

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
COUNCIL CHAMBER
July 3, 2012

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 silent reflection, Councilmember Pearson led the Pledge of Allegiance.

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

Members Absent: None

Other Municipal Officials Present: Carl Swenson, City Manager; Susan Daluddung, Deputy City Manager; Susan Thorpe, Deputy City Manager; Steve Kemp, City Attorney; Rhonda Geriminsky, Interim City Clerk; Andy Granger, Engineering Director; Katie Gregory, Interim Management and Budget Director; Stacy Irvine, Interim Fire Chief; Chris Jacques, Planning and Community Development Director; Claudia Luján, Interim Human Resources Director; Bill Mattingly, Public Works and Utilities Director; Roy Minter, Police Chief; Jeff Tyne, Interim Community Services Director; and Linda Blas, Deputy City Clerk.

Audience: Approximately five 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.

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 Barrett asked if any Councilmember wished to have an item removed from the Consent Agenda.

Councilmember Rivero requested that Agenda Items 4C, 6C, 14C and 15C be removed for separate discussion.

Councilmember Pearson requested that Agenda Item 16C be removed for separate discussion.

Motion was made by Councilmember Rivero, seconded by Councilmember Leone, to approve the Consent Agenda with the exception of Agenda Items 4C, 6C, 14C, 15C and 16C.

Upon vote, the motion carried unanimously 7 to 0.

CONSENT – New Business:

1C Disposition of Absence

Excused the absence of Mayor Bob Barrett, Councilmember Cathy Carlat, and Councilmember Joan Evans from the Special Study Session held on June 20, 2012.

2C Minutes

Approved the following minutes:

June 19, 2012 Special Meeting and Study Session
June 19, 2012 Regular Meeting
June 20, 2012 Study Session

3C Code Amendment, Chapter 2, Community Services Department Fees

ORDINANCE NO. 2012-14

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA AMENDING CHAPTER 2 OF THE PEORIA CITY CODE (1992) BY AMENDING TABLE 2--207 PERTAINING TO FEES CHARGED BY THE COMMUNITY SERVICES DEPARTMENT AND PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Adopted **ORD. 2012-14** amending Chapter 2, Section 2-207 of the Peoria City Code (1992 Edition) pertaining to Community Services Department Fees for Fiscal Year 2013.

4C Contract, Quest Civil Constructors, Trunk Sewer Rehabilitation

Clerk's Note: This item was heard separately at the end of the Consent Agenda.

At the request of Councilmember Rivero, Agenda Item 4C was pulled from the Consent Agenda for separate discussion.

Joe Kurrus, Engineering Supervisor, provided an overview of the Trunk Sewer Rehabilitation program.

Motion was made by Councilmember Rivero, seconded by Vice Mayor Aames, to award a construction contract in the amount of \$1,753,059 to Quest Civil Constructors for repair and rehabilitation of 5,811 lineal feet of trunk sewer main as part of the Trunk Sewer Rehabilitation project (UT00296).

Upon vote, the motion carried unanimously 7 to 0.

5C Contract Amendment, Combs Construction, Beardsley Road; Lake Pleasant Road to 99th Avenue

Approved Contract Amendment No. 2 with Combs Construction in the amount not to exceed \$182,600 for the improvements on Beardsley Road between 99th Avenue and Lake Pleasant Road.

6C Intergovernmental Agreement, Peoria Unified School District, School Resource Officers

Clerk's Note: This item was heard separately at the end of the Consent Agenda.

At the request of Councilmember Rivero, Agenda Item 6C was pulled from the Consent Agenda for separate discussion.

Roy Minter, Police Chief, provided an overview of the School Resource Officer program.

Joe McCord addressed Council in support of the program and the addition of a School Resource Officer to the Liberty High School campus.

Motion was made by Councilmember Rivero, seconded by Councilmember Evans, to authorize the City Manager to execute an Intergovernmental Agreement with the Peoria Unified School District to assign four Peoria Police Officers to the campuses of Peoria, Sunrise Mountain, Centennial and Liberty High Schools as School Resource Officers.

Upon vote, the motion carried unanimously 7 to 0.

7C Intergovernmental Agreement, Maricopa County, Agua Fria Truck Road Reliever

- (a) Approved an Intergovernmental Agreement (IGA) with Maricopa County for the design, right-of-way acquisition, utility relocation, construction, construction management, operation and maintenance of the proposed truck route reliever; and

- (b) Accepted Maricopa County funds in the amount of \$250,000 and approved the associated budget transfer to establish budget authority for Maricopa County's share of the project cost.

8C Intergovernmental Agreement, Maricopa County Flood Control District and City of Surprise, 115th Avenue, Union Hills Drive, and 107th Avenue Drainage Improvements

Approved an Intergovernmental Agreement (IGA) with the Flood Control District of Maricopa County (FCDMC) and City of Surprise to Design the 115th Avenue, Union Hills Drive, and 107th Avenue Drainage Improvements.

9C Grant, Technology Act, Library Services

- (a) Accepted a grant in the amount of \$13,750 from the Library Services and Technology Act (LSTA) Grant administered by the State Library, Archives and Public Records for the funding of eReaders; and
- (b) Authorized appropriate budget amendments.

10C Deeds and Easements, Various Locations

RESOLUTION NO. 2012-78

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. 2012-78** accepting Deeds and Easements for various real property interests acquired by the City and previously recorded by the Maricopa County Recorder's Office.

