

**CITY OF BUCKEYE
REGULAR AND SPECIAL COUNCIL MEETING
JUNE 16, 2015
MINUTES**

**City Council Chambers
530 E. Monroe Ave.
Buckeye, AZ 85326
6:00 p.m.**

1. Call to Order/Invocation/Pledge of Allegiance/Roll Call

Mayor Meck called the meeting to order at 6:00 p.m. Pastor Jeff Kran of Chosen People Ministries led the invocation.

Members Present: Councilmember Garza, Councilmember Strauss, Councilmember Hess, Councilmember McAchran, Councilmember Heustis, Vice Mayor Orsborn, and Mayor Meck.

Members Absent: None.

Departments Present: City Manager Stephen Cleveland, Assistant City Manager Roger Klingler, City Attorney Scott Ruby, Deputy City Clerk Summer Stewart, Assistant to Council Carol Conley, Fire Chief Bob Costello, Assistant Police Chief Robert Sanders, Finance Director Larry Price, Development Services Director George Flores, City Engineer Scott Zipprich, Information Technology Director Greg Platacz, Community Services Director Cheryl Sedig, Human Resources Director Nancy Love, Economic Development Director Len Becker, Government Relations Manager George Diaz, Construction and Contracting Manager Chris Williams, and Planning Manager Terri Hogan.

1A. Special Council Meeting

I. Convene Into Special Council Meeting (As Required by A.R.S. Title 42, Sections 17101 through 17108)

A motion was made by Vice Mayor Orsborn and seconded by Councilmember Hess to convene into Special Meeting at 6:02 p.m. Motion passed unanimously.

**a) Public Hearing and Action Fiscal Year 2015-2016 Truth in Taxation (TNT)
Staff Liaison: Larry Price, Finance Director
District No. All**

Mayor Meck opened a public hearing at 6:02 p.m. to hear citizen input regarding the Fiscal Year (FY) 2015-2016 Property Tax Levy. Mr. Price provided an overview of the FY 2015-2016 Truth in Taxation. The TNT analysis was provided and discussed. The maximum primary property tax levy the city could levy is 6.3 million dollars; staff recommends maintaining the property tax rate of \$1.80 and a primary property tax levy of approximately 5.7 million dollars. Combined property tax levies and rates were described. Mr. Price clarified the \$1.80 tax rate on a home with the *assessed value* of \$100,000.00 is \$180.00; tax rates are based on the assessed value of a property. There being no further comment, Mayor Meck closed the public hearing at 6:06 p.m. A motion was made by Vice Mayor Orsborn and seconded by Councilmember Strauss to approve the Fiscal Year 2015-2016 Primary Property Tax Levy of \$5,763,043.00. Roll Call vote: Councilmember Garza – Aye

Councilmember Strauss – Aye
Councilmember Hess – Aye
Councilmember McAchran – Aye
Councilmember Heustis – Aye
Vice Mayor Orsborn – Aye
Mayor Meck - Aye

b) Public Hearing and Action Resolution No. 53-15 Adopting a Budget; Setting Forth the Receipts and Expenditures and the Amounts Proposed to be Raised by Direct Property Taxation for the Various Purposes for the Fiscal Year 2015-2016
Staff Liaison: Larry Price, Finance Director
District No. All

Mayor Meck opened a public hearing at 6:07 p.m. to hear citizen input regarding the fiscal year 2015-2016 Budget for the City of Buckeye. Mr. Price provided an overview of the request to adopt the fiscal year 2015-2016 final budget; the tentative budget was adopted June 2, 2015. There being no further comment, Mayor Meck closed the public hearing at 6:08 p.m. A motion was made by Vice Mayor Orsborn and seconded by Councilmember Hess to adopt Resolution No. 53-15 adopting a budget; setting forth the receipts and expenditures and the amounts proposed to be raised by direct property taxation for the various purposes for the fiscal year 2015-2016. Motion passed unanimously.

