



MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
CITY COUNCIL CHAMBER
December 17, 2024

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 4:30 p.m.

Members Present: Mayor Jason Beck; Vice Mayor Jon Edwards; Mayor Pro Tem Jennifer Crawford; Councilmembers Denette Dunn, Michael Finn, 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

1. **Fiber Optic Broadband Update**

Dan Nissan, Development and Engineering Deputy Director and Ben Ganados, Development Agreement Coordinator provided and update on Fiber Optic Broadband and telecommunications. Information included:

- Previous Actions such as
 - Staff met with other municipalities and broadband fiber providers for feedback on the drafting of legislation and form of license.
 - Staff completed development of legislation, fee ordinance and form of license
 - FCC released decision No. FCC-24-52A1
 - FCC's decision became effective in July 2024
- Impact of FCC's Decision No. FCC-24-52A1
- Next Steps
 - Continue developing legislation, fee methodology, and form of license
 - Council to adopt City Code Amendments
 - Begin issuing updated Telecommunications License and Dark Fiber Licenses to providers

Discussion ensued regarding definition of "dark fiber" and current lease agreements with Crown Castle.

2. **Policy Discussion-Small Cell Wireless Facilities on City Property**

Mike Faust, Deputy City Manager presented on the location of small cell wireless facilities on city property. Information included:

- Current Policy
 - Prohibits placement of wireless facilities on City owned facilities or property
 - Driven by issues of security and logistics
 - City has little influence on improving cellular signal coverage
- Contemplated Policy Change
 - Address the lack of wireless service within the City
 - Allow wireless facilities at certain locations where service is lacking
- Small Cell & Macro Cell Sites
 - Staff not recommending any additional macro cell sites at this time
- Next Steps
 - Conduct further research on impacts on strategy change and new policy
 - Issue a Request for Information
 - Adopt a form of lease agreement
 - Establish lease rate commensurate to competitive market rate

Discussion ensued regarding city-wide cellular service and partnership opportunities.

3. **Mid-Year Financial Review**

Kevin Burke, Deputy City Manager, Sean Kindall, Chief Financial Officer and Peter Christensen, Deputy Finance Director presented the Mid-Year Financial Review. Information included:

- Economic Update
- Financial Forecast
- Next Steps
 - Review of department budget requests
 - Executive team budget balancing
 - City Council Budget Study Session(s)
 - Formal budget adoption

Discussion ensued regarding the economic forecast and projected growth.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 5:21p.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 James P. Kalliath, from St. Charles Borromeo.

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, 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 and Jill Boltz, Deputy 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.

Presentation:

4. Certificates of Appointment to Newly Appointed Board and Commission Members

Councilmember Patena presented the certificates to the newly appointed Board and Commission members.

5. Honorable Service Presentations to Outgoing Council Members

Daniel Murillo, Council Assistant thanked outgoing Councilmembers Shafer and Patena for their service to the City and presented them with a United States flag flown over City Hall.

Councilmember Brad Shafer, Mesquite District was appointed to the City Council in April 2022 and elected to office in November 2022. His memorable contributions will be to the improvement of outdoor amenities, smart growth, schools, and business and veteran support.

Councilmember Bill Patena, Ironwood District was elected to office in November 2012 and is currently the longest tenured councilmember. His memorable contributions will

be to healthy neighborhoods, community outreach service, public safety and veteran support.

Councilmember Patena was presented with the renaming of the Peoria Community Center to the “William L. Patena Community Center” in his honor.

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 November 19, 2024 City Council meeting minutes.

7 C. Board and Commission Appointments

Approved the recommendations from the Council Boards and Commissions Subcommittee and adopt **RES. 2024-95** appointing members to various Boards and Commissions.

8 C. Ratification of Past Action Taken on November 25, 2024

Ratified the November 25, 2024 action to adopt **RES. 2024-94** approving the Official Canvass of the November 5, 2024, General Election, pursuant to A.R.S. 38-431.05(B).

