

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
CITY COUNCIL CHAMBER
December 4, 2018

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 7:01 p.m.

Following a moment of silent reflection, Councilmember Patena led the Pledge of Allegiance.

Members Present: Mayor Cathy Carlat; Vice Mayor Michael Finn; Mayor Pro Tem Vicki Hunt; Councilmembers Bridget Binsbacher, Jon Edwards, Carlo Leone and Bill Patena.

Clerk's Note: Councilmember Leone joined the meeting at 7:15 p.m.

Council Youth Liaisons: Leah Gilbertson and Frank Johnson.

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; Sonia Andrews, Finance Director; Kevin Burke, Public Works Director; Chris Hallett, Neighborhood and Human Services Department Director; John Imig, Information Technology Director; Chris Jacques, Planning and Community Development Director; Laura Ingegneri, Human Resources Director; Adina Lund, Development and Engineering Director; Art Miller, Police Chief; John Sefton, Parks, Recreation, and Community Facilities Director; Tammy Shreeve, Interim Water Services Director; Jennifer Stein, Office of Communications Director; and Linda Blas, Deputy City Clerk.

Audience: Approximately 100 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:

1. **Mayor and Council's Young Artists Program**

Mayor Carlat provided information on the Young Artists Program that was instituted to engage Peoria students interested in the arts and showcase their artwork at Peoria City Hall.

Council Youth Liaison Gilbertson and Council Youth Liaison Johnson presented certificates to the youth whose art was selected and displayed at City Hall from November 1 through December 4, 2018.

2. **American Federation of State, County and Municipal Employees (AFSCME) Annual Update and Day of Giving**

Walter Crenshaw, AFSCME President, Erik McMorrow, AFSCME Vice President, and Leslie McMorrow, AFSCME member, gave a presentation highlighting the charitable contributions and events sponsored by AFSCME Local 3282 during the past year.

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

Mayor Carlat and Vice Mayor Finn presented Certificates of Appointment to the following Board and Commission members who were appointed by Resolution at the November 13, 2018 City Council meeting.

- Kathaleen Patterson, Board of Adjustment
- Monika Masciangelo, Citizen Commissions on Salaries for Elected City Officials
- Eryn Streeter, Citizen Commissions on Salaries for Elected City Officials
- Denette Dunn, Planning and Zoning Commission
- Brenda Rehnke, Volunteer Firefighter Pension Board
- Christopher Weddingen, Youth Advisory Board
- Saanvi Tiwary, Youth Advisory Board
- Ritika Ravindran, Youth Advisory Board

Clerk's Note: Brenda Rehnke was not present to receive her Certificate of Appointment.

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 liquor license applications for:

- (a) Mikes Market located at 8520 West Peoria Avenue;
- (b) Kawaii Cuisine located at 8385 West Deer Valley Road #114;
- (c) PT Sea Food Restaurant, located at 9284 West Northern Avenue #11;
- (d) Social on 83rd, located at 8350 West Paradise Lane; and
- (e) Cold Beers & Cheeseburgers, located at 9828 West Northern Avenue #E600

There were no requests from those present to address this agenda item.

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 Binsbacher, seconded by Councilmember Edwards, to approve the Consent Agenda.

Upon vote, the motion carried unanimously 7 to 0.

4 C. **Minutes**

Approved the November 13, 2018 City Council Meeting minutes.

5 C. **Grant-in-Aid Agreement, Tohono O'odham Nation, Portable Community Stage**

- (a) Approved a Grant-In-Aid Agreement with the Tohono O'odham Nation;
- (b) Approved a budget amendment in the amount of \$96,836 from the Proposed Grant Contingency Fund to the Tohono O'odham Grant Fund; and
- (c) Approved a budget amendment in the amount of \$50,000 from the General Fund Contingency to the Special Events Operational Supplies and Equipment account for the use of reserve funds to fund the required grant match and increased costs for the community stage.

6 C. **Agreements, Rose Valley Water Company, Temporary Water Supply Connection, Data Sharing and Water Turnoff**

- (a) Approved the agreement with the Rose Valley Water Company for connection for temporary water supply, data sharing and water turnoff; and
- (b) Approved the agreement for water service termination and sharing of information regarding water consumption with Rose Valley Water Company.

