MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
COUNCIL CHAMBER
May 20, 2008

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 Leone led the Pledge of Allegiance.

Members Present: Mayor Bob Barrett; Vice Mayor Cathy Carlat; Councilmembers Ron Aames, Joan Evans, Vicki Hunt, Carlo Leone and Dave Pearson.

Members Absent: None

Other Municipal Officials Present: Terrence Ellis, City Manager; Carl Swenson, Deputy City Manager; Susan Thorpe, Deputy City Manager; John Wenderski, Deputy City Manager; Steve Kemp, City Attorney; Mary Jo Kief, City Clerk; Stephen Bontrager, J.P. de la Montaigne, Brent Mattingly, Grady Miller, Dave Moody, Larry Ratcliff, Jeff Tyne, Glen Van Nimwegen and James Mason.

Audience: Approximately 10 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. Certificate of Appointment to the following Commission member:
   Steve Poe appointed to the Historic Preservation Commission.

Mayor Barrett stated that Mr. Poe has been appointed to the Historic Preservation Commission. Mr. Poe was unable to attend the meeting; therefore, his Certificate of Appointment will be mailed to him.

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:

Mayor Barrett asked if any Councilmember wished to have an item removed from the Consent Agenda and advised that Agenda item 3C will be carried over at the request of staff.

Motion was made by Councilmember Leone, seconded by Councilmember Hunt, to approve the Consent Agenda with the exception of Agenda Item 3C. Upon vote, the motion carried unanimously.

1C Appointment, Boards and Commissions

RESOLUTION 08-77

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, ACCEPTING THE RESIGNATION OF KEN FELDMAN AND APPOINTING KAREN GARBE TO THE HISTORIC PRESERVATION COMMISSION AND ESTABLISHING THE TERM OF OFFICE.

RESOLUTION 08-78

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING JOHN BUONAGURIO TO THE PUBLIC DEFENDER CONTRACT REVIEW COMMITTEE AND ESTABLISHING THE TERM OF OFFICE.

Approved the recommendation from the Council Subcommittee on Boards and Commissions Appointments and adopted **RES. 08-77** and **RES. 08-78** pertaining to the following appointment and reappointment:

RES. 08-77 Accepting the resignation of Ken Feldman and appointing Karen Garbe as a regular member to the Historic Preservation Commission for a partial term to expire December 2010; and

RES. 08-78 Reappointing John Buonagurio as a regular member to the Public Defender Contract Review Committee for a term to expire June 2012.

2C Code Amendment, Chapter 2, Judicial Selection Advisory Board

ORDINANCE NO. 08-12

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA AMENDING CHAPTER 2 OF THE PEORIA CITY CODE (1992) BY AMENDING SECTION 2-151 PERTAINING TO REGULARLY SCHEDULDED BOARDS AND COMMISSIONS; LIMITS ON TERMS AND AMENDING SECTION 2-152 PERTAINING TO BOARDS AND COMMISSIONS; UNSCHEDULED BOARDS AND COMMISSIONS AND AMENDING SECTION 2-153 PERTAINING TO BOARDS AND COMMISSIONS; UNSCHEDULED BOARDS AND COMMISSIONS; TERMS AND AMENDING SECTION 2-154 PERTAINING TO VACANCIES, BOARDS, COMMISSIONS AND COMMITTEES AND AMENDING SECTION 2-156 PERTAINING TO BOARDS AND COMMISSIONS; QUALIFICATIONS AND BY AMENDING CHAPTER 15 OF THE PEORIA CITY CODE (1992) BY AMENDING SECTION 15-1 PERTAINING TO MUNICIPAL COURT; PRESIDING JUDGE; APPOINTMENT OF JUDGES; TERMS AND BY AMENDING SECTION 15-3 PERTAINING TO MUNICIPAL COURT; APPOINTMENT OF ASSISTANT MUNICIPAL JUDGES, JUDGES PRO-TEMPORE, COURT ADMINISTRATOR; CIVIL HEARING OFFICER AND OTHER COURT EMPLOYEES AND BY ENACTING SECTION 15-8 PERTAINING TO JUDICIAL SELECTION ADVISORY BOARD—ESTABLISHMENT; MEMBERSHIP; POWERS AND DUTIES; OPERATING PROCEDURES AND PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Adopted **ORD. 08-12** to amend Chapters 2 and 15 of the Peoria City Code (1992 Edition) to provide for a Judicial Selection Advisory Board.

