

**MINUTES OF THE PEORIA CITY COUNCIL**  
CITY OF PEORIA, ARIZONA  
CITY COUNCIL CHAMBER  
October 11, 2022

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 5:00 p.m.

**Members Present:** Mayor Cathy Carlat; Vice Mayor Bill Patena; Councilmembers Jon Edwards, Michael Finn and Brad Shafer.

**Members Absent:** Councilmember Denette Dunn and Mayor Pro Tem Vicki Hunt.

**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 and Lori Dyckman, City Clerk.

**Audience:** No 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**

**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.

Motion was made by Vice Mayor Patena, seconded by Councilmember Finn, to approve the Consent Agenda.

Upon vote, the motion carried unanimously 5 to 0.

**1C. Authorization to Hold an Executive Session**

Authorized the holding of an Executive Session pursuant to A.R.S. §38-431.03(A)(3), §38-431.03(A)(4), §38-431.03(A)(5) and §38-431.03(A)(7) 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 with Legal Counsel for legal advice in order to consider its position and instruct its attorneys regarding contracts that are subject to negotiations involving property in Vistancia Commercial Core pursuant to A.R.S. §38-431-03(A)(3) and A.R.S. §38-431-03(A)(4), and; discussion with Legal Counsel for

legal advice pertaining to negotiations for the purchase, sale or lease of real property in Vistancia Commercial Core pursuant to A.R.S. §38-431-03(A)(7).

## **ADJOURNMENT**

Being no further business to come before the Council, the meeting was duly adjourned at 5:48 p.m.

## **EXECUTIVE SESSION AGENDA**

- 2 An Executive Session pursuant to A.R.S. §§ 38-431.03(A)(3), 38-431.03(A)(4), 38-431.03(A)(5) and 38-431.03(A)(7) 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 with Legal Counsel for legal advice in order to consider its position and instruct its attorneys regarding contracts that are subject to negotiations involving property in Vistancia Commercial Core pursuant to A.R.S. §38-431-03(A)(3) and A.R.S. §38-431-03(A)(4), and; discussion with Legal Counsel for legal advice pertaining to negotiations for the purchase, sale or lease of real property in Vistancia Commercial Core pursuant to A.R.S. §38-431-03(A)(7).

**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 **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, Council Youth Liaison Agarwal led the Pledge of Allegiance.

**Members Present:** Mayor Cathy Carlat; Vice Mayor Bill Patena; Councilmembers Denette Dunn, Jon Edwards, Michael Finn and Brad Shafer.

**Council Youth Liaisons:** Avi Agarwal and Mikah Dyer.

**Members Absent:** Mayor Pro Tem Vicki Hunt

**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, City Clerk; Thomas Adkins, Intergovernmental Affairs Director; Gary Bernard, Fire Chief; Kevin Burke, Finance and

Budget Director; Chris Calcaterra, Parks and Recreation Director; Jay Davies, Public Works Director; Chris Hallett, Neighborhood and Human Services Director; Chris Jacques, Planning and Community Development Director; Adina Lund, Development and Engineering Director; Christine Nickel, Human Resources Director; Cape Powers, Water Services Director; Deputy Chief Douglas Steele; Jennifer Stein, Economic Development Services Director; Marylou Stephens, Arts, Culture and Library Services Director and Jill Boltz, Deputy City Clerk.

**Audience:** Approximately 6 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.

**Presentation:**

**3. Certificate of Appointment to Newly Appointed Board and Commission Members**

Councilmember Finn presented a plaque to newly appointed Board and Commission member Julie LaCroix who was appointed to the Economic Development Advisory Board by Resolution at the September 13, 2022 City Council Meeting.

**4. Proclamation Recognizing October as Domestic Violence Awareness Month**

Mayor Carlat recognized the members of the Peoria Police Department Victim Assistance Unit, City Prosecutor's Office Victim Assistance Unit, and other advocacy groups and read aloud the Proclamation declaring October as Domestic Violence Awareness Month.

