MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
COUNCIL CHAMBER
July 6, 2010

A **Regular Meeting** of the City Council of the City of Peoria, Arizona was convened at 8401 West Monroe Street in open and public session at 7:00 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 Joan Evans, Vicki Hunt, Carlo Leone and Dave Pearson.

Members Absent: Councilmember Cathy Carlat.

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, Bill Mattingly, Larry Ratcliff, Wynette Reed, John Schell, Tom Solberg, Jeff Tyne, Glen Van Nimwegen, Scott Whyte, Claudia Luján and Rhonda Simmons.

Audience: Approximately 40 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.

PRESENTATION:

1. Board and Commission Certificates of Appointment

Mayor Barrett and Councilmember Carlat recognized the following Board and Commission members:

Luis Carillo elected to the Public Safety Retirement System Local Board - Police; and
Anthony Neely elected to the Public Safety Retirement System Local Board – Fire.

Clerk's Note: Luis Carrillo and Anthony Neely were not present to receive their certificates of appointment.

Mayor Barrett recognized the Sister City's Young Ambassadors. Mayor Barrett provided an overview of the Young Ambassador's Program and introduced the four youth delegates from Peoria and their four "twins" from Northern Ireland. The Young Ambassadors thanked the Council for the Young Ambassador's Program.

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.

Councilmember Pearson requested that Agenda Item 19C be removed for separate discussion.

Motion was made by Vice Mayor Aames, seconded by Councilmember Hunt, to approve the Consent Agenda with the exception of Agenda Item 19C.

Upon vote, the motion carried unanimously 6 to 0.

1C Disposition of Absence

Excused the absence of Councilmember Vicki Hunt from the Study Session held at 4:00 p.m., the Special Meeting held at 6:30 p.m. and the Regular City Council Meeting held at 7:00 p.m. on June 15, 2010.

2C Minutes

Approved the following minutes:
April 22, 2010 Budget Study Session
April 26, 2010 Budget Study Session
April 26, 2010 Special Meeting

3C Appointments, Boards and Commissions

RESOLUTION NO. 2010-42

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, APPOINTING JACK LYTLE TO THE ARTS COMMISSION AND ESTABLISHING THE TERM OF OFFICE.

RESOLUTION NO. 2010-43

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, APPOINTING KAREN MCDANIEL AND SHELBY DUPLESSIS TO THE BOARD OF ADJUSTMENT AND ESTABLISHING THE TERMS OF OFFICE.

RESOLUTION NO. 2010-44

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, APPOINTING KEITH DINES, MARK HAMMONS AND VONDA CULP TO THE ECONOMIC DEVELOPMENT ADVISORY BOARD AND ESTABLISHING THE TERMS OF OFFICE.

RESOLUTION NO. 2010-45

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING LES GIN, NANCY GOLDEN AND KEITH DINES TO THE EMPLOYEE BENEFITS TRUST BOARD AND STAGGERING AND ESTABLISHING THE TERMS OF OFFICE.

RESOLUTION NO. 2010-46

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING GENE SWEENEY TO THE PERSONNEL BOARD AND ESTABLISHING THE TERM OF OFFICE.

RESOLUTION NO. 2010-47

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING JOE LARUE AND RICHARD COFFINGER TO THE PUBLIC DEFENDER CONTRACT REVIEW COMMITTEE AND ESTABLISHING THE TERMS OF OFFICE.

RESOLUTION NO. 2010-48

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, APPOINTING JOYA KIZER CLARKE TO THE SISTER CITIES BOARD AND ESTABLISHING THE TERM OF OFFICE.

RESOLUTION NO. 2010-49

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING HENRY COTA AND FERNANDO REYNA TO THE VOLUNTEER FIREFIGHTER PENSION BOARD AND ESTABLISHING THE TERMS OF OFFICE.

RESOLUTION NO. 2010-50

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING TYLER ASHCROFT, ELIZABETH GONZALES, KATHERINE BROWN, HUNTER FINN, BROOKE HEISSERMAN, TYLER ARKIN AND SHELBIE STALEY TO THE YOUTH ADVISORY BOARD AND ESTABLISHING THE TERMS OF OFFICE.