3C Establish New Classifications

At the request of staff, this Agenda Item related to the recommendation of the Personnel Review Committee regarding the establishment of new classifications in the Information Technology Department and Police Department was removed from the Agenda to be brought back before the Council at a later meeting yet to be determined. No Council action was taken.

4C Grant, Maricopa County Attorney, RICO (Racketeer Influenced and Corrupt Organization) Funds

a) Accepted RICO Fund grants from the Maricopa County Attorney's Office in the amount of $18,720 for Criminal Division contract attorney services (LCON12608); and in the amount of $2,557.27 to help the Arizona Coalition for Victim's Services to pay for their annual Arizona Victim Assistance Academy (LCON12708); and

b) Approved budget transfers from the General Fund Contingency Account in the amount of $18,720 to the State Anti-Racketeering, City Attorney Forfeiture Contract Labor Account; and in the amount of $2,558 to the State Anti-Racketeering - City Attorney Forfeiture City Participation, Outside Programs Account to provide additional expenditure authority for the grant funds in Fiscal Year 2008.

5C Intergovernmental Agreement, Peoria Unified School District, Education Channel

Authorized the City Manager to execute an intergovernmental agreement granting use of the education channel by the Peoria Unified School District. (LCON12808)

6C Contract, Kiewit Western Company, Beardsley Road Extension, 83rd Avenue to Loop 101

Awarded a contract for an amount not to exceed $199,818 to Kiewit Western Company for construction manager at risk services associated with the construction of the Beardsley Road extension, 83rd Avenue to State Route 101L (Phase I) (LCON12908).

7C Contract Amendment, Accela, Inc., Development Permitting Software System

Approved a contract amendment in the amount of $125,060 with Accela, Inc. for professional services to develop additional automation of functionality within the new development permitting system. (LCON03107C)

8C Contract Amendment, Project Engineering Consultants, Ltd., Sewer Line Rehabilitation, 95th Avenue and Northern Avenue

Approved Contract Amendment No. 2 in an amount not-to-exceed $162,179 with Project Engineering Consultants, Ltd. (PEC) to evaluate an additional mile of sewer line on Northern Avenue and to inspect 70 sanitary sewer manholes on 95th Avenue and Northern Avenue in order to complete the rehabilitation design. (LCON07706B)

9C Contract Amendment, Sundt Construction, Inc., Butler Drive Water Reclamation Facility Construction

a) Approved Contract Amendment No. 3 in an amount not-to-exceed $281,601 with Sundt Construction, Inc. to provide additional work on the Butler Drive Water Reclamation Facility needed to complete project construction (LCON03306C); and
b) Authorized a budget transfer within the project in the amount of $55,414 from the Wastewater Bonds, Land Account to the Wastewater Bonds, Wastewater Systems Account.

10C Contract Amendment, MGC Contractors, Inc., Jomax Water Reclamation Facility Expansion

Approved the City's portion of Contract Amendment No. 5 with MGC Contractors, Inc. for a Guaranteed Maximum Price (GMP) of $82,948 for construction services for Phase 2 of the Jomax Water Reclamation Facility expansion project (LCON08006E).

11C Budget Adjustment, Public Works Department, Fuel Costs

Approved a budget adjustment in the amount of $225,000 from the General Fund Contingency Account to pay for increased fuel costs for Fleet Services.

12C Budget Transfer, Utilities Department, Electricity Costs

a) Approved the use of reserves; and
b) Authorized a budget transfer in the amount of $500,000 from the General Fund Contingency Account to the Water Production Services Operating Account for electrical costs for water production services.

13C Budget Transfer, Utilities Department, Chemical Supplies

a) Approved the use of reserves; and
b) Authorized a budget transfer in the amount of $100,000 from the Water Fund Contingency Account to the Water Operating Account – Greenway Water Treatment Plant Account for chemical supplies.

