

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
CITY COUNCIL CHAMBER
November 12, 2019

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 5:37 p.m.

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

Council Youth Liaisons: Brighton Greathouse and Ritika Ravindran.

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; Rhonda Geriminsky, City Clerk; Thomas Adkins, Intergovernmental Affairs Director; Kevin Burke, Public Works Director; Rick Buss, Economic Development Services Director; Chris Hallett, Neighborhood and Human Services Director; Adina Lund, Development and Engineering Director; Art Miller, Police Chief; Christine Nickel, Human Resources Director; Cape Powers, Water Services Director; Bobby Ruiz, Fire Chief; John Sefton, Parks, Recreation, and Community Facilities Director; and Sharon Roberson, Assistant to the City Manager.

Audience: Approximately 10 members of the public were present.

STUDY SESSION AGENDA

Subject(s) for Discussion Only

1. Transportation Overview

Erik Strunk, Deputy City Manager, introduced the Study Session item regarding the history of Proposition 400 and the next steps.

Thomas Adkins, Intergovernmental Affairs Director, presented regarding:

- Regional Planning
 - o Transit – mass public transit
 - o Transportation
 - o Regional Planning Agencies
 - Maricopa Association of Governments (MAG)
 - Regional transportation planning agency

- Covers Maricopa County and part of Pinal County
- Members include 27 municipalities, Maricopa County, tribal communities, and AZ Transportation Board
- Valley Metro
 - Regional public transit planning authority
 - Comprised of bus transit and light rail governing boards
 - Members include 17 municipalities and Maricopa County
- o Regional Planning: The Past - Proposition 300
- o Regional Planning: The Present - Proposition 400
 - Modal Programs
- o Proposition 400 Projects in Peoria
- o Proposition 400 - Peoria representation on MAG Committee and Valley Metro Organization
- Key Policy Questions for Peoria beyond Proposition 400
- Key stakeholders in the future of planning and development of transportation beyond Proposition 400
- Next Steps
 - o Beyond Prop 400 – Mileposts
 - o 2019 – 2020 Transportation Planning in Peoria

2. Update on Signature Special Event

Erik Strunk, Deputy City Manager, presented a history regarding Special Events and introduced Chris Hallett, Neighborhood and Human Services Director; Kelli Kincaid, Deputy Director, Neighborhood and Human Services and Marylou Stephens, Arts & Theater Manager.

Chris Hallett, Neighborhood and Human Services Director; presented regarding a signature event in Peoria. Information included:

- Consultants and promoters
- Costs associated with signature events and cost recovery trajectory
- Fire and water theme event at Lake Pleasant
- Partnerships with promoter, Pleasant Harbor and other stakeholders
- Pricing for the event
- Sponsorship potential in the future
- Staff recommendations

Discussion ensued regarding:

- Formula 2 Power Boats for the event
- ADA accessibility for the event
- Safety precautions taken for the speed boats and safety statistics
- Budgeting for the event this year and in the future

- Expenses for city resources, such as security
- Potential for sponsorships in the initial years of the event
- Development around the Lake and transporting people within the event
- Water District taxi service
- Fire and police partnerships
- History of expenses from previous events in Florida

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 6:49 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, Council Youth Liaison Ravindran led the Pledge of Allegiance.

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

Council Youth Liaisons: Brighton Greathouse and Ritika Ravindran.

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; Rick Buss, Economic Development Services 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; Bobby Ruiz, Fire Chief; John Sefton, Parks, Recreation, and Community Facilities Director; Jay Davies, Chief of Staff; Sharon Roberson, Assistant to the City Manager and Anne Thomson, 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:

3. Peoria Education Foundation Visionary Award

Mayor Carlat introduced Tamara Caraway, President of the Peoria Foundation.

Ms. Caraway, President of the Peoria Education Foundation, presented regarding the background and history of the Foundation and recognized Mayor Carlat and the City Council for supporting the Peoria Education Foundation. Ms. Caraway invited the Council to attend the Visionary Dinner Awards on April 13, 2020.

4. Proclamation Recognizing November as Be Kind Month

Mayor Carlat read aloud a Proclamation declaring November as "Be Kind Month". Mayor Carlat presented the Proclamation to Robin Amos and Emmanuel Moore of the Be Kind People Project.

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.