RESOLUTION NO. 2010-51

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, APPOINTING THOMAS PRIOR TO THE YOUTH ADVISORY BOARD AND ESTABLISHING THE TERM OF OFFICE.

Approved the recommendations from the Council Subcommittee on Boards and Commissions Appointments pertaining to the following appointments and adopted the Resolutions as presented:

Adopted **RES. 2010-42** appointing Jack Lytle, as a regular member, to the Arts Commission for a term to expire June 2014;

Adopted **RES. 2010-43** appointing Karen McDaniel, as a regular member, for a term to expire December 2013 and Shelby Duplessis, as an alternate member, for a term to expire December 2011 to the Board of Adjustment;

Adopted **RES. 2010-44** reappointing Keith Dines, as a regular member, and appointing Mark Hammons and Vonda Culp, as regular members, to the Economic Development Advisory Board for terms to expire June 2014;

Adopted **RES. 2010-45** reappointing Keith Dines, as a regular member, for a term to expire June 2016; reappointing Nancy Golden, as a regular member, for a term to expire June 2015; and reappointing Les Gin, as a regular member, for a term to expire December 2014 to the Employee Benefits Trust Board;

Adopted **RES. 2010-46** reappointing Gene Sweeney, as a regular member, to the Personnel Board for a term to expire June 2014;

Adopted **RES. 2010-47** reappointing Joe LaRue and Richard Coffinger, as regular members, to the Public Defender Contract Review Committee for terms to expire June 2014;

Adopted **RES. 2010-48** appointing Joya Kizer Clark, as a regular member, to the Sister Cities Board for a partial term to expire December 2012;

Adopted **RES. 2010-49** reappointing Henry Cota and Fernando Reyna, as regular members, to the Volunteer Firefighter Pension Board for terms to expire June 2014;

Adopted **RES. 2010-50** reappointing Tyler Ashcroft, Elizabeth Gonzales, Katherine Brown, Hunter Finn, Brooke Heisserman, Tyler Arkin, and Shelbie Staley, as regular members, to the Youth Advisory Board for terms to expire June 2012; and

Adopted **RES. 2010-51** appointing Thomas Prior, as a regular member, to the Youth Advisory Board for a partial term to expire June 2011.

4C **Code Amendment, Chapter 18, Parks**

ORDINANCE NO. 2010-13

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA AMENDING CHAPTER 18 OF THE PEORIA CITY CODE (1992) BY AMENDING SECTION 18-61 PERTAINING TO PARKS; DEFINITIONS; AMENDING SECTION 18-62 PERTAINING TO PARKS; REGULATED ACTIVITIES, VIOLATIONS; AMENDING SECTION 18-65 PERTAINING TO PARKS, ALCOHOLIC BEVERAGES; AMENDING SECTION 18-67 PERTAINING TO MISCELLANEOUS RULES OF CONDUCT; VIOLATIONS; AMENDING SECTION 18-68 PERTAINING TO PARKS, ADVERTISING, ASSEMBLAGE, ENTERTAINMENT; AMENDING SECTION 18-69 PERTAINING TO PARKS, PROHIBITED CONDUCT, VIOLATIONS; AMENDING SECTION 18-71 PERTAINING TO PARKS, SOUND AMPLIFICATION SYSTEMS, REQUIREMENTS; AMENDING SECTION 18-72 PERTAINING TO PARKS, PERMITS; REPEALING IN ITS ENTIRETY SECTION 18-73 PERTAINING TO PARKS, BEER PERMITS; AND PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Adopted **ORD. 2010-13** amending various sections of Chapter 18 of the Peoria City Code (1992 Edition) pertaining to the management of the City of Peoria parks system in order to maintain a safe and hospitable atmosphere.

5C **Initial Zoning, 139th Avenue (Litchfield Road) and Dixileta Drive**

ORDINANCE NO. 2010-14

AN ORDINANCE OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA ESTABLISHING INITIAL ZONING ON PROPERTY FROM MARICOPA COUNTY RURAL-43 ZONING DISTRICT TO CITY OF PEORIA SR-43 ZONING DISTRICT; AMENDING THE ZONING MAP AND PROVIDING FOR AN EFFECTIVE DATE.

