Amendment #1 April 14, 2010

CITY COUNCIL REGULAR MEETING NOTICE & AGENDA
Tuesday, April 20, 2010
7:00 PM
CITY COUNCIL CHAMBER
RESULTS

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

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:

PRESENTATION: PRESENTATION ONLY

1. Certificate of Appointment to the following Board member who was appointed by Resolution at the March 2, 2010 City Council meeting:

   Joseph McCord appointed to the Veterans Memorial Board.

2. Senator John Nelson to provide update on the State Budget.

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

Discussion and possible action to approve the following minutes:

March 2, 2010 Special Meeting and Study Session
March 2, 2010 Regular Meeting

2C **Annexation, Crossings at Arrowhead North, 81st Avenue and the Beardsley Road Connector Alignment** **PASSED**

Discussion and possible action to adopt **ORD. 2010-08** approving the annexation of approximately 16.36 acres that is pending deannexation from the City of Glendale, located at the southeast corner of 81st Avenue and the Beardsley Road connector alignment. (ANX09-03)

3C **Deannexation, Crossings at Arrowhead North, East of the New River Corridor, West of Loop-101 and South of Beardsley Road** **PASSED**

Discussion and possible action to adopt **ORD. 2010-09** approving the deannexation of approximately 4.56 acres that is pending annexation to the City of Glendale, located east of the New River corridor, west of Loop-101 and south of Beardsley Road. (ANX09-04)

4C **Settlement Agreement, Desert Winds Assisted Living v. City of Peoria** **PASSED**

Discussion and possible action to (a) approve a settlement of Desert Winds Assisted Living v. City of Peoria (TX 2006-000334) in the amount of $50,000 (LCON03710) and (b) approve of a budget transfer in the amount of $50,000 from the General Fund Contingency Account to the Settlement Claims Account.

5C **Bailment Agreement, West Valley Art Museum, Storing of Art Collection** **PASSED**

Discussion and possible action to (a) approve a Bailment Agreement with the West Valley Art Museum to store an approximately 1,651 object art collection for two years (LCON03810); (b) approve the necessary expenditures as needed to implement the Bailment Agreement (i.e., approximately $1,747 to provide electrical circuits to the storage area, $1,654 to install security fencing around the storage area and approximately $1,300 for the purchase of insurance for storage of the collection on City property); (c) authorize the use of General Fund reserves and transfer funds from the General Fund Contingency Account to the Arts Commission Account in the amount of $3,401; (d) authorize the use of funds in the amount of $1,300 from the Liability Insurance Account; and (e) direct staff to undertake such actions as required to implement the Bailment Agreement.

6C **Intergovernmental Agreement, City of Phoenix, Equipment Loan Agreement** **PASSED**

Discussion and possible action to approve an Intergovernmental Agreement with the City of Phoenix for an equipment loan agreement for the purposes of assisting with the implementation of the Bulk/Loose Trash Collection Program with the option to administratively approve future agreements should the terms remain unchanged. (LCON03910)

7C **Intergovernmental Agreement Amendment, City of Phoenix, Processing Recyclable Materials** **PASSED**

Discussion and possible action to approve an Intergovernmental Agreement with the City of Phoenix for processing recyclable materials with the option to administratively approve a second one-year extension should the amendment remain unchanged in 2011. (LCON07907A)

8C **Contract, Pioneer Roofing Company, Roof Repairs, Greenway Water Treatment Plant** **PASSED**

Discussion and possible action to utilize an existing on call contract in an amount not-to-exceed $85,167 with Pioneer Roofing Company for roof repairs at the Greenway Water Treatment Plant. (ACON17506)

9C **Contract, Brown and Caldwell, Consulting Services, Wastewater Pipeline Inspection Program** **PASSED**

Discussion and possible action to award a contract in an amount not-to-exceed $245,025 to Brown and Caldwell for consulting services related to a Wastewater Pipeline Inspection Program. (LCON04010)

10C **Contract, ELS Construction, Landscape Improvements, 107th Avenue between Northern Avenue and Olive Avenue** **PASSED**

Discussion and possible action to award an individual Job Order Contract in the amount of $301,684 to ELS Construction Inc., to install irrigation and landscaping in the rights-of-way along 107th Avenue between Northern Avenue and Olive Avenue. (ACON29808P8)

11C **Contract, J. Banicki Construction, Longitudinal Crack Repair, Cactus Road from 67th Avenue to 83rd Avenue** **PASSED**

Discussion and possible action to award an individual Job Order Contract in an amount not-to-exceed $199,480 to J. Banicki Construction for the longitudinal crack repair along Cactus Road from 67th Avenue to 83rd Avenue. (ACON55108P10)

12C **Contract, University Realty Advisors, Institutions of Higher Learning Recruitment** **PASSED**

Discussion and possible action to authorize the City Manager to enter into a professional services contract in an amount not-to-exceed $51,000 with the University Realty Advisors for the purpose of recruiting institutions of higher learning to the City. (LCON04110)

13C **Contracts, Employee Insurance Benefits, Various Providers** **PASSED**

Discussion and possible action to approve and authorize term contracts with the following insurance providers for employee benefits: (a) Vision Benefit with SightCare for one (1) year with four (4) one-year extensions (LCON04210); (b) Basic Life & AD&D and Voluntary Life & AD&D with UNUM for one (1) year with four (4) one-year extensions (LCON04310); and (c) Short-term Disability with Sun Life for one (1) year with four (4) one-year extensions. (LCON04410)

14C **Contract Amendment, Kimley-Horn and Associates, Design Services, Beardsley Road Widening; 99th Avenue to Lake Pleasant Road** **PASSED**

