

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
PINE ROOM, CITY HALL
February 2, 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, Vice Mayor Aames 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; George Anagnost, Presiding Municipal Judge; Mary Jo Waddell, City Clerk; Kelly Corsette, J.P. de la Montaigne, Andy Granger, John Imig, Bill Mattingly, Brent Mattingly, Grady Miller; Mark Nichols, Larry Ratcliff, Wynette Reed, Jeff Tyne; Glen Van Nimwegen, Scott Whyte and Claudia Luján.

Audience: Approximately five 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.

Mayor Barrett announced a news story that had broken late in the afternoon regarding Luke Air Force Base. Mayor Barrett described the events that had been on-going in the fight to save Luke and bring the F-35 to Luke. The announcement today is that construction of single-family homes will end in the encroachment area as a result of a settlement that has been negotiated between state and county officials.

Mayor Barrett recognized John Schell, Intergovernmental Affairs Director and Steve Kemp, City Attorney for their efforts related to Luke. Further Mayor Barrett thanked Attorney General, Terry Goddard for all his work relating to preserving Luke.

PRESENTATION:

1. Commendation presented to Grady Miller.

Carl Swenson, City Manager, noted that Grady Miller is leaving the City to go to Narragansett, Rhode Island to serve as the Town Manager. Mr. Swenson recognized Grady Miller for his 19 years of service to the City of Peoria as Assistant to the City Manager, Director of Communications and Public Affairs and Deputy Director of

Community Services. Further, Mr. Swenson highlighted some of Mr. Miller's significant accomplishments while working for the City.

Mr. Miller thanked Council and the City of Peoria for their support during his tenure with the City. Mayor and Councilmembers each expressed their gratitude to Mr. Miller for his service to the City.

CONSENT AGENDA

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.

Mayor Barrett announced that the Consent Agenda included a Public Hearing for Agenda Item 9C – Liquor License, House of Pizza, 15703 N. 83rd Avenue, Suite 100. Mayor Barrett stated that the Public Hearing would not be called and testimony taken unless one or more comment forms had been filed with the City Clerk prior to the commencement of the meeting.

Having no requests from the public regarding the Public Hearing, Mayor Barrett announced he would entertain a motion on the Consent Agenda.

Having no requests from Council to remove items from Consent, motion was made by Vice Mayor Aames, seconded by Councilmember Leone, to approve the Consent Agenda.

Upon vote, the motion to approve the Consent Agenda carried unanimously 7 to 0.

CONSENT – New Business:

1C Disposition of Absence

Excused the absence of Councilmember Joan Evans and Councilmember Dave Pearson from the Special City Council Meeting held at 4:00 p.m. on January 19, 2010.

2C Minutes

Approved the following minutes:

January 5, 2010 Special Meeting and Special Study Session;
January 5, 2010 Regular Meeting

3C Code Amendment, Chapter 24, Storm Water Pollution Prevention

ORDINANCE NO. 2010-06

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA AMENDING CHAPTER 24 OF THE PEORIA CITY CODE (1992) BY RESERVING SECTIONS 24-116 THROUGH 24-119; AND BY ENACTING SECTION 24-120 PERTAINING TO STORMWATER POLLUTION MANAGEMENT, DEFINITIONS; AND BY ENACTING SECTION 24-121 PERTAINING TO STORMWATER POLLUTION PREVENTION; ADMINISTRATION; AND BY ENACTING SECTION SEC. 24-122 PERTAINING TO STORMWATER POLLUTION PREVENTION; MONITORING OF DISCHARGES; AND BY ENACTING SECTION 24-123 PERTAINING TO STORMWATER POLLUTION PREVENTION; VIOLATIONS, INJUNCTIVE RELIEF; AND BY ENACTING SECTION 24-124 PERTAINING TO STORMWATER POLLUTION PREVENTION; ENFORCEMENT; AND BY ENACTING SECTION 24-125 PERTAINING TO STORMWATER POLLUTION PREVENTION; REMEDIES NOT EXCLUSIVE; AND BY ENACTING SECTION 24-126 PERTAINING TO STORMWATER POLLUTION PREVENTION; EMERGENCY RESPONSE; AND BY ENACTING SECTION 24-127 PERTAINING TO ILLICIT DISCHARGE DETECTION AND ELIMINATION; PURPOSE; AND BY ENACTING SECTION 24-128 PERTAINING TO ILLICIT DISCHARGE DETECTION AND ELIMINATION; SCOPE; AND BY ENACTING SECTION 24-129 PERTAINING TO ILLICIT DISCHARGE DETECTION AND ELIMINATION; APPLICABILITY; AND BY ENACTING SECTION 24-130 PERTAINING TO ILLICIT DISCHARGE DETECTION AND ELIMINATION; DISCHARGE PROHIBITIONS; AND BY ENACTING SECTION 24-131 PERTAINING TO ILLICIT DISCHARGE DETECTION AND ELIMINATION; SUSPENSION OF MS4 ACCESS; AND BY ENACTING SECTION 24-132 PERTAINING TO ILLICIT DISCHARGE DETECTION AND ELIMINATION; AZPDES STORMWATER DISCHARGE PERMIT COMPLIANCE; AND BY ENACTING SECTION 24-133 PERTAINING TO ILLICIT DISCHARGE DETECTION AND ELIMINATION; USE OF BEST MANAGEMENT PRACTICES; AND BY ENACTING SECTION 24-134 PERTAINING TO ILLICIT DISCHARGE DETECTION AND ELIMINATION; WATERCOURSE PROTECTION; AND BY ENACTING SECTION 24-135 PERTAINING TO CONSTRUCTION AND POST-CONSTRUCTION STORMWATER MANAGEMENT; PURPOSE; AND BY ENACTING SECTION 24-136 PERTAINING TO CONSTRUCTION AND POST-CONSTRUCTION STORMWATER MANAGEMENT; SCOPE; AND BY ENACTING SECTION 24-137 PERTAINING TO CONSTRUCTION AND POST-CONSTRUCTION STORMWATER