14C Quarterly Investment Report

Approved the Quarterly Investment Report for the period ending March 31, 2008.

15C Maintenance Improvement District No. 1071, Camino a Lago South Unit 7, 98th Avenue and Adam Avenue

RESOLUTION NO. 07-138A

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. 1071, CAMINO A LAGO SOUTH UNIT 7, 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. 07-139A

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA DECLARING ITS INTENTION TO ORDER THE IMPROVEMENTS OF A CERTAIN AREA WITHIN THE CORPORATE LIMITS OF THE CITY AND CREATING AN IMPROVEMENT DISTRICT KNOWN AS THE CITY OF PEORIA MAINTENANCE IMPROVEMENT DISTRICT NO. 1071, CAMINO A LAGO SOUTH UNIT 7; PROVIDING THAT THE COST OF THE MAINTENANCE OF THE LANDSCAPING INCLUDED WITHIN, NEAR, AND ADJACENT TO A PARKWAY AND RELATED FACILITIES TOGETHER WITH APPURTENANT STRUCTURES AS SHOWN ON THE PLANS, SHALL BE ASSESSED UNDER THE PROVISIONS OF TITLE 48, CHAPTER 4, ARTICLE 2, ARIZONA REVISED STATUTES, AS AMENDED; AND DECLARING AN EMERGENCY.

Re-approved the Petition of Formation and adopted **RES. 07-138A** intention and ordering formation of Maintenance Improvement District No. 1071, Camino a Lago South Unit 7, located on 98th Avenue and Adam Avenue; and adopted **RES. 07-139A** ordering the work within the Maintenance Improvement District.

16C Maintenance Improvement District No. 1077, Camino a Lago South Unit 6, 95th Avenue and Lake Pleasant Parkway

RESOLUTION NO. 07-116A

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. 1077, CAMINO A LAGO SOUTH UNIT 6, 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. 07-117A

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA DECLARING ITS INTENTION TO ORDER THE IMPROVEMENTS OF A CERTAIN AREA WITHIN THE CORPORATE LIMITS OF THE CITY AND CREATING AN IMPROVEMENT DISTRICT KNOWN AS THE CITY OF PEORIA MAINTENANCE IMPROVEMENT DISTRICT NO. 1077, CAMINO A LAGO SOUTH UNIT 6; PROVIDING THAT THE COST OF THE MAINTENANCE OF THE LANDSCAPING INCLUDED WITHIN, NEAR, AND ADJACENT TO A PARKWAY AND RELATED FACILITIES TOGETHER WITH APPURTENANT STRUCTURES AS SHOWN ON THE PLANS, SHALL BE ASSESSED UNDER THE PROVISIONS OF TITLE 48, CHAPTER 4, ARTICLE 2, ARIZONA REVISED STATUTES, AS AMENDED; AND DECLARING AN EMERGENCY.

Re-approved the Petition of Formation and adopted **RES. 07-116A** intention and ordering formation of Maintenance Improvement District No. 1077, Camino a Lago South Unit 6, located on 95th Avenue and Lake Pleasant Parkway; and adopted **RES. 07-117A** ordering the work within the Maintenance Improvement District.

17C Street Light Improvement District No. 1034, Camino a Lago Unit 7, 98th Avenue and Adam Avenue

RESOLUTION NO. 07-144A

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 STREET LIGHT IMPROVEMENT DISTRICT NO. 1034, CAMINO A LAGO SOUTH UNIT 7; 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. 07-145A

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 STREET LIGHT IMPROVEMENT DISTRICT NO. 1034, CAMINO A LAGO SOUTH UNIT 7, 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.

Re-approved the Petition of Formation and adopted **RES. 07-144A** intention and ordering formation of Street Light Improvement District No. 1034, Camino a Lago Unit 7, located on 98th Avenue and Adam Avenue; and adopted **RES. 07-145A** ordering the purchase of electricity for lighting streets and parks within the Street Light Improvement District.

