

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
CITY COUNCIL CHAMBER
October 1, 2019

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 Bridget Binsbacher; Mayor Pro Tem Vicki Hunt; Councilmembers Denette Dunn, Jon Edwards, Michael Finn 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; Jennifer Stein, Office of Communications Director; and Sharon Roberson, Assistant to the City Manager.

Audience: Approximately one member of the public was 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 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.

1C. Authorization to Hold an Executive Session

Motion was made by Councilmember Finn, seconded by Councilmember Edwards, to authorize the holding of an Executive Session 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) Labor negotiations with the United Phoenix Fire Fighters Association (PFFA) Local 493 regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of employees of the public body pursuant to A.R.S. § 38-431.03.A.5.

Upon vote, the motion carried unanimously 7 to 0.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 5:01 p.m.

EXECUTIVE SESSION AGENDA

2. An Executive Session was convened immediately following the 5:00 p.m. Special Meeting for the purpose of 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) Labor negotiations with the United Phoenix Fire Fighters Association (PFFA) Local 493 regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of employees of the public body pursuant to A.R.S. § 38-431.03.A.5.

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 **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 5:43 p.m.

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

Council Youth Liaisons: Brighton Greathouse.

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, Public Works Director; Kris Dalmolin, Information Technology Director; Art Miller, Police Chief; Cape Powers, Water Services Director; Jennifer Stein, Office of Communications Director; Jay Davies, Chief of Staff; and Kristina Roman, City Clerk Specialist.

Audience: Approximately ten members of the public were present.

STUDY SESSION AGENDA

Subject(s) for Discussion Only

3. Charter Amendment Review Process

Vanessa Hickman, City Attorney, presented regarding City Charter Amendment concepts and process, including:

- City Charter Framework from City ‘Constitution’
 - o Covers incorporation of the City
 - o Powers of the City
 - o Council-Manager form of government
 - o The Council
 - o Duties of City Manager, administrative departments and employees
 - o Ordinances and Resolutions
 - o Elections, Initiative, Referendum and Recall
 - o Charter Review Committee
- City Charter Amendment Concepts – Mayor and Council
 - o Number of terms
 - o Partial terms

Discussion ensued regarding providing consistency in terms between Mayor and Councilmembers and the history of how the term inconsistency came about.

Consensus of the Council was that terms for the Mayor and Council should be the same.

Ms. Hickman continued regarding Mayor and Council partial terms and whether a partial term should be counted as one term for purposes of the total number of terms served.

Discussion ensued regarding:

- Whether partial terms should be included as part of the term limits
- Whether an individual should be penalized for serving a partial term

Consensus of the Council was to make the language consistent between Mayor and Council and not to penalize an individual for serving a partial term.

Discussion ensued regarding clarifying language to use the term “full” when referring to terms.

Ms. Hickman continued regarding:

- City Charter Amendment Concepts – Cost of Living Adjustment (COLA)
 - o Reasonable, automatic cost of living adjustment for Mayor and Councilmembers
 - o Using the Consumer Price Index to measure the change in prices consumers pay to live their day-to-day lives

Discussion ensued regarding:

- Whether there would be a need to keep the Citizens Commission on Salaries for Elected City Officials
- Whether a one-time public vote is needed or if a COLA should go before the voters each time
- Whether the Citizens Commission on Salaries for Elected City Officials will consider COLA's in their recommendations
- Whether employee compensation and the Consumer Price Index will be used to determine the COLA

Consensus of the Council was to support a COLA for Mayor and Councilmembers.

Ms. Hickman continued regarding:

- City Charter Amendment Concepts – Ballots Cast vs. Votes Cast
 - o Option of excluding unqualified write-ins, “under votes” and “over votes”

Discussion ensued regarding whether a Charter Amendment is necessary to clarify the meaning of votes cast.

Consensus of the Council was to proceed with an ordinance clarifying that votes cast means all votes cast for all legal candidates on the ballot.

