

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
CITY COUNCIL CHAMBER
December 14, 2021

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 4:00 p.m.

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

Council Youth Liaisons: None.

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; Lori Dyckman, Deputy City Clerk; Kevin Burke, Finance and Budget Director; Jay Davies, Public Works Director; Chris Hallett, Neighborhood and Human Services Director; Chris Jacques, Planning and Community Development Director; Art Miller, Police Chief; Christine Nickel, Human Resources Director; Cape Powers, Water Services Director; Gary Bernard, Deputy Fire Chief; John Sefton, Parks, Recreation, and Community Facilities Director; Jennifer Stein, Interim Economic Development Director and Office of Communications Director and Kelsea Holian, 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.

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. Having no requests from Council, motion was made by Councilmember Patena, seconded by Councilmember Binsbacher, to approve the Consent Agenda. Upon vote, the motion carried 6 to 1, with Councilmember Dunn voting "no".

1C. Authorization to Hold an Executive Session

Authorized the holding of an Executive Session pursuant to A.R.S. 38-431.03(A)(2) and A.R.S. 38-431.03(A)(3) for the purpose of discussion and consideration pertaining to records exempt by law from public inspection and discussions and consultations with designated representatives of the public body and/or legal counsel in order to consider its position and instruct its representatives regarding:

- a) Legal advice from counsel, discussion and instruction with legal counsel and staff for legal advice and review of records exempt by law from public inspection pertaining to the City's Redistricting Process and information generated relating to legal compliance pursuant to A.R.S. 38-431.03(A)(2) and A.R.S. 38-431.03(A)(3)

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 4:02 p.m.

Councilmember Dunn made a motion to substitute the original motion. The Mayor stated that voting had already taken place and that the meeting was adjourned. Vanessa Hickman, City Attorney, confirmed that the motion was not valid as voting concluded and the meeting was adjourned.

Councilmember Dunn raised a point of order for a question of privilege. The Mayor and City Attorney stated that the meeting was adjourned and the point of order was not entertained.

EXECUTIVE SESSION AGENDA

- 2. An Executive Session was convened immediately following the 4:00 Special Meeting for the purpose of discussion and consideration pertaining to records exempt by law from public inspection and discussions and consultations with designated representatives of the public body and legal counsel in order to consider its position and instruct its representatives regarding:
 - a) Legal advice from counsel, discussion and instruction with legal counsel and staff for legal advice and review of records exempt by law from public inspection pertaining to the City's Redistricting Process and information generated relating to legal compliance pursuant to A.R.S. 38-431.03(A)(2) and A.R.S. 38-431.03(A)(3)

Clerk's Note: In accordance with A.R.S. § 38-431.03(B), minutes of executive sessions must be kept confidential except as outlined in statute.

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 5:06 p.m.

Following a moment of silent reflection, Vice Mayor Edwards 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: None.

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; Lori Dyckman, Deputy City Clerk; Kevin Burke, Finance and Budget Director; Jay Davies, Public Works Director; Chris Hallett, Neighborhood and Human Services Director; Chris Jacques, Planning and Community Development Director; Art Miller, Police Chief; Christine Nickel, Human Resources Director; Cape Powers, Water Services Director; Gary Bernard, Deputy 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.

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 announced that the Consent Agenda included a Public Hearing on a liquor license application for a Location and Person Transfer for an On-Sale All Liquor License (Series 06) for Fire House Event Center, located at 8307 West Washington Street, Joseph P. Lucidi, Applicant, LL#21-010866.

Mayor Carlat 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 Councilmember Hunt, to approve the Consent Agenda. Upon vote, the motion carried unanimously 7 to 0.

3C. PUBLIC HEARING – Liquor Licenses, Fire House Event Center, 8307 West Washington Street.

Recommended approval to the State Liquor Board for: a Location and Person Transfer for an On-Sale All Liquor License (Series 06) for Fire House Event Center, located at 8307 West Washington Street, Joseph P. Lucidi, Applicant, LL#21-010866.

REGULAR AGENDA

New Business:

4 R. Redistricting

Mayor Carlat announced that Spanish and American Sign Language interpreters were present to provide interpretation services if necessary.

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

- Current council districts
- Project timeline
- Background
- Population considerations for new districts
- Federal redistricting criteria
- Council-approved redistricting criteria
- Public engagement efforts
- Voting Rights Act (“VRA”) compliance

Vanessa Hickman, City Attorney, introduced the attorneys retained for the redistricting process: Mary O’ Grady and Kory Langhofer.

Jeff Tyne, City Manager, spoke on the technical analysis conducted to comply with the Voting Rights Act, the Racial Polarized Voting analysis, and the legal implications that were addressed in the Executive Session. Mr. Tyne stated that all documents will be released to the public.