18C Street Light Improvement District No. 1039, Camino a Lago South Unit 6, 95th Avenue and Lake Pleasant Parkway

RESOLUTION NO. 07-124A

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 STREET LIGHT IMPROVEMENT DISTRICT NO. 1039, CAMINO A LAGO SOUTH UNIT 6; 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. 07-125A

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 STREET LIGHT IMPROVEMENT DISTRICT NO. 1039, CAMINO A LAGO SOUTH UNIT 6, 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.

Re-approved the Petition of Formation and adopted **RES. 07-124A** intention and ordering formation of Street Light Improvement District No. 1039, Camino a Lago South Unit 6, located on 95th Avenue and Lake Pleasant Parkway; and adopted **RES. 07-125A** ordering the purchase of electricity for lighting streets and parks within the proposed Street Light Improvement District.

19C Re-Plat, Deer Valley Marketplace, Lot 2, 83rd Avenue and Deer Valley Road

Approved the Re-Plat of Lot 2 of the Deer Valley Marketplace, located at the northeast corner of 83rd Avenue and Deer Valley Road, subject to stipulations. (Project No. R070077)

REGULAR AGENDA

NEW BUSINESS

20R PUBLIC HEARING – Liquor Licenses, Various Locations

PUBLIC HEARING: Mayor Barrett opened the Public Hearing and asked if any Councilmember or citizen wished to comment on requests for:

a) A new Restaurant Liquor License (Series 12) for 3 Tomatoes & a Mozzarella, located at 8258 W. Thunderbird Road Suite 206. Applicant: Jeffrey H. Roskin. LL#10011969; and
b) A new Restaurant Liquor License (Series 12) for Restaurant Satara Thai Cuisine Boutique Wine Lounge, located at 8350 W. Paradise Lane. Applicant: Randy D. Nations. LL#10012004.

Staff Report/Public Comment:

Mary Jo Kief, City Clerk, reported that the properties had been posted in accordance with Arizona law, all fees were paid, all reviewing Departments recommended approval, and no comments were received from the public.

Having no request from the public to address this item, Mayor Barrett declared the public hearing closed.

Council Action:

Councilmember Evans inquired as to whether the Council could approve the Liquor License for Satari Thai Cuisine given that one of the applications does not bear the signature of the applicant.

Steve Kemp, City Attorney, advised that the application should be held over to another Council Meeting, pending signature of the applicant.

Councilmember Evans requested that the two properties requesting Liquor Licenses be considered separately.

Motion was made by Councilmember Evans, seconded by Councilmember Leone, to recommend approval to the State Liquor Board for:

a) A new Restaurant Liquor License (Series 12) for 3 Tomatoes & a Mozzarella, located at 8258 W. Thunderbird Road Suite 206. Applicant: Jeffrey H. Roskin. LL#10011969.

Upon vote, the motion carried unanimously.

Motion was made by Councilmember Evans, seconded by Councilmember Aames to carry over consideration of the request to approve the Liquor License for:

b) A new Restaurant Liquor License (Series 12) for Restaurant Satara Thai Cuisine Boutique Wine Lounge, located at 8350 W. Paradise Lane. Applicant: Randy D. Nations. LL#10012004.

Upon vote, the motion to carry over carried unanimously.

21R Intergovernmental Agreement Amendment, Peoria Unified School District, Facility Use

Terry Ellis, City Manager, commented on the relationship between Peoria Unified School District (PUSD) and the City of Peoria. Mr. Ellis stated that the agreement before the Council is indicative of the type of relationship shared between the City of Peoria and PUSD. Mr. Ellis stated this agreement came about in an attempt to address problems related to quick growth in population.

J.P. de la Montaigne, Community Services Director, addressed the Council stating that Mr. Ellis assisted in the establishment of an Intergovernmental Agreement in 1999 between PUSD and the City of Peoria. This agreement is to allow the City of Peoria to continue to use 20 elementary schools and 4 high schools for recreation programs and in turn, the City of Peoria waives the fees for PUSD when new schools are built. The Parks and Recreation Board unanimously recommended this agreement and it will go before the School Board at their next meeting.

Vice Mayor Carlat inquired if the City of Peoria was permitted to use new schools as they are built, or does the contract need to be amended before they can be used. Mr. de la Montaigne stated all new schools are included in the contract.

