



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

**CITY COUNCIL REGULAR MEETING
NOTICE & AGENDA
Tuesday, October 19, 2010
7:00 PM
CITY COUNCIL CHAMBER**

CITY COUNCIL:

Mayor
Bob Barrett

Palo Verde District
Ron Aames, Vice Mayor

Acacia District
Vicki Hunt

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 September 21, 2010 and October 5, 2010 City Council meetings:
 - Judy Fahey appointed to the Employee Benefits Trust Board;
 - Lisa Wakefield appointed to the Veterans Memorial Board;
 - Jacob Jelinek appointed to the Youth Advisory Board; and
 - Honorable Joseph Welty appointed to the Judicial Advisory Selection Board
2. Sister City Young Ambassador Youth Exchange Presentation
3. Constitution Contest Winners Presentation

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 Appointment, Boards and Commissions

Discussion and possible action to approve the recommendation from the Council Subcommittee on Boards and Commissions Appointments pertaining to the following appointment and adopt the Resolution as presented:

Adopt **RES. 2010-88** appointing Thomas Campbell, as a regular member, to the Personnel Board for a partial term to expire June 2012.

2C Code Amendment, Chapter 14, Definitions, Truck Traffic

Discussion and possible action to adopt **ORD. 2010-29** amending Chapter 14 of the Peoria City Code (1992) amending Article 14-68 pertaining to permissible routes.

3C Code Amendment, Chapter 2, Forfeited Unclaimed Property

Discussion and possible action to adopt **ORD. 2010-30** amending Chapter 2 of the Peoria City Code (1992) pertaining to disposition of forfeited unclaimed property consisting of guns and dangerous weapons.

4C Annexation, Right of Way, 83rd Avenue; Olive Avenue to Las Palmaritas Drive

Discussion and possible action to adopt **ORD. 2010-31** approving the annexation of right-of-way on 83rd Avenue between Olive Avenue and Las Palmaritas Drive. (EN00313)

5C Grant, Governor's Office of Highway Safety, Police Department Enforcement and Safety Projects

Discussion and possible action to authorize the City Manager to (a) accept four grants totalling \$75,328.33 from the Governor's Office of Highway Safety to be used by the Police Department for speed enforcement, DUI enforcement, and other highway safety projects (LCON09710) (LCON09810) (LCON09910) (LCON10010); and (b) approve a budget amendment in the amount of \$75,328.33 from the Proposed Grants Contingency Account to the Occupant Protection Enforcement Program Grant Overtime Account in the amount of \$66,500 and to the Occupant Protection Enforcement Program Grant Operational Supplies Account in the amount of \$8,828.33 to provide expenditure authority.

6C Property Exchange, Bureau of Reclamation, Peoria Avenue; 91st Avenue to 95th Avenue

Discussion and possible action to adopt **RES. 2010-89** authorizing the City Manager to execute any documents necessary to exchange City-owned property with the Bureau of Reclamation, as required by Salt River Project, to perfect irrigation rights associated with the relocation of a USA fee irrigation canal on the south side of Peoria Avenue between 91st and 95th Avenues.

7C Contract, National Demographics Consulting, Redistricting

Discussion and possible action to approve a contract in an amount not-to-exceed \$57,000.00 with National Demographics Consulting for redistricting consultant services. (LCON10110)

8C Contract, Atlas Advertising, Redesign of Citywide and Economic Development Websites

Discussion and possible action to approve a contract in the amount of \$45,000 to Atlas Advertising for the redesign of the citywide website and economic development website. (LCON10210)

9C Contract, AECOM Technical Services, Open Space Prioritization Decision Support

Discussion and possible action to approve a contract in an amount not-to-exceed \$80,655 with AECOM Technical Services for Open Space Prioritization Decision Support professional services. (Solicitation P11-0030) (LCON10310)

10C Contract, ELS Construction Inc., Landscaping and Irrigation, 107th Avenue; Union Hills Drive to Beardsley Road

Discussion and possible action to award an individual Job Order Contract in the amount of \$124,163 to ELS Construction Inc. for the installation of irrigation and landscaping in the City maintained right of way on the east side of 107th Avenue between Union Hills Drive and Beardsley Road. (ACON29808P11)

11C Contract, J. Banicki Construction, Inc., Washington Street Storm Drainage Alley Project, 83rd Avenue and Grand Avenue

Discussion and possible action to (a) approve a Job Order Contract in the amount of \$329,362 with J. Banicki Construction, Inc. for the Washington Street Storm Drainage Alley project to construct drainage and utility improvements within the existing alleyway (ACON55108P12B); and (b) authorize staff to enter into utility agreements with Arizona Public Service and Qwest for the conversion of existing overhead electrical and telecommunication facilities to underground in the estimated amount of \$232,157. (EN00286)

12C Contract, Gensler, Entertainment District Signage, Theming & Identity Improvements

Discussion and possible action to approve a contract in an amount not-to-exceed \$110,000 with Gensler to create an implementation plan for the Entertainment District to include improvements in signage, pedestrian connectivity, theming, and identity. (Solicitation P10-0044) (LCON10510)

13C Contract, Mobile Concept Technologies LLC and Emergidata Incorporated, Electronic Patient Care Reporting

Discussion and possible action to (a) authorize expenditure authority in the amount of \$114,000 to Mobile Concept Technologies LLC for the purchase of electronic patient care reporting (ePCR) hardware utilizing an existing General Services Administration Contract GS-35-0143R; (b) award a one-year term contract with four one-year extensions to Emergidata Incorporated in a not-to-exceed amount of \$85,000 for related ePCR software (RFP P10-0057) in conjunction with the 2009 Assistance to Firefighters Grant (EMW-2009-FO-10344) (LCON10610); and (c) authorize a budget adjustment in the amount of \$65,000 to allocate funding for these purchases.