Mayor Pro Tem Hunt requested that Agenda Item 11C be removed for separate discussion.

Motion was made by Councilmember Finn, seconded by Councilmember Edwards, to approve the Consent Agenda with the exception of Agenda Item 11C. Upon vote, the motion carried unanimously 7 to 0.

Clerk's Note: Councilmember Edwards left the meeting at 7:26 p.m. following the discussion and action on Regular Agenda Item 23R.

5C. Minutes

Approved the following minutes:

- September 17, 2019 City Council meeting minutes
- October 1, 2019 City Council meeting minutes
- October 15, 2019 Special City Council meeting minutes

6C. Board and Commission Appointments

Approved the recommendations from the Council Boards and Commissions Subcommittee and adopted **RES. 2019-127** appointing individuals to various Boards and Commissions as follows:

- Appointed Joseph Grammatico to the Industrial Development Authority for a partial term to expire June 2023;
- Appointed Lori Horn Bustamante to the Judicial and Public Defender Advisory Board for a partial term to expire June 2022;
- Appointed Jessica Cotter to the Judicial and Public Defender Advisory Board for a partial term to expire June 2020;
- Appointed Joe La Rue to the Judicial and Public Defender Advisory Board for a partial term to expire June 2022;
- Appointed James Hann to the Judicial and Public Defender Advisory Board for a partial term to expire June 2021;
- Appointed John Buonagurio to the Judicial and Public Defender Advisory Board for a partial term to expire June 2020;
- Appointed Monica Schroeder to the Judicial and Public Defender Advisory Board for a partial term to expire June 2020;
- Appointed Charles Bruen to the Parks, Recreation and Community Facilities Board for a partial term to expire June 2020;
- Appointed Leslie Fountain to the Parks, Recreation and Community Facilities Board for a partial term to expire June 2021;
- Appointed Jerry Johnson to the Parks, Recreation and Community Facilities Board for a partial term to expire June 2022;
- Appointed Judith McHale to the Parks, Recreation and Community Facilities Board for a partial term to expire June 2021;
- Appointed Katrina Romijn to the Parks, Recreation and Community Facilities Board for a partial term to expire June 2021;
- Appointed Brent Taylor to the Parks, Recreation and Community Facilities Board for a partial term to expire June 2020;
- Appointed Anthony VanGoethem to the Parks, Recreation and Community Facilities Board for a partial term to expire June 2021;
- Appointed Sharlene Vanluven to the Parks, Recreation and Community Facilities Board for a partial term to expire June 2020;
- Appointed Richard Ward to the Parks, Recreation and Community Facilities Board for a partial term to expire June 2022;
- Appointed Donald Scott to the Veterans Memorial Board for a partial term to expire December 2020; and
- Appointed Shivani Bahl as an alternate member of the Youth Advisory Board for a partial term to expire June 2021.

7C. Code Amendment, Chapter 3, Boards and Commissions, Design Review Board

Adopted **ORD. 2019-28** amending Chapter 3 of the Peoria City Code, pertaining to the Design Review Board.

8C. Code Amendment, Chapter 21, Zoning

Adopted **ORD. 2019-30** amending Chapter 21 of the Peoria City Code pertaining to the Administrative Relief process and regulations.

9C. Grants, State of Arizona Department of Homeland Security, Various Fire Department Programs

- (a) Authorized the acceptance of two grants from the Arizona State Department of Homeland Security (AZDOHS) in the amount of \$47,075; and
- (b) Approved a budget amendment in the amount of \$47,075 from the Proposed Grants Contingency account to various Homeland Security Grant fund accounts.

10C. Appointment of Administrative Hearing Officers

Adopted **RES. 2019-128** appointing Administrative Hearing Officers for personnel, tax, licensing and land use matters for a two-year term.

Clerk's Note: Agenda Item 11C was presented at the end of the Consent Agenda.

11C. Budget Amendment, Historical Artifact Preservation and Storage

At the request of Mayor Pro Tem Hunt, Agenda Item 11C was pulled from the Consent Agenda for separate discussion.

Sharon Roberson, Assistant to the City Manager, presented regarding the request for Budget Amendment, Historical Artifact Preservation and Storage. Ms. Roberson provided background regarding the request.

Discussion ensued regarding the City's position on dispersing the historical items.

