MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
COUNCIL CHAMBER
July 10, 2007

A **Special 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, Councilmember Leone led the Pledge of Allegiance.

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

Members Absent: None

Other Municipal Officials Present: Terrence Ellis, City Manager; Carl Swenson, Deputy City Manager; John Wenderski, Deputy City Manager; Steve Kemp, City Attorney; Mary Jo Kief, City Clerk; Stephen Bontrager, J.P. de la Montaigne, Greg Eckman, Bill Mattingly, Brent Mattingly, Bob McKibben, Grady Miller, Dave Moody, Steve Prokopek, Larry Ratcliff, John Schell, Sandy Teetsel, Jeff Tyne, Glen Van Nimwegen, Constance Copeland and James Mason.

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.

1R Resolution Establishing Policies Governing Wages, Hours, and Working Conditions for Police Officers

RESOLUTION NO. 07-100

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA ESTABLISHING POLICIES AND PROCEDURES GOVERNING WAGES, HOURS AND CONDITIONS OF WORK FOR POLICE OFFICERS EMPLOYED IN THE PEORIA POLICE DEPARTMENT BASED ON A DETERMINATION OF THE APPROPRIATE ACTION IN THE PUBLIC INTEREST INCLUDING THAT OF THE EMPLOYEES AND DECLARING AN EMERGENCY OR ALTERNATE EFFECTIVE DATE.

Greg Eckman, Human Resources Director, made a presentation outlining negotiations with the Peoria Police Officers Association (PPOA) and summarized the recommendations. Mr. Eckman explained that both parties negotiated in good faith and exhausted alternatives after four months of meetings and utilizing a third party mediator. Council had extended the current agreement, but two tentative agreements had failed to be ratified by PPOA membership. The Labor Relations Policy leaves the decision with Council when parties cannot reach agreement.

Mr. Eckman reported that the recommendation before Council is to settle two issues: salaries and working conditions. It is recommended that Council adopt the exact changes in economics that were included in the tentative agreement with PPOA which includes a 2.5 percent cost-of-living increase granted to other employees. Mr. Eckman reported the employee groups for 2007 with a 2.5 percent salary increase: American Federation of State Municipal and County Employees (AFSCME); Peoria Fire Fighters Association; and Professional, Supervisory, Confidential Employees.

Mr. Eckman advised that in addition to the salary changes, the recommendation includes an approximate 4.5 percent additional increase for Police Officers to trade for retirement and overtime changes. Mr. Eckman explained that the City currently pays the Officers' retirement benefits. The changes will increase the base pay (in lieu of the paid retirement benefits) and make the Peoria Police Officers' pay more competitive in the labor market.

In response to questions from Council, Mr. Eckman explained that Peoria Police Officers' pay will move Peoria from ninth in the current market to fourth. Salary changes will move the Officers from 2.8 percent behind average pay in other cities to 3.2 percent above the average. This positions the City to continue to recruit and retain quality employees.

Mr. Eckman also advised that the current Memorandum of Understanding (MOU) contains many employment practices that are mutually beneficial. In response to questions from Council, Mr. Eckman advised that the Police Chief has reviewed the practices and recommends that these practices remain in effect to provide for continuity, uniformity and equity. It is recommended that Council adopt a resolution that applies provisions of the 2006-2007 MOU for the remainder of this fiscal year. The City will continue to work with the PPOA leadership between now and the commencement of negotiations next year and in the future.

PPOA presenters included Jim Cousins, newly elected President of the PPOA; David Head, Vice President; and Ed Bakke, Secretary. President Cousins noted that Police Officers continue to serve Peoria by defending lives and property. PPOA wants to stay competitive and attract the best officers. PPOA members do not agree with the MOU, but will continue to care for the public safety.

Councilmember Leone commented on the critical public safety role of the Officers and stated that if Peoria Officers do not get a decent wage, they will go to other cities.

In response to questions from Councilmember Carlat, Mayor Barrett explained that if Council does not vote in favor of the Resolution by at least six votes to declare an emergency and adopt the Resolution, Police Officers will not get a raise until August.

In response to questions from Council, Mr. Eckman advised that the pay raise would be effective July 14, 2007 and would not be retroactive. He explained that making the raise retroactive would set an unhealthy precedent.

In response to questions from Councilmember Leone, Steve Kemp, City Attorney, advised that if Council waited until August to reach an agreement with the PPOA, the agreement could not be retroactive.

