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 7:00 p.m.

Following a moment of silence, Councilmember Rivero led the Pledge of Allegiance.

Members Present: Vice Mayor Cathy Carlat; Councilmembers Ron Aames, Joan Evans, Carlo Leone, Dave Pearson and Tony Rivero.

Members Absent: Mayor Bob Barrett.

Other Municipal Officials Present: Carl Swenson, City Manager; Susan Daluddung, Deputy City Manager; Susan Thorpe, Deputy City Manager; Steve Kemp, City Attorney; Wanda Nelson, City Clerk; J.P. de la Montaigne, Community Services Director; Andy Granger, Engineering Director; Bill Mattingly, Public Works and Utility Director; Roy Minter, Chief of Police; Tom Solberg, Fire Chief; Jeff Tyne, Budget Director; Glen Van Nimwegen, Community Development Director; Scott Whyte, Economic Development Director, Claudia Luján, Assistant to the City Manager; and Rhonda Geriminsky, Chief Deputy City Clerk.

Audience: Approximately 40 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. Recognition of Planning and Community Development Director Glen Van Nimwegen

Carl Swenson, City Manager, recognized Glen Van Nimwegen, Community Development Director, for his service to the City of Peoria and highlighted some of Mr. Van Nimwegen’s significant accomplishments while working for the City.

Mr. Van Nimwegen thanked Council and the City of Peoria for their support during his tenure with the City. Councilmembers each expressed their gratitude to Mr. Van Nimwegen.

2. Recognition of Community Services Director J.P. de la Montaigne

Carl Swenson, City Manager, recognized J.P. de la Montaigne, Community Services
Director, for his service to the City of Peoria and highlighted some of Mr. de la Montaigne’s significant accomplishments while working for the City.

Mr. de la Montaigne thanked Council and the City of Peoria for their support during his tenure with the City. Councilmembers each expressed their gratitude to Mr. de la Montaigne for his service to the City.

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.

CONSENT – New Business:

Vice 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 Aames, seconded by Councilmember Evans, to approve the Consent Agenda. Upon vote, the motion carried unanimously 6 to 0.

1C  Minutes

Approved the minutes of the:

March 8, 2011 Special Meeting and Study Session
March 22, 2011 Special Meeting and Study Session
March 22, 2011 Regular Meeting

2C  Appointments, Boards and Commissions

RESOLUTION 2011-36

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING HAROLD GRIBOW TO THE BUILDING BOARD OF APPEALS AND ESTABLISHING THE TERM OF OFFICE.

RESOLUTION 2011-37

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING TISHA TULLE-WEBBER AND CODY HALL
TO THE JUDICIAL SELECTION ADVISORY BOARD AND
ESTABLISHING THE TERMS OF OFFICE.

RESOLUTION 2011-38

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF
THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA,
REAPPOINTING STEVE POE AND JAMES ABRAHAM TO
THE LIBRARY BOARD AND ESTABLISHING THE TERMS
OF OFFICE.

RESOLUTION 2011-39

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF
THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA,
REAPPOINTING STEVE POE, JAMES CUTLER, SHAWN
HUTCHINSON, LEONARD SPRAKER, AND JIM TORRES TO
THE MUNICIPAL DEVELOPMENT AUTHORITY AND
ESTABLISHING THE TERMS OF OFFICE.

RESOLUTION 2011-40

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF
THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA,
REAPPOINTING ALEXANDER OBIS TO THE PUBLIC
SAFETY RETIREMENT SYSTEM BOARD – FIRE AND
ESTABLISHING THE TERM OF OFFICE.

RESOLUTION 2011-41

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF
THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA,
REAPPOINTING ALEXANDER OBIS TO THE PUBLIC
SAFETY RETIREMENT SYSTEM BOARD – POLICE AND
ESTABLISHING THE TERM OF OFFICE.

RESOLUTION 2011-42

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF
THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA,
APPOINTING GREGORY JONES TO THE VOLUNTEER
FIREFIGHTER PENSION BOARD AND ESTABLISHING THE
TERM OF OFFICE.

