



**CITY COUNCIL REGULAR MEETING
NOTICE & AGENDA
Tuesday, June 17, 2008
7:00 P.M.
CITY COUNCIL CHAMBER**

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

RESULTS

**CONVENE:
PLEDGE:
ROLL CALL:**

CITY COUNCIL:

Mayor
Bob Barrett

Mesquite District
Cathy Carlat, Vice Mayor

Acacia District
Vicki Hunt

Ironwood District
Dave Pearson

Palo Verde District
Ron Aames

Pine District
Carlo Leone

Willow District
Joan Evans

City Manager
Terry Ellis

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

PRESENTATION:

1. Presentation of the Environmental Stewardship Award to Mercedes-Benz of Arrowhead for its environmentally friendly building design.
2. Recognition of Bob McKibben on his retirement as Fire Chief and acknowledging his years of service to the City of Peoria.
3. Recognition of Dave Moody on his retirement as Engineering Director and acknowledging his years of service to the City of Peoria.
4. Recognition of Terry Ellis on his retirement as City Manager and acknowledging his years of service to the City of Peoria.

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 MINUTES: PASSED

Regular Meeting – April 15, 2008
Special Meeting – April 17, 2008
Special Meeting 5:00 p.m. – May 6, 2008
Regular Meeting 7:00 p.m. – May 6, 2008

2C Initial Zoning, Lake Pleasant Parkway and Calle Lejos PASSED

Discussion and possible action to concur with the Planning and Zoning Commission's recommendation and adopt **ORD. 08-13** establishing initial zoning of Suburban Ranch (SR-43) on approximately 1.14 acres recently annexed from Maricopa County and generally located west of the southwest corner of Lake Pleasant Parkway and Calle Lejos. (Z08-05)

3C Initial Zoning, Lake Pleasant Parkway and Pinnacle Peak Road PASSED

Discussion and possible action concur with the Planning and Zoning Commission's recommendation and adopt **ORD. 08-14** establishing initial zoning of Suburban Ranch (SR-43) on approximately 4.5 acres recently annexed from Maricopa County and generally located north of the northwest corner of Lake Pleasant Parkway and Pinnacle Peak Road. (Z08-06)

4C Rezoning, 90th Avenue and Peoria Avenue PASSED

Discussion and possible action to concur with the Planning and Zoning Commission's recommendation and adopt **ORD. 08-15** establishing initial zoning of Planned Area Development (PAD) on property located east and south of the southeast corner of 90th Avenue and Peoria Avenue. (Z06-06)

5C Property Acquisition, Happy Valley Road and Terramar Boulevard PASSED

Discussion and possible action to adopt **RES. 07-172A** authorizing the acquisition of additional property from a parcel previously identified in Resolution 07-172 and located on the north side of Happy Valley Road east of Terramar Boulevard, by donation, outright purchase, or the exercise of the power of eminent domain.

6C Grant, Central Arizona Groundwater Replenishment District (CAGR) PASSED

Discussion and possible action to:

- a) Accept a grant in the amount of \$3,000 from the Central Arizona Groundwater Replenishment District (CAGR) Conservation Grant Program to purchase water conservation retrofit kits for homes built prior to 1990 (LCON13408); and
- b) Approve a Fiscal Year 2009 budget transfer in the amount of \$3,000 from the General Fund Contingency Account to the Water Resources/Conservation Community Promotions Account.

7C Grant, Arizona Automobile Theft Authority (ATA), Vehicle Theft Deterrents PASSED

Discussion and possible action to:

- a) Adopt **RES. 08-98** authorizing the City of Peoria Police Department to participate in the Arizona Automobile Theft Authority (ATA) 2008/2009 Law Enforcement Grant Program and accept additional funding in the amount of \$9,457 to aid in the search for stolen vehicles by providing reimbursement for the purchase of a night vision system, staff deployments that utilize the "Bait Car" systems and a license plate reader (LCON13508); and
- b) Approve a budget transfer in the amount of \$9,457 from the Proposed Grants Contingency Account to the ATA Grant Fund, Operational Supplies and Equipment Account in the amount of \$2,957 and to the Overtime Account in the amount of \$6,500 to provide expenditure authority for the grant funds.