Mayor Barrett advised that no one doubts the service of the Peoria Police Officers to the City. Negotiations with the PPOA had reached an impasse and a third party negotiator was hired to help reach an agreement. PPOA leadership had agreed to the MOU, but membership did not. The MOU was extended until today, but if Council does not adopt Resolution 07-100, Peoria Officers would be without benefits and protection. Council was asked to implement the contract that the PPOA leadership had already agreed to.

Mayor Barrett explained that Council would not be meeting again until the end of August. Mayor Barrett emphasized that Council was not taking anything away from the Officers; instead the City was giving them cash instead of paying some of their benefits so that the PPOA would be able to more clearly compare themselves with other cities. This agreement also includes a 2.5 percent cost of living adjustment (COLA). Mayor Barrett added that if the City were to approve over the 6 percent package, other City Unions and employee groups would also want to be compensated equitably.

Motion was made by Vice Mayor Hunt, seconded by Councilmember Carlat, to adopt **RES. 07-100** establishing wages, hours, and working conditions for Police Officers and declaring an emergency. Upon vote, the motion carried by a vote of six to one with Councilmember Leone voting "no."

Mayor Barrett declared a short recess at 7:40 p.m. and reconvened the meeting at 7:55 p.m.

PRESENTATIONS:

1. Greyhound Racing Foundation

Mayor Barrett recognized Curtis Swanberg, representing the Greyhound Racing Foundation, who presented funds from charity racing events to the Peoria Historical Society, West Valley Child Crisis Center, Peoria Boys & Girls Club and the Northwest Valley Veterans Association. Each charity was presented with a check for $1,250.

2. Recognition of Deputy Chief Larry Rooney and Administrative Assistant Kim Drabik

Mayor Barrett; Terry Ellis, City Manager; and Fire Chief Bob McKibben recognized Deputy Chief Larry Rooney and Administrative Assistant Kim Drabik for their coordination of the City's emergency response team participation in FEMA's Emergency Management Institute in Emmitsburg, Maryland. Mayor Barrett explained that 52 people from the City of Peoria and 20 representatives from local hospitals, APS and SRP traveled to participate in the FEMA training.

3. Recognition of Perry Peters, Building Inspector

Mayor Barrett; Terry Ellis, City Manager; and Glen Van Nimwegen, Director of Community Development; recognized Perry Peters, Building Inspector in Community Development, for exceptional service for saving the life of an injured Sun City resident.

4. 2007 Citizen Satisfaction Survey Results

Grady Miller, Director of Communications and Public Affairs, introduced Karen Falk, representing ETC Institute. ETC Institute was awarded the contract to conduct a Citizen's Survey on behalf of the City of Peoria. Ms. Falk reviewed the methodology of the survey to objectively assess community priorities and satisfaction with the delivery of City services. A total of 811 individuals completed the survey with a precision of at least plus or minus 3.5 percent at the 95 percent level of confidence. Peoria was benchmarked against 32 other cities based on size and growth patterns.

Ms. Falk explained the demographics of the survey participants. She reported on the items that most influence the perception of the City including: overall quality of life, quality of services, overall appearance, value received for taxes, and how well the City is handling growth. Each major category of City services were identified for each satisfaction level reported by City location. Respondents identified flow of traffic and ease of getting around town as the category that should receive the most emphasis over the next two years.

Ms. Falk advised on the perceptions of safety, parks and recreation facilities and services, communication services with the public, maintenance services, interaction with the City, and perception of City leaders. Ms. Falk described the regression analysis which included

the components of predicting customer satisfaction and the rating of categories that had the greatest effect on the satisfaction ratings. One example was that Peoria residents stated that walking/biking trails were most important, and the regression analysis suggested that the factors with the greatest effect were the maintenance and the location of parks. Other factors that were important included satisfaction with the quality of recreation programs and walking/biking trails.

Ms. Falk presented a summary and the following conclusions:

- Value for city taxes rated 23 percent above national average (68 percent versus 45 percent)
- Overall quality of city services rated 20 percent above national average (81 percent versus 61 percent)
- City rated 16 percent above the national average as a place to raise children (87 percent versus 71 percent)
- Safety in parks rated 26 percent above the national average (73 percent versus 47 percent)
- City communication rated 23 percent above national average (74 percent versus 51 percent)
- Maintenance of parks rated 15 percent above national average (87 percent versus 72 percent)
- Customer service rated 14 percent above national average (83 percent versus 69 percent)
- Adequacy of street lighting rated 14 percent above national average (76 percent versus 62 percent)
- Sewer services rated 13 percent above national average (81 percent versus 68 percent)
- Water services rate 12 percent above national average (74 percent versus 62 percent)

Ms. Falk reported that traffic flow is the only area where the City ranks significantly lower than the national average. She explained that the survey will provide a baseline for assessing future performance.