RESOLUTION 2011-43
A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF
THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA,
APPOINTING HANNAH ASHCROFT, LORRAINE BARKER,
TYLER CRUMP, KELSEY KEENAN, KODY KNUTH, TAYLER
PARADISO, AND VANESSA VELASQUEZ TO THE YOUTH
ADVISORY BOARD AND ESTABLISHING THE TERMS OF
OFFICE.

Approved the recommendations from the Council Subcommittee on Boards and
Commissions Appointments pertaining to the following appointments and reappointments,
and adopt the Resolutions as presented:

Adopted Res. 2011-36 reappointing Harold Gribow, as a regular member, to the Building
Board of Appeals;

Adopted RES. 2011-37 reappointing Tisha Tulle-Webber and Cody Hall, as regular
members, to the Judicial Selection Advisory Board;

Adopted RES. 2011-38 reappointing James Abraham, as a regular member, to the Library
Board;

Adopted RES. 2011-39 reappointing Steve Poe, James Cutler, Shawn Hutchinson,
Leonard Spraker, and Jim Torres, as regular members, to the Municipal Development
Advisory Board;

Adopted RES. 2011-40 reappointing Alexander Obis, as a regular member, to the Public
Safety Retirement System Local Board for Fire;

Adopted RES. 2011-41 reappointing Alexander Obis, as a regular member, to the Public
Safety Retirement System Local Board for Police;

Adopted RES. 2011-42 appointing Gregory Jones, as a regular member, to the Volunteer
Firefighter Pension Board; and

Adopted RES. 2011-43 appointing Hannah Ashcroft, Lorraine Barker, Tyler Crump, Kelsey
Keenan, Kody Knuth, Tayler Paradiso, and Vanessa Velasquez, as regular members, to the
Youth Advisory Board.

3C  Code Amendment, Chapter 14, Historic Preservation

ORDINANCE NO. 2011-12

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE
CITY OF PEORIA, MARICOPA COUNTY, ARIZONA,
AMENDING CHAPTER 14 OF THE PEORIA CITY CODE (1977 EDITION), BY AMENDING ARTICLE 14-38 “HISTORIC PRESERVATION”; OF THE PEORIA ZONING ORDINANCE; PROVIDING FOR SEPARABILITY AND PROVIDING FOR AN EFFECTIVE DATE.


4C Abandonment of Interest, Federal Patent Easements, Sunset Ranch Subdivision

RESOLUTION NO. 2011-45

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA FINDING THAT CERTAIN PUBLIC RIGHTS-OF-WAY DEDICATED TO THE PUBLIC BY THE UNITED STATES OF AMERICA FOR ROADWAY AND PUBLIC UTILITIES TO BE UNNECESSARY TO CITY PURPOSES AND NO LONGER REQUIRED TO BE RETAINED BY THE CITY AND DIRECTING THAT SUCH UNNECESSARY PUBLIC RIGHTS-OF-WAY BE DISPOSED OF IN THE MANNER PROVIDED BY LAW AND DECLARING AN EMERGENCY.

Adopted RES. 2011-45, declaring an emergency to abandon City interest in three existing Federal Patent Easements for Roadway and Public Utilities located east of Lake Pleasant Parkway north of Williams Road within the Sunset Ranch Subdivision.

5C Right-of-Way, Intersection Widening Project, 75th Avenue and Thunderbird Road

RESOLUTION NO. 2011-46

A RESOLUTION OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA DECLARING A PUBLIC NEED AND NECESSITY AND A PUBLIC USE; AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO ACQUIRE ON BEHALF OF THE CITY OF PEORIA THROUGH DONATION, OUTRIGHT PURCHASE OR UNDER THE POWER OF EMINENT DOMAIN FOR PUBLIC PURPOSES OF ALL INTEREST IN CERTAIN DESCRIBED REAL PROPERTY IN THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, IN ORDER FOR THE CITY TO PROPERLY AND ADEQUATELY
IMPROVE AND DEVELOP THE INTERSECTION OF 75TH AVENUE AND THUNDERBIRD ROAD AS A MATTER OF PUBLIC NEED AND NECESSITY; REFERENCING TITLE 12 OF STATE LAW CONCERNING THE EXERCISE OF EMINENT DOMAIN FOR PUBLIC ROADS, STREETS, AND PUBLIC SAFETY PURPOSES; STATING THE CONCLUSION OF THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT THAT THE ACQUISITION IS IN CONFORMITY WITH THE ADOPTED GENERAL PLAN; AS A MATTER OF PUBLIC NEED AND NECESSITY AND DECLARING AN EMERGENCY.