Ms. Hickman continued regarding:

- City Charter Amendment Concepts – Primary Election
 - o Primary Election serves as General Election if no more than two candidates file nomination petitions for each vacant office
 - o Hold General Election in November, rather than August if no more than two candidates file nomination petitions for each vacant office

Discussion ensued regarding:

- Whether there is a larger voter pool for a November election
- The costs associated with holding a March run-off election
- The potential of having a run-off election in March

Ms. Hickman continued regarding:

- City Charter Amendment Concepts – Mayor and Council Vacancies
 - o Increasing the time to fill vacancies from 15 days to 20 days

Consensus of the Council was to support a change to the Charter to increase the time to fill Council vacancies from 15 to 20 days.

Discussion ensued regarding:

- Whether there is a larger voter pool in November
- Possible criticism for having a General Election in March
- Candidates having to campaign longer if there is a Primary and General Election

Ms. Hickman continued regarding the Charter Review Committee process and proposed timeline.

Discussion ensued regarding:

- Staffing for the Charter Review Committee provided by the City Manager and City Attorney's Office
- Council will submit one nominee for the Charter Review Committee from their District to the Mayor by October 11, 2019

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 6:42 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 7:01 p.m.

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

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

Council Youth Liaisons: Brighton Greathouse.

Members Absent: Council Youth Liaison Ritika Ravindran.

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; Kris Dalmolin, Information Technology 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; Stacy Irvine, Deputy Fire Chief; John Sefton, Parks, Recreation, and Community Facilities Director; Jay Davies, Chief of Staff; Sharon Roberson, Assistant to the City Manager; and Kristina Roman, City Clerk Specialist.

Audience: Approximately 20 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:

4. Proclamation Recognizing the 100-Year Anniversary of the American Legion Auxiliary

Mayor Carlat read aloud a Proclamation declaring November 10, 2019 as “American Legion Auxiliary Centennial Day”. Mayor Carlat presented the Proclamation to members of the American Legion Auxiliary - John J. Morris Unit 62 located in the City of Peoria.

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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 Edwards, seconded by Mayor Pro Tem Hunt, to approve the Consent Agenda.

Upon vote, the motion carried unanimously 7 to 0.

5C. Minutes

Approved the following minutes:

- August 13, 2019 City Council meeting minutes
- September 3, 2019 City Council meeting minutes
- September 16, 2019 Special City Council meeting minutes

6C. Code Amendment, Chapter 3, Boards and Commissions, Judicial and Public Defender Advisory Board

Adopted **ORD. 2019-23** amending Chapter 3 of the Peoria City Code, pertaining to the Judicial Selection Advisory Board and the Public Defender Contract Review Committee, by abolishing the Judicial Selection Advisory Board and the Public Defender Contract Review Committee and creating the Judicial and Public Defender Advisory Board.

7C. Code Amendment, Chapter 3, Boards and Commissions, Parks, Recreation and Community Facilities Board

Adopted **ORD. 2019-24** amending Chapter 3 of the Peoria City Code, pertaining to the Library Board and the Parks and Recreation Board, by abolishing the Library Board and the Parks and Recreation Board and creating the Parks, Recreation and Community Facilities Board.

8C. Code Amendment, Chapter 19, Cable Communication Systems

Adopted **ORD. 2019-25** amending Chapter 19 of the Peoria City Code pertaining to Cable Communication Systems to conform to State law governing video service licenses.

9C. Contract, DBA Construction, Inc. Municipal Operations Center, Lighting Improvements

- (a) Approved an individual job order utilizing an existing JOC contract with DBA Construction, Inc. in the amount of \$411,420 not to exceed the guaranteed maximum price (GMP) to construct the Municipal Operations Center (MOC) Lighting Improvements project; and
- (b) Approved a budget transfer in the amount of \$100,000.

10C. Intergovernmental Agreement Amendment, Maricopa County HOME Consortium, HOME Investment Partnership Program Grant Funds

Approved an Intergovernmental Agreement amendment with Maricopa County governing the City's annual HOME Investment Partnership Program grant allocation to include the Federal Fiscal Year 2019 (current) allocation.

11C. Fiscal Year 2019 Year-End and Fiscal Year 2020 First Quarter Budget Amendments

Approved the Fiscal Year 2019 Year-End Budget Amendments and Fiscal Year 2020 Budget Amendments and Carryovers.