MANAGEMENT; APPLICABILITY; AND BY ENACTING SECTION 24-138 PERTAINING TO CONSTRUCTION AND POST-CONSTRUCTION STORMWATER MANAGEMENT; REQUIREMENTS FOR SUBMITTAL OF STORMWATER MANAGEMENT PLANS; AND BY ENACTING SECTION 24-139 PERTAINING TO CONSTRUCTION AND POST-CONSTRUCTION STORMWATER MANAGEMENT; CITY REVIEW OF STORMWATER MANAGEMENT PLAN SUBMITTALS; AND BY ENACTING SECTION 24-140 PERTAINING TO CONSTRUCTION AND POST-CONSTRUCTION STORMWATER MANAGEMENT; REQUIREMENT TO INSTALL AND MAINTAIN EROSION AND SEDIMENT CONTROL MEASURES; AND BY ENACTING SECTION 24-141 PERTAINING TO CONSTRUCTION AND POST-CONSTRUCTION STORMWATER MANAGEMENT; PERMITTEE CONSTRUCTION SITE INSPECTIONS; AND BY ENACTING SECTION 24-142 PERTAINING TO CONSTRUCTION AND POST-CONSTRUCTION STORMWATER MANAGEMENT; OPERATION AND MANAGEMENT OF ALL EXISTING AND NEW POST-CONSTRUCTION STORMWATER STRUCTURES; AND BY ENACTING SECTION 24-143 PERTAINING TO CONSTRUCTION AND POST-CONSTRUCTION STORMWATER MANAGEMENT; COMPLETION OF WORK; AND PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Adopted **ORD. 2010-06** amending Chapter 24 of the Peoria City Code (1992 Edition) pertaining to storm water pollution prevention; illicit discharge detection and elimination; and construction and post-construction storm water management.

4C Employee Retirement Plan

RESOLUTION NO. 2010-08

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA FINDING AND CONFIRMING THAT THE CITY OF PEORIA AUTHORIZED AND CREATED AN EMPLOYEE RETIREMENT PLAN PURSUANT TO SECTION 401(A) OF THE UNITED STATES INTERNAL REVENUE CODE ON OR ABOUT , 1994, AND PROVIDED IN SUCH PLAN FOR CERTAIN CONTRIBUTIONS MADE BY THE EMPLOYEE TO BE PAID BY THE EMPLOYER PURSUANT TO THE UNITED STATES INTERNAL REVENUE CODE OF 1986, AS AMENDED STATES AND PROVIDING FOR AN EFFECTIVE DATE.

Adopted **RES. 2010-08** finding and confirming that the City of Peoria, Arizona adopted an employee retirement plan and authorized the pick up of certain employee contributions.

5C Authorize Expenditure, Arizona Supreme Court, Peoria Municipal Court Equipment

(a) Authorized the use of Peoria Municipal Court Enhancement Funds to lease Court computers and printers from the Arizona Supreme Court and purchase City computers and City printer cards to be used in the new expansion court building; and

(b) Authorized a budget adjustment of \$13,553 from the General Fund Contingency Account to the Peoria Municipal Court Enhancement Fund Computer Equipment Lease/Rental Account in the amount of \$7,850 and to the Peoria Municipal Court Enhancement Fund Computer Hardware Account in the amount of \$5,703 for expenditure authority.