Ruth Osuna addressed Council regarding a request that Peoria return all items loaned by the Frank E. Osuna family.

Betty Ramsay-Osborne addressed Council regarding the Peoria Historical Society and requested the City work with her to put a new Board together. Ms. Ramsay-Osborne listed individuals who are able to identify the owners of all items loaned to the Historical Society and requested that her family's items be left in the Historical Society for others to see.

Eva Osuna addressed the Council regarding her artifacts loaned to the Historical Society and requested her items be returned to her.

Motion was made by Mayor Pro Tem Hunt, seconded by Councilmember Finn, to approve a budget amendment in the amount of \$19,000 from the General Fund Contingency account, using General Fund reserve one-time funds, providing authority to fulfill the obligation to preserve and store the artifacts remaining in the Peoria historical buildings.

Upon vote, the motion carried unanimously 6 to 0.

12C. Budget Amendment, Real Estate Development Office, Land Development Consultant Services

Approved a budget amendment in the amount of \$45,000 from the Half Cent Sales Tax fund contingency account to the Half Cent Sales Tax fund Other Professional Services account to fund scopes of work with Dekker/Perich/Sabatini (DPS) for the purpose of providing real estate development consulting services for strategic parcels throughout the City.

13C. Authorization to Enter in a Contract with Sajur, Inc. and to Appropriate \$115,000 for a New Signature Event

- (a) Authorized entering into a contract with Sajur, Inc. to plan and implement a new "Signature Event" to occur in the spring of 2020 at Lake Pleasant; and
- (b) Authorized a budget amendment in the amount of \$115,000 from the General Fund Contingency account to the Special Events account to increase the appropriation for the new event.

14C. 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.

15C. Abandonment of City Interest, Federal Patent Easements, Multiple Locations

Adopted **RES. 2019-129, RES. 2019-130, RES. 2019-131, and RES. 2019-132** declaring an emergency to abandon City interest in portions of Federal Patent Easements in multiple locations within northern Peoria.

16C. Re-plat for the Master Plat, Vistancia Village D South, El Mirage Road and Lone Mountain Parkway

Approved a Re-plat for the Master Plat of Vistancia Village D South, located on El Mirage Road and Lone Mountain Road, subject to stipulations.

17C. PUBLIC HEARING - Bingo License, Olive Ridge Senior Living, 10333 West Olive Avenue

Recommended approval to the Arizona Department of Revenue for a Class A (Small Game) Bingo License for Olive Ridge Senior Living, located at 10333 West Olive Avenue, Emily Kelly, Applicant, LL#20022164.

18C. PUBLIC HEARING – Liquor Licenses, Various Locations

Recommended approval to the State Liquor Board for (a) a New Restaurant (Series 12) Liquor License for Haymaker Thunderbird, located at 8706 West Thunderbird Road, Joseph P. Lucidi, Applicant, LL#20022303; (b) a New Restaurant (Series 12) Liquor License for Jalapeno Inferno Park West, located at 9832 West Northern Avenue Suite #110, Laura M. Craig, Applicant, LL#19-010047.

REGULAR AGENDA

New Business:

19R. Grant-in-Aid Agreement, Tohono O'odham Nation, Mission Critical Emergency Response Robot

Bobby Ruiz, Fire Chief, presented regarding Peoria's Fire-Medical grant-funded, remote-controlled Emergency Response robot. Information included:

- Robot's ability to open doors and carry meter equipment
- Robot's multiple camera options
- Robot's ability to maneuver through rugged terrain and travel up to 3300 feet from the operator

Discussion ensued regarding when the City will receive the robot and what it will look like.

Motion was made by Vice Mayor Binsbacher, seconded by Mayor Pro Tem Hunt, to:

(a) Approve the Grant-in-Aid agreement with the Tohono O'odham Nation for the purchase of a mission critical Emergency Response Robot; and (b) Approve a budget amendment in the amount of \$108,900 from the Proposed Grants Contingency Account to the Tohono O'odham Grant Fund, thus providing expenditure authority.

Upon vote, the motion carried unanimously 6 to 0.