7 C. **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.

8 C. **Declare Surplus Land, Beardsley Road and 109th Avenue**

Adopted **RES. 2018-122** declaring a small well site parcel, located south of Beardsley Road, east of 109th Avenue, as surplus per the Council adopted Disposal of Surplus Land Policy and allow staff to dispose of it based on that policy.

9 C. **Conveyance of Land Rights to Salt River Project, Weedville Well Site, 73rd Avenue and Redfield Road**

Adopted **RES. 2018-123** authorizing the City Manager to execute an Exclusive Well Site Easement and Temporary Construction Easement to Salt River Project for the drilling and installation of a new well east of their existing well located at southeast corner of 73rd Avenue and Redfield Road.

10 C. **Dedication of Public Utility Easement, Northern Avenue and 85th Avenue**

Adopted **RES. 2018-124** authorizing the City Manager to execute a Public Utility Easement along Northern Avenue west of 85th Avenue adjacent to the retention basin at the northwest corner of Northern and 85th Avenues.

11 C. **Final Plat, Sumera Kayani, 67th Avenue and Pinnacle Peak**

Approved a Final Plat of Sumera Kayani, located on 67th Avenue north of Pinnacle Peak, subject to stipulations.

12 C. **Final Plat, Paradise @ P83, 75th Avenue and Paradise Lane**

Approved a Final Plat of Paradise @ P83, located on 75th Avenue and Paradise Lane, subject to stipulations.

13 C. **PUBLIC HEARING - Liquor Licenses, Various Locations**

Recommended approval to the State Liquor Board for:

- (a) A Person Transfer for an Off-Sale All (Series 09) Liquor License for Mikes Market, located at 8520 West Peoria Avenue, Samuel S. Pataq, Applicant, LL#20020868;
- (b) A New Restaurant (Series 12) Liquor License for Kawaii Cuisine, located at 8385 West Deer Valley Road #114, Lisa M. Selamat, Applicant, LL#20020869;
- (c) A New Restaurant (Series 12) Liquor License for PT Sea Food Restaurant, located at 9284 West Northern Avenue #11, Nga Quynh Thi Pham, Applicant, LL#20020341;
- (d) A New Restaurant (Series 12) Liquor License for Social on 83rd, located at 8350 West Paradise Lane, Joseph P. Lucidi, Applicant, LL#20020865; and
- (e) A New Restaurant (Series 12) Liquor License for Cold Beers & Cheeseburgers, located at 9828 West Northern Avenue #E600, Amy S. Nations, Applicant, LL#20020864.

REGULAR AGENDA

New Business:

14 R. Intergovernmental Agreement, City of Phoenix, Recycling Services

Kevin Burke, Public Works Director, introduced Beckie Borquez, Environmental Coordinator, and Aaron Redd, Solid Waste Manager.

Mr. Burke provided a brief overview on recyclable materials and the proposed intergovernmental agreement on recycling processing services.

Information included:

- Market change for recyclable materials
- Changes in processing recyclable materials
- Reinvesting in technology
- Market position
- Investment payback
- Initiatives to reduce contaminants in recyclable materials

Discussion ensued regarding:

- Types of products produced in countries importing recyclable materials
- Initiatives for businesses to reduce contaminants
- Education for residents
- Public information campaign

Motion was made by Councilmember Edwards, seconded by Mayor Pro Tem Hunt, to:

- (a) Approve an Intergovernmental Agreement with the City of Phoenix to extend recycling processing services, effective January 1, 2019; and
- (b) Approve a budget transfer in the amount of \$1,000,000 from the General Fund Contingency account to the Solid Waste Expansion Fund account to fund an investment in the Phoenix Material Recycling Facility.

Upon vote, the motion carried unanimously 7 to 0.

15 R. Major General Plan Amendments, Updates to Circulation Plan, Land Use Map, and Chapters 2 and 14 of the Peoria General Plan

Chris Jacques, Planning and Community Development Director, provided a brief overview regarding updates to the General Plan.

Information included:

- What is a General Plan
- Considerations for updating the General Plan
- 2018 Major General Plan Cycle

Mr. Jacques summarized the proposed Circulation Plan update.