6C Deeds and Easements, Various Locations

RESOLUTION NO. 2010-09

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. 2010-09** accepting deeds and easements for various real property interests acquired by the City and previously recorded by the Maricopa County Recorder's Office.

7C Designate Roadways, Establish Rights-of-Way, Various Locations

RESOLUTION NO. 2010-10

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. 2010-10** 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.

8C Authorization to Hold an Executive Session

Pursuant to A.R.S. § 38-431.03.A.5: 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.

9C PUBLIC HEARING - Liquor License, House of Pizza, 15703 N. 83rd Avenue, Suite 100

PUBLIC HEARING: RE: A New Restaurant Liquor License (Series 12) for House of Pizza, located at 15703 N. 83rd Avenue, Suite 100. Applicant: Andrea D. Lewkowitz. LL#10016798.

COUNCIL ACTION: Recommended approval to the State Liquor Board for a New Restaurant Liquor License (Series 12) for House of Pizza, located at 15703 N. 83rd Avenue, Suite 100. Applicant: Andrea D. Lewkowitz. LL#10016798.

CALL TO THE PUBLIC: (NON-AGENDA ITEMS) – None

ADJOURNMENT:

Being no further business to come before Council in the Meeting, Mayor Barrett adjourned the Special Meeting at 4:14 p.m.

STUDY SESSION AGENDA

Note: The order in which items appear in the minutes is not necessarily the order in which they were discussed in the meeting.

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 4:14 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

Subjects for Discussion Only:

1. Structural Overview of City Departments

Carl Swenson, City Manager, provided a summary of the presentations for the structural overview and provided an overview of the City department structure before and after the reorganization. Mr. Swenson advised Council that City departments were asked to look for ways to protect core services, identify and realize organizational efficiencies and improve service deliveries through the reorganization.

Bill Mattingly, Public Works – Utilities Director, provided an overview of the Public Works – Utilities Department and an overview of the department before and after the organization. Mr. Mattingly highlighted efficiencies from combining the Public Works Department and Utilities Department which included: combining water resources, environmental compliance and recycling outreach programs, consolidating

administrative staff and identifying cost saving opportunities for internal services functions.

Council discussed specific moves that had been made within the two departments and how those functions were combined. Mr. Mattingly covered service delivery efficiencies and ways the department will measure success.

Andy Granger, Engineering Director, provided an overview of the Engineering Department. Mr. Granger highlighted specific areas of change which included:

- Utilities CIP Management moved to the Engineering Department (Engineering Services)
- Community Services CIP Management moved to the Engineering Department (Architectural Services)
- Design and Construction Division moved to the Engineering Department (Architectural Services)
- Development Engineering moved to the Economic Development Services Department
 - Engineering Services Division (Used to be the Capital Division)
 - Architectural Services Division (Used to be the Design and Construction Division – from Public Works)
 - Traffic Engineering Division & Property Acquisition (no changes)
 - Right-of-Way Inspections Division (No changes)

Mr. Granger covered service delivery efficiencies and ways the department will measure success.

Scott Whyte, Economic Development Services Director, provided an overview of the Economic Development Services Department (EDS). Mr. Whyte covered specific moves that had taken place due to the reorganization which included:

- Building Safety moved from Community Development to EDS
 - Now called “Building Development”
- Development Engineering moved from Engineering to EDS
 - Now called “Site Development”
- Shifted a Development Plan Reviewer, Associate Planner, and Planning Technician from Community Development Department

Mr. Whyte covered the organizational structure for the department before and after the reorganization. Mr. Whyte covered department functions, service delivery efficiencies and ways the department will measure success.

Glen Van Nimwegen, Planning and Community Development Director, provided an overview of the Planning and Community Development Department which included:

- Neighborhood Services became Neighborhoods and Revitalization
- Planning Division became Community Development

- Added Systems Planning
- Code Compliance moved to Police Department
- Building Safety and a portion of Planning staff moved to Economic Development Services

Mr. Van Nimwegen provided an overview of the department structure before and after the reorganization. Mr. Van Nimwegen provided a description of the key department functions, service delivery efficiencies and ways of measuring success.

JP de la Montaigne, Community Services Director, provided an overview of the Community Services Department. Mr. de la Montaigne highlighted organizational changes within the department which included:

- Organizational changes
 - Special Events shifted to Community Services
 - Cultural Arts Coordinator shifted to Community Services
 - CAPA Director shifted to Community Services as Deputy Director
 - Park Rangers (5) shifted to Police Department
 - Parks Project Administrator shifted to Planning and Community Development Department
 - Parks Project Coordinator shifted to Engineering Department

Mr. de la Montaigne covered the key department functions, service delivery efficiencies and ways of measuring success.