8C Intergovernmental Agreement, Pima, Maricopa and Pinal Counties and City of Tucson, Capital Improvement Projects Benchmarking Study PASSED

Discussion and possible action to approve an Intergovernmental Agreement (IGA) between Pima County, Maricopa County, Pinal County, the City of Tucson and the City of Peoria to conduct the Arizona Benchmarking Study of Capital Improvement Projects. (LCON13608)

9C Intergovernmental Agreement, State of Arizona, State Route 303 Improvements, Happy Valley Parkway to Lake Pleasant Parkway PASSED

Discussion and possible action to adopt **RES. 08-99** approving an Intergovernmental Agreement in the amount of \$477,308 with the State of Arizona for the design of improvements to State Route 303 Loop (SR303L) from Happy Valley Parkway to Lake Pleasant Parkway. (LCON13708)

10C Memorandum of Understanding, Peoria Firefighters PASSED

Discussion and possible action to approve a Memorandum of Understanding (M.O.U.) with the United Phoenix Firefighters Association (P.F.F.A.), Local 493, effective July 1, 2008 to June 30, 2010. (LCON13808)

11C Memorandum of Understanding, Peoria Police Officers Association PASSED

Discussion and possible action to approve a Memorandum of Understanding (M.O.U.) with the Peoria Police Officers Association (P.P.O.A.), effective July 1, 2008 to June 30, 2010. (LCON13908)

12C Memorandum of Understanding, American Federation of State, County and Municipal Employees PASSED

Discussion and possible action to approve a Memorandum of Understanding (M.O.U.) with the American Federation of State, County and Municipal Employees, Local 3282, effective July 1, 2008 to June 30, 2009. (LCON14008)

13C Salary and Related Changes, Management, Professional, Supervisory and Confidential (PSC) Employees PASSED

Discussion and possible action to approve salary and related changes for Management, Professional, Supervisory and Confidential (PSC), Benefited Part-Time and Hourly Employees effective July 1, 2008.

14C Contract, Achen-Gardner Engineering, LLC, Pre-Construction Services, 83rd Avenue to 91st Avenue Roadway Widening and Drainage Improvements and 83rd Avenue and Deer Valley Road Intersection Improvements PASSED

Discussion and possible action to:

- a) Award a Construction Manager at Risk Contract in an amount not to exceed \$116,660.60 to Achen-Gardner Engineering, LLC for pre-construction services associated with the construction of the Deer Valley Road, 83rd Avenue to 91st Avenue Roadway Widening and Drainage Improvement project and the 83rd Avenue and Deer Valley Road Intersection Improvement project; and
- b) Approve a budget transfer within the project in the amount of \$76,857.30 from the land account to the construction account. (LCON14108)

15C Contract, Mesirow Financial, Fiscal Year 2009 Insurance Package PASSED

Discussion and possible action to award the Fiscal Year 2009 insurance package as recommended by the City's insurance broker, Mesirow Financial. (LCON14208)

16C Contract, Primatech, Capital Division Program Review and Project Delivery Manual PASSED

Discussion and possible action to award a contract in the not-to-exceed amount of \$64,981 to Primatech for the preparation of the Capital Division Program Review and the development of a portion of the Project Delivery Manual (PDM). (LCON14308)

17C Contract Amendment, Brooks Engineering & Surveyors, Inc., Water Line Design, 91st Avenue, Beardsley Road to Union Hills Drive and Beardsley Road, 87th Avenue to Lake Pleasant Road PASSED

Discussion and possible action to:

- a) Approve Contract Amendment No. 3 in an amount not to exceed \$80,346 with Brooks Engineering & Surveyors, Inc. for additional design services on the 24-inch water lines on 91st Avenue from Beardsley Road to Union Hills Drive and on Beardsley Road from 87th Avenue to Lake Pleasant Road (LCON01705C); and
- b) Approve a budget transfer in the amount of \$15,912 from the Water Contingency Account to the Water Expansion Account.