9 C. Land Right Acquisitions, Jomax Road between 72nd Drive and 75th Avenue

Adopted **RES. 2024-96** authorizing the acquisition of property rights to construct the south half-street improvements for Jomax Road between 72nd Drive and 75th Avenue by donation, outright purchase or the exercise of the power of eminent domain, in accordance with budget authority previously approved by Council.

10 C. Land Right Dedications, 75th Avenue and Jomax Road

Adopted **RES. 2024-97** authorizing the City Manager to execute a Dedication of Public Roadway and Public Utility Easements from the City owned parcel at the southeast corner of 75th Avenue and Jomax Road.

11 C. **Code Amendment, Chapter 21 (Zoning), Administration and Procedures**

Concurred with the Planning and Zoning Commission's recommendation and adopt **ORD. 2024-19**, amending Sections 21-100, 21-300, 21-400, 21-500, 21-600, 21-700 and 21-800, and establishing 21-900 within the Zoning Ordinance.

12 C. **Code Amendment, Chapter 21 (Zoning), Accessory Dwelling Units and Backyard Fowl**

Concurred with the Planning and Zoning Commission's recommendation and adopt **ORD. 2024-20**, amending Sections 21-200, 21-300, 21- 400, and 21-600 of the Zoning Ordinance regarding Accessory Dwelling Units (ADU's) and Backyard Fowl. These amendments are in response to the passage of House Bills: HB2720 (Accessory Dwelling Units) and HB2325 (Backyard Fowl).

13 C. **Code Amendment, Chapter 21 (Zoning), Multi-Family Adaptive Reuse**

Concurred with the Planning and Zoning Commission's recommendation and adopt **ORD. 2024-21**, amending Sections 21-400 and 21-500 of the Peoria Zoning Ordinance pertaining to the adaptive reuse of commercial, office or mixed-use buildings for multi-family residential in response to the passage of House Bill HB2297.

14 C. **Large Water User Ordinance, Future Customers, Water Resources Management, City of Peoria**

Adopted **ORD. 2024-22** amending Peoria City Code Chapter 25 to incorporate a Large Water User Ordinance.

15 C. **Intergovernmental Agreement, Shared Joint Use Facilities, Peoria Unified School District**

Approved an Intergovernmental Agreement for shared joint use of swimming pool facilities between the City of Peoria and the Peoria Unified School District (City Contract No. LCON01916A) to extend the Agreement to December 31, 2030.

16 C. **Intergovernmental Agreement, Glendale Regional Public Safety Training Center Partnering**

Approved an Intergovernmental Agreement with the Glendale Regional Public Safety Training Center to continue our on-going fire service training to effectively provide emergency fire, medical and other services for mutual benefit of the public.

17 C. **Fiscal Year 2025 Budget Supplement Reallocation - Police**

Approved the repurposing of \$61,500 in one-time supplemental funds from Police Specialty Assignment Unit Operating Supplies to Police Travel and Training.

18 C. **Peoria Public Transportation Agency Safety Plan, Revision 3**

Approved the Peoria Public Transportation Agency Safety Plan Revision 3 to accommodate changes in the agency's hierarchy as mandated by federal regulations. Recent changes in Peoria staffing require this routine administrative update brought to the City Council.

19 C. **Workers' Compensation Exemption Request**

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.

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

Accepted recommendation made by the Citizens Commission on Salaries for Elected City Officials to increase the Mayor and Council salaries by five percent effective January 1, 2025.

21 C. **AM/PM Position Request, Neighborhood and Human Services Department**

Approved the addition of four full-time equivalent positions in AM/PM Program (3) and Business Services (1) in the Neighborhood & Human Services Department.

22 C. **Employment Agreement, City Manager**

Approved the Employment Agreement with the City Manager.

23 C. **Easements, Maricopa County Department of Transportation, Northern Parkway**

Adopted **RES. 2024-98** authorizing the City Manager to execute two Temporary Construction Easements with Maricopa County Department of Transportation for the construction of improvements associated with the Northern Parkway Project within the City owned parcels located North of the Northwest corner of 99th Avenue and Northern and also the Northwest corner of 108th Drive and Northern.