c) Public Hearing and Action Resolution No. 51-15 Adopting the Final Budget for Fiscal Year 2015-2016, Beginning July 1, 2015 and Ending June 30, 2016, by the Governing Board of the Following Street Lighting Improvement Districts (SLID): SLID #1, Comprised of Sun City Festival Units A1 and B1; SLID-2006-001, comprised of Vista De Montana Phase 1A, 1B, 2, 3; SLID 2006-003, comprised of Blue Horizons; SLID 2006-007, comprised of Festival Foothills Phase 1; SLID 2006-008, comprised of Festival Foothills Phase 2; SLID 2006-009, comprised of Crystal Vista; SLID 2006-011, comprised of Sun City Festival Units C1 through H1 and Unit V1; SLID 2006-015, comprised of Riata West Unit 2; SLID 2006-016, comprised of Sonoran Vista Units 1 and 2; SLID 2006-017, comprised of Riata West Unit 1; SLID 2006-019, comprised of Sun City Festival Units K1, O1, M1, and R1; SLID 2007-001, comprised of Sundance Parcel 27; SLID 2007-002, comprised of Sundance Parcel 25; SLID 2007-003, comprised of Sundance Parcel 26; SLID 2007-010, comprised of Watson Estates; SLID 2007-013, comprised of Sun City Festival Units I1 and P1; SLID 2007-021, comprised of Sun City Festival Unit J1; SLID 2009-02A, comprised of Watson Marketplace; SLID 2011-001, comprised of Sundance/Yuma Commercial; SLID 2012-002 comprised of Sienna Hills; SLID 2013-002, comprised of Sun City Festival Parcel L1 (City of Buckeye, Arizona)
Staff Liaison: Scott Lowe, Public Works Director
District No. All

Mayor Meck opened a public hearing at 6:09 p.m. to hear citizen input on the proposed annual budgets and annual assessment for fiscal year 2015-2016 Street Lighting Improvement Districts. Mr. Lowe provided an overview of the request to adopt proposed annual budgets and annual assessments for FY 2015-2016 related to the listed SLIDs. A map of each SLID was provided demonstrating the district each SLID is located in. All costs are based solely on the electricity bills of the street lights. Cindy Howard (22192 West Wayland Court) requested further information regarding the Sundance Commercial SLID located in District 5. Mr. Lowe clarified the assessment for SLID 2011-001 is \$1,458.28 and \$729.14 per parcel annually. Mr. Lowe stated street lighting is paid by the Highway User Revenue Fund account for parcels that do not contain a SLID. Mr. Zipprich provided information related to design standards for street lights; lights are installed and streets lit prior to occupancy of homes. Mr. Lowe stated developers are encouraged to place a single SLID in each community. There being no further comment, Mayor Meck closed the public hearing at 6:28 p.m. A motion was made by Vice Mayor Orsborn and seconded by Councilmember Heustis to adopt Resolution No. 53-15 adopting the final budget for fiscal year 2015-2016, beginning July 1, 2015 and ending June 30, 2016, for the following: in the amount of \$27,330.89 for SLID #1, comprised of Sun City Festival Units A1 and B1; in the amount of \$15,943.52 for SLID-2006-001, comprised of Vista De Montana Phase 1A, 1B, 2, 3; in the amount of \$20,818.08 for SLID 2006-003, comprised of Blue Horizons; in the amount of \$14,960.40 for SLID 2006-007, comprised of Festival Foothills Phase 1; in the amount of \$3,945.25 for SLID 2006-008, comprised of Festival Foothills Phase 2; in the amount of \$3,393.01 for SLID 2006-009, comprised of Crystal Vista; in the amount of \$29,683.80 for SLID 2006-011, comprised of Sun City Festival Units C1 through H1 and Unit V1; in the amount of \$13,209.48 for SLID 2006-015, comprised of Riata West Unit 2; in the amount of \$14,940.26 for SLID 2006-016, comprised of Sonoran Vista Units 1 and 2; in the amount of \$9,844.05 for SLID