20R. Agreement, Partnership of Economic Innovation, Smart Cities Consortium

Katie Gregory, Deputy City Manager, presented regarding the Smart Cities Consortium. Information included:

- Collaborative research/efforts with public sector, academia, industry and civic institutions
- Empowering the greater Phoenix communities to build nation's largest smart region
- ASU Project Cities
- Growing new technology businesses in the region
- Partnerships
 - o Arizona State University
 - o Greater Phoenix Economic Council
 - o MAG

Discussion ensued regarding:

- Benefits for residents
- Whether traffic lights will be timed
- Amount that will be budgeted for the request

Motion was made by Vice Mayor Binsbacher, seconded by Mayor Pro Tem Hunt, to approve an agreement with the Partnership of Economic Innovation, also known as the Smart Cities Consortium Agreement.

Upon vote, the motion carried unanimously 6 to 0.

Clerk's Note: Items 21R and 22R were presented together.

21R. City Charter Amendment Review

Vanessa Hickman, City Attorney, presented an overview of proposed amendments and revisions to the City Charter.

Information included:

- Background and purpose of the City Charter
- Charter Amendment Concepts –
 - o Mayoral Terms
 - Change number of Mayoral terms from 2 terms to 3 terms
 - Consistent with the number of Councilmember terms
 - Effective for terms beginning January 2023
 - o Partial Terms
 - Eliminate partial terms from counting as a term
 - o Cost of Living Adjustment
 - Include a reasonable, automatic cost of living adjustment (COLA) for Mayor and Council
 - Base on commonly held national index
 - Include a floor and cap to ensure COLA is reflective of the market and consistent with the duties and responsibilities
 - o Mayor and Council Vacancies
 - Increase number of days to fill a vacancy from not less than 12 days nor more than 15 days from the date any vacancy occurs, to not more than 20 days
 - o Primary Election
 - Dispense with a Primary Election if only two candidates file nomination paperwork
 - Candidate receiving the highest number of votes in a General Election with two candidates wins
- Clarifying Ballots Cast versus Votes Cast
 - o Distinguish intent to only tabulate legal votes actually cast for legally eligible candidates in that candidate's race
 - o Excludes ballots and other votes that were not actually cast in that race including "over votes" and "under votes"
Create a Charter Review Committee to review the Council proposed amendments to the City Charter and provide input and revisions, and recommend Charter Amendments consistent with the Resolution and the associated rationale to the City Council.
- Next steps in the Charter Review process

Discussion ensued regarding:

- Charter Review Committee process
- Whether partial terms are applicable to the current and/or prospective Councilmembers and the process used by the Committee to propose recommendations
- Not penalizing applicants who fill a partial term

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

(a) Have City Council review the proposed amendments and revisions to the City Charter; and (b) Adopt **RES. 2019-133** referring proposed Charter Amendments to the Charter Review Committee for its review, input and recommendations.

Upon vote, the motion carried unanimously 6 to 0.

22R. Code Amendment, Chapter 4, Elections; Deemed Elected; Primary and General Elections

Motion was made by Vice Mayor Binsbacher, seconded by Mayor Pro Tem Hunt, to adopt **ORD. 2019-30** amending Chapter 4, Section 4-1 of the Peoria City Code, pertaining to Elections; Deemed Elected; Primary and General Elections by clarifying votes cast.

Upon vote, the motion carried unanimously 6 to 0.

Clerk's Note: Agenda Item 23R was presented prior to the Consent Agenda.

23R. Memorandum of Understanding, United Phoenix Firefighters Association Local 493

At the request of Councilmember Edwards, Agenda Item 23R was moved to the beginning of the meeting for discussion.

Christine Nickels, Human Resource Director, presented regarding the request to approve a Memorandum of Understanding (MOU) with the United Phoenix Fire Fighters Association Local 493, representing Peoria Fire Fighters (PFFA).

Information included:

- Background of PFFA
- PFFA and City negotiators
- Overview of the negotiation process
- Major components of the negotiated MOU

Discussion ensued regarding:

- Importance of keeping good firefighters and Peoria as an employer of choice
- Professional negotiations and strong collaboration

Motion was made by Vice Mayor Binsbacher, seconded by Councilmember Edwards, to approve the United Phoenix Fire Fighters Association Local 493 Memorandum of Understanding for the period of July 2020 through June 2023 establishing wages, hours, and conditions of work.

Upon vote, the motion carried unanimously 7 to 0.