Concurred with the Planning and Zoning Commission's recommendation and adopted **ORD. 2010-14** establishing initial zoning on a recently annexed 640-acre property, generally located at the southeast corner of 139th Avenue (Litchfield Road) and Dixileta Drive, from Maricopa County Rural-43 to City of Peoria SR-43 (Z09-04).

6C **Rezoning, Terramar Boulevard and Happy Valley Road**

ORDINANCE NO. 2010-15

AN ORDINANCE OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA REZONING CERTAIN PROPERTY FROM SINGLE-FAMILY RESIDENTIAL (R1-10) TO SINGLE-FAMILY RESIDENTIAL (R1-6); AMENDING THE ZONING MAP AND PROVIDING FOR AN EFFECTIVE DATE.

Concurred with the Planning and Zoning Commission’s recommendation and adopted **ORD. 2010-15** rezoning approximately 25.56 gross acres of property, generally located north of the northwest of the corner of Terramar Boulevard and Happy Valley Road, from R1-10, Single-Family Residential (10,000 square foot minimum lot) to R1-6, Single-Family Residential (6,000 square foot minimum lot) (Z 09-02247).

7C **Grant, Arizona Department of Public Safety, Victims of Crime Act, Crime Victim Assistance Grant Program**

RESOLUTION NO. 2010-52

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, TO ACCEPT AN AWARD OF A GRANT IN THE AMOUNT OF $46,068 FROM THE ARIZONA DEPARTMENT OF PUBLIC SAFETY (DPS), VICTIMS OF CRIME ACT (VOCA) CRIME VICTIM ASSISTANCE GRANT PROGRAM TO ASSIST IN FUNDING A VICTIM ADVOCATE.

(a) Adopted **RES. 2010-52** authorizing the City of Peoria Police Department to accept $46,068 from the Arizona Department of Public Safety, Victims of Crime Act (VOCA), for Peoria's participation in the Crime Victim Assistance Grant Program (LCON07110); and

(b) Approved a budget transfer in the amount of $46,068 from the Proposed Grants Contingency Account to the Victims of Crime Act Grant Account for salary and wages.

8C **Grant, Arizona Criminal Justice Commission, Crime Victim Assistance Program**

RESOLUTION NO. 2010-53

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, TO ACCEPT AN AWARD OF A GRANT IN THE AMOUNT OF $10,800 FROM THE ARIZONA CRIMINAL JUSTICE COMMISSION (ACJC), CRIME VICTIM ASSISTANCE PROGRAM TO ASSIST IN FUNDING A VICTIM ADVOCATE.

(a) Adopted **RES. 2010-53** authorizing the City of Peoria Police Department to accept $10,800 from the Arizona Criminal Justice Commission (ACJC) for Peoria's participation in the Crime Victim Assistance Program (LCON07210); and

(b) Approved a budget transfer in the amount of $10,800 from the Proposed Grants Contingency Account to the Arizona Criminal Justice Commission Grant Account for salary and wages.

9C **Intergovernmental Agreement, Peoria Unified School District, School Resource Officers**

Authorized the City Manager to execute an Intergovernmental Agreement with the Peoria Unified School District to assign two Peoria Police Officers to the campuses of the Peoria and Sunrise Mountain High Schools as School Resource Officers (SRO) (LCON07310).

10C **Intergovernmental Agreement, State of Arizona, Installation of Pedestrian Countdown Signal Heads, Various Locations**

RESOLUTION NO. 2010-54

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, ARIZONA, ADOPTING A RESOLUTION APPROVING THE INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA AND THE CITY OF PEORIA FOR INSTALLATION OF PEDESTRIAN COUNT DOWN SIGNAL HEADS.

Adopted **RES. 2010-54** approving an Intergovernmental Agreement with the State of Arizona for the installation of pedestrian countdown signal heads at various locations (LCON07410).