2006-017, comprised of Riata West Unit 1; in the amount of \$12,309.45 for SLID 2006-019, comprised of Sun City Festival Units K1, O1, M1, and R1; in the amount of \$3,776.22 for SLID 2007-001, comprised of Sundance Parcel 27; in the amount of \$2,365.44 for SLID 2007-002, comprised of Sundance Parcel 25; in the amount of \$1,719.39 for SLID 2007-003, comprised of Sundance Parcel 26; in the amount of \$8,280.72 for SLID 2007-010, comprised of Watson Estates; in the amount of \$3,705.96 for SLID 2007-013, comprised of Sun City Festival Units I1 and P1; in the amount of \$4,364.82 for SLID 2007-021, comprised of Sun City Festival Unit J1; in the amount of \$5,222.04 for SLID 2009-02A, comprised of Watson Marketplace; in the amount of \$1,458.28 for SLID 2011-001, comprised of Sundance/Yuma Commercial; in the amount of \$8,829.64 for SLID 2012-002 comprised of Sienna Hills; and in the amount of \$3,002.15 for SLID 2013-002, comprised of Sun City Festival Parcel L1 (City of Buckeye, Arizona). Motion passed unanimously.

II. Reconvene Into Regular Council Meeting

A motion was made by Councilmember Heustis and seconded by Vice Mayor Orsborn to reconvene into Regular Council Meeting at 6:29 p.m. Motion passed unanimously.

2A. Comments from the Public – None.

2B. Awards/Presentations/Proclamations

At the request of staff, a motion was made by Vice Mayor Orsborn and seconded by Councilmember Hess to continue the Enterprise Resource Planning (ERP) Project Update and Staff ERP Project Team Awards Presentation. Motion passed unanimously.

3. Minutes

A motion was made by Vice Mayor Orsborn and seconded by Councilmember Hess to approve the minutes of the January 16, 2015 Council Policy Discussion, April 30, 2015 Council Policy Discussion, May 19, 2015 Council Workshop and May 19, 2015 Regular Council Meeting. Motion passed unanimously.

4. Expenditures

A motion was made by Vice Mayor Orsborn and seconded by Councilmember Hess to ratify the payment of the accounts payable expenditures made. Copies of invoices are available at City Hall. Motion passed unanimously.

CONSENT AGENDA ITEMS

Approval of items on the Consent Agenda - All items with an (*) are considered to be routine matters. A motion was made by Councilmember Heustis and seconded by Vice Mayor Orsborn to approve Consent Items *5A., *5B., *5C., *5D., *5E., *5F., *5G., *5H., *5I., *5J. and *5K. Motion passed unanimously.

***5. New Business**

***5A. Boards and Commissions Resignation**

Staff Liaison: Lucinda Aja, City Clerk

District No. 4

Council accepted the resignation of Margarito Lara (District 4) as a Regular Member on the Community Services Advisory Board

- *5B. Resolution No. 56-15 Approving the Joint Project Agreement between the City of Buckeye and the State of Arizona Department of Transportation Relating to Pavement Preservation at the Buckeye Municipal Airport; Authorizing the Mayor to Execute and Deliver Said Agreement**
Staff Liaison: Scott Lowe, Public Works Director
District No. 2

Council adopted Resolution No. 56-15 approving the Joint Project Agreement between the City of Buckeye and the State of Arizona Department of Transportation relating to pavement preservation at the Buckeye Municipal Airport; authorizing the Mayor to execute and deliver said Agreement on behalf of the City.

- *5C. Resolution No. 54-15 Approving an Amendment to an Intergovernmental Agreement (IGA) with the City of Maricopa for the Continuation of Law Enforcement Dispatch Services; Authorizing the Mayor or City Manager to Execute and Deliver Said Agreement**
Staff Liaison: James Tortora, Support Services Administrator
District No. All

Council adopted Resolution No. 54-15 approving an amendment to an Intergovernmental Agreement (IGA) with the City of Maricopa for the continuation of law enforcement dispatch services; authorizing the Mayor or City Manager to execute and deliver said Agreement.

- *5D. Approval of the Memorandum of Understanding (MOU) between the City of Buckeye and the Buckeye Valley Chamber of Commerce Relating to the Chamber's Provision of Economic Development Services to the City for the Amount of \$60,000 in Fiscal Year 2015-2016; Authorizing the City Manager to Execute and Deliver said Memorandum of Understanding**
Staff Liaison: Len Becker, Economic Development Manager
District No. All

Council approved the Memorandum of Understanding between the City of Buckeye and the Buckeye Valley Chamber of Commerce relating to the Chamber's provision of economic development services to the City for the amount of \$60,000 in fiscal year 2015-2016; authorize the City Manager to execute and deliver said Memorandum of Understanding on behalf of the City.

