

**MINUTES OF THE PEORIA CITY COUNCIL**  
CITY OF PEORIA, ARIZONA  
COUNCIL CHAMBER  
April 6, 2010

A **Special Meeting and Study Session** of the City Council of the City of Peoria, Arizona was convened at 8401 West Monroe Street in open and public session at 4:00 p.m.

Following a moment of silence, Councilmember Leone led the Pledge of Allegiance.

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

**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; Mary Jo Waddell, City Clerk; J.P. de la Montaigne, Andy Granger, John Imig, Bill Mattingly, Brent Mattingly, Larry Ratcliff, Thomas Solberg, John Schell, Jeff Tyne, Scott Whyte, Steve Burg, Herman Koebergen, Dan Zenko and Claudia Luján.

**Audience:** Approximately 30 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. Having no requests from Council, motion was made by Councilmember Carlat, seconded by Vice Mayor Aames, to approve the Consent Agenda.

Upon vote, the motion carried unanimously 7 to 0.

**1C Minutes**

Approved the following minutes:  
February 2, 2010 Special Meeting and Study Session  
February 16, 2010 Special Meeting and Study Session  
February 16, 2010 Regular Meeting

**2C Franchise Agreement, Arizona-American Water Company**

- (a) Approved the proposed franchise agreement with the Arizona-American Water Company, subject to approval by the qualified electors of the City; and
- (b) Directed that the proposed franchise agreement be submitted to the qualified electors of the City at the next election and direct the City Clerk and City Attorney to undertake such actions to permit the franchise agreement to be on the next City ballot.

**3C Call and Notice of Election**

- (a) Directed the City Clerk to publish a Call and Notice of Election that the City of Peoria, Arizona will hold a Citywide Primary Election on August 24, 2010 and if necessary, a General Election on November 2, 2010; and
- (b) Authorized the City Clerk and the City Attorney to take all action necessary to conduct the election.

**4C Grant Application, Arizona State Library, Archives and Public Records, Library Services and Technology Act**

Authorized applications for three Library Services and Technology Act (LSTA) grants administered by the State Library, Archives and Public Records Agency (LCON02610) (LCON02710) (LCON02810).

**5C Intergovernmental Agreement, Peoria Unified School District, Shared Joint Use Facilities, Swimming Pools**

Approved an Intergovernmental Agreement with the Peoria Unified School District to operate and maintain the City swimming pools (LCON02910).

**6C Intergovernmental Agreement, City of Phoenix, Dial-A-Ride Buses**

Approved an Intergovernmental Agreement with the City of Phoenix that will provide the City of Peoria with \$121,600 for the replacement of two (2) Dial-a-Ride buses and \$48,961 in preventative maintenance funds from the Federal Transit Authority (FTA) by way of a pass through grant from the City of Phoenix (Grant Number AZ-90-X096) (LCON03010).

**7C Intergovernmental Agreement, Maricopa County, Traffic Incident Management Mutual Aid**

Approved an Intergovernmental Agreement with Maricopa County for Traffic Incident Management Mutual Aid (LCON03110).

**8C Intergovernmental Agreement, Regional Public Transportation Authority, Americans with Disabilities Act, Paratransit Service**

Approved an Intergovernmental Agreement with the Regional Public Transportation Authority for the Americans with Disabilities Act, Paratransit Service (LCON03210).

**9C Intergovernmental Agreement, Regional Public Transportation Authority, Paratransit On-Demand Shared Ride Service**

Approved an Intergovernmental Agreement with the Regional Public Transportation Authority for the Paratransit On-Demand Shared Ride Service Agreement (LCON03310).

**10C Contract, ELS Construction Inc., Washington Street and 83rd Avenue Streetscape Improvements**

Awarded a contract in the lump sum of \$168,003 to ELS Construction Inc. for the construction of Washington Street and 83rd Avenue Streetscape Improvements in Old Town Peoria (LCON03410).

**11C Contract, Populous, Sports Complex Improvements Master Plan**

Awarded a professional services contract to Populous for the not-to-exceed amount of \$149,000 for master planning and cost modeling of the proposed Sports Complex Improvements (LCON03510).