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

Recommended approval to the State Liquor Board for:

(a) a Location Transfer for an Off-Sale All (Series 09) Liquor License for Safeway

Fuel #5831, located at 7970 W. Happy Valley Road, Ryan W. Anderson, Applicant, LL#24-001196.

(b) a Person Transfer for an On-Sale All Liquor License (Series 06) for Neighbor's Bar, located at 7530 W. Peoria Avenue #F, Nichole M. Galla, Applicant, LL#24- 001112.

(c) a New Restaurant (Series 12) Liquor License for Hooked on Sushi, located at 8345 W. Thunderbird Road #111, Jin Song, Applicant, LL#24-001296.

Having no requests from Council to remove items from the Consent Agenda, a motion was made by Mayor Pro Tem Crawford, seconded by Councilmember Finn, to approve the Consent Agenda.

Upon tabulation of votes, it showed:

AYES – Beck, Edwards, Crawford, Finn Patena

NAYS – Shafer

ABSTAIN - Dunn

ABSENT – None.

Motion carried.

REGULAR AGENDA

New Business:

Clerk's Note: Items 25R, 26R and 27R were presented together.

25R. Memorandum of Understanding, City of Peoria Police Supervisors Association

Christine Nickel, Human Resources Director, Breanne Nelson, Deputy Human Resources Director, Seth Bigalow, City of Peoria Police Supervisors Association, Josh Capilla, AFSCME, Josh Manning, Fire and Darin Fox, United Firefighters Association Local 493 presented on the Memorandum of Understandings. Information included:

- Bargaining Overview
 - City of Peoria Police Supervisors
 - American Federal of State, County and Municipal Employees, Local 3282
 - United Phoenix Firefighters Association, Local 493
- Staff & Labor Presentation
 - Process Overview and Negotiation Timeline
 - Meeting & Confer Team Members
 - Labor Groups Goals
 - Negotiated Items
- Staff Recommendation to approve successor Memorandum of Understandings

Motion was made by Councilmember Shafer, seconded by Councilmember Patena to approve a successor Memorandum of Understanding with the City of Peoria Police Supervisors Association.

Upon tabulation of votes, it showed:

AYES – Beck, Edwards, Crawford, Finn, Patena, Dunn, Crawford, Shafer

NAYS – None

ABSENT – None

Motion carried unanimously.

26R. **Memorandum of Understanding, United Phoenix Fire Fighters Association Local 493**

Motion was made by Vice Mayor Edwards, seconded by Councilmember Finn to approve a successor Memorandum of Understanding with Phoenix Fire Fighters Association Local 493.

Upon tabulation of votes, it showed:

AYES – Beck, Edwards, Crawford, Finn, Patena, Dunn, Crawford, Shafer

NAYS – None

ABSENT – None

Motion carried unanimously.

27R. **Memorandum of Understanding, American Federation of State, County and Municipal Employees Local 3282**

Motion was made by Mayor Pro Tem Crawford, seconded by Councilmember Shafer to approve a successor Memorandum of Understanding with American Federation of State, County and Municipal Employees Local 3282 and the City Council.

Upon tabulation of votes, it showed:

AYES – Beck, Edwards, Crawford, Finn, Patena, Dunn, Crawford, Shafer

NAYS – None.

ABSENT – None.

Motion carried unanimously.

28 R. **Intergovernmental Agreement, City of Glendale, West Valley Regional Veterans Court**

John Tatz, Presiding Municipal Judge presented on the Interlocal Agreement with the City of Glendale for the West Valley Regional Veterans Court. Information included:

- Goal to assist Veterans to reconnect into society by providing treatment, accountability, and support
- Recidivism Reduction and Increase in Public Safety
- Veterans Administration (VA) benefit and supportive housing assistance
- Comprehensive approach by considering complex issues
- Next Steps
 - Refer cases
 - Supports Council Priorities
 - Public Safety Enhancements
 - Maintains Core Services/Service Levels

Council thanked Judge Tatz for providing the resources.