11C **Intergovernmental Agreement Amendment, State of Arizona, 84th Avenue Pedestrian Improvement Project, Monroe Avenue to Peoria Avenue**

RESOLUTION NO. 2010-55

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, ARIZONA, ADOPTING A RESOLUTION APPROVING AMENDMENT NO. ONE TO THE REVISED INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA FOR THE CONSTRUCTION OF CERTAIN IMPROVEMENTS ALONG 84TH AVENUE BETWEEN MONROE AVENUE AND PEORIA AVENUE.

Adopted **RES. 2010-55** approving Amendment No. 1 to the revised Intergovernmental Agreement with the State of Arizona for construction of the 84th Avenue Pedestrian Improvement Project from Monroe Avenue to Peoria Avenue (LCON05809B).

12C Intergovernmental Agreement Amendment, State of Arizona, Roadway Widening Improvements, 91st Avenue and Olive Avenue

RESOLUTION NO. 2010-56

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, ARIZONA, ADOPTING A RESOLUTION APPROVING AMENDMENT NO. TWO TO THE INTERGOVERNMENTAL AGREEMENT AMENDMENT WITH THE STATE OF ARIZONA FOR THE CONSTRUCTION OF CERTAIN IMPROVEMENTS TO THE INTERSECTION OF 91ST AVENUE AND OLIVE AVENUE.

Adopted **RES. 2010-56** approving Intergovernmental Agreement Amendment No. 2 with the State of Arizona for the construction of the roadway widening improvements at 91st Avenue and Olive Avenue (LCON20008B).

13C Contract, RBF Consulting, Resurvey Benchmarks of the Horizontal and Vertical Control Network

(a) Awarded a design services contract in the amount of $223,384 to RBF Consulting for the Resurvey Benchmarks of the City's horizontal and vertical control network (LCON07510);
(b) Approved the carryover of $20,000 in project funds from Fiscal Year 2010 to Fiscal Year 2011; and
(c) Approved a budget transfer in the amount of $20,000 from the General Fund Contingency Account to the Resurvey Benchmarks Project, General Fund Other Professional Services Account.

14C Contract Amendment, Brown and Caldwell, Wastewater Pipeline Inspection Program

Awarded Contract Amendment No. 1 in an amount not-to-exceed $287,440 to Brown and Caldwell for consulting services related to a Wastewater Pipeline Inspection Program (LCON04010A).

15C Contract Amendment, Felix Construction, Rehabilitation of Terramar Potable Water Reservoir

Approved Contract Amendment No. 1 in an amount not-to-exceed $50,000 to an Individual Job Order Contract with Felix Construction for the Rehabilitation of the Terramar Potable Water Reservoir (ACON23908P16A).

16C Contract Amendment, Pierson Construction Corporation, Edwards Tract 8-inch Waterline

(a) Approved Contract Amendment No. 1 for a Guaranteed Maximum Price (GMP) of $137,761 to Pierson Construction Corporation for construction services associated with the Edwards Tract 8-inch waterline (ACON46008P3A);
(b) Approved the carryover of $137,761 in projects funds from Fiscal Year 2010 to Fiscal Year 2011; and
(c) Approved a budget transfer in the amount of $137,761 from the Water Utility Fund Contingency Account to the Edwards Tract 8-inch Waterline Project, Water Utility Fund Water System Account.

17C Contract Amendment, Entellus, Inc., Westbrook Village Storm Drain Improvements

Approved Contract Amendment No. 6 in the amount of $29,725 to Entellus, Inc. for additional construction administration services associated with the construction of the Westbrook Village Storm Drain Improvements and the 24-inch waterlines in 91st Avenue from Union Hills Drive to Beardsley Road and in Beardsley Road from 87th Avenue to Lake Pleasant Road (LCON08506F).

18C Contract Amendment, Presiding Municipal Judge

RESOLUTION NO. 2010-62

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, APPOINTING GEORGE T. ANAGNOST AS PRESIDING JUDGE OF THE PEORIA MUNICIPAL COURT; ESTABLISHING THE TERM OF OFFICE THEREOF, AND DECLARING AN EMERGENCY.