12C. Budget Amendment, IT Carryovers

Authorized a budget amendment in the amount of \$1,103,040, including the use of \$94,000 in fund balance in the IT Operations Fund, in order to use Fiscal Year 2019 operating budget savings for various IT purposes.

13C. Stipulation Modification, Haciendas at White Peak, 139th Avenue and Morning Vista Lane

Adopted **ORD. 2019-26** approving the request to modify the conditions of approval (Ordinance No. 2018-27) pertaining to the Haciendas at White Peak PAD zoning for a 60 acre site located west of the northwest corner of 135th Avenue and Morning Vista Lane.

14C. Deeds and Easements, Various Locations

Adopted **RES. 2019-121** accepting Deeds and Easements for various Real Property interests acquired by the City.

15C. Abandonment of City Interest, Water Line Easement, 85th Avenue Self Storage

Adopted **RES. 2019-122** abandoning the City's interest in a portion of a Water Line Easement in the vicinity of 85th Avenue and Northern Avenue.

Call To The Public (Non-Agenda Items)

Jon Forsythe, City of Peoria resident, expressed his concern with the Peoria Police Department and requested that Council follow up with staff regarding his concerns.

Reports from City Manager:

16. Reports

A. Recognition of Street Sweepers

Jeff Tyne, City Manager, and Janet Ramsey, Public Works Operations Manager, recognized the City of Peoria's Street Sweeping team and presented each member with a golden broom.

B. 2020 Council Meeting Calendar

Jeff Tyne, City Manager, presented the 2020 Council Meeting Calendar.

C. Upcoming Specials Events

A video presentation showcasing upcoming City events was displayed.

Reports from City Council:

Council Youth Liaison Greathouse reported that Glendale Prep Academy and Gathering Humanity is having a food drive for the benefit of refugees in the Phoenix area. Council Youth Liaison Greathouse reported that the Youth Advisory Board will be attending an upcoming West Valley Youth Conference to collaborate with other youth.

Councilmember Patena congratulated Peoria's Street Sweeping team and reported on events he attended, which include:

- Park & Ride ribbon cutting ceremony
- Luke West Valley Council meeting (Luke Air Force Base)
- Public mural dedication ceremony at Westbrook Village Trailhead
- Westbrook Village HOA pool Grand Opening

Councilmember Finn offered reminders regarding the bulk trash schedule and the school district election on November 5, 2019.

Vice Mayor Binsbacher extended her congratulations to Peoria's Public Works Department and reported on events she had attended, which included:

- Public mural dedication ceremony at Westbrook Village Trailhead
- Speaking engagement at Liberty High School for 'Red Days'
- Friendship Bench dedication at West Wing Elementary School

Councilmember Edwards applauded Peoria's Street Sweepers and reported on events he attended, which include:

- Public mural dedication ceremony at Westbrook Village Trailhead
- Habitat for Humanity Wall Signing

Mayor Pro Tem Hunt congratulated Peoria's Street Sweepers and reported on events she attended, which include:

- Park & Ride ribbon cutting ceremony
- ¡Somos! Peoria
- Public mural dedication event at Westbrook Village Trailhead
- Habitat for Humanity Wall Signing

Mayor Pro Tem Hunt thanked Peoria POGO for providing transportation during the ¡Somos! Peoria event and thanked Peoria Unified School District teachers from Alta Loma Elementary School for their efforts to educate voters regarding the upcoming election on November 5, 2019. Mayor Pro Tem Hunt invited residents to attend *The Crucible* production at Theater Works from October 11 to October 27.

Councilmember Dunn congratulated Peoria's Street Sweepers and reported on events she attended, which include:

- Speaking engagement with National Alliance with Mental Illness at Antioch Church of God in Christ
- Block Watch meeting in Country Meadows Community

Councilmember Dunn invited Pine District residents to attend the Pine District Advisory Committee meeting on October 30, 2019.

Reports from the Mayor:

Mayor Carlat noted that Peoria City Hall would be illuminated in the color purple for the month of October in recognition of Domestic Violence Awareness Month. Mayor Carlat encouraged residents to be educated on the topic of domestic violence and stated that resources are listed on Peoria's website at www.peoriaaz.gov.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 7:39 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 1st day of October, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 12th day of November, 2019.

(Seal)

Rhonda Geriminsky, City Clerk