



MUNICIPAL OFFICE COMPLEX  
8401 W. MONROE STREET  
PEORIA, AZ 85345

**CITY COUNCIL REGULAR MEETING  
NOTICE & AGENDA  
Tuesday, April 03, 2012  
7:00 PM  
CITY COUNCIL CHAMBER  
RESULTS**

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**CITY COUNCIL:**

Mayor  
Bob Barrett

Palo Verde District  
Ron Aames, Vice Mayor

Acacia District  
Tony Rivero

Ironwood District  
Dave Pearson

Mesquite District  
Cathy Carlat

Pine District  
Carlo Leone

Willow District  
Joan Evans

City Manager  
Carl Swenson

**CONVENE:  
PLEDGE:  
ROLL CALL:**

**FINAL CALL TO SUBMIT SPEAKER REQUEST  
FORMS:**

**PRESENTATION:**

1. Certificates of Appointment to the following Board and Commission members who were appointed by Resolution at the March 20, 2012 City Council meeting:
  - William Bercu appointed to the Board of Adjustment,
  - Cecil Daniels appointed to the Board of Adjustment,
  - Reed Webber appointed to the Citizens Commission on Salaries for Elected City Officials,
  - Karen McDaniel appointed to the Library Board,
  - Matthew Porter appointed to the Municipal Development Authority,
  - Mary Truhler appointed to the Parks and Recreation Board,
  - Edward Ryan appointed to the Public Safety Personnel Retirement System – Fire,
  - Edward Ryan appointed to the Public Safety Personnel Retirement System – Police, and
  - Dominique Peterson appointed to the Youth Advisory Board.

## **CONSENT AGENDA**

**CONSENT AGENDA:** All items listed with "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:**

#### **1C Disposition of Absence - PASSED**

Discussion and possible action to excuse the absence of Mayor Bob Barrett for the following meetings:

March 20, 2012 Special Meeting and Study Session  
March 20, 2012 Executive Session Meeting  
March 20, 2012 Regular Meeting

#### **2C Minutes - PASSED**

Discussion and possible action to approve the following minutes:

March 6, 2012 Special Meeting and Study Session  
March 6, 2012 Regular Meeting  
March 15, 2012 Study Session  
March 20, 2012 Special Meeting and Study Session  
March 20, 2012 Regular Meeting

#### **3C Contract, Nesbitt Contracting Company, Inc., 83rd Avenue, Street and Drainage Improvements - PASSED**

Discussion and possible action to approve a contract with Nesbitt Contracting Company, Inc. in the amount not to exceed \$4,462,852 for the construction of the roadway improvements on 83rd Avenue between Las Palmeritas Drive and Mountain View Road, and the extension of Butler Drive from 83rd Avenue to 79th Avenue.

**4C Intergovernmental Agreement, Maricopa County, Happy Valley Parkway Bridge Improvements - PASSED**

Discussion and possible action to: (a) approve an Intergovernmental Agreement with Maricopa County for the cost sharing, design, construction, and construction administration obligations relating to restriping approximately 1,500 feet of Happy Valley Parkway and construction of a safety rail along the south barrier of the Happy Valley Parkway Bridge; and (b) accept Maricopa County funds in the amount of \$80,000 and approve the associated budget transfer to establish budget authority for Maricopa County's share of the project cost.

**5C Intergovernmental Agreement, Maricopa County, 87th Avenue; Via Montoya to Williams Road Improvements - PASSED**

Discussion and possible action to approve the Intergovernmental Agreement (IGA) between Maricopa County and the City of Peoria for the construction of 87th Avenue improvements from Via Montoya to Williams Road.

**6C Intergovernmental Agreement, State of Arizona, Traffic Signal Emergency Operations, Intelligent Transportation Ssystem Project - PASSED**

Discussion and possible action to approve an Intergovernmental Agreement (IGA) between the State of Arizona and the City of Peoria to have the Arizona Department of Transportation (ADOT) execute the construction of the Traffic Signal Emergency Operations Intelligent Transportation System (ITS) Project.

**7C Intergovernmental Agreement Amendment, State of Arizona, Beardsley Road Extension - PASSED**

Discussion and possible action to approve an amendment to the Intergovernmental Agreement (IGA) between the Arizona Department of Transportation (ADOT), Maricopa Association of Governments (MAG), City of Glendale (Glendale) and the City of Peoria (Peoria) for the maintenance of the Beardsley Road Extension, known as the Beardsley Connector.

**8C Reallocation of HOME Partnership Funds - PASSED**

Discussion and possible action to reallocate \$363,267 of U.S. Department of Housing and Urban Development (HUD) HOME Program funding to Habitat for Humanity Central Arizona (HFHCAZ) for the purpose of completing affordable housing projects within the City of Peoria.

**9C Notice of Intention to Adjust Water and Wastewater Rates and Establish Date of Public Hearing - PASSED**

Discussion and possible action to adopt the Notice of Intention and establish May 15, 2012 as the date for the public hearing to consider adoption of the recommended water and wastewater rates.

**10C Deeds and Easements, Various Locations - PASSED**

Discussion and possible action to adopt **RES. 2012-38** accepting Deeds and Easements for various real property interests acquired by the City and previously recorded by the Maricopa County Recorder's Office.