Councilmember Evans inquired as to whether utility costs during the summer months were included within the agreement. Mr. de la Montaigne informed all utility costs are included in the agreement; however, there may be some out-of-pocket costs mainly for fuel expenses for the buses during the summer months.

Motion was made by Vice Mayor Carlat, seconded by Councilmember Hunt to authorize the City Manager to execute an updated Intergovernmental Agreement with the Peoria Unified School District for development processing, general cooperation and facility use (LCON02299A). Upon vote, the motion carried unanimously.

22R Intergovernmental Agreement, Arizona Department of Transportation, Skunk Creek Multi-Use Pathway and Underpass, 83rd Avenue and Rio Vista Community Park

J.P. de la Montaigne, Community Services Director, addressed the Council reminding that one of the top priorities of the Council this year was trail development. Trail construction is currently going on between Olive Avenue and Grand Avenue as the Council previously approved, to connect to the Rio Vista Park trail.

Kirk Haines, Parks Manager, addressed the Council stating that this request will provide a critical link to connect our trails to other trails within the Valley. Mr. Haines provided an overview of the existing trails and the trails that are planned.

Motion was made by Councilmember Aames, seconded by Vice Mayor Carlat to:

a) Approve an Intergovernmental Agreement with the Arizona Department of Transportation (ADOT) for the development of a multi-use pathway and underpass along Skunk Creek, between 83rd Avenue and Rio Vista Community Park (LCON13008); and
b) Authorize expenditure in the amount of $252,571 to ADOT for matching funds for the project.

Upon vote, the motion carried unanimously.

CALL TO PUBLIC: (NON-AGENDA ITEMS)

Dolores Ceballos addressed the Council and expressed her opinion about the City Logo "Naturally Connected" being copyrighted by another company that also uses that logo. Ms. Ceballos also expressed appreciation to Councilmembers Aames and Leone for their comments during the Study Session related to the logo and for Mayor Barrett's willingness to have further discussion about the logo.

Reports from the City Manager:

1. Neighborhood Traffic Management Program (NTMP) – Annual Report for the Year 2007

Steve McKenzie, Transportation Planning Engineer, reported he would like to have a streamlined policy for the NTMP that would allow the City of Peoria to work with neighborhoods quicker and to make it more effective for the residents. Mr. McKenzie informed the Council that in 2007, the following was accomplished:

- Reduced the time a project is on the waiting list; currently there is no waiting list.
- Trained and transitioned the new NTMP Project Manager
- Reviewed and evaluated current NTMP policies and procedures
- Implemented and tested some new procedures
- Explored traffic calming options for collector roadways.

Mr. McKenzie reported that the 2008 goals are as follows:

- Reduce waiting lists
- Implement speed cushions on collector roadways
- Propose policy and procedure changes to enable the program to be more efficient for the general public, and to help residents to be more successful in bringing projects to fruition, as well as implementing policies that better serve the needs of individual neighborhoods.

Councilmember Aames inquired as to whether tests are done after the implementation of traffic calming measures to determine the successfulness of the implementation. Mr. McKenzie explained that the standard procedure is to do a before and after study to compare and ensure the devices are functioning properly and that they have the affect that the neighborhood was looking for. In response to further questions from Councilmember Aames, Mr. Mckenzie reported that the typical results of an after-implementation study are favorable in that there is typically a reduction in speed and sometimes in volume as well.

Mayor Barrett inquired about the time-loss for emergency vehicles going over the speed cushions. Mr. McKenzie reported that fire trucks were tested and able to go over the speed cushions at approximately 25 miles per hours resulting in no time loss.

Reports from City Council:

Councilmember Leone reported on the various City of Peoria activities he attended.

Councilmember Evans reminded that school is out this week and the streets will be filled with children playing and requested that everyone drive safely.

Reports from the Mayor:

None

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 7:38 p.m.

Bob Barrett, Mayor

ATTEST:

Mary Jo Kief, City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the City Council of Peoria, Arizona held on the 20th day of May, 2008. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 26th day of August, 2008.

(Seal)

Mary Jo Kief, City Clerk