18C Contract Amendment, Pierson Construction Corporation, Inc., Park West Improvement District Project Construction PASSED

Discussion and possible action to approve Contract Amendment No. 3 in the amount of \$66,773.40 with Pierson Construction Corporation, Inc. for various change orders for the Park West Improvement District project. (LCON02107C)

19C Contract Amendment, S.J.L. Construction of Arizona LLC, 79th Avenue Water Line, Greenway Road to Sports Complex PASSED

Discussion and possible action to:

- a) Approve Contract Amendment No. 4 in an amount not to exceed \$34,584 with S.J.L. Construction of Arizona LLC for additional work associated with the construction of the 24-inch water line along 79th Avenue from Greenway Road to the Sports Complex tanks (LCON07806D);
- b) Authorize the use of reserves; and
- c) Approve a budget transfer in the amount of \$34,584 from the Water Fund Contingency Account to the Water Utility Account.

20C Contract Amendment, Wood, Patel and Associates, 107th Avenue and Rose Garden Lane Intersection Design PASSED

Discussion and possible action to approve Contract Amendment No. 8 in the not-to-exceed amount of \$11,431 with Wood, Patel and Associates for re-design of the intersection of 107th Avenue and Rose Garden Lane for improved pedestrian function and safety and aesthetics for the Rose Garden Lane Drainage project. (LCON06804H)

21C Authorize Expenditure, Agave Environmental Contracting, Inc., Paseo Verde Park Improvements PASSED

Discussion and possible action to:

- a) Authorize an expenditure of funds in the amount of \$61,529 utilizing an existing Job Order Contract with Agave Environmental Contracting, Inc. for park improvements at Paseo Verde Park; and
- b) Approve a 10 percent project contingency.

22C Authorize Expenditure, Quest Ventures Incorporated, Lift Station Upgrade, 101st Avenue and Northern Avenue PASSED

Discussion and possible action to approve an expenditure of funds for a Guaranteed Maximum Price (GMP) amount of \$145,888 utilizing a Job Order Contract with Quest Ventures Incorporated for design phase services to upgrade the existing lift station located on 101st Avenue and Northern Avenue. (ACON25008P5)

23C Authorize Expenditure, City of Surprise, Union Hills Drive Construction PASSED

Discussion and possible action to:

- a) Approve an expenditure of Transportation Sales Tax funds in the amount of \$150,000 to the City of Surprise for construction on Union Hills Drive from 111th Avenue to 115th Avenue;
- b) Authorize the use of reserves; and
- c) Approve a budget transfer in the amount \$150,000 from the Transportation Sales Tax Fund Contingency Account to the Transportation Sales Tax Fund Street System Account.

24C Authorize Expenditure, J. Banicki, Inc., Market Street and Gold Dust Lane Reconstruction Project PASSED

Discussion and possible action to approve an expenditure of funds in the amount of \$278,273.27 to J. Banicki, Inc. utilizing Job Order Contract No. 07-03 between the City of Chandler and J. Banicki, Inc. for waterline and pavement removal and replacement as part of the Market Street and Gold Dust Lane reconstruction.

25C Authorize Expenditure, Felix Construction, Chemical Storage Tank Installation, Greenway Water Treatment Facility PASSED

Discussion and possible action to authorize an expenditure of funds for a Guaranteed Maximum Price (GMP) amount of \$57,231 utilizing an existing Job Order Contract with Felix Construction for the design and installation of three new chemical storage tanks at the Greenway Water Treatment Facility. (ACON23908P4)

26C Water Line Abandonment, Sun Valley Elementary School, 95th Avenue and Butler Drive PASSED

Discussion and possible action to adopt **RES. 08-100** approving the abandonment of an existing water line for Sun Valley Elementary School, located at the southeast corner of 95th Avenue and Butler Drive.