Adopted RES. 2011-46, declaring an emergency to authorize the acquisition of property on 75th Avenue and Thunderbird Road to accommodate the intersection widening improvements by donation, outright purchase, or the exercise of the power of eminent domain.

6C  **Intergovernmental Agreement, Peoria Unified School District, Swimming Pools**

Authorized the City to enter into an Intergovernmental Agreement (IGA) with the Peoria Unified School District (PUSD) to operate and maintain the City swimming pools.

7C  **Contract Amendment, Bailment Agreement, West Valley Art Museum**

Amended the existing Bailment Agreement with the West Valley Art Museum ("Museum") to: a) allow the Museum access to the art collection; and b) consent to organize and assemble art pieces for display in galleries and public buildings.

8C  **Membership Termination, Central Arizona Groundwater Replenishment District**

RESOLUTION 2011-44

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY ARIZONA, TERMINATING ITS MEMBER SERVICE AREA STATUS IN THE CENTRAL ARIZONA GROUNDWATER REPLENISHMENT DISTRICT.

Adopted RES. 2011-44 terminating the City's membership in the Central Arizona Replenishment District.
Adoption of Notice of Intention to Possibly Adjust Rates and Establish Date of Public Hearing

Adopted a Notice of Intention to adjust the City’s water and wastewater rates and establish May 17, 2011 as the date for a public hearing on the proposed adjustments.

Maintenance Improvement District No. 1042, Vistancia Parcel F5, Westland Road North of (N/O) Lone Mountain Road

RESOLUTION NO. 2011-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEORIA, ARIZONA, DECLARING ITS INTENTION TO CREATE AN IMPROVEMENT DISTRICT TO MAINTAIN LANDSCAPING INCLUDED WITHIN, NEAR AND ADJACENT TO A PARKWAY AND RELATED FACILITIES TOGETHER WITH APPURTENANT STRUCTURES AS SHOWN ON THE PLANS, FOR MAINTENANCE WITHIN AN AREA IN THE CITY OF PEORIA AS DESCRIBED HEREIN; ADOPTING PLANS FOR CITY OF PEORIA MAINTENANCE IMPROVEMENT DISTRICT NO. 1042, VISTANCIA PARCEL F5, AS MORE PARTICULARLY DESCRIBED HEREIN, AND DECLARING THE WORK OR IMPROVEMENT TO BE OF MORE THAN LOCAL OR ORDINARY PUBLIC BENEFIT, AND THAT THE COST OF SAID WORK OR IMPROVEMENT SHALL BE ASSESSED UPON A CERTAIN DISTRICT, AND PROVIDING THAT THE PROPOSED WORK OR IMPROVEMENT SHALL BE PERFORMED UNDER ARIZONA REVISED STATUTES TITLE 48, CHAPTER 4, ARTICLE 2, AND AMENDMENTS THERETO AND DECLARING AN EMERGENCY.

RESOLUTION NO. 2011-29

Approved the Petition for Formation and adopted **RES. 2011-28** of intention and ordering formation of proposed Maintenance Improvement District No. 1042, Vistancia Parcel F5, located at Westland Road N/O Lone Mountain Road; and adopted **RES. 2011-29** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

11C **Maintenance Improvement District No. 1047, Vistancia Parcel F1, Westland Road and Calle Del Sol**

**RESOLUTION NO. 2011-30**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEORIA, ARIZONA, DECLARING ITS INTENTION TO CREATE AN IMPROVEMENT DISTRICT TO MAINTAIN LANDSCAPING INCLUDED WITHIN, NEAR AND ADJACENT TO A PARKWAY AND RELATED FACILITIES TOGETHER WITH APPURTENANT STRUCTURES AS SHOWN ON THE PLANS, FOR MAINTENANCE WITHIN AN AREA IN THE CITY OF PEORIA AS DESCRIBED HEREIN; ADOPTING PLANS FOR CITY OF PEORIA MAINTENANCE IMPROVEMENT DISTRICT NO. 1047, VISTANCIA PARCEL F1, AS MORE PARTICULARLY DESCRIBED HEREIN, AND DECLARING THE WORK OR IMPROVEMENT TO BE OF MORE THAN LOCAL OR ORDINARY PUBLIC BENEFIT, AND THAT THE COST OF SAID WORK OR IMPROVEMENT SHALL BE ASSESSED UPON A CERTAIN DISTRICT, AND PROVIDING THAT THE PROPOSED WORK OR IMPROVEMENT SHALL BE PERFORMED UNDER ARIZONA REVISED STATUTES TITLE 48, CHAPTER 4, ARTICLE 2, AND AMENDMENTS THERETO AND DECLARING AN EMERGENCY.