**12C Contract Amendment, Carter and Burgess, Inc., Happy Valley Road Widening, 75th Avenue to Lake Pleasant Parkway**

Approved Contract Amendment No. 6 in the not-to-exceed amount of \$49,963 to Carter and Burgess, Inc. for design and post design services associated with the construction of Happy Valley Road Widening from 75th Avenue to Lake Pleasant Parkway (ACON37907).

**13C Contract Amendment, Felix Construction Company, Rehabilitation of the Terramar Potable Water Reservoir**

Awarded an individual Job Order Contract for an amount not-to-exceed \$176,992 to Felix Construction Company for the rehabilitation of the Terramar Potable Water Reservoir (ACON23908P16).

**14C Water and Wastewater Revenue Refunding Bonds, Series 2010**

RESOLUTION NO. 2010-22

RESOLUTION AUTHORIZING THE SALE AND ISSUANCE OF CITY OF PEORIA, ARIZONA WATER AND WASTEWATER REVENUE REFUNDING BONDS, SERIES 2010, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$16,700,000; DELEGATING TO THE CHIEF FINANCIAL OFFICER OF THE CITY THE AUTHORITY TO DETERMINE CERTAIN TERMS AND CONDITIONS WITH RESPECT TO THE SERIES 2010 BONDS; PROVIDING FOR THE FORM AND OTHER DETAILS OF THE SERIES 2010 BONDS; AMENDING A PROVISION IN PRIOR RESOLUTIONS RELATING TO ISSUANCE OF OTHER WATER AND WASTEWATER REVENUE BONDS; PROVIDING FOR THE COLLECTION AND DISPOSITION OF THE REVENUES TO BE DERIVED FROM THE COMPLETE WATER AND WASTEWATER PLANT AND SYSTEM OF THE CITY; MAKING OTHER PROVISIONS WITH RESPECT TO THE OPERATION OF SUCH SYSTEM; PROVIDING FOR THE SECURITY AND PAYMENT OF THE SERIES 2010 BONDS; AUTHORIZING THE EXECUTION OF A BOND REGISTRAR AND PAYING AGENT AGREEMENT WITH RESPECT TO THE SERIES 2010 BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE CONTRACT FOR THE PURCHASE OF THE SERIES 2010 BONDS; RATIFYING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND APPROVING AN OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE UNDERTAKING AND DECLARING AN EMERGENCY.

Adopted **RES. 2010-22** authorizing the sale and issuance of Water and Wastewater Revenue Refunding Bonds, Series 2010, in the principal amount not-to-exceed \$16,700,000.

**15C Community Facilities District Application Agreement, Camino A Lago, LLC**

- (a) Approved an agreement with Camino A Lago, LLC to provide for the City's review of their application requesting consideration of the formation of a Community Facilities District (LCON03610); and

- (b) Approved a budget transfer in the amount of \$25,000 from the Non-Departmental Contingency Account to the Trust Fund - Other Professional Services Account providing authority to expend funds for review of the application and drafting of District formation documents for future Council consideration.

**16C Budget Amendment, Cotton Crossing; Monroe Street to Mountain View Road**

- (a) Authorized the acceleration of \$56,530 in project funds from Fiscal Year 2012 to Fiscal Year 2010;
- (b) Authorized the use of reserves; and
- (c) Authorized a budget transfer in the amount of \$56,530 from the County Transportation Tax Fund Contingency Account to the Cotton Crossing Project, County Transportation Tax Fund Street System Account.

**17C Authorize Expenditure, Council District Funds**

Authorized the expenditure of up to \$10,000 in Ironwood Council District Funds for the purpose of donating to the Peoria Chamber of Commerce's efforts toward the 2010 Peoria Spring Festival.

**18C Irrigation Easement, Salt River Project Agricultural Improvement and Power District, Scotland Avenue and 91st Avenue**

RESOLUTION NO. 2010-23

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, AUTHORIZING THE GRANTING OF AN EASEMENT TO THE SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT FOR IRRIGATION FACILITIES LOCATED ON SCOTLAND AVENUE BETWEEN 91ST AVENUE AND MOBILE AVENUE.