Information included:

- Purpose of the Circulation Element within the General Plan
- Proposed modifications
- Staff analysis

Mr. Jacques introduced Lorie Dever, Interim Planning Manager.

Ms. Dever provided a brief overview of the proposed Land Use Map update and text amendments to the Land Use Element and Plan Administration sections of the General Plan.

Information included:

- Purpose of the Land Use element within the General Plan
- Proposed modifications
- Staff analysis
- Public outreach
- Key findings

Motion was made by Mayor Pro Tem Hunt, seconded by Councilmember Binsbacher, to concur with the Planning and Zoning Commission's recommendation and adopt **RES. 2018-126** amending Figure 3-1 Circulation Plan within the Circulation Element section of the Peoria General Plan.

Upon vote, the motion carried unanimously 7 to 0.

Motion was made by Councilmember Edwards, seconded by Mayor Pro Tem Hunt, to concur with the Planning and Zoning Commission's recommendation and adopt **RES. 2018-127** amending Figure 2-1 Land Use Map within the Land Use Element section of the Peoria General Plan.

Upon vote, the motion carried unanimously 7 to 0.

Motion was made by Vice Mayor Finn, seconded by Councilmember Binsbacher, to concur with the Planning and Zoning Commission's recommendation and adopt **RES. 2018-128** approving text modifications to Chapter 2: Land Use Element and Chapter 14: Plan Administration sections of the Peoria General Plan.

Upon vote, the motion carried unanimously 7 to 0.

Clerk's Note: Agenda Items 16R and 17R were presented together.

16 R. Temporary Ordinance, Establishing a 120-day Pilot Program for Stand-up Electric Scooter Sharing Systems

Jay Davies, Strategic Support Officer, provided an overview of the shared personal transportation device concept and proposed pilot program for a stand-up electric scooter sharing system.

Information included:

- Purpose and elements of the pilot program
- Term of the proposed temporary operating agreement
- Deployment locations
- Rider operation

Vanessa Hickman, City Attorney, presented regarding a proposed temporary operating agreement with Bird Rides, Inc. for participation in the pilot program for a stand-up electric scooter sharing system.

Information included:

- Program fees
- Operating requirements
- Data sharing requirements
- Deployment requirements
- Insurance and indemnification

Discussion ensued regarding:

- Time of day for pick up and deployment of all scooters
- Monthly updates to Council on data and reports submitted to the City
- Enforcement
- Civil fines
- Insurance and indemnification
- Education
- Deployment in the Entertainment District
- Timeframe since initial launch
- First mile/last mile concept
- Database decision making
- Public opinion for pilot program
- Mitigating alternative transportation options
- Future modifications to the program

Motion was made by Councilmember Patena, seconded by Councilmember Binsbacher, to adopt Temporary **ORD. 2018-36** amending reserved Section 14-150 establishing a Temporary 120-Day Pilot Program for a Stand-up Electric Scooter Sharing System.

Upon vote, the motion carried 5 to 2 with Councilmember Edwards and Councilmember Leone voting “no”.

Clerk’s Note: Ordinance 2018-36 was adopted without an affirmative vote of three-fourths of the members of the City Council and did not become effective immediately.

17 R. **Temporary Operating Agreement with Bird Rides, Inc. for Participation in the Pilot Program for a Stand-up Electric Scooter Sharing System**

Motion was made by Vice Mayor Finn, seconded by Councilmember Binsbacher, to approve the Temporary Operating Agreement with Bird Rides, Inc. for participation during the first 90-day period of the 120-Day Pilot Program for a Stand-up Electric Scooter Sharing System.

Upon vote, the motion carried 5 to 2 with Councilmember Edwards and Councilmember Leone voting “no”.

Call To The Public (Non-Agenda Items)

Jeff and Michelle Petersen, WestWing Mountain residents, addressed the Council seeking assistance regarding a broken party wall. Jeff Tyne, City Manager, requested that the Petersen’s be available to discuss the matter at the conclusion of the City Council meeting.

James Deibler, a Phoenix resident, addressed the Council to express his support for a neighborhood circulator bus route in north Peoria.