(a) Adopted **RES. 2010-62** reappointing the Honorable George T. Anagnost to a new four-year term as the Presiding Municipal Judge; and
(b) Approved Contract Amendment No. 9 for Municipal Judge services (LCON05696K).

19C Partnership, Translational Genomics Research Institute (TGen), International Bioscience Commercialization Consortium

Clerk's Note: This item was heard after the Consent Agenda.

At the request of Councilmember Pearson, Agenda Item 19C was pulled from the Consent Agenda for separate discussion.

Scott Whyte, Economic Development Director, provided an overview of the possible partnership with Translational Genomics Research Institute for an International Bioscience Commercialization Consortium.

Motion was made by Councilmember Pearson, seconded by Councilmember Hunt to:

(a) Authorize the City Manager to enter into a partnership with the Translational Genomics Research Institute (TGen) to both establish the International Bioscience Commercialization Consortium (IBCC) with global headquarters in Peoria and to pledge a financial commitment of $200,000 to the IBCC;
(b) Authorize the use of reserves; and
(c) Approve a budget transfer in the amount of $200,000 from the Half-Cent Sales Tax Fund Contingency Account to the Half-Cent Sales Tax Other Professional Services Account.

Upon vote, the motion carried unanimously 6 to 0.

Councilmember Pearson explained that this partnership is an opportunity to bring jobs into Peoria.

20C Cable Television License Agreement Renewal, CoxCom, Inc.

Adopted a new license agreement with CoxCom, Inc., a Delaware corporation, to provide cable services within the City of Peoria (LCON07610).

21C Re-Allocation of Bonds to the Department of Commerce

RESOLUTION NO. 2010-57

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, ARIZONA WAIVING A $1,740,000 UNUSED RECOVERY ZONE ECONOMIC DEVELOPMENT BOND ALLOCATION AND A $1,561,152.14 UNUSED QUALIFIED ENERGY CONSERVATION BOND ALLOCATION FROM THE AMERICAN RECOVERY & REINVESTMENT ACT 2009 (ARRA).

Adopted **RES. 2010-57** releasing Peoria's allocation of Qualified Energy Conservation Bonds and Recovery Zone Economic Development Bonds to the State of Arizona Department of Commerce.

22C **Authorize Expenditure, Federal Legislative Representation, Luke Air Force Base**

(a) Authorized an expenditure in the amount of $52,124 for the City of Peoria's continued share of Federal Legislative Representation for service beginning July 1, 2010 and ending June 30, 2011 for the protection of the mission of Luke Air Force Base; and

(b) Approved a budget transfer in the amount of $52,124 from the General Fund Contingency Account to the Non-Departmental "Other Professional Services" Account.

23C **Authorize Expenditure, Henry Brothers Electronics Inc, City Hall Security**

Authorized an expenditure in an amount not-to-exceed $75,173 utilizing an existing contract with Henry Brothers Electronics Inc. for the purchase, installation and extended warranty for a City Hall video surveillance system; the purchase of a badge printer; and modifications to the current card access system.

24C **Map of Dedication, Edgewater Park at Westbrook Village, Edgewater Road and Westbrook Parkway**

Approved a Map of Dedication of Edgewater Park at Westbrook Village, located on Edgewater Road west of Westbrook Parkway, subject to stipulations.

25C **Dedications of Public Roadways, 83rd Avenue from Williams Road to Calle Lejos and 83rd Avenue from Butler Drive to Hatcher Road**

RESOLUTION NO. 2010-58

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, AUTHORIZING THE GRANTING OF DEDICATIONS OF PUBLIC ROADWAY ASSOCIATED WITH TWO CAPITAL IMPROVEMENT PROJECTS LOCATED ON 83RD AVENUE BETWEEN WILLIAMS ROAD TO CALLE LEJOS AND 83RD AVENUE BETWEEN BUTLER DRIVE TO HATCHER ROAD.

Adopted **RES. 2010-58** authorizing the City Manager to execute three (3) Dedications of Public Roadways for street improvements associated with two Capital Improvement Projects located at 83rd Avenue from Williams Road to Calle Lejos and 83rd Avenue from Butler Drive to Hatcher Road.