**RESOLUTION NO. 2011-31**

Approved the Petition for Formation and adopted **RES. 2011-30** of intention and ordering formation of proposed Maintenance Improvement District No. 1047, Vistancia Parcel F1, located at Westland Road and Calle Del Sol; and adopted **RES. 2011-31** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

12C **Street Light Improvement District No. 1063, Vistancia Parcel F5, Calle De Baca and Westland Road**

RESOLUTION NO. 2011-32


RESOLUTION NO. 2011-33

Approved the Petition for Formation and adopted **RES. 2011-32** of intention and ordering formation of the proposed Street Light Improvement District No. 1063, Vistancia Parcel F5, located at Calle De Baca and Westland Road; and adopted **RES. 2011-33** ordering the purchase of electricity for lighting streets and parks within the proposed Street Light Improvement District and declaring an emergency.

**13C Street Light Improvement District No. 1064, Vistancia Parcel F1, Calle De Baca and Westland Road**

**RESOLUTION NO. 2011-34**

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA DECLARING ITS INTENTION TO ORDER THE PURCHASE OF ELECTRICITY FOR LIGHTING THE StreetS AND PUBLIC PARKS WITHIN THE PROPOSED DISTRICT AND THAT THE COST OF THE PURCHASE OF ELECTRICITY FOR LIGHTING THE STREETS AND PUBLIC PARKS, BE ASSESSED UPON A CERTAIN IMPROVEMENT DISTRICT TO BE KNOWN AS CITY OF PEORIA STREETLIGHT IMPROVEMENT DISTRICT NO. 1064, VISTANCIA PARCEL F1; PROVIDING THAT THE COST OF THE ELECTRICITY REQUIRED TO OPERATE THE SYSTEM BE ASSESSED UNDER THE PROVISIONS OF TITLE 48, CHAPTER 4, ARTICLE 2, ARIZONA REVISED STATUTES, AS AMENDED; AND DECLARING AN EMERGENCY.

**RESOLUTION NO. 2011-35**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA ORDERING THE IMPROVEMENTS OF CERTAIN STREETS AND RIGHTS-OF-WAY WITHIN THE CORPORATE LIMITS OF THE TOWN AND CREATING AN IMPROVEMENT DISTRICT KNOWN AS THE CITY OF PEORIA STREETLIGHT IMPROVEMENT DISTRICT NO. 1064, VISTANCIA PARCEL F1, PURSUANT TO TITLE 48, CHAPTER 4, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO FOR THE PURPOSE OF PURCHASING ELECTRICITY, WHICH INCLUDES A CHARGE FOR THE USE OF LIGHTING FACILITIES AND OTHER RELATED ITEMS TOGETHER WITH ALL APPURTENANT STRUCTURES AS SHOWN ON THE PLANS, AND DECLARING AN EMERGENCY.
Approved the Petition for Formation and adopted **RES. 2011-34** of intention and ordering formation of the proposed Street Light Improvement District No. 1064, Vistancia Parcel F1, located at Calle De Baca and Westland Road; and adopted **RES. 2011-35** ordering the purchase of electricity for lighting streets and parks within the proposed Street Light Improvement District and declaring an emergency.

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

RESOLUTION NO. 2011-27

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA ADOPTING A RESOLUTION FORMALLY ACCEPTING DEEDS AND EASEMENTS FOR PROPERTY RIGHTS CONVEYED TO THE CITY OF PEORIA.

Adopted **RES. 2011-27** accepting deeds and easements for various real property interests acquired by the City and previously recorded by the Maricopa County Recorder's Office.