Discussion ensued regarding the increased value of the survey information with the regression analysis. Mr. Miller advised that the survey information would be made available on the City's web site for the public. Terry Ellis, City Manager, explained that the City would use the analysis to set priorities and capital improvement projects. Staff will study the information over the summer months. Councilmember Pearson asked that the study information be ready by the Council's September workshop to help set City priorities.

Clerk's Note: Survey Presentation is on file in the City Clerk's Office.

REGULAR AGENDA

New Business:

2R PUBLIC HEARING – Liquor License, Picazzo's Gourmet Pizza & Salads, 15829 N. 83rd Avenue

PUBLIC HEARING:
Mayor Barrett opened the Public Hearing and asked if any Councilmember or citizen wished to comment on the request for a new Restaurant Liquor License (Series 12) for Picazzo's Gourmet Pizza & Salads, located at 15829 N. 83rd Avenue. Applicant: Jesus Altamirano. LL#10009354.

Staff Report/Public Comment:
Mary Jo Kief, City Clerk, reported that the property was posted, all reviewing Departments recommended approval, and all fees were paid. Ms. Kief also reported that two comments were received in the City Clerk's Office by July 10, 2007, and were included in the packet before Council.

Clerk's Note: The two comments requested denial of the liquor license application.

Mayor Barrett explained that the City does not issue the license but the City's role is advisory to the State Liquor License Board.

Wyvonna Kay Matthews requested that Council deny the recommendation as the license would permit adults to drink in and around the skating rink which would pose a safety threat for children. There are a number of restaurants and drinking establishments in the area and the majority of patrons at the skating rink are children.

Allison Johnson requested that Council deny the recommendation as the license would not be in the best interest of people of all ages.

Theresa Morse, representing the owner Dennis Daniel, explained that the owner was an experienced owner with a track record of no violations in any of his other liquor establishments in Scottsdale, Mesa, Flagstaff and Chandler. The owner had hired an experienced staff and her firm to be sure to be in compliance with all regulations. The alcohol consumption would be in a contained area.

Marty Hopwood requested that Council deny the recommendation as the license would disturb the family oriented recreation venue at the skating rink. He reported that this was a second request for a liquor license at the skating rink. There are plenty of establishments in the area for alcohol consumption and few places to go to skate. Alcohol in the skating rink would be a breeding ground for trouble.

Mayor Barrett emphasized that the City of Peoria does not issue liquor licenses, and that Council's vote is only an advisory recommendation to the State.

There being no further comments from those present, Mayor Barrett declared the Public Hearing closed.

Councilmember Evans commented that a notice is posted near the skating rink facility that identifies a separate free standing restaurant will be opening by the same owner. In response to questions from Council, Steve Kemp, City Attorney, clarified that the application before Council was for the pizza establishment located within the skating rink.

Discussion ensued regarding the containment area. Ms. Morse described the containment area location and advised that the alcohol could be purchased at the same counter as the other menu items, but that alcohol could only be consumed in a specific designated location. The restaurant would typically be open from 11 a.m. to 9:00 p.m. and include an extensive menu.

Councilmember Evans stated that 87 percent of surveyed residents had recently stated their appreciation that Peoria was a good place to raise children. Councilmember Evans stated that she was opposed to the application and wanted to keep the facility as a place for families and school children.

Councilmember Leone stated that he was opposed to the application for a liquor license as the skating rink was one of a few places for families. This was not a good place for liquor consumption.

In response to questions from Council, Steve Kemp, City Attorney, clarified that four years prior another applicant had requested a liquor license at this location.

Councilmember Aames reported that he had also received several emails from individuals opposed to the liquor license application. He reported that he agreed that the rink should be kept for children and families.

Vice Mayor Hunt stated that although Mr. Daniel may run a high quality establishment, this location was not the place for a liquor license because of the number of children in the venue. There were plenty of other liquor locations in the area.