11C Designate Roadways, Establish Rights-of-Way, Various Locations

RESOLUTION NO. 2012-93

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA ADOPTING A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF PUBLIC STREETS, TO BE OPENED AND MAINTAINED BY THE CITY.

Adopted **RES. 2012-93** designating various Real Properties to be used as City roadways and authorize the establishment of Public Rights-of-Way to be opened and maintained by the City as a Public Street.

12C Map of Dedication, Deer Valley Road, 91st Avenue to 95th Avenue

Approved a Map of Dedication for Deer Valley Road, from 91st Avenue to 95th Avenue, subject to stipulations.

13C Final Plat, Umbria Estates, 101st Avenue and Williams Road

Approved a Final Plat of Umbria Estates, located at 101st Avenue and Williams Road, subject to stipulations.

14C Budget Adjustment, Fire Department Operating Divisions, Operating Expenses

Clerk's Note: This item was heard separately at the end of the Consent Agenda.

At the request of Councilmember Rivero, Agenda Item 14C was pulled from the Consent Agenda for separate discussion.

Katie Gregory, Interim Management and Budget Director, provided a review of the request for a budget adjustment to cover operating expenses for the Fire Department.

Motion was made by Councilmember Rivero, seconded by Councilmember Leone, to (a) approve a one-time budget adjustment in the amount of \$342,000; and (b) authorize the use of reserves to cover one-time operating expenses/overages in the Fire Department Operating Divisions.

Upon vote, the motion carried unanimously 7 to 0.

15C Budget Adjustment, City Attorney's Office, Legal Services

Clerk's Note: This item was heard separately at the end of the Consent Agenda.

At the request of Councilmember Rivero, Agenda Item 15C was pulled from the Consent Agenda for separate discussion.

Katie Gregory, Interim Management and Budget Director, summarized the request for a budget adjustment for legal services and litigation expenses.

Motion was made by Councilmember Rivero, seconded by Councilmember Leone, to (a) approve a budget adjustment in the amount of \$50,000 from the General Fund Contingency Account to the Civil Legal Services Account; and (b) approve the use of General Fund reserves for the purposes of funding City litigation costs.

Upon vote, the motion carried unanimously 7 to 0.

16C Modification, United States Postal Service, Zip Codes

Clerk's Note: This item was heard separately at the end of the Consent Agenda.

At the request of Councilmember Pearson, Agenda Item 16C was pulled from the Consent Agenda for separate discussion.

Steve Kemp, City Attorney, provided information regarding areas within the City that have addresses and/or zip codes associated with other jurisdictions. Mr. Kemp reported that previous requests to have addresses and zip codes consistent with the rest of the City of Peoria had been rejected by the United States Postal Service.

Motion was made by Councilmember Pearson, seconded by Vice Mayor Aames, to approve staff's recommendation that no further action be taken to modify zip codes in the City not having Peoria designations.

Upon vote, the motion carried unanimously 7 to 0.

REGULAR AGENDA

NEW BUSINESS

17R Confirmation - City Manager Appointment of Community Services Director

Carl Swenson, City Manager, introduced John Sefton for selection of Community Services Director and provided background on Mr. Sefton's professional experience and qualifications.

Motion was made by Vice Mayor Aames, seconded by Councilmember Pearson, to confirm the City Manager appointment of John Sefton as Community Services Director, effective August 20, 2012.

Upon vote, the motion carried 6 to 1, with Councilmember Leone voting "no".

CALL TO THE PUBLIC: (NON-AGENDA ITEMS)

Reports from the City Manager:

1. Council Calendar
2. Reports with Presentation – None
3. Informational

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

- a. Council Subcommittee Update; and
- b. Update on Electronic Digital Billboard Sign Civic Engagement Plan
- c. Staff Acknowledgements

Mr. Swenson recognized the following staff members for the outstanding jobs they performed on an interim basis:

- Stacy Irvine, Interim Fire Chief
- Katie Gregory, Interim Management and Budget Director
- Jeff Tyne, Interim Community Services Director
- Claudia Luján, Interim Human Resources Director
- Corina Russo, Interim Assistant to the City Manager

Reports from City Council:

Councilmember Leone reported on the various City of Peoria activities he attended. Councilmember Leone urged the public to attend the All American Festival at the Sports Complex on July 4th.

Councilmember Carlat reminded citizens to attend the fireworks display at Lake Pleasant this evening and at the Sports Complex on July 4th.

Councilmember Pearson congratulated the Council and staff on a productive evening.

Councilmember Evans encouraged attendance at the July 4th event to be held at the Peoria Sports Complex.

Vice Mayor Aames reported on the various City of Peoria activities he attended. Vice Mayor Aames reported that the Maricopa Association of Governments selected Peoria to receive two 2012 Desert Peaks Awards in the Regional Partnership category. Vice Mayor Aames accepted the awards on behalf of the City for the Domestic Violence Protocol Evaluation Project and the Regional Wireless Cooperative. Vice Mayor Aames urged citizens to vote in the upcoming election on August 28, 2012.

Reports from the Mayor:

None.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 7:54 p.m.

Bob Barrett, Mayor

ATTEST:

Rhonda Geriminsky, Interim 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 3rd day of July, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 21st day of August, 2012.

(Seal)

Rhonda Geriminsky, Interim City Clerk