26C Deeds and Easements, Various Locations

RESOLUTION NO. 2010-59

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. 2010-59** accepting deeds and easements for various real property interests acquired by the City and previously recorded by the Maricopa County Recorder's Office.

UNFINISHED BUSINESS

27R Development Agreement Amendment, HE Peoria Place Property, LLC (Item 4C, June 15, 2010)

Andy Granger, Engineering Director, provided an overview of the request to approve the first amendment to the Development Agreement with HE Peoria Place Property, LLC which will accelerate the City's repayment by one year at a 10 percent cost reduction to the City.

Motion was made by Councilmember Evans, seconded by Councilmember Hunt to approve the First Amendment to the Development Agreement with HE Peoria Place Property, LLC to accelerate the City's repayment by one year at a 10 percent cost reduction to the City (LCON12906A).

Upon vote, the motion carried unanimously 6 to 0.

NEW BUSINESS

28R PUBLIC HEARING - Liquor Licenses, Various Locations

Staff Report:

Mary Jo Waddell, City Clerk, reported that the properties were posted in accordance with Arizona law, all fees were paid, all reviewing Departments recommended approval, and no comments were received from the public.

Public Hearing:

Mayor Barrett opened the Public Hearing and asked if any Councilmember or citizen wished to comment on requests for the following:

(a) A Location Transfer for an Off-Sale All Liquor License (Series 09) for Circle K Store #1785, located at 7420 W. Cactus Road. Applicant: Kim Kwiatkowski, LL#4439;
(b) A New Restaurant Liquor License (Series 12) for Barro's Pizza, located at 24762 N. Lake Pleasant Parkway Suite 105. Applicant: Michael J. Barro, LL#10017692;
(c) A New Restaurant Liquor License (Series 12) for Skye, located at 16844 N. Arrowhead Fountain Center Drive. Applicant: Terence A. Davies, LL#10006148; and
(d) A New Restaurant Liquor License (Series 12) for Grande Pizza, located at 8996 W. Union Hills Drive Suite 105. Applicant: Fatmir Kodra, LL#10005951.

Having no requests from the public to address this item, Mayor Barrett declared the Public Hearing closed.

Council Action:

Motion was made by Councilmember Leone, seconded by Vice Mayor Aames to recommend approval to the State Liquor Board for:

(a) A Location Transfer for an Off-Sale All Liquor License (Series 09) for Circle K Store #1785, located at 7420 W. Cactus Road. Applicant: Kim Kwiatkowski, LL#4439;
(b) A New Restaurant Liquor License (Series 12) for Barro's Pizza, located at 24762 N. Lake Pleasant Parkway Suite 105. Applicant: Michael J. Barro, LL#10017692;
(c) A New Restaurant Liquor License (Series 12) for Skye, located at 16844 N. Arrowhead Fountain Center Drive. Applicant: Terence A. Davies, LL#10006148; and
(d) A New Restaurant Liquor License (Series 12) for Grande Pizza, located at 8996 W. Union Hills Drive Suite 105. Applicant: Fatmir Kodra, LL#10005951.

Upon vote, the motion carried unanimously 6 to 0.

29R PUBLIC HEARING - Off-Track Wagering License Renewal, American Greyhound Racing Inc., 6750 W. Peoria Avenue

Staff Report:

Mary Jo Waddell, City Clerk, reported that all fees were paid and all reviewing Departments recommended approval.

Public Hearing:

Mayor Barrett opened the Public Hearing and asked if any Councilmember or citizen wished to comment on an Off-Track Wagering License Renewal from American Greyhound Racing Inc. to telecast at Gallaghers Food and Fun, 6750 W. Peoria Avenue.

Having no requests from the public to address this item, Mayor Barrett declared the Public Hearing closed.

Council Action:

Motion was made by Vice Mayor Aames, seconded by Councilmember Leone to recommend approval to the Arizona Racing Commission for an Off-Track Wagering License Renewal for American Greyhound Racing Inc. to telecast at Gallaghers Food and Fun, 6750 W. Peoria Avenue.

Upon vote, the motion carried unanimously 6 to 0.