Council Action:
Motion was made by Councilmember Evans, seconded by Councilmember Aames, to recommend denial to the State Liquor Board for:

> A new Restaurant Liquor License (Series 12) for Picazzo's Gourmet Pizza & Salads, located at 15829 N. 83rd Avenue. Applicant: Jesus Altamirano. LL#10009354.

Upon vote, the motion to recommend denial carried unanimously.

3R **Code Amendment, Chapter 14, Planning and Zoning, Definitions; Multi-Family Residential Districts; Non-Residential Districts; Parking and Loading; Landscape; Administrative Procedures; Old Town Mixed-Use Districts**

ORDINANCE NO. 07-22

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, AMENDING CHAPTER 14 OF THE PEORIA CITY CODE (1977 EDITION), BY AMENDING ARTICLES 14-2 "DEFINITIONS", 14-6 "MULTI-FAMILY RESIDENTIAL DISTRICTS" 14-9 "NON-RESIDENTIAL DISTRICTS", 14-23 "PARKING AND LOADING REQUIREMENTS", 14-39 "ADMINISTRATIVE PROCEDURES" AND 14-42 "OLD TOWN MIXED-USE DISTRICTS" OF THE PEORIA ZONING ORDINANCE; PROVIDING FOR SEPARABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Glen Van Nimwegen, Director of Community Development, presented an overview of **ORD. 07-22** and identified sections in Chapter 14, of the Peoria City Code (1977 Edition) that were to be amended. He advised that one substantial change is for parking requirements. Mr. Van Nimwegen explained that one Planning and Zoning Commissioner had raised concerns related to the parking ratio for medical offices. Staff would like to remove Article 14-23 Parking and Loading Requirements for further review from the following list of Articles recommended for amending:

Article 14-2, Definitions: Clarify the definition of dwelling unit and each of the varying types thereto; and
Article 14-6, Multi-Family Residential Districts: Provides housekeeping changes to the development standards table for multi-family residential types; and
Article 14-9, Non-Residential Districts: Adds Accessory Garden Centers to land use matrix for certain districts; and
Article 14-23, Parking and Loading Requirements: Revises parking requirements for multi-family uses, provides consistency between health clinics and professional office and clarifies queuing (stacking) requirements for drive-thru services; and
Article 14-35, Landscape Requirements: Requires landscape buffers for non-residential uses in single-family residential districts and clarifies standards specific to Lake Pleasant Parkway; and
Article 14-39, Administrative Procedures: Clarifies and strengthens requirements for citizen participation in rezones and revising timeframes for considering appeals to Planning & Zoning Commission decisions on Conditional Use Permits (CUP); and

Article 14-42, Old Town Mixed-Use Districts: Adds Outdoor Dining and Seating Areas to the Land Use Matrix.

Motion was made by Councilmember Carlat to approve Text Amendment 07-01, except for and specifically excluding that portion of Appendix A amending Article 14-23-3(B)(2) relating to the parking requirements for Health Clinics (which shall remain unchanged by this Text Amendment). The motion was seconded by Vice Mayor Hunt.

In response to questions from Council, Mr. Van Nimwegen clarified that the parking requirement would remain at 1 stall per 150 square feet.

Councilmember Carlat raised concerns about language regarding the landscape setbacks.

Mr. Van Nimwegen explained that the City Code defines the setback from the property line. There were some concerns raised about conflicts with the City Code. Mr. Van Nimwegen explained that setbacks are applied as defined in the definitions of City Code. This effort was to establish a standard setback although he noted that it may reviewed again.

Mayor Barrett asked if Councilmember Carlat wished to amend the motion to remove Article 14-35 as well.

Motion was made by Councilmember Carlat, seconded by Vice Mayor Hunt, to concur with the Planning and Zoning Commission's recommendation and adopt **ORD. 07-22** amending the following sections in Chapter 14, of the Peoria City Code (1977 Edition) to approve Text Amendment 07-01, except for and specifically excluding that portion of Appendix A amending Article 14-23-3(B)(2) relating to the parking requirements for Health Clinics (which shall remain unchanged by this Text Amendment) and excluding Article 14-35: (TA 07-01).

Discussion ensued regarding discussing setback standards in a future Council meeting rather than establishing a standard now that may need to be revised to determine if an increase in setbacks is necessary. Mayor Barrett asked that the changes be reviewed in a Study Session before coming before Council for action. Mr. Van Nimwegen responded that there were a number of design guidelines regarding the Lake Pleasant Corridor that were also going to come before Council and he would include this issue in the discussion.