- *5E. Ordinance No. 09-15 Right-of-Way Annexation/Transfer of a Tract of Maricopa County Right-of-Way Generally Located on Miller Road at the Buckeye Canal**
Staff Liaison: Sean Banda, Planner II
Phil Reimer, Project Supervisor
District No. 1

Council adopted Ordinance No. 09-15 extending and increasing the corporate limits of the City of Buckeye, Maricopa County, State of Arizona, pursuant to the provisions of title 9, chapter 4, article 7, Arizona Revised Statutes and amendments thereto, by annexing/transferring a tract of Maricopa County right-of-way generally located on Miller Road at the Buckeye Canal.

- *5F. Ordinance No. 10-15 Right-of-Way Annexation/Transfer of a Tract of Maricopa County Right-of-Way Generally Located on Watson Road North of I-10**
Staff Liaison: Sean Banda, Planner II
Phil Reimer, Project Supervisor
District No. 6

Council adopted Ordinance No. 10-15 extending and increasing the corporate limits of the City of Buckeye, Maricopa County, State of Arizona, pursuant to the provisions of title 9, chapter 4, article 7, Arizona Revised Statutes and amendments thereto, by annexing/transferring a tract of Maricopa County right-of-way generally located on Watson Road North of I-10.

***5G. Approval of a Map of Dedication for a Portion of Verrado Way and McDowell Road**

Staff Liaison: Sean Banda, Planner II

District No.

Council approved a Map of Dedication for a portion of Verrado Way and McDowell Road (eastbound lanes) for approximately five (5) acres along Verrado Way between I-10 and north of McDowell Road within the Verrado Master Planned Community. Request by Wood, Patel & Associates, Inc. on behalf of DMB White Tank, LLC.

***5H. City Hall Replat of Final Plat**

Staff Liaison: Sean Banda, Planner II

District No. 3

Council approved a Replat of a Final Plat for an approximately 3.4 acre subdivision consisting of 20 lots known as Central Buckeye generally located between Fifth and Seventh Streets and north of Monroe Avenue. Request by the City of Buckeye Development Services and Engineering Departments.

***5I. Authorize the City Manager to Approve, Execute, and Award a Contract for the Construction of Roadway Improvements to Lower Buckeye Road from Watson Road to the Sundance Park Project**

Staff Liaison: Chris Williams, Construction and Contracting Manager

District No. 3

Council authorized the City Manager to approve, execute, and award a contract in substantially the form on file with the City Clerk, in an amount not to exceed \$1,175,000, for the successful proposal resulting from the Request for Proposals No. 2014-094-DORFP#1 for the construction of roadway improvements to Lower Buckeye Road from Watson Road to the Sundance Park project.

***5J. Award Contract No. 2014-071 to Ritoch-Powell and Associates for Roosevelt Street Improvement District**

Staff Liaison: Chris Williams, Construction and Contracting Manager

District No. 6

Council awarded Contract No. 2014-071 to Ritoch-Powell and Associates for providing professional services as the District Engineer and 30% design documents associated with the Roosevelt Street Improvement District in the amount of \$479,961.82.

***5K. Resolution No. 62-15 Intergovernmental Agreement between the City of Buckeye and the State of Arizona Department of Revenue Regarding Administration, Collection, Audit and Licensing of Transaction Privilege Tax, Use Tax, Severance Tax, Jet Fuel Excise and Use Taxes and Rental Occupancy Tax Imposed by the City; Authorizing the Mayor to Execute and Deliver Said Agreement on Behalf of the City**

Staff Liaison: Larry Price, Finance Director

District No. All

Council adopted Resolution No. 62-15 approving the Intergovernmental Agreement between the City of Buckeye and the State of Arizona acting through the Arizona Department of Revenue regarding administration, collection, audit and licensing of transaction privilege tax, use tax, severance tax, jet fuel excise and use taxes and rental occupancy tax imposed by the City; authorizing the Mayor to execute and deliver said agreement on behalf of the City.