30R Primary and Secondary Property Tax Levies, Fiscal Year 2011

RESOLUTION NO. 2010-60

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, APPROVING ORDINANCE 2010-16.

ORDINANCE NO. 2010-16

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, LEVYING UPON THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE CITY OF PEORIA, SUBJECT TO TAXATION A CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS ($100.00) OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE REQUIRED IN THE ANNUAL BUDGET, LESS THE AMOUNT ESTIMATED TO BE RECEIVED FROM OTHER SOURCES OF REVENUE; PROVIDING FUNDS FOR VARIOUS BOND REDEMPTIONS, FOR THE PURPOSE OF PAYING INTEREST UPON BONDED INDEBTEDNESS AND PROVIDING FUNDS FOR GENERAL MUNICIPAL EXPENSES; ALL FOR THE FISCAL YEAR ENDING THE 30TH DAY OF JUNE, 2011, AND DECLARING AN EMERGENCY.

Jeff Tyne, Management and Budget Director, advised that a public hearing was held on June 15, 2010 for the adoption of the Primary and Secondary Property Tax Levies for Fiscal Year 2011. The recommendation was for the City's overall property tax rate to remain at $1.44 per $100 of assessed valuation. The primary property tax rate is recommended to remain at $.19 per $100 of assessed valuation, with the secondary tax rate at $1.25 per $100 of assessed valuation.

Motion was made by Councilmember Evans, seconded by Vice Mayor Aames to approve **RES. 2010-60** and **ORD. 2010-16** adopting the City of Peoria, Arizona Primary and Secondary Property Tax Levies for Fiscal Year 2011.

Upon vote, the motion carried unanimously 6 to 0.

31R **Street Light Improvement District and Maintenance Improvement District Tax Levies, Fiscal Year 2011**

ORDINANCE NO. 2010-17

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, LEVYING UPON THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE CITY OF PEORIA AND WITHIN THE FOLLOWING STREET LIGHT IMPROVEMENT DISTRICTS EACH DESIGNATED AS CITY OF PEORIA STREET LIGHT IMPROVEMENT DISTRICT NOS. 1 - 34 INCLUSIVE, NOS. 36 – 37, INCLUSIVE, NOS. 39 - 51 INCLUSIVE, NOS. 54 - 64 INCLUSIVE, NO 66, NOS. 70 - 73 INCLUSIVE, NOS. 76 - 80 INCLUSIVE, NOS. 82 - 84 INCLUSIVE, NOS. 93 - 99 INCLUSIVE, NOS. 101 - 102 INCLUSIVE, NO 104, NOS. 107 - 108 INCLUSIVE, NO 110, NO 114, NOS. 116 - 117 INCLUSIVE, NO 119, NOS. 121 - 123 INCLUSIVE, NOS. 125 - 129 INCLUSIVE, NO 131, NOS. 135 -157 INCLUSIVE, NOS. 159 – 164 INCLUSIVE, NOS. 166 - 167 INCLUSIVE, NOS. 171 - 172 INCLUSIVE, NOS. 176 - 177 INCLUSIVE, NO 179, NO 183, NO 185, NOS. 187 - 191 INCLUSIVE, NO 195, NOS. 197 - 199 INCLUSIVE, NOS. 201 - 202 INCLUSIVE, NOS. 204 - 206 INCLUSIVE, NOS. 208 - 216 INCLUSIVE, NO 218, NO 222, NOS. 224-236 INCLUSIVE, NOS. 238 - 240 INCLUSIVE, NOS. 1000-1002 INCLUSIVE, NOS. 1004-1014 INCLUSIVE, AND NO 1016 SUBJECT TO TAXATION A CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS ($100.00) OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE REQUIRED IN THE ANNUAL BUDGET, LESS THE AMOUNT ESTIMATED TO BE RECEIVED FROM OTHER SOURCES OF REVENUE; PROVIDING FUNDS FOR THE PURPOSE OF GENERAL DISTRICT EXPENSES; ALL FOR THE FISCAL YEAR ENDING THE 30TH DAY OF JUNE, 2011, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2010-18