Reports from City Manager:

18. **Reports**

A. **Special Awards and Recognition**

Kevin Burke, Public Works Director, recognized Beckie Borquez, Environmental Coordinator, for receiving the 2018 Recycling Educator of the Year award from the Arizona Recycling Coalition.

B. **New Council Boundaries**

A video presentation showcasing the new Council district boundaries in effect in January 2019 was displayed.

C. **Upcoming City Events Video**

A video presentation highlighting the upcoming Polar Plunge event in January 2019 was displayed.

Reports from City Council:

Council Youth Liaison Johnson congratulated the participants of the Young Artists Program and the newly appointed Board and Commission members. Mr. Johnson expressed his enthusiasm for the Stand-up Electric Scooter Pilot Program.

Councilmember Patena reported on the various City of Peoria events he attended, including the Westbrook Village Veterans Appreciation Dinner and the Old Town Holiday Festival. Councilmember Patena commended the Neighborhood and Human Services Department for a successful Holiday Festival. Councilmember Patena reported on a meeting with Merchant Marine Veteran Norman Palmer to discuss the role of the Merchant Marines. Councilmember Patena thanked the AFSCME organization for their Day of Giving event. Councilmember Patena extended his condolences to Councilmember Leone on the loss of his wife, Joan.

Councilmember Binsbacher recognized the members of AFSCME for their charitable contributions. Councilmember Binsbacher thanked the citizens who volunteer to serve on the City's Boards and Commissions. Councilmember Binsbacher welcomed the newly appointed Board and Commission members. Councilmember Binsbacher congratulated the participants of the Young Artists Program. Councilmember Binsbacher congratulated Beckie Borquez for receiving the 2018 Recycling Educator of the Year award. Councilmember Binsbacher wished everyone a Happy Holiday season.

Vice Mayor Finn expressed his condolences to Councilmember Leone and his family. Vice Mayor Finn thanked the members of the AFSCME organization for their contributions to the community. Vice Mayor Finn congratulated Beckie Borquez on her award. Vice Mayor Finn recognized staff for the success of the Old Town Holiday Festival. Vice Mayor Finn extended his congratulations to the Centennial Coyotes football team for claiming the 5A State Championship. Vice Mayor Finn urged residents interested in assisting high school students with their activities benefitting needy families to contact the Council Office for details.

Councilmember Edwards expressed his condolences to the Leone family. Councilmember Edwards reported on his attendance at the Westbrook Village Veterans Appreciation Dinner, Peoria's Old Town Holiday Festival and a ribbon-cutting ceremony for Kawaii Sushi and Asian Cuisine. Councilmember Edwards reported on the Lunch with a Councilmember event held at Liberty High School on November 29, 2018. Councilmember Edwards thanked the Public Works Department staff for providing a private tour of the Municipal Operations Center to a young man affected by autism and making his dream come true. Councilmember Edwards wished everyone a safe and Happy Holiday season.

Mayor Pro Tem Hunt thanked the members of AFSCME for their contributions to the community and their presentation highlighting the charitable contributions and events they sponsored during the past year. Mayor Pro Tem Hunt reported on the various City of Peoria events she attended, including the Old Town Holiday Festival. Mayor Pro Tem Hunt urged residents to visit the City's website for a listing of upcoming family-friendly events in the Old Town area. Mayor Pro Tem Hunt welcomed Iron Key Studios to the Acacia District. Mayor Pro Tem Hunt recognized the Woman's Club for their recycling efforts. Mayor Pro Tem Hunt congratulated Raven Squires, a Peoria Elementary School student, for her award-winning entry in the Young Artists Program. Mayor Pro Tem Hunt reported on the interactive public art in Osuna Park. Mayor Pro Tem Hunt reported on her experience during a ride-along opportunity with Chief Miller.

Council Youth Liaison Gilbertson reported on her attendance at the Old Town Holiday Festival and the upcoming Youth Advisory Board meeting to be held on December 11, 2018.

Reports from the Mayor:

Mayor Carlat expressed her condolences to the Leone family. Mayor Carlat thanked City staff for their efforts on behalf of Peoria residents during the past year. Mayor Carlat wished everyone a Happy Holiday season.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 9:21 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 4th day of December, 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 22nd day of January, 2019.

(Seal)

Rhonda Geriminsky, City Clerk