6. Continued / Tabled Items-None

7. Public Hearings / Non-Consent - New Business

7A. Public Hearing and Action Ordinance No. 11-15 Amending the Zoning Map of the City of Buckeye from Planned Residential (PR) Zoning District to Downtown Commercial (DC) Zoning District for Paradise RV, Inc. Staff Liaison: Andrea Marquez, Planner II District No. 2

Mayor Meck opened a public hearing at 6:40 p.m. to hear citizen input regarding the proposed rezone on approximately 0.54 acres of territory generally located on the southwest corner of Centre Ave and 6th Street from Planned Residential to Downtown Commercial. Ms. Hogan presented an overview of the request to amend the zoning map of the city from planned residential to downtown commercial; the proposed use is an existing RV and boat repair business. A vicinity map, project map, zoning map, current and historical aerial photos of the site were presented. A background of the process was described; the applicant purchased the property in 2014 and a temporary use permit was granted with conditions. In May of 2015, the Planning and zoning Commission approved the conditional use permit, with stipulations, and recommends approval of the rezone. Conditional use permit stipulations were listed. Staff recommends commercial zoning at this site with stipulations a-j and the addition of stipulation k reflecting that, within 60 days of approval, the property owner shall submit a Landscape Plan application to address screening, dust control, and buffering of the site. Applicant Jeff Vanderpool (513 East Centre) stated his agreement with the stipulations, including the additional stipulation k. Councilmember Heustis stated, after speaking with neighbors, there have been no objections to the business operating at this location. Councilmember Garza stated the lot was vacant for many years; neighbors have expressed concern related to use of the property and potential noise issues. Ms. Hogan stated the site will not be used for storage and the landscape buffering will assist with noise control. Mr. Vanderpool stated loud machinery is not used at the location; business hours are from 8:30 a.m. through 4:30 p.m. Ms. Hogan clarified stipulation k contemplates conformance with the landscape plan and meeting development code requirements. There being no further comment, Mayor Meck closed the public hearing at 7:00 p.m. A motion was made by Councilmember Heustis and seconded by Councilmember McAchran to adopt Ordinance No. 11-15 amending the Zoning Map of the City of Buckeye on approximately .54 acres, generally located in the downtown Buckeye area, specifically the Buckeye BLK 22-27, 34-36 Subdivision, from the Planned Residential (PR) Zoning District to Downtown Commercial (DC) Zoning District, subject to stipulations (a-k). Request by Jeff Vanderpool on behalf of Paradise RV, Inc. Motion passed unanimously.

At the request of staff, Items 7B., 7C., and 7D. were taken out of order and heard simultaneously.

7B. Public Hearing and Action Ordinance No. 12-15 Jackrabbit Crossing Annexation Consisting of 2 Parcels Containing Approximately 17.54 Acres Generally Located at the Southwest Corner of Indian School Road and Jackrabbit Trail Staff Liaison: Ed Boik, Senior Planner District No. 6

Mayor Meck opened the public hearings at 6:32 p.m. to hear citizen input regarding the Jackrabbit Crossing annexation consisting of two (2) parcels general located at the southwest corner of Indian School Road and Jackrabbit Trail. Ms. Hogan provided an overview of the request to adopt Ordinance No. 12-15 annexing a parcel located at Indian School Road and Jackrabbit trail. A map of the property and surrounding site was presented. Current land use and zoning was summarized. Rezoning and PAD request details were listed and described; the corner is the last unincorporated corner. The PAD addresses compatibility with adjacent 1-acre single family homes. Architectural examples were presented. Public notice has been provided in accordance with the code. Staff recommends approval. There being no further comment, Mayor Meck closed the public hearings at 6:37 p.m. A motion was made by Councilmember Heustis and seconded by Councilmember McAchran to adopt Ordinance No.12-15 extending and increasing the Corporate Limits of the City of Buckeye, Maricopa County, State of Arizona, pursuant to the provisions of title 9, chapter 4, article 7, Arizona Revised Statutes and amendments thereto, by annexing two (2) parcels containing approximately 17.54 acres with the parcels generally located at the southwest corner of Indian School Road and Jackrabbit Trail. Request by Kurt Jones of Tiffany & Bosco on behalf of Circle Road Partners. Motion passed unanimously.