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, LEVYING UPON THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE CITY OF PEORIA AND WITHIN THE FOLLOWING MAINTENANCE IMPROVEMENT DISTRICTS EACH DESIGNATED AS CITY OF PEORIA MAINTENANCE IMPROVEMENT DISTRICT NOS. 1 - 7 INCLUSIVE, NO 10, NO 69 NO 1025, AND NO 1044 SUBJECT TO TAXATION A CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS ($100.00) OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE REQUIRED IN THE ANNUAL BUDGET, LESS THE AMOUNT ESTIMATED TO BE RECEIVED FROM OTHER SOURCES OF REVENUE; PROVIDING FUNDS FOR THE PURPOSE OF GENERAL DISTRICT EXPENSES; ALL FOR THE FISCAL YEAR ENDING THE 30TH DAY OF JUNE, 2011, AND DECLARING AN EMERGENCY.

Jeff Tyne, Management and Budget Director, advised that the ordinances before Council are to adopt tax levies for Street Light Improvement Districts and Maintenance Improvement Districts throughout the City, which allows the City to collect on operational costs that benefit individual communities throughout Peoria.

Discussion ensued regarding the notification process. Mr. Tyne clarified that public notices are published as required by law, and new residents are notified upon purchase through the developer.

Motion was made by Councilmember Evans, seconded by Vice Mayor Aames to adopt **ORD. 2010-17** and **ORD. 2010-18** adopting Street Light and Maintenance Improvement District Tax Levies for Fiscal Year 2011.

Upon vote, the motion carried unanimously 6 to 0.

32R **Peoria Sports Complex Area Urban Design Plan**

RESOLUTION NO. 2010-61

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA APPROVING AND ADOPTING THE PEORIA SPORTS COMPLEX AREA URBAN DESIGN PLAN.

Glen Van Nimwegen, Planning and Community Development Director, provided an overview of the Peoria Sports Complex Area Urban Design Plan. Mr. Van Nimwegen outlined the process to develop the Plan, including the project team, plan objectives, civic engagement efforts, economic and market study findings, and implementation plan. Mr. Van Nimwegen stated the plan implementation includes short-term public investment as well as major projects beyond the 10-year Capital Improvement Plan.

Discussion ensued regarding costs for stadium improvements and the current availability of funds, focusing on short-term goals.

Motion was made by Vice Mayor Aames, seconded by Councilmember Hunt to adopt **RES. 2010-61** establishing the Peoria Sports Complex Area Urban Design Plan as the City's guiding document for redevelopment of the 570-acre area centered around the Peoria Sports Complex.

Upon vote, the motion carried unanimously 6 to 0.

CALL TO THE PUBLIC: (NON-AGENDA ITEMS)

None.

Reports from the City Manager:

1. Council Calendar

2. Reports with Presentation

   a. Positive Action through Civic Engagement – Conference on Civic Engagement

      Lyman Lockett, Human Resources Manager, presented regarding civic engagement to improve the interaction the City has with the public in order to gain their perspective about the services provided by the City. Mr. Lockett provided an overview of the PACE (Positive Action through Civic Engagement) conference to be held on November 4, 2010. The conference theme will be “Authentic Public Participation”.

3. Informational

   None.

Reports from City Council:

Councilmember Leone reported on the various City of Peoria events he attended. Councilmember Leone expressed appreciation for the sidewalks placed on Olive Avenue and the passing lane placed on 103rd Avenue.

Councilmember Evans reminded that Peoria has a lot of activities to participate in; get out and enjoy Peoria.

Councilmember Pearson stated the 4th of July event sponsored by the City of Peoria was phenomenal.

Vice Mayor Aames complimented on the 4th of July celebration.

Reports from the Mayor:

None.

ADJOURNMENT

Being no further business to come before the Council, the meeting was duly adjourned at 7:53 p.m.

_____
Bob Barrett, Mayor

ATTEST:

_____
Rhonda Geriminsky, Acting City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct summary of the proceedings of the Regular Meeting of the City Council of Peoria, Arizona held on the 6th day of July, 2010. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 7th day of December, 2010.

(Seal)

_____
Rhonda Geriminsky, Acting City Clerk