Note: At 6:21 p.m. Council recessed to go into Executive Session. The meeting reconvened at 7:11 p.m.

John Imig, Director of Information Technology, provided an overview of the Information Technology Department. Mr. Imig presented the structure of the department before and after the recent reorganization. Mr. Imig covered the key department functions, service delivery efficiencies and ways of measuring success.

Wynette Reed, Human Resources Director, provided an overview of the Human Resources Department. Ms. Reed presented the structure of the department before and after the recent reorganization. The most significant change was within the reporting structure for Human Resources being moved under the City Manager and incorporating Safety Management in the department. Ms. Reed covered the key department functions, service delivery efficiencies and ways of measuring success.

Jeff Tyne, Management and Budget Director, provided an overview of the Management and Budget Department which included:

- Formalize Research & Analysis Role
- Change Name to "Management & Budget Department"
- Provide Management Support to Organization
- Report Directly to City Manager

Mr. Tyne covered the key department functions, service delivery efficiencies and ways of measuring success.

Mary Jo Waddell, City Clerk, provided an overview of the City Clerk's Office. Highlighted were the organizational changes which included division consolidation, shifting of the front lobby information desk from Communications and discontinuance of Passport Services.

Ms. Waddell covered key department functions, service delivery efficiencies and ways of measuring success.

Brent Mattingly, Chief Financial Officer, provided an overview of the Finance Department including the organizational structure. Mr. Mattingly highlighted methods for measuring success for the Finance Department.

Kelly Corsette, Public Information Manger, provided an overview of the Office of Communications. Mr. Corsette provided an overview of the department before and after the reorganization which included renaming Communications and Public Affairs to the "Office of Communications", Special Events and Marketing moved to Community Services and assuming responsibility of Web staff. Mr. Corsette reviewed the organizational structure before and after the reorganization. Mr. Corsette covered key department functions, service delivery efficiencies and ways of measuring success.

Judge George Anagnost, Presiding Municipal Judge, provided an overview of the Municipal Court and briefed Council on the organizational structure of the Court. Judge Anagnost covered the key department functions, service delivery efficiencies and ways of measuring success.

Mark Nichols, Fire Department Training Chief, presented an overview of the Fire Department. Mr. Nichols informed Council that before the reorganization there were seven divisions within the Fire Department. With the reorganization there are now four divisions within the Fire Department reporting to the Chief. Mr. Nichols reported on the key department functions, service delivery efficiencies and ways of measuring success.

Larry Ratcliff, Police Chief, presented an overview of the Police Department. Chief Ratcliff described the organizational structure before and after the reorganization. Chief Ratcliff highlighted changes made which include:

- Combined Staff Services and Youth Services Section
- Moved PIO to Support Services Division
- Combined Financial Services, CALEA, Crime Analysis and Intelligence into Administrative Services Section
- Code Enforcement moved from Community Development to Police Department/Neighborhood Services Section

- Park Rangers moved from Community Services to Police Department/Neighborhood Services Section
- Shifted Crime Prevention, Animal Control and Volunteer program to the new Neighborhood Services Section
- Reconfigured Patrol Operations – Creating North and South Precincts
- Decentralized Traffic Services to precinct operations
- Other staff moves to support organizational changes

Chief Ratcliff discussed the key department functions, service delivery efficiencies and ways of measuring success.

Each department director provided the number of full time equivalent (FTE's) for their respective departments prior to and after the reorganization.

Steve Kemp, City Attorney, responded to a question from Council regarding his departmental overview.

2. Charter Amendment

No discussion on this item. Staff was directed to bring this back for Study Session on February 16, 2010.

3. Shopping Cart Ordinance Amendment

Steve Kemp, City Attorney, provided an overview of the proposed changes to the shopping cart ordinance and advised Council that City staff had been working with the Food Retailers Association to incorporate changes that had been requested. Mr. Kemp explained that if the proposed changes are adopted all food retailers would be required to participate by either having the induction system on their shopping carts or contract with a pick up retrieval vendor. Retailers would have until January 2013 to install the system or January 2011 to contract for cart retrieval pick up. After discussion, consensus of Council is to have the City Attorney bring the proposed Ordinance back to Council for discussion and possible action at the February 16, 2010 City Council Meeting.

4. Code Enforcement Update

No discussion on this item. Staff was directed to bring this back for Study Session on February 16, 2010.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 8:45 p.m.

Bob Barrett, Mayor

ATTEST:

Mary Jo Waddell, City Clerk

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 the 2nd day of February, 2010. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 6th day of April, 2010.

(Seal)

Mary Jo Waddell, City Clerk