Adopted **RES. 2010-23** authorizing the City Manager to execute an Irrigation Easement to Salt River Project Agricultural Improvement and Power District for the installation of an irrigation pipe located on Scotland Avenue between 91st Avenue and Mobile Avenue.

**19C Deeds and Easements, Various Locations**

RESOLUTION NO. 2010-24

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. 2010-24** accepting Deeds and Easements for various real property interests acquired by the City and previously recorded by the Maricopa County Recorder's Office.

**20C Designate Roadways, Establish Rights-of-Way, Various Locations**

RESOLUTION NO. 2010-25

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. 2010-25** 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.

**21C Authorization to Hold an Executive Session**

Authorized the holding of an Executive Session for the purpose of discussion and consultation with designated representatives of the public body pertaining to contract negotiations with employee organizations.

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

None.

**Reports from the City Manager:**

1. Informational
  - a. April 13, 2010 Public Health Exercise at the City of Peoria Sports Complex.

**ADJOURNMENT:**

Being no further business to come before Council on the Consent Agenda, Mayor Barrett adjourned the Special Meeting at 4:03 p.m.

Mayor Barrett convened the **Study Session Meeting** of the City Council of the City of Peoria, Arizona at 8401 West Monroe Street in open and public session at 4:03 p.m.

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

**Members Absent:** None.

## **STUDY SESSION AGENDA**

**Subjects for Discussion Only:**

1. Emergency Transportation Services

Carl Swenson, City Manager, gave a brief overview of the process regarding a proposal for emergency transportation services.

Dan Zenko, Materials Management Supervisor, outlined the agenda for the presentation and provided the following background:

- The City of Peoria's current contract with Southwest Ambulance is due to expire in August of 2010
- No market competition until 2005
- Request for Proposal initiated on January 12, 2010

Mr. Zenko informed Council that Peoria's expectations were to get good value, response times and quality of the product being given to the City. Mr. Zenko described the goals for increased quality of services:

- Enhancement of current contract
  - Optional integrated joint staffing within first 12 months of contract
  - Interface with City's future electronic patient care reporting
- Increased City oversight
  - Input on station locators
  - Ambulance posting rules
  - Ambulance safety requirements

- Defined performance criteria
  - Faster response times
    - 8:59 minutes vs. 10 minutes on Code 3 – 90 percent
    - 11:59 minutes vs. none defined on Code 2 – 90 percent
  - Penalties for poor performance
    - None in current contract
    - New contract monthly penalty for not achieving 90 percent ranges from \$7,000 (89 percent) to \$12,000 (85 percent)
  - Individual call measurement and penalties
    - Code 3 exceeding 14:59 minutes = \$1,000 penalty
    - Code 2 exceeding 20 minutes = \$500 penalty
  - Termination clause if 90 percent not maintained for 3 consecutive months or 4 months in any year

Mr. Zenko explained that the procurement process used was the standard Request for Proposal (RFP) process which has been very successful for the City and is used on approximately 100 RFPs per year.

Mr. Zenko supplied the following timeline of the procurement process for emergency transportation services:

- Advertised on January 15, 2010
- Pre-proposal on January 20, 2010
- RFP submittals due February 3, 2010
- Committee consensus scored on February 23, 2010
- Interviews and final recommendation on February 25, 2010

Mr. Zenko identified the members of the Selection Committee for the Emergency Transportation Services RFP:

- Susan Thorpe, Deputy City Manager
- Thomas Solberg, Fire Chief
- Larry Ratcliff, Police Chief
- Brent Mattingly, Finance Director
- Jeff Tyne, Management and Budget Director
- Jim Bratcher, Emergency Medical Services Chief
- Greg Serrano, Fire Engineer
- Dan Zenko, Materials Management Supervisor
  - Observers
    - Cheryl Boswell, Deputy City Attorney
    - Herman Koebergen, Materials Manager

Mr. Zenko noted he acted as the Committee Chair to ensure the process was fair and unbiased and that the City complied with the procurement rules and regulations. Mr. Zenko advised that he was a non-voting member of the Committee.