27C Final Plat, Riverwalk Professional Center North, 77th Avenue and Deer Valley Road PASSED

Discussion and possible action to approve the Final Plat for Riverwalk Professional Center North, located at the southeast corner of 77th Avenue and Deer Valley Road, subject to stipulations. (Project No. R070085)

REGULAR AGENDA

NEW BUSINESS

28R PUBLIC HEARING - Liquor License, Fresh & Easy Neighborhood Market, 83rd Avenue and Thunderbird Road PASSED

PUBLIC HEARING: RE: A new Wine and Beer Liquor License (Series 10) for Fresh & Easy Neighborhood Market, located at the northeast corner of 83rd Avenue and Thunderbird Road. Applicant: Randy D. Nations. LL#10012350.

Open Public Hearing:

Staff Report:
Public Comment:
Close Public Hearing:

Council Action: Discussion and possible action to recommend approval to the State Liquor Board for a new Wine and Beer Liquor License (Series 10) for Fresh & Easy Neighborhood Market, located at the northeast corner of 83rd Avenue and Thunderbird Road. Applicant: Randy D. Nations. LL#10012350.

29R PUBLIC HEARING – Fiscal Year 2009 Budget PASSED

PUBLIC HEARING: RE: Fiscal Year 2009 Budget

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

Council Action: Discussion and possible action to adopt **RES. 08-101** adopting the Final Budget totaling \$680,000,000 for the Fiscal Year 2009.

**30R PUBLIC HEARING – Property Tax Levy, Fiscal Year 2009
NO COUNCIL ACTION WAS REQUIRED**

PUBLIC HEARING: RE: Setting the City of Peoria property tax levy for Fiscal Year 2009.

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

Council Action: No Council action necessary.

31R General Plan Amendment, Land Use Map, 83rd Avenue and Pinnacle Peak Road CARRIED OVER TO AUGUST 26.

Discussion and possible action to carry over to July 1, 2008 a recommendation to concur with the Planning and Zoning Commission and adopt a Resolution amending the General Plan Land Use Map from Residential/Estate to Office for a site located on the southwest corner of 83rd Avenue and Pinnacle Peak Road and encompassing approximately 10.12 gross acres. (GPA07-05)

Request for continuance to July 1, 2008 submitted by applicant.

Request for continuance
to July 1, 2008 submitted
by applicant.

32R Rezoning, 83rd Avenue and Pinnacle Peak Road
CARRIED OVER TO AUGUST 26.

Discussion and possible action to carry over to July 1, 2008 a recommendation to concur with the Planning and Zoning Commission and adopt an Ordinance establishing Planned Area Development (PAD) zoning on property located on the southwest corner of 83rd Avenue and Pinnacle Peak Road. (Z07-09)

33R Contract Amendment, Ames Construction, Inc., Happy Valley Road Widening, 75th Avenue to Lake Pleasant Parkway
CARRIED OVER TO JULY 1.

Discussion and possible action to:

- a) Approve Contract Amendment No 4, Guaranteed Maximum Price No. 3 (GMP#3), for an amount not to exceed \$762,104.19 with Ames Construction, Inc. for construction services associated with the construction of Happy Valley Road widening from 75th Avenue to Lake Pleasant Parkway for Sunrise Mountain water and wastewater improvements (LCON06407D); and
- b) Approve a budget transfer in the amount of \$186,182.15 from the General Fund Contingency Account to the Outside Sources Fund Water System Account and in the amount of \$575,922.04 from the General Fund Contingency Account to the Outside Sources Fund Wastewater System Account.

34R Confirmation - City Manager Appointment of Human Resources Director PASSED

Discussion and possible action to confirm the City Manager appointment of Wynette Reed as Human Resources Director, effective July 14, 2008.

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:
Reports from City Council:
Reports from the Mayor:

ADJOURNMENT

Regular City Council Meeting Agenda

June 17, 2008

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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, and assistive listening devices 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.