**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.

Mayor Carlat asked if any Councilmember wished to have an item removed from the Consent Agenda. Having received an earlier request to continue Item 11C to a later meeting, motion was made by Vice Mayor Patena, seconded by Councilmember Shafer, to approve the Consent Agenda with the exception of Agenda Item 11C.

Upon vote, the motion carried unanimously 6 to 0.

**5 C. Minutes**

Approved the September 27, 2022 City Council meeting minutes.

**6 C. Proposed Amendment to Investment and Portfolio Policies**

The proposed changes to the City's Investment and Portfolio Policies were reviewed and accepted to allow the purchase of corporate bonds, debentures and notes with a maximum maturity of five years and a minimum rating of "A."

**7 C. Quarterly Budget Amendments**

Approved the FY2022 Fourth Quarter Budget Amendments, FY2022 Third and Fourth Quarter Chargebacks, and FY2023 First Quarter Budget Amendments.

**8 C. Single Source Contract and Budget Amendment, Extrication Concepts, Extrication Equipment**

(a) Approved a single source procurement contract in the amount of \$276,929 for the purchase of extrication equipment from Extrication Concepts; and

(b) Approved a budget amendment in the amount of \$26,929 from the General Fund Contingency Account to the Fire-Medical Support Services Account.

**9 C. Grants, Arizona Department of Homeland Security, Statewide Disaster Response Program**

(a) Authorized the acceptance of two grants from the Arizona State Department of Homeland Security (AZDOHS) totaling \$56,443, and

(b) Approved a budget amendment in the amount of \$56,443 from the Proposed Grants Contingency Fund to the AZDOHS Grants Fund.

**10 C. Grants, State of Arizona Department of Homeland Security, Various Fire Department Programs**

(a) Authorized the Fire-Medical Department to accept two grant awards in the total amount of \$57,950 from the Arizona Department of Homeland Security to be used to strengthen chemical, biological, radiological, nuclear or explosive detection, response and decontamination capabilities; and sustain and enhance the Terrorism Liaison Officer program; and

(b) Approved a budget amendment in the amount of \$57,950 from the Proposed Grants Contingency account to various Homeland Security Grant Fund accounts.

**11 C. Development Agreement, 77th Lane, Aloravita South**

Clerk's Note: Agenda item 11C for a Development Agreement at 77<sup>th</sup> Lane in Aloravita South was continued to a later date as requested by the developer.

**12 C. Maintenance Improvement District No. 1263, Aloravita North Phase 3 Parcel 12, Aloravita Boulevard and Eastwing Vista Trail**

Approved the Petition for Formation, adopted **RES. 2022-103** Intention and ordering the formation of proposed Maintenance Improvement District No. 1263, Aloravita North Phase 3 Parcel 12, located at Aloravita Boulevard and Eastwing Vista Trail; and adopted **RES. 2022-104** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

**13 C. Street Light Improvement District No. 1165, Aloravita North Phase 3 Parcel 12, Aloravita Boulevard and Eastwing Vista Trail**

Approved the Petition for Formation and adopted **RES. 2022-105** intention and ordering the formation of proposed Street Light Improvement District No. 1165, Aloravita North Phase 3 Parcel 12, located at Aloravita Boulevard and Eastwing Vista Trail; and adopt **RES. 2022-106** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

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

Adopted **RES. 2022-107** accepting Deeds and Easements for various Real Property interests acquired by the City, subject to stipulations.

**15 C. Abandonment of City Interest, Federal Patent Easement, 25847 N 92<sup>nd</sup> Avenue**

Adopted **RES. 2022-108** to abandon City interest in a portion of a Federal Patent Easement as recorded in Maricopa County Recorder Docket 2967 Page 99, located at 25847 North 92nd Avenue.

**16 C. Designate Roadways, Establish Rights-of-Way, Various Locations**

Adopted **RES. 2022-109** designating various Real Properties to be used as City roadways and authorize the establishment of Public Rights-of-Way to be opened and maintained by the City as a Public Street, subject to stipulations.