24R. Major General Plan Amendment, PlanPeoriaAz General Plan

Chris Jacques, Planning and Community Development Director, presented regarding the proposed Major General Plan Update in preparation for voter ratification in 2020. Information included:

- Peoria's proposed 2020 General Plan "PlanPeoriaAZ" - a Major General Plan Amendment (Case GPA19-03)
- Overall Themes
 - o Community Wellness
 - o Placemaking
 - o Fiscal Sustainability
 - o Building on Strategic Relationships
 - o Resilient, Adaptable and Forward Thinking
- Deliverables and Chapters
 - o Reorganization of the General Plan
 - o Refinement of Land Use categories
 - o Refinement of Land Use Map
 - o Updated Goals and Policies
 - o State Law Compliance
- Community Outreach
- Summary of 60-day review, comments and revisions
- Planning and Zoning Commission Findings
- Explanation of the "Road to Voter Ratification" timeline

Discussion ensued regarding which 2020 ballot the General Plan should be placed.

Motion was made by Vice Mayor Binsbacher, seconded by Councilmember Finn, to concur with the Planning and Zoning Commission's recommendation to adopt **RES. 2019-134**, approving the 2019 Major General Plan Amendments in preparation for the overall voter ratification of the Peoria General Plan in 2020, and to ensure the plan remains consistent with the overarching goals of the City.

Upon vote, the motion carried unanimously 6 to 0.

Call To The Public (Non-Agenda Items)

Reports from City Manager:

25. Reports

City Manager, Jeff Tyne, reported that Jake Eason, Parks Manager, is leaving the City of Peoria. Mr. Tyne recognized Mr. Eason for his hard work with the City.

A. Heroic Actions by Streets Personnel

Bobby Ruiz, Fire Chief, and Kevin Burke, Public Works Director, recognized Public Works employees Timothy Glenn, Shane Hampton and Juan Arreola for their quick response during a recent fire that took place in the City.

B. Special Events Video

A video presentation showcasing upcoming City events was displayed.

Reports from City Council:

Council Youth Liaison Greathouse reported that the Youth Advisory Board approved revised by-laws. Council Youth Liaison Greathouse also reported that the Youth Advisory Board continued work with West Valley Youth Leadership Council on mental health issues.

Councilmember Patena reported on recent events he attended, including:

- Lakes Ballroom Grand Opening at Westbrook Village
- Parkridge Annual Home Owner's Association meeting
- Friendship Bench dedication at Desert Harbor
- Homeless Outreach Event at Rio Vista
- Employee Appreciation Luncheon at City Hall
- Special Olympics golf tournament
- Veterans Day Ceremony at Desert Harbor
- Westmarc Best of the West Awards
- Veterans Day ceremony at West Wing Elementary School
- Veterans Day ceremony at Rio Vista Park
- Chamber of Commerce Veterans Day event

Councilmember Patena also congratulated Jake Eason and the Public Works staff.

Councilmember Finn thanked City staff for working so hard and wished everyone happy holidays.

Vice Mayor Binsbacher wished everyone Happy Thanksgiving. Vice Mayor Binsbacher also thanked the Planning Department regarding the work done on the proposed General Plan Amendments and congratulated Jake Eason and the Public Works staff.

Mayor Pro Tem Hunt commented on the proposed General Plan Amendments and Charter Amendments, as well as the Signature Event presentation. Mayor Pro Tem Hunt also reported on recent events she attended, including:

- The Varney Village special event
- 2nd Saturday in Old Town

Councilmember Dunn reported on recent events she attended, including:

- Parkfest! at Country Meadows
- Citizen Advisory Committee

Councilmember Dunn thanked the City's Veterans and commented on the Veteran's Day Ceremony held at Rio Vista Park.

Council Youth Liaison Ravindran reported on the parking situation at Liberty High School.

Reports from the Mayor:

Mayor Carlat congratulated the Economic Development Department for winning a Best of the West Award. Mayor Carlat invited Rick Buss, Economic Development Director, to report on the Excellent Customer Service award won by the City.

Rick Buss, Economic Development Director, explained that there would be an in-depth presentation at the Council Workshop on November 15, 2019. Mr. Buss presented regarding the Concierge Program.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 8:58 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 12th day of November, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 7th day of January, 2020.

(Seal)

Rhonda Geriminsky, City Clerk