Discussion and possible action to approve Contract Amendment No. 1 in an amount not-to-exceed $115,915.02 to Kimley-Horn and Associates for the Beardsley Road Widening; 99th Avenue to Lake Pleasant Road. (LCON02109A)

15C **Contract Amendment, Strand and Associates, Inc., Post-Construction Services, 91st Avenue and Beardsley Road 24-inch Waterlines Project** **PASSED**

Discussion and possible action to approve Contract Amendment No. 5 in an amount not-to-exceed $6,800 to Strand and Associates, Inc. for post-construction services associated with the 24-inch waterlines on 91st Avenue from Beardsley Road to Union Hills Drive and on Beardsley Road from 87th Avenue to Lake Pleasant Road. (LCON01705E)

16C **Authorize Expenditure, Advanced Public Safety Annual Maintenance, Software of E-citation Handheld Units** **PASSED**

Discussion and possible action to (a) authorize the expenditure of Peoria Court Enhancement Funds (PCEF) in the amount of $9,608 for Advanced Public Safety Annual Maintenance for software of E-citation handheld units and (b) approve a budget transfer in the amount of $9,608 from the General Fund Contingency Account to the Peoria Municipal Court Enhancement Fund Computer Software Support and Maintenance Account to provide expenditure authority only.

17C **Authorize Expenditure, Peoria Sports Complex, LED Retrofit of Stadium Scoreboard** **PASSED**

Discussion and possible action to (a) authorize an expenditure from the Stadium Surcharge Account for the LED (Light-Emitting Diode) retrofit of the Peoria Sports Complex stadium scoreboard; (b) approve the use of reserves in the amount of $34,412.55 from the Sports Complex Improvement Reserve Surcharge Fund; and (c) authorize a budget transfer in the amount of $34,412.55 from the Sports Complex Improvement Reserve Contingency Account to the Sports Complex Improvement Reserve Grounds Detention Repair and Maintenance Account.

18C **Deeds and Easements, Various Locations** **PASSED**

Discussion and possible action to adopt **RES. 2010-26** accepting Deeds and Easements for various real property interests acquired by the City and previously recorded by the Maricopa County Recorder's Office.

19C **Final Plat, Arrowhead Commerce Center, 83rd Avenue and Thunderbird Road** **PASSED**

Discussion and possible action to approve a Final Plat of Arrowhead Commerce Center Amended, located on the northeast corner of 83rd Avenue and Thunderbird Road, subject to stipulations.

20C **Final Plat, Griffith Commerce Center, 83rd Avenue and Thunderbird Road** **PASSED**

Discussion and possible action to approve a Final Plat of Griffith Commerce Center Amended, located on the northeast corner of 83rd Avenue and Thunderbird Road, subject to stipulations.

REGULAR AGENDA

NEW BUSINESS

21R Contract, Professional Medical Transport, Inc., Emergency Transportation Services PASSED

Discussion and possible action to approve staff's recommendation of the award for Proposal P10-0041 for a three (3) year term contract with a two (2) year extension to Professional Medical Transport, Inc. (PMT) for emergency transportation services. (LCON04510)

22R PUBLIC HEARING - Liquor Licenses, Various Locations PASSED

PUBLIC HEARING: RE: A New Restaurant Liquor License (Series 12) for Squid Ink Sushi Bar, located at 9947 W. Happy Valley Parkway, Suite 109. Applicant: Schuyler O. Estes, LL#10016907 and (b) a Location and Person Transfer for an On-Sale Wine & Beer Liquor License (Series 07) for Sardella's Pizza & Wings, located at 8278 W. Lake Pleasant Parkway, Suite 100. Applicant: David P. Sardella, LL#10005482.

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 Squid Ink Sushi Bar, located at 9947 W. Happy Valley Parkway, Suite 109. Applicant: Schuyler O. Estes, LL#10016907 and (b) a Location and Person Transfer for an On-Sale Wine & Beer Liquor License (Series 07) for Sardella's Pizza & Wings, located at 8278 W. Lake Pleasant Parkway, Suite 100. Applicant: David P. Sardella, LL#10005482.

23R Citizens Commission on Salaries for Elected City Officials Report and Recommendations PASSED

Discussion and possible action to accept the recommendations of the Citizens Commission on Salaries for Elected City Officials and approve no increase to salaries for Mayor and Council for 2010 through 2012, and in the event there are salary reductions for City employees that the same percentage reduction be applied to Mayor and Council salaries.

24R **Reconsideration of Charter Amendment, Article III, Section 3, Pertaining to Appointments of Deputy City Managers and Department Directors (6C, March 2, 2010)** **FAILED**

Discussion and possible action to (a) reconsider RES. 2010-16, changing the Peoria City Charter pertaining to appointments of Deputy City Managers and Department Directors and placing the charter amendment on the August 24, 2010 ballot, previously adopted by Council on March 2, 2010 and (b) consider **RES. 2010-16A** to change the Peoria City Charter pertaining to appointments of Deputy City Managers and Department Directors and to place the charter amendment on the August 24, 2010 ballot.

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: **DISCUSSION ONLY – NO ACTION TAKEN**

1. Council Calendar
2. Reports with Presentation

    a. Spring Training 2010.
    b. Enhanced Notification for Zoning and Conditional Use Permits.

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. Preserve America Community Designation.
    b. Peoria Spring Festival.
    c. Peoria's Earth Day Celebration and Arbor Day Recognition.
    d. Solid Waste Recycling Program Update.

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.

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.*