**11C Replat, Sonoran Mountain Ranch Parcel 15, Sonoran Mountain Ranch Road and 75th Avenue Alignment - PASSED**

Discussion and possible action to approve a Replat of Sonoran Mountain Ranch Parcel 15, located at Sonoran Mountain Ranch Road east of the 75th Avenue alignment, subject to stipulations.

**12C Final Plat, Sweetwater Ridge, Thunderbird Road and 75th Avenue - PASSED**

Discussion and possible action to approve a Final Plat of Sweetwater Ridge (also referred to as Southwest Kidney), located at Thunderbird Road and 75th Avenue, subject to stipulations.

## **REGULAR AGENDA**

### **NEW BUSINESS**

**13R Public Hearing-Liquor License, Ooka Hibachi Grill, located at 16049 North Arrowhead Fountain Drive Building B - PASSED**

**PUBLIC HEARING:** RE: New Restaurant Liquor License (Series 12) for Ooka Hibachi Grill, located at 10649 North Arrowhead Fountain Drive Building B, Qi He Chen, Applicant, LL#20004350.

Staff Report:  
Open Public Hearing:  
Public Comment:  
Close Public Hearing:

**COUNCIL ACTION:** Discussion and possible action to recommend approval to the State Liquor Board for a New Restaurant Liquor License (Series 12) for Ooka Hibachi Grill, located at 10649 North Arrowhead Fountain Dr Building B, Qi He Chen, Applicant, LL#20004350.

**14R PUBLIC HEARING - Code Amendment Chapter 14, Political Signs and Sports Complex Commercial Tourism Zone - PASSED**

**PUBLIC HEARING:** RE: an amendment to Chapter 14 of the Peoria City Code (1977 Edition) to amend Article 14-34 "Signs" with respect to political sign regulations (case TA11-0006) and **RES. 2012-39** creating a "Sports Complex Commercial Tourism Zone" for the purposes of restricting placement of political signs in the City-owned right-of-way around the Sports Complex.

Staff Report:  
Open Public Hearing:  
Public Comment:  
Close Public Hearing:

**COUNCIL ACTION:** Discussion and possible action to concur with the Planning and Zoning Commission's recommendation to adopt **ORD. 2012-06** amending Article 14-34 "Signs" with respect to Political Signs and concur with staff's recommendation to adopt **RES. 2012-39** creating a "Sports Complex Commercial Tourism Zone" for the purposes of restricting the placement of political signs in the City-owned right-of-way around the Sports Complex.

**15R Charter Amendment to Article VI, Section 3, Taxing Powers pertaining to Sales Tax on Wastewater Collection Services - PASSED**

Discussion and possible action to adopt **Res. 2012-40** placing a proposed charter amendment on the August 28, 2012 Regular Election Ballot that would amend Article VI, Section 3 of the Peoria City Charter pertaining to Sales Tax on Wastewater Collection Services.

**16R Charter Amendment to Article II, Section 5 of the Peoria City Charter pertaining to Terms of Councilmembers - PASSED**

Discussion and possible action to adopt **Res. 2012-42** placing a proposed charter amendment on the August 28, 2012 Regular Election Ballot that would amend Article II, Section 5 of the Peoria City Charter pertaining to Terms of Councilmembers.

**17R Charter Amendment to Article II, Section 20, Interference in Administrative Service pertaining to Policy Making by Charter Officers - PASSED**

Discussion and possible action to adopt **Res. 2012-41** placing a proposed charter amendment on the August 28, 2012 Regular Election Ballot that would amend Article II, Section 20 of the Peoria City Charter pertaining to Policy Making by Charter Officers.

**18R Charter Amendment to Article VI, Section 3, Taxing Powers pertaining to Percent for the Arts - PASSED**

Discussion and possible action to adopt **Res. 2012-43** placing a proposed charter amendment on the August 28, 2012 Regular Election Ballot that would amend Article VI, Section 3, of the Peoria City Charter pertaining to Percent for the Arts.

**CALL TO THE PUBLIC: (NON-AGENDA ITEMS)**

If you wish to address the City Council, please complete a Speaker Request Form and return it to the clerk before the call to order for this meeting. The City Council is not authorized by state law to discuss or take action on any issue raised by public comment until a later meeting.

**Reports from the City Manager:**

1. Council Calendar
2. Reports with Presentation
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. BioScience Incubator in Peoria
  - b. Council Subcommittee Update

c. Distinguished Budget Award

**Reports from City Council:**  
**Reports from the Mayor:**

**ADJOURNMENT**

**NOTE:** Documentation (if any) for items listed on the Agenda is available for public inspection, a minimum of 24 hours prior to the Council Meeting, at any time during regular business hours in the Office of the City Clerk, 8401 W. Monroe Street, Room 150, Peoria, AZ 85345.

***Accommodations for Individuals with Disabilities.*** Alternative format materials, sign language interpretation, assistive listening devices or interpretation in languages other than English are available upon 72 hours advance notice through the Office of the City Clerk, 8401 West Monroe Street, Room 150, Peoria, Arizona 85345 (623)773-7340, TDD (623)773-7221, or FAX (623) 773-7304. To the extent possible, additional reasonable accommodations will be made available within the time constraints of the request.

**PUBLIC NOTICE:**

*In addition to the City Council members noted above, one or more members of the City of Peoria Boards and Commissions may be present to observe the City Council meeting as noticed on this agenda.*