**15C Final Plat, Trilogy at Vistancia Parcel C1, Vistancia Boulevard and Trilogy Boulevard**

Approved the Final Plat of Trilogy at Vistancia Parcel C1, located at Vistancia Boulevard and Trilogy Boulevard, subject to stipulations.

**REGULAR AGENDA**

**NEW BUSINESS**

**16R Right-of-Way, Arizona Public Service, State Route 74, Electric Transmission Lines**

RESOLUTION NO. 2011-48

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA SEEKING THE BUREAU OF LAND MANAGEMENT’S APPROVAL OF THE ARIZONA PUBLIC SERVICE COMPANY’S RIGHT-OF-WAY APPLICATION TO CONSTRUCT ELECTRIC TRANSMISSION LINES AND PROVIDING FOR AN EFFECTIVE DATE.

Steve Burg, Chief Assistant City Attorney, outlined the request to adopt a Resolution seeking the United States Bureau of Land Management's ("BLM") approval of the Arizona
Public Service Company’s right-of-way application to construct electric transmission lines on a portion of BLM land that is adjacent to State Route 74. Mr. Burg provided Council with a history of the request and identified the community partners who supported the City of Peoria’s efforts. Mr. Burg outlined BLM’s new application process and the City’s involvement in the new process. Mr. Burg highlighted the proposed Resolution which reaffirms the City’s commitment to State Route 74 and identifies the City of Peoria as a cooperating agency in the process.

Mark Hammond addressed Council and expressed appreciation for the City’s efforts to support State Route 74 for the Arizona Public Service line siting and stated citizen support continues to be necessary.

Vice Mayor Carlat read comments from Eric Gorsegner of the Sonoran Institute regarding Arizona Public Service’s siting of electric transmission lines.

Clerk’s Note: A copy of Mr. Gorsegner’s email is attached and incorporated as part of the minutes of the meeting.

Motion was made by Councilmember Evans, seconded by Councilmember Aames, to adopt RES. 2011-48 seeking the United States Bureau of Land Management approval of the Arizona Public Service Company’s right-of-way application to construct electric transmission lines on a portion of Bureau of Land Management land adjacent to State Route 74.

Upon vote, the motion carried unanimously 6 to 0.

CALL TO THE PUBLIC: (NON-AGENDA ITEMS)

None.

Reports from the City Manager:
1. Council Calendar
2. Reports with Presentation
   a. Old Town Commercial Rehabilitation Program - Phase 1

Scott Whyte, Economic Development Director, provided a status update on the City’s Old Town Commercial Rehabilitation Program. Mr. Whyte provided visual concepts for Wagoner Plaza I and II and outlined the construction schedule for the program.

Discussion ensued regarding alternative design concepts for fencing around the Peoria Café patio area.
   b. Centennial Plaza Decades Walk Timeline
Ed Striffler, Design and Construction Manager, provided a status update on the Centennial Plaza Decades Walk construction. Mr. Striffler provided visual aide for the ongoing construction.

3. Informational (The following items are included for informational purposes only. There will be no separate discussion of these items unless a Councilmember so requests.)

   a. 35th Annual Dolly Sanchez Memorial Easter Egg Hunts

Carl Swenson, City Manager, informed Council that their Agenda packet contains information related to the following items:

Reports from City Council:

Councilmember Leone reported on the various City of Peoria activities he attended, including Youth Government Day and Pioneer Day festivities.

Councilmember Aames reported on the various City of Peoria activities he attended, including Pioneer Day festivities, Sky View Elementary Walk to School Day and pep rally, and Sweetwater Heights Neighborhood Watch meeting.

Councilmember Rivero thanked the Community Services staff for their work on the Pioneer Days festivities.

Vice Mayor Carlat expressed best wishes on behalf of herself and Mayor Barrett to J.P. de la Montaigne, exiting Community Services Director, and Glen Van Nimwegen, exiting Planning and Community Development Director.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 7:53 p.m.

______________________________________
Bob Barrett, Mayor

ATTEST:

______________________________________
Wanda Nelson, City Clerk
CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct summary of the proceedings of the Regular Meeting of the City Council of Peoria, Arizona held on the 5th day of April, 2011. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 3rd day of May, 2011.

(Seal)

__________________________________________
Wanda Nelson, City Clerk