Mr. Zenko reviewed the selection process:

- 2000 point evaluation process
  - 1500 for RFP submittal
  - 500 for presentation and interview
- RFP submittal criteria included:
  - Project understanding, plan and method of approach
  - Compensation
  - Firm and staff capabilities and assignments
  - Experience, references, licenses and financials
  - Conformance to RFP
- Interview criteria included:
  - Presentation
  - Response to questions

Mr. Zenko provided a breakdown of the final scoring results as follows:

- Professional Medical Transport, Inc. (PMT)
  - RFP submittal: 1425
  - Interview: 450
  - Total: 1875
  
- Southwest Ambulance
  - RFP submittal: 1390
  - Interview: 250
  - Total: 1640

Mr. Zenko reported that after the final scoring was completed, the staff recommendation was to award the contract to PMT. The contract will be placed on the April 20, 2010 regular agenda for City Council consideration.

Discussion ensued regarding the merits of the RFPs submitted by PMT and Southwest Ambulance. In response to questions from Council, staff indicated written responses will be provided.

**Note: At 5:22 p.m. Council recessed to go into Executive Session. The Study Session reconvened at 6:48 p.m.**

## 2. Legislative Update

John Schell, Intergovernmental Affairs Director, introduced Ken Strobeck, Executive Director of the League of Arizona Cities and Towns, to present an update on legislative activities.

Mr. Strobeck provided a summary of his professional background and gave an overview of the League. Mr. Strobeck explained that the League is a voluntary, nonpartisan membership association representing the interests of all cities and towns in Arizona. The core principles of the League are to protect state shared revenues and maintain local decision making and local control.

Mr. Strobeck discussed the State's budget and pending legislation affecting cities and towns. Mr. Strobeck reported that the Legislature cut more than \$1.5 billion from the State's budget since the beginning of 2009 and has passed a budget for the next fiscal year, presuming the temporary 1 percent sales tax (Proposition 100) is passed by the voters on May 18, 2010. If passed, 100 percent of the one-cent tax will go to State government, resulting in a potential loss of \$200 million per year to cities and town.

Discussion ensued regarding various bills in the Legislature and the impact of Proposition 100 passing or failing.

## 3. Budget Presentation

Carl Swenson, City Manager, presented the proposed Fiscal Year (FY) 2011 budget and gave a brief overview of the General Fund revenue history from FY 2003 to FY 2010.

Mr. Swenson reviewed the steps taken to reduce the budgets for FY 2009 and FY 2010 and noted the City has realized an ongoing savings of \$12 million over the last two fiscal years.

Mr. Swenson summarized the key principles used to address a \$7.5 million General Fund shortfall for FY 2011:

- Steady and measured approach
- Not all services are created equal
- Respond to changing community needs
- Engage the whole organization
- Look strategically

Mr. Swenson reported the City continues to follow its important financial policies including:

- Providing a five-year forecast for operating funds
- Using recurring sources for recurring expenses
- Excess fund balance budgeted in following year
- Maintaining appropriate reserves

Mr. Swenson discussed operational reductions and outlined the following key elements of the proposed FY 2011 budget:

- Balanced budget
- Ensures financial integrity
- Maintains core services
- No tax increases
- No utility rate increases
- No recreation fee increases
- No “one-time solutions” to ongoing deficit
- No “across-the-board” cuts

Mr. Swenson provided an overview of the 10-year Capital Improvement Program including funding sources and upcoming projects included in the plan.

Mr. Swenson concluded the presentation with a timeline of the key dates for the FY 2011 budget process.

## **ADJOURNMENT**

Being no further business to come before the Council, the meeting was duly adjourned at 8:02 p.m.

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Bob Barrett, Mayor

ATTEST:

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Mary Jo Waddell, City Clerk

Special City Council Meeting and Study Session Meeting Minutes  
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CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting and Study Session of the City Council of Peoria, Arizona held on April 6, 2010. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 15th day of June, 2010.

(Seal)

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Mary Jo Waddell, City Clerk