**17 C. Final Plat, Catania & Dilligianis, 92nd Avenue and Prickly Pear Trail**

Approved a Final Plat of Catania & Dilligianis, located on the northwest corner of 92nd Avenue and Prickly Pear Trail, subject to stipulations.

## REGULAR AGENDA

### New Business:

#### **18 R. Contract, FPS Civil, LLC, Reclaimed Water Project 1 – Segment 3**

Adina Lund, Development and Engineering Director, presented on the contract request for FPS Civil, LLC for the reclaimed water system, information included:

- Project 1 Overview
- Project 1, Segment 1 - status complete
- Project 1, Segment 2 - commencement in January 2023
- Project 1, Segment 3 - procurement and construction schedule
- Project budget
- Material delays

Discussion ensued regarding:

- Reclaimed water usage
- Contract price assurance

Motion was made by Vice Mayor Patena, seconded by Councilmember Shafer to approve a contract in the amount of \$7,534,148 with FPS Civil, LLC to provide construction services for Segment 3 of Project 1 of the Reclaimed Water Master Plan Implementation; and approve a budget amendment in the amount of \$2,100,000 from contingency to the Reclaimed Water Master Plan Implementation Project.

Upon vote, the motion carried 5 to 1, with Councilmember Dunn voting no.

#### **19 R. Authorize the Sale and Issuance of General Obligation Bonds Series 2022**

Kevin Burke, Finance and Budget Director, presented on the 2022 General Obligation Bond issuance, information included:

- 2022 General Obligation Bond issuance
- Projects funded
- Capital Improvement Program Funding Sources
- Bond Utilization
- Schedule

Discussion ensued regarding:

- Proposed allocation
- 2000 and 2005 election - voter approved
- Interest rates
- Expenditure timeframe

Motion was made by Councilmember Finn, seconded by Councilmember Edwards, to adopt **RES. 2022-110** authorizing all matters necessary to sell and issue General Obligation Bonds in the amount not to exceed \$30,000,000 aggregate Principal Amount.

Upon vote, the motion carried unanimously 6 to 0.

## **20 R. Adoption of Short Term Rental Ordinance**

Chris Hallett, Neighborhood and Human Service Director, presented on the short term rental ordinance, information included:

- Permit regulations
- Requirements
  - Emergency contact
  - Neighborhood notification
  - Sex offender background checks
  - Insurance
  - Advertisements
  - Civil penalties
  - Permit suspension
- Outreach campaign

Discussion ensued regarding:

- Homeowner Association Notification – is not included in State statute but can be included in outreach
- Public tool to view Short Term Rentals
- Appeal process
- Enforcement and suspension
- State or local limitation on number of Short Term Rentals allowed

Motion was made by Councilmember Edwards, seconded by Councilmember Finn, to adopt **ORD 2022-20**, a new Short Term Rental Ordinance, as requested by City Council at the September 13, 2022 Study Session.

Upon vote, the motion carried unanimously 6 to 0.

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

None.

**Reports from City Manager:**

**21. Reports**

**A. Project Wet Video**

A video highlighting the Project Wet event was presented.

**B. Special Events Video**

A video highlighting upcoming events was presented.

**C. Pink Patch Project**

Douglas Steele Deputy Police Chief shared information on the Pink Patch Project fundraiser for breast cancer awareness during the month of October.

**Reports from Council Youth Liaisons:**

Council Youth Liaison Dyer reported on:

- Youth Advisory Board Alumni mentorship initiative
- Attendance at the 2<sup>nd</sup> Saturday Event

Council Youth Liaison Agarwal reported on:

- Peoria Youth Survey

**Reports from the Mayor:**

None.

**ADJOURNMENT:**

Being no further business to come before the Council, the meeting was duly adjourned at 6:48 p.m.

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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 11<sup>th</sup> day of October, 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 25th day of October, 2022.

(Seal)

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Lori Dyckman, City Clerk