regarding the proposed contract with Deep Within Rehab, including:

- Overview of Deep Within
 - Substance abuse recovery center
 - Homeless shelter services
- Contract provisions
- Staff recommendations

Discussion ensued regarding the importance of Deep Within and similar programs and services offered in the City.

Motion was made by Councilmember Hunt, seconded by Councilmember Binsbacher, to authorize the execution of a single-source, three-year contract in an amount not to exceed \$215,000 per year with the Deep Within Rehab organization, for homeless shelter service, in accordance with budget authority previously approved by Council.

Upon vote, the motion carried unanimously 7 to 0.

25 R. Minor General Plan Amendment, Speedway, Northwest corner Northern Avenue and 99th Avenue

Clerk's Note: Agenda items 25R and 26R were presented together.

Chris Jacques, Planning and Community Development Director, presented regarding the proposed Minor General Plan Amendment, Speedway, Northwest corner Northern Avenue and 99th Avenue. Information included:

- Project proposal
- Site and Area context
- Current and proposed zoning
- General Plan Land Use Designation
- Proposed Development Plan
- Development details
- Traffic Impact Analysis
- Public outreach efforts
- Letters of support and opposition
- Planning and Zoning Commission Public Hearing
- Key findings
- Staff recommendations

Jason Morris, Applicant, briefly outlined the proposed Speedway Project on the Northwest corner of Northern and 99th Avenues.

Peggy Baxter addressed the Council in support of the Speedway Project.

Motion was made by Councilmember Dunn, seconded by Councilmember Hunt, to adopt **RES. 2021-109**, approving an amendment to the General Plan Land Use Map for a 2.87-acre site located at the northwest corner of Northern Avenue and 99th Avenue, from the *Mixed-Use Main Street* to *Commercial* land use category.

Upon vote, the motion carried unanimously 7 to 0.

26 R. Rezone, Speedway, Northwest corner Northern Avenue and 99th Avenue

Clerk's Note: Agenda items 25R and 26R were presented together.

Motion was made by Councilmember Dunn, seconded by Councilmember Finn, to adopt **ORD. 2021-23**, approving the rezoning of a 2.87-acre site located at the northwest corner of Northern Avenue and 99th Avenue, from *General Agricultural (AG)* to *Speedway Planned Area Development (PAD)*.

Upon vote, the motion carried unanimously 7 to 0.

27 R. Specific Area General Plan Amendment, Grand Commons, Grand Avenue and 85th Avenue

Clerk's Note: Agenda items 27R and 28R were presented together.

Chris Jacques, Planning and Community Development Director, presented regarding the proposed Specific Area General Plan Amendment, Grand Commons, Grand Avenue and 85th Avenue. Information included:

- Project proposal
- Site and Area context
- Prior Conceptual Development Plan
- Current and proposed zoning
- General Plan Land Use Designation
- Plan evaluation and identified constraints
- Current Conceptual Development Plan
- Planned Area Development Standards
- Public outreach efforts
- Planning and Zoning Commission Public Hearing
- Staff recommendation

Steve Addison, Applicant, addressed the Council regarding the community benefits of the proposed project and the community concerns of the project.

Discussion ensued regarding:

- The Opportunity Zone concept
- Reason for a request for a multi-family designation rather than a Planned Area Development
- Three-story apartments and the need to improve the entryway into Peoria Old Town
- Commercial Zoning component and whether Opportunity Zone removes the commercial opportunities within the area
- Market support for small businesses to enhance Old Town

Eva Osuna addressed Council regarding concerns that no commercial projects are being introduced and suggested that the developer ask the residents what they would like to see in the area. Ms. Osuna also expressed concern for the gated community aspect of the proposal stating that the gated community separates rather than unites and that is not what the residents want.

Motion was made by Vice Mayor Edwards, seconded by Councilmember Hunt, to **deny** the request to adopt **RES. 2021-110**, approving an amendment to the Old Town Specific Area Plan Land Use Map for a 7.5-acre site located at 8455 Northwest Grand Avenue, from *Flex Mixed-Use* to *Old Town High Density Residential* land use category.

Upon vote, the motion carried 6 to 1, with Councilmember Patena voting “no”.

28 R. Rezone, Grand Commons, Grand Avenue and 85th Avenue

Clerk’s Note: Agenda items 27R and 28R were presented together.

Motion was made by Councilmember Hunt to adopt **ORD. 2021-24**, approving the rezoning of a 7.5-acre site located at 8455 NW Grand Avenue, from *Central Commercial (C-3)* to the *Grand Commons Planned Area Development (PAD)*.

Discussion ensued regarding whether the Rezone can be approved if the Specific Area General Plan Amendment was not approved by Council.

Councilmember Hunt withdrew her previous motion.

Motion was made by Councilmember Hunt, seconded by Councilmember Binsbacher, to **deny** the request to adopt **ORD. 2021-24**, approving the rezoning of a 7.5-acre site located at 8455 NW Grand Avenue, from *Central Commercial (C-3)* to the *Grand Commons Planned Area Development (PAD)*.

Upon vote, the motion carried unanimously 7 to 0.

29 R. Rezone, Park West Parcel 3, Northeast of the northeast corner of 99th Avenue and Northern Avenue

Chris Jacques, Planning and Community Development Director, presented regarding the proposed Rezone, Park West Parcel 3, Northeast of the northeast corner of 99th Avenue and Northern Avenue. Information included:

- Project proposal
- Site and Area context
- General Plan and Zoning maps for the project
- Planned Area Development Amendment
- Purpose of request
- Conceptual Development Plan
- Development Standards
- Conceptual elevations
- Public outreach efforts
- Letters of support and opposition
- Planning and Zoning Commission Public Hearing
- Findings and staff recommendation

Discussion ensued regarding concerns expressed by residents.

Taylor Early, Applicant, presented regarding:

- History of Park West
- Awkward shape of the parcel and associated challenges in developing the parcel
- Statements of support of the proposed project
- Vitality of Park West

Timothy LaSota addressed Council opposing the project citing traffic concerns.

Discussion ensued regarding a second point of access for the project.

Motion was made by Councilmember Dunn, seconded by Councilmember Binsbacher, to adopt **ORD. 2021-25**, amending the existing Park West PAD to allow for a multi-family development on Parcel 3.

Upon vote, the motion carried unanimously 7 to 0.

Call To The Public (Non-Agenda Items)

Jon Forsythe addressed Council regarding funding additional training for police officers and encouraged police officers to follow the laws that they enforce.

Jim Hesseman addressed Council regarding the high demand for hanger space and why the City does not have an airport. Mr. Hesseman encouraged a review of the Airport Feasibility Study and requested the Council consider building an airport in the City.

Eva Osuna addressed Council expressing concerns that her application for appointment to the City's Boards and Commissions has not been followed up on by the City. Ms. Osuna also expressed concerns of gerrymandering in the redistricting process and encouraged the City to make the new district maps as fair as possible.

Reports from City Manager:

30. Reports

A. Special Events Video

A video was displayed highlighting upcoming special events in the City.

Reports from the Mayor:

A. Youth Advisory Board Update

Arizbeth Fierro, Youth Council Liaison, reported on the Youth Advisory Board activities including hosting and volunteering for upcoming holiday festivities.

Savana Rodriguez, Youth Council Liaison, reported on the Youth Advisory Board activities including planning for future goals.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 8:46 p.m.

Cathy Carlat, 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 9th day of November, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 4th day of January, 2022.

(Seal)

Lori Dyckman, Acting City Clerk