14C Deeds and Easements, Various Locations

Discussion and possible action to adopt **RES. 2010-90** accepting deeds and easements for various real property interests acquired by the City and previously recorded by the Maricopa County Recorder's Office.

15C Designate Roadways, Establish Rights-of-Way, Various Locations

Discussion and possible action to adopt **RES. 2010-91** 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 public streets.

16C Water Conservation Rebate Program Modification

Discussion and possible action to approve modifications to the water conservation rebate program to strengthen awareness and promote greater water conservation.

17C Utility Easement, Arizona Public Service, Utility Booster Station; Peoria Sports Complex

Discussion and possible action to adopt **RES. 2010-92** granting a utility easement to Arizona Public Service associated with providing electric services for the new utility booster station at the Peoria Sports Complex located at 16101 N. 83rd Avenue. (UT00297)

18C Final Plat, Trilogy at Vistancia - Bathen Parcel, Dixileta Parkway and Trilogy Boulevard

Discussion and possible action to approve a Final Plat of Trilogy at Vistancia - Bathen Parcel, located on Dixileta Parkway west of Trilogy Boulevard, subject to stipulations.

23C Grant-in-Aid Fiscal Agent Agreement, Tohono O'odham Nation and Peoria Unified School District

Discussion and possible action to (a) approve a Grant-in-Aid Fiscal Agent Agreement with the Tohono O'odham Nation on behalf of the Peoria Unified School District (LCON10710); and (b) authorize a budget transfer in the amount of \$150,000 from the Proposed Grant Contingency Account to the General Fund Non-Departmental – Community Promotions Account to allow for the payment to the Peoria Unified School District.

24C Grant-in-Aid Fiscal Agent Agreement, Tohono O’odham Nation and Peoria Diamond Club

Discussion and possible action to (a) approve a Grant-in-Aid Fiscal Agent Agreement with the Tohono O’odham Nation on behalf of the Peoria Diamond Club (LCON10810); and (b) authorize a budget transfer in the amount of \$50,000 from the Proposed Grant Contingency Account to the General Fund Non-Departmental – Community Promotions Account to allow for the payment to the Peoria Diamond Club.

REGULAR AGENDA

NEW BUSINESS

19R Public Hearing - Liquor Licenses, Various Locations

Public Hearing: RE: (a) A New Restaurant Liquor License (Series 12) for The Links Neighborhood Grill, located at 18823 N. Country Club Parkway. Applicant: Gabriel E. Rodriguez-Rivas, LL#10018096; (b) a New Restaurant Liquor License (Series 12) for Blu Agave, located at 28615 N. El Mirage Road Suite 102. Applicant: Randy D. Nations, LL#10018586; (c) a New Restaurant Liquor License (Series 12) for Carvers, located at 8258 W. Thunderbird Road Suite 206. Applicant: Todd M. Cunningham, LL#10018129; and (d) a Location and Person Transfer for an On-Sale All Liquor License (Series 06) for AMF Peoria Lanes, located at 8475 W. Olive Avenue. Applicant: Michael V. Mantilla, LL#18623.

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) a New Restaurant Liquor License (Series 12) for The Links Neighborhood Grill, located at 18823 N. Country Club Parkway. Applicant: Gabriel E. Rodriguez-Rivas, LL#10018096; (b) a New Restaurant Liquor License (Series 12) for Blu Agave, located at 28615 N. El Mirage Road Suite 102. Applicant: Randy D. Nations, LL#10018586; (c) a New Restaurant Liquor License (Series 12) for Carvers, located at 8258 W. Thunderbird Road Suite 206. Applicant: Todd M. Cunningham, LL#10018129; and (c) a Location and Person Transfer for an On-Sale All Liquor License (Series 06) for AMF Peoria Lanes, located at 8475 W. Olive Avenue. Applicant: Michael V. Mantilla, LL#18623.

20R Public Hearing - Conditional Use Permit Appeal, 12-Pump Gas Station and Convenience Store - Mountainside Crossing Shopping Center, Lake Pleasant Parkway and Happy Valley Road

PUBLIC HEARING: RE: A final determination to reverse, affirm or modify a unanimous decision by the Planning and Zoning Commission to approve a Conditional Use Permit for a proposed 12-pump gas station on a pad at Mountainside Crossing Shopping Center located south of the southeast corner of Lake Pleasant Parkway and Happy Valley Road. (CU 10-0045)

Staff Report:

Open Public Hearing:

Public Comment:

Close Public Hearing:

COUNCIL ACTION: Discussion and possible action to make a final determination to reverse, affirm or modify a unanimous decision by the Planning and Zoning Commission to approve a Conditional Use Permit for a proposed 12-pump gas station on a pad at Mountainside Crossing Shopping Center located south of the southeast corner of Lake Pleasant Parkway and Happy Valley Road. (CU 10-0045)

21R Economic Development Implementation Strategy

Discussion and possible action to adopt the Economic Development Implementation Strategy.

22R Commercial Rehabilitation Program

Discussion and possible action to adopt the Commercial Rehabilitation Program.

CALL TO THE PUBLIC: (NON-AGENDA ITEMS)

Your comments pertaining to City Council business are welcome. However, 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. Special Event Signs Zoning Ordinance Update
 - b. Peoria's Veterans Day Ceremony
 - c. 2010 Halloween Monster Bash and Balloon Illumination
 - d. Peoria Beer Festival

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.