Ms. Stein continued her presentation, addressing:

- Recommended finalist maps
- Second round of public engagement
- Public feedback
- Consultant biographies

Edward Molina addressed the Council expressing concern for the erroneous data that was initially provided when he submitted his proposed redistricting map. Mr. Molina further addressed the delay in response to his public records request regarding redistricting criteria.

Mike Rogers addressed the Council regarding demographic representation in the redistricting process and implored the Council to vote on the most equitable map.

Joe Clure addressed the Council regarding his concern that the Racial Polarized Voting Report would not be released to the public until after the Council voted on the redistricting maps. Mr. Clure further addressed his concerns with public record requests being purposefully delayed.

Mayor Carlat addressed Mr. Clure and Mr. Molina's concerns regarding purposeful delays in providing public records.

Vanessa Hickman, City Attorney, confirmed that no purposeful delay tactics were used in providing public records.

Eva Osuna addressed the Council regarding the challenges in reading the maps as printed and delays in providing context data for the maps. Ms. Osuna advocated for maps 1 and 3.

Mayor Carlat addressed Ms. Osuna's comment regarding delays in receiving context data and confirmed that the requested data was available.

Ms. Osuna readdressed the Council and acknowledged that the data was available, but was not available at the beginning of the redistricting process.

Leslie McMorrow addressed the Council regarding the public support for maps 1 and 3 and urged the Council to select a map according to the desires of their constituents.

Katherine Gatrost addressed the Council regarding the redistricting maps and acknowledged that each proposed map will cause changes in the communities within the City. Ms. Gatrost voiced her support for maps 1 and 3 and implored the Council to work together and to vote for what they believe is the best map.

Lee Baker addressed the Council expressing concerns of gerrymandering and encouraged Council to follow proper procedures and protocols to foster trust and transparency. Mr. Baker requested that each Councilmember state their reasoning for choosing their preferred map.

Brian Morris addressed the Council regarding his dedication to the community and voiced support for map 1 and opposition to map 4. Mr. Morris expressed concerns regarding Councilmembers encouraging the public to select one redistricting map over another.

Discussion ensued regarding:

- Council input on map drawing
- Boundaries of the Varney District

In response to Mr. Baker's request, Councilmember Hunt explained her support for map 4 and stated that the other maps either do not respect natural boundaries or they divide communities of interest.

Councilmember Dunn voiced her concerns that the Council and public were not given enough time to make a decision and made a motion to suspend the vote for 30 days.

Discussion ensued regarding:

- Timeline requirements for redistricting
- Public engagement efforts

The motion failed for lack of a second.

Councilmember Finn stated his map preferences and voiced support for maps 3 and 4. Councilmember Finn stated that map 2 would have three different representatives along Peoria Avenue and the remaining maps created jagged district borders.

Councilmember Binsbacher concurred with the statements of Councilmembers Hunt and Finn and voiced support for map 4, stating that the other maps were either not truly contiguous or they split up a community of interest. Councilmember Binsbacher acknowledged that she did submit a proposed map in the redistricting process but the map did not move forward to one of the final maps. Councilmember Binsbacher confirmed her attendance at redistricting meetings to answer questions and, if asked, provide her thoughts regarding the proposed maps. Councilmember Binsbacher stressed the need for mutual respect, consideration, and openness during the redistricting process and stated that the Council is required to consider what is best for all communities within the City rather than what is best for each individual district. Councilmember Binsbacher repeated her statement in Spanish.

Vice Mayor Edwards stated his preference for map 1, and that maps 2 and 3 split communities of interest. Vice Mayor Edwards stated that map 4 does not split a community of interest.

Mayor Carlat stated that she reviewed the maps with regards to the communities of interest in the City and that map 4 is the only map that does not split any communities of interest.

Discussion ensued regarding the possibility of selecting a redistricting map for the purpose of districting out potential candidates.

Councilmember Dunn stated the importance of listening to the residents in the City and expressed support for maps 1 or 3 in line with the public comments received.

Motion was made by Councilmember Dunn, seconded by Vice Mayor Edwards, to adopt map 1 as the final redistricting map to be effective with the Peoria City Council election in 2022 and direct staff to take such actions necessary to implement the selected map.

Upon vote, the motion failed 2 to 5, with Mayor Carlat and Councilmembers Binsbacher, Finn, Hunt, and Patena dissenting.

Motion was made by Councilmember Patena, seconded by Councilmember Hunt, to adopt map 4 as the final redistricting map to be effective with the Peoria City Council election in 2022 and direct staff to take such actions necessary to implement the selected map.

Upon vote, the motion carried 5 to 2, with the Councilmembers Dunn and Edwards voting "no".

Call To The Public (Non-Agenda Items)

Eva Osuna addressed Council regarding further representation and assistance for the Hispanic Community.

Reports from City Manager:

None.

Reports from the Mayor:

None.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 6:23 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 14th day of December, 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