Mayor Barrett clarified that the motion was to approve 3R with exceptions related to Article14-23 and excluding Article 14-35.

Upon vote, the motion carried unanimously with exceptions.

4R Contract, Ames Construction Inc., Happy Valley Road Project, 75th Avenue to Lake Pleasant Parkway

Dave Moody, Engineering Director, explained that the contract before Council is a pre-construction contract with Ames Construction which will permit the contractor to review the construction drawings and make suggestions for improvements. This will allow a third-party review for road construction for the north half of Happy Valley Road. The plan is for three lanes and a bike lane. Because of the width, it will be striped as two lanes, one in each direction, and a bike lane.

Mr. Moody advised that a future design contract will come before Council with Carter Burgess, the original designer in August. The first Guaranteed Maximum Price Contract will come before Council in October and construction will begin during that period. Mr. Moody also reported on a design project from Terramar Boulevard to 67th Avenue to finish adding medians and landscaping to that road project. Also, Carter Burgess will design for completion of a four lane project from Happy Valley Road to the power lines.

Councilmember Carlat expressed appreciation for more east west corridors and applauded construction of Happy Valley Road. Mr. Moody explained that the projects would include grading work from 83rd Avenue and 91st Avenue. Completion is estimated to be Summer 2008 for Phase I. Staff has been working with the school district staff since last year to improve the design for school access at the Terramar Elementary School which may include modifications to the existing bus drop-off area. Regarding questions related to archeological issues in the area, Mr. Moody reported after extensive review of all the excavations, the City was given approval for construction.

Discussion ensued regarding the number of lanes on Happy Valley Road. Mr. Moody advised south lanes are not funded at this time. Based on modeling, the two lane road should be adequate until 2015. Peoria bought all of the north half of the roadway and most of the south half but there may be some additional small parcels to consider acquiring.

Motion was made by Councilmember Carlat, seconded by Councilmember Aames, to award a contract in an amount not to exceed $284,527 to Ames Construction Inc. for preconstruction services associated with the construction of Happy Valley Road Widening Project from 75th Avenue to Lake Pleasant Parkway. (LCON06407) Upon vote, the motion carried unanimously.

5R Contract, CHI Construction Company, Northern Branch Library Site, 97th Avenue and Lake Pleasant Parkway

David Moody, Engineering Director, advised that the item before Council is a Contract of Sale Agreement between the City and CHI Construction Company for the sale and purchase of the Northern Branch Library site, located north of the northeast corner of 97th Avenue and Lake Pleasant Parkway. The total cost of the site and utility infrastructure is

$2.8 million which would be paid by a combination of Community Services Department, Park Impact fee credits, Library Impact fee credits, City credits of open-space and cash at closing in the amount of $1.1 million. This project also includes one-half of the street improvements. The project is expected to begin at the beginning of the year.

In response to questions from Councilmember Pearson, Mr. Moody explained that as the project was developed, Staff decided that it made more sense to add half-street improvements to the project which was not part of the original budget.

Councilmember Evans requested clarification on the amount of the budget adjustment as indicated in the summary portion of the Council Communication. Mr. Moody clarified that there was an error in the Council Communication and that the correct budget adjustment amount was $471,306.

In response to questions from Councilmember Carlat, Mr. Moody confirmed that the project included land for the branch library, half-street street improvements, the park site, and some drainage projects on the park site. J.P. de la Montaigne, Director of Community Services, explained that the park site will be developed by the City and was funded through the Capital Improvement Project Budget. As the library is built, the parking lot, landscape enhancements and sidewalks will also be constructed. The park will be completed once the houses in the community are built. Mr. de la Montaigne advised that the park should be completed at the same time as the elementary school is completed. Approximately five acres of the ten acre park site will be developed in conjunction with the library construction and will include a turf area, patios, walking paths, lighting and parking areas.

Motion was made by Councilmember Carlat, seconded by Vice Mayor Hunt, to:

a) Approve a Contract of Sale Agreement with CHI Construction Company for the sale and purchase of the Northern Branch Library site, located north of the northeast corner of 97th Avenue and Lake Pleasant Parkway; (LCON06507)
b) Approve the use of reserves from the Half-Cent Sales Tax Fund;
c) Approve a budget adjustment in the amount of $471,306 from the Half-Cent Sales Tax Contingency Account to the Branch Library Project Account; and
d) Authorize an account transfer in the amount of $139,290 from the Branch Library Project Buildings and Improvements Account to the Branch Library Project Land Acquisition Account.