Motion was made by Councilmember Shafer, seconded by Vice Mayor Edwards to approve Intergovernmental Agreement for the West Valley Regional Veterans Court between City of Glendale in Maricopa County and the City of Peoria effective December 18, 2024.

Upon tabulation of votes, it showed:

AYES – Beck, Edwards, Crawford, Finn, Patena, Dunn, Crawford, Shafer

NAYS – None.

ABSENT – None.

Motion carried unanimously.

29 R. **Budget Amendment, Roundabout Construction Document Preparation, Vistancia Boulevard and Lone Mountain Road**

Jeffrey Curran, Public Works Director presented on the Budget Amendment for the Vistancia Boulevard and Lone Mountain Road Roundabout Construction Document Preparation. Information included:

- Request for Budget Amendment to fund preparation on construction
- Background
- Signal Warrants
- Potential Unwarranted Traffic Signal Issues
- Signage and Pavement Markings
- Recently Added or Proposed Improvements

- Proposed Roundabout
- Next Steps
 - Select design consultant
 - Stakeholder Review
 - Final Permit
 - Construction Commence

Discussion ensued regarding citizen concerns and support from Lake Pleasant Elementary School.

Lauren Tegeler, 8th Grade student at Peoria Elementary School, spoke in favor of the roundabout.

Cicley Tegeler, Peoria resident, spoke in favor of the roundabout.

Motion was made by Councilmember Shafer, seconded by Vice Mayor Edwards to approve a budget amendment in the amount of \$250,000 for the preparation of roundabout construction documents for the Vistancia Boulevard and Lone Mountain Road intersection.

Upon tabulation of votes, it showed:

AYES – Beck, Edwards, Crawford, Finn, Patena, Dunn, Crawford, Shafer

NAYS – None.

ABSENT – None.

Motion carried unanimously.

At 7:24 p.m. Mayor Beck called a recess of the regular meeting.

At 7:32 p.m. Mayor Beck reconvened the regular meeting.

30 R. **Intergovernmental Agreement, Arizona State Land Department**

Mike Faust, Deputy City Manager presented on the Intergovernmental Agreement with Arizona State Land Department. Information included:

- Economic Development
- Regional Context
- Master Property Intergovernmental Agreement
 - Developable Area Assessment
 - Community Commitment: Zoning Case and Public Infrastructure
 - Arizona State Land Department Commitment: Reimbursement
- Conclusions and Recommended Action to approve IGA for zoning and disposition of lands in North Peoria

Discussion ensued regarding:

- Does not include an airport.
- Potential reduction of impact fees
- No additional Capital Improvement dollars
- Allows Planning Department involvement
- Residential Buffers
- Termination Clause
- Value Added Incremental Growth
- Proposed Annexation Area – State Land Requirement
- Associated Risks

Motion was made by Vice Mayor Edwards, seconded by Councilmember Finn to adopt **ORD. 2024-23** and enter into an Intergovernmental Agreement with the Arizona State Land Department for the purposes of facilitating the zoning and disposition of State Trust Lands located in north Peoria.

Upon tabulation of votes, it showed:

AYES – Beck, Edwards, Crawford, Finn, Patena, Dunn, Crawford, Shafer

NAYS – None

ABSENT – None

Motion carried unanimously.

Call To The Public (Non-Agenda Items)

Jerry Johnson, Peoria resident, thanked Councilmembers Patena and Shafer for their service to the City.

Martin Schmidt, Peoria resident, spoke regarding a nuisance barking dog in his neighborhood.

Reports from City Manager

Henry Darwin, City Manager thanked Councilmembers Patena and Shafer for their service to the City.

A video of upcoming events was shown.

Reports from Council Youth Liaisons

Council Youth Liaison Adamsha reported on Youth Advisory Board events including volunteering at the Peoria Day of Giving

Council Youth Liaison Tewari reported on Teen Debate Night and Teen Leadership Academy.

Reports from the Mayor:

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 8:34 p.m.

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 17th day of December, 2024. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 14th day of January, 2025.

Agnes Goodwine, City Clerk