



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

**CITY COUNCIL REGULAR MEETING
NOTICE & AGENDA
Tuesday, November 16, 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:**

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 Code Amendment, Chapter 2, Filming Permit
Application Fee**

Discussion and possible action to adopt **ORD. 2010-32** amending Chapter 2 of the Peoria City Code (1992 Edition) Section 2-227 and Table 2-227 to reduce the application fee required to obtain a permit to engage in commercial electronic or film recording in Peoria.

**2C Code Amendment, Chapter 9, Regulating the
Use of Fireworks**

Discussion and possible action to adopt **ORD. 2010-33** amending Chapter 9 of the Peoria City Code (1992 Edition) regulating the use of fireworks within the City of Peoria corporate limits.

**3C Fiscal Year 2011 First Quarter Budget
Amendments**

Discussion and possible action to approve the Fiscal Year 2011 First Quarter Budget Amendments.

4C Rezone, 67th Avenue and Happy Valley Road

Discussion and possible action to concur with the Planning and Zoning Commission's recommendation and adopt **ORD. 2010-34** to rezone approximately 0.13 gross acres located south of the southwest corner of 67th Avenue and Happy Valley Road from SR-43 Suburban Ranch to C-2 Intermediate Commercial. (Z10-0119)

5C Grant, Arizona State Forestry Division, Community Challenge Grant

Discussion and possible action to (a) authorize staff to implement a \$7,500 Community Challenge Grant through the State of Arizona, State Forestry Division; and (b) approve a budget transfer in the amount of \$7,500 from the Proposed Grants Fund Contingency Account to the Contractual Grounds Repair and Maintenance Account. (LCON10910)

6C Grant, State of Arizona, Department of Homeland Security, Various Police and Fire Department Programs

Discussion and possible action to (a) accept six State of Arizona Department of Homeland Security grants awarded to the Police and Fire Departments for the sustainment and enhancement of the chemical, biological, radiological, nuclear, explosive (CBRNE) response and detection programs; to the Police and Fire Departments for the Terrorism Liaison Officer (TLO) programs; to the Fire Department for the Community Emergency Response Team (CERT) program; and to the Police Department for the City Hall Campus Target Hardening program; (b) authorize a budget transfer for the Fire Department from the Proposed Grant Fund Contingency Account to various accounts in the Homeland Security Grant Fund in the amount of \$111,953; and (c) authorize a budget transfer for the Police Department from the Proposed Grant Fund Contingency Account to various accounts in the Homeland Security Grant Fund in the amount of \$141,540 in order to establish an appropriation to expend the funds. (LCON11010) (LCON11110) (LCON11210) (LCON11310) (LCON11410) (LCON11510)

7C Intergovernmental Agreement, Governor's Office of Economic Recovery, Public Safety Stabilization Program

Discussion and possible action to (a) authorize the City Manager to execute an Intergovernmental Agreement with the Governor's Office of Economic Recovery and accept funding in the amount of \$80,800 for the purpose of supporting local public safety agencies (LCON11510); and (b) authorize a budget transfer from the Proposed Grants Division Contingency Account to the Governor's Office of Economic Recovery Grant Fund in the amount of \$40,800 for Fire Department grants and \$40,000 to the Governor's Office of Economic Recovery Grant Fund for the Police Department grants in order to establish an appropriation to expend the funds.

8C Intergovernmental Agreement, State of Arizona, New River Trail Olive Avenue Underpass, Olive Avenue and New River Trail

Discussion and possible action to adopt **RES. 2010-93** approving an Intergovernmental Agreement with the State of Arizona for construction of the New River Trail Olive Avenue Underpass Project, located at Olive Avenue and New River Trail. (LCON11710)

9C Intergovernmental Agreement, Cities of Surprise and El Mirage, Radio Subscriber Support Services

Discussion and possible action to authorize the City Manager to execute an Intergovernmental Agreement with the City of Surprise and the City of El Mirage for the City of Peoria to provide radio subscriber support services. (LCON11810)

10C Contract, Greater Phoenix Economic Council

Discussion and possible action to authorize the City Manager to renew the service contract with the Greater Phoenix Economic Council for Fiscal Year 2011. (LCON11910)

11C Contract, Raftelis Financial Consultants, Inc., Water and Wastewater Rate Analysis

Discussion and possible action to (a) approve a contract with Raftelis Financial Consultants, Inc. in the amount of \$44,920 for a water and wastewater rate analysis (LCON12010); and (b) approve a budget amendment in the amount of \$22,460 from the Water Operating Fund Contingency Account to the Water Operating Capital Projects Account and in the amount of \$22,460 from the Wastewater Operating Fund Contingency Account to the Wastewater Operating Capital Projects Account.