**7C. Public Hearing and Action Resolution No. 59-15 Jackrabbit Crossing Minor General Plan Amendment
Staff Liaison: Ed Boik, Senior Planner
District No. 6**

Mayor Meck opened the public hearings at 6:32 p.m. to hear citizen input regarding the Jackrabbit Crossing General Plan Amendment. An overview was provided by Ms. Hogan. There being no further comment, Mayor Meck closed the public hearings at 6:37 p.m. A motion was made by Councilmember Heustis and seconded by Councilmember McAchran to adopt Resolution No. 59-15 approving a Minor General Plan Amendment to the City of Buckeye General Plan Use Map amending the land use designation of a parcel located at the southwest corner of Indian School Road and Jackrabbit Trail from Low-Density Residential to Community Commercial. Motion passed unanimously.

**7D. Public Hearing and Action Ordinance No. 13-15 Jackrabbit Crossing Rezone from Single Family Residential to Community Commercial with a Planned Area Development (PAD) Overlay
Staff Liaison: Ed Boik, Senior Planner
District No. 6**

Mayor Meck opened the public hearings at 6:32 p.m. to hear citizen input regarding the Jackrabbit Crossing rezone from Single Family Residential to Community Commercial with a PAD Overlay. An overview of the request was provided by Ms. Hogan. There being no further comment, Mayor Meck closed the public hearings at 6:37 p.m. A motion was made by Councilmember Heustis and seconded by Councilmember McAchran to adopt Ordinance No. 13-15 amending the Zoning Map of the City of Buckeye on approximately 17.54 acres, generally located at the southwest corner of Indian School Road and Jackrabbit Trail, from the Single Family Residential 43 (SF-43) Zoning District to Community Commercial (C-2) Zoning District with a Planned Area Development (PAD) Overlay. Motion passed unanimously.

**7E. Authorize Approval of Spending Authority for Body Camera Program Implementation for Purposes of Evidence Collection, Increased Transparency and Police Legitimacy; Authorize the use of General Fund Contingency Funds, if Necessary, to Fund the Cost of Acquiring the Necessary Equipment; Authorize the Reclassification of an Existing Police Officer Position to a Police Sergeant Position
Staff Liaison: Larry Hall, Police Chief
District No. All**

Assistant Police Chief Sanders provided an overview of the request for approval of spending authority for implementation of the body camera program. Concerns include public privacy, retention and storage, police officer privacy and budgetary constraints. Grant funding is being sought; the five year total is approximately \$396,000. Funding sources are listed and summarized; the department will utilize unlimited data storage. An overview of the deployment plan was provided. Use of the cameras by officers was discussed. A motion was made by Councilmember Heustis and seconded by Councilmember Hess to authorize approval of spending authority for body camera program implementation for the purposes of evidence collection, increased transparency and police legitimacy; authorize the use of General Fund Contingency Funds, if necessary, to fund the cost of acquiring the necessary equipment, not to exceed approximately \$75,000; authorize the reclassification of an existing Police Officer position to a Police Sergeant position to administer the body camera program. Motion passed unanimously.

8. City Manager's Report and Government Relations
See attached City Manager's Report.

9. Comments from the Mayor and Council

Councilmember Garza: no comment.

Councilmember Strauss: no comment.

Councilmember Hess: thanked community services department and staff for successful ground-breaking ceremony at Skyline Regional Park; stated the community supports the project.

Councilmember McAchran: no comment.

Councilmember Heustis: invited staff and residents to attend a presentation to All Faith Community Services at the Jones Ford dealership; discussed skyline park ground-breaking event.

Vice Mayor Orsborn: no comment.

Mayor Meck: commented with regard to the Skyline Park ground breaking event.

10. Adjournment

A motion was made by Vice Mayor Orsborn and seconded by Councilmember Strauss to adjourn the meeting at 7:21 p.m. Motion passed unanimously.

Jackie A. Meck, Mayor

ATTEST:

Lucinda J. Aja, City Clerk

I hereby certify that the foregoing minutes are a true and correct copy of the Regular Council Meeting held on the 16th day of June, 2015. I further certify that a quorum was present.

Lucinda J. Aja, City Clerk