Upon vote, the motion carried unanimously.

6R **Contract, Valley Metro Rail, Inc., Light Rail Planning, West Valley**

RESOLUTION NO. 07-101

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, TO JOIN VALLEY METRO RAIL, INC. (METRO), AN ARIZONA NON-PROFIT CORPORATION, AUTHORIZING PAYMENT OF NOT MORE THAN $50,000 IN ANNUAL MEMBERSHIP FEES FOR THE FISCAL YEAR 2008, AND AUTHORIZING THE MAYOR TO SIGN THE "ADDITIONAL PARTY TO JOINT POWERS AGREEMENT" ATTACHED TO THIS RESOLUTION.

Dave Moody, Engineering Director, explained the request to join the Valley Metro Rail will allow Peoria to piggyback on the rail study to locate rail routes through Glendale and plan for Peoria's possible light rail needs. Peoria would become an Additional Party to Joint Powers Agreement and this Resolution authorizes a one-time payment of not more than $50,000 for the Fiscal Year 2008 annual membership fee. Other participating cities include: Phoenix, Tempe and Mesa. Mr. Moody advised that the item before Council was a one-time payment, but Staff would bring the item back as an on-going expenditure during the next budget process.

Mr. Moody noted that Staff and Councilmember Aames are also studying a possible heavy rail system along Grand Avenue.

Discussion ensued regarding the benefits of joining, and Mr. Moody explained that Peoria will have a two percent weighted vote; the City of Phoenix has a fifty percent vote. Mr. Moody added that the actual study will come back before Council this fall.

Motion was made by Councilmember Aames, seconded by Councilmember Evans, to

a) Adopt **RES. 07-101** to join Valley Metro Rail, Inc. for light rail planning in the West Valley and authorizing the Mayor to sign the Additional Party to Joint Powers Agreement (LCON06607);
b) Authorize a one-time payment of not more than $50,000 for the Fiscal Year 2008 annual membership fee; and
c) Approve a budget transfer in this amount from the Transportation Sales Tax Fund Contingency Account to the Transportation Sales Tax Fund Other Professional Services Account.

Upon vote, the motion carried unanimously.

7R Interim Infill Program, Peoria's Infill Program Area Bounded by Cactus Road, Northern Avenue, 67th Avenue and 99th Avenue

James Mason, Assistant to the City Manager, presented an overview of the interim infill program to encourage development in areas that have limited private investment consistent with the long term sustainability of underdeveloped areas. He described the infill area bounded by Cactus Road, Northern Avenue, 67th Avenue and 99th Avenue.

Mr. Mason described the history of the infill program including the State program which began in 1999 and Peoria's infill program. He reported that through $200,000 in City assistance, three recent commercial projects were developed which provided more than 1,200 jobs and 723,000 square feet of office/industrial development which is a $40 million capital investment.

Mayor Barrett asked for clarification on the State Law. Mr. Kemp advised that State Law prohibits giving up retail sales tax in exchange for development. In the infill program, the City is giving up permit fees or other collected fees. The assistance is not tied to retail sales tax.

In response to questions from Vice Mayor Hunt about enterprise zones, Mr. Mason explained that the three projects did not qualify as an enterprise zone as there were individual users of the office complexes.

Mr. Mason reported that there has been significant growth in southern Peoria in the last four years:

- 900 residential units
- 900,000 square feet of commercial development
- 2,800 jobs
- $200 million in public investment

Mr. Mason highlighted four recent large developments which demonstrate the City's commitment to the downtown area: Peoria Place, Wal-Mart Super Center, Community Theater, and Grand Manor. He explained that the growth of employment-based, retail and service-based companies within the infill area has not grown in proportion to the residential population growth. Peoria needs to encourage development that is sustainable and complimentary to the City's long term goals.

In response to questions from Councilmember Aames regarding available federal programs, Terry Ellis, City Manager, advised that the Federal Government has phased out redevelopment programs to develop the Community Development Block Grants program.

Mr. Mason advised that the City has received ten infill applications, and four are for commercial purposes. Staff recommends reviewing the currently submitted commercial applications and sunset the infill program until recommendations are developed by the new

redevelopment area study. A consistent team of development review staff will be maintained to review all existing infill applications. We will continue to utilize Economic Development Incentive Funds to assist eligible commercial projects currently submitted and bring recommended projects (and assistance recommendations) to City Council for review.

Mr. Mason outlined the Comprehensive Area Study to:

- Define the geographic area
- Develop clear development & design guidelines
- Develop a property inventory
- Complete a market area study
- Identify financial mechanism
- Provide recommendations for infill development
- Identify infill and redevelopment strategies
- Return to Council with a revised plan and policy recommendations

Mayor Barrett clarified that the current infill program was very successful in encouraging housing projects. Staff is requesting that the City develop a better plan that will identify specific needs of the City before any additional projects are approved.

In response to questions from Councilmember Aames, Mr. Mason stated that the consultant would help identify the area and what type development would be appropriate and in the best interest of the City.

Councilmember Carlat commented that a comprehensive review of the infill program will help the City make informed decisions. It is timely and healthy for the City to do this review.

Mr. Mason recapped the four steps of the interim program components: to review the current commercial projects, work with a consistent review team, use economic development funds and bring projects forward to Council that are recommended. Mr. Ellis emphasized that Staff will not allow any other applications until a review of the development plan is completed.

Discussion ensued regarding the current submittals for infill projects and the process. Mr. Mason clarified that at this time there is a lot of residential development without the necessary commercial infrastructure. The interim program would only affect the eligibility of assistance through extra incentives and would not affect the normal economic development.

Motion was made by Vice Mayor Hunt, seconded by Councilmember Carlat, to approve an interim infill program to provide incentives and guidelines to encourage quality development in Peoria's Infill Program area: an area bounded by Cactus Road, Northern Avenue, 67th Avenue and 99th Avenue. Upon vote, the motion carried unanimously.

8R **Code Amendment, Chapter 2, City Council Policies, Administrative Procedures**

ORDINANCE NO. 07-23

AMENDING SECTION 2-160 PERTAINING TO ADMINISTRATION AND POLICY, DEFINITIONS; AMENDING SECTION 2-161 PERTAINING TO ADMINISTRATION AND POLICY, CITY COUNCIL POLICIES; AMENDING SECTION 2-162 PERTAINING TO ADMINISTRATION AND POLICY, DEPARTMENT POLICIES AND PROCEDURES, APPROVAL, PUBLIC INSPECTION; AMENDING SECTION 2-163 PERTAINING TO ADMINISTRATION AND POLICY, ADMINISTRATIVE PROCEDURES, APPROVAL AND IMPLEMENTATION; DELETING SECTION 2-164 PERTAINING TO ADMINISTRATION AND POLICY, EXISTING ADMINISTRATIVE REGULATIONS; PROVIDING FOR SEPARABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Steve Burg, Chief Assistant City Attorney, advised that amendments to Chapter 2 of the Peoria City Code (1992 Edition) were recommended to update certain provisions that address the City Council Policies and Administrative Procedures issued by the City Manager and department-specific procedures. This was the work of the Policies and Administrative Regulations Review Committee to update the Code provisions and eliminate certain steps required of department-only procedures.

Motion was made by Vice Mayor Hunt, seconded by Councilmember Aames, to adopt **ORD. 07-23** amending Chapter 2 of the Peoria City Code (1992 Edition) to update certain provisions that address the City Council Policies and Administrative Procedures issued by the City Manager and department-specific procedures. Upon vote, the motion carried unanimously.

9R **Outdated Council Policies**

Steve Burg, Chief Assistant City Attorney, advised that the Policies and Administrative Regulations Review Committee has recommended the elimination of certain outdated Council Policies that have been replaced by other documents or are no longer necessary to be retained as policies.

Motion was made by Vice Mayor Hunt, seconded by Councilmember Evans, to approve the elimination of certain outdated Council Policies that have been replaced by other documents or are no longer necessary to be retained as policies. Upon vote, the motion carried unanimously.

10R Updated Council Policies

Steve Burg, Chief Assistant City Attorney, advised that the Policies and Administrative Regulations Review Committee has recommended updates to various Council Policies which do not change any current City practices.

Motion was made by Councilmember Evans, seconded by Councilmember Aames, to approve updates to various Council Policies which do not change any current City practices. Upon vote, the motion carried unanaimously.

CALL TO PUBLIC: (NON-AGENDA ITEMS)

Reports from the City Manager: None

Reports from City