12C Contract, Maricopa County Community College District on behalf of Glendale Community College, Educational Services

Discussion and possible action to approve the Educational Services Agreement with Maricopa County Community College District on behalf of Glendale Community College for the provision of educational services within the State of Arizona. (LCON12010)

13C Contract Amendment, Premier Engineering Corporation, New River Trail Olive Avenue Underpass, Olive Avenue and New River

Discussion and possible action to award Contract Amendment No. 6 to Premier Engineering Corporation in the not-to-exceed amount of \$19,705 for construction administration and survey services in support of the construction of the New River Trail Olive Avenue Underpass. (LCON01704F)

14C Contract Amendment, Entellus, Inc., Westbrook Village Storm Drain Improvements

Discussion and possible action to approve Contract Amendment No. 7 with Entellus, Inc. in the amount of \$15,950 for additional design services associated with the Westbrook Village Storm Drain Improvements Project; Basin Modifications to Lake Pleasant Basin located at 87th Avenue and Lake Pleasant Parkway and Fletcher Heights Basin located at 87th Avenue and Beardsley Road. (LCON08506G)

15C Authorize Expenditure, Data Backup Technology Solution Replacement

Discussion and possible action to authorize expenditures in the amount of \$325,000 utilizing existing purchasing contracts with the State of Arizona for the Data Backup Technology project related costs.

16C New Capital Improvement Program Project, 75th Avenue and Deer Valley Road Intersection Improvements

Discussion and possible action to (a) create a new capital improvement project called 75th Avenue and Deer Valley Road Intersection Improvements (CIP Project Number EN00290); (b) authorize the use of reserves; and (c) authorize a budget transfer in the amount of \$279,000 from the Transportation Sales Tax Fund Contingency Account to the Transportation Sales Tax Fund Street System Account to fund the total estimated project cost.

17C Arizona Mutual Aid Compact and Maricopa County Community Wildfire Protection Plan

Discussion and possible action to (a) adopt the Arizona Mutual Aid Compact which provides that each incorporated city of the state may appropriate and expend funds, make contracts and obtain and distribute equipment, materials and supplies for emergency management purposes (LCON12210); and (b) adopt the Maricopa Community Wildfire Protection Plan developed in response to the Healthy Forests Restoration Act of 2003 for at-risk communities and unincorporated areas in Maricopa County.

18C Investment Report for the Quarter Ended September 30, 2010

Discussion and possible action to review and accept the Quarterly Investment Report for the period ended September 30, 2010.

19C Principles of Sound Financial Management

Discussion and possible action to adopt **RES. 2010-94** approving the revised Principles of Sound Financial Management.

20C Deeds and Easements, Various Locations

Discussion and possible action to adopt **RES. 2010-95** accepting deeds and easements for various real property interests acquired by the City and previously recorded by the Maricopa County Recorder's Office.

21C Final Plat, Vistancia Village A Parcel G2, Lone Mountain Road and Westland Road

Discussion and possible action to approve a final plat of Vistancia Village A Parcel G2, located at Lone Mountain Road west of Westland Road, subject to stipulations.

REGULAR AGENDA

UNFINISHED BUSINESS

22R PUBLIC HEARING - Conditional Use Permit Appeal, 12-Pump Gas Station and Convenience Store - Mountainside Crossing Shopping Center, Lake Pleasant Parkway and Happy Valley Road (Item 20R, October 19, 2010)

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)

NEW BUSINESS

23R PUBLIC HEARING - Liquor Licenses, Various Locations

PUBLIC HEARING: RE: (a) A New Restaurant Liquor License (Series 12) for Twisted Italian, located at 9940 W. Happy Valley Road Suite #1080. Applicant: Michael D. Helbig, LL#10018688; and (b) a New Restaurant Liquor License (Series 12) for Tao Kitchen, located at 8385 W. Deer Valley Road #114. Applicant: Charlene C. Mai, LL#10018196.

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 Twisted Italian, located at 9940 W. Happy Valley Road Suite #1080. Applicant: Michael D. Helbig, LL#10018688; and (b) a New Restaurant Liquor License (Series 12) for Tao Kitchen, located at 8385 W. Deer Valley Road #114. Applicant: Charlene C. Mai, LL#10018196.

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
 - a. Centennial Plaza Final Design and Construction
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. 2011 Arts Grant Recipients
 - b. 2010 Peoria Oldtown Holiday 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.

Regular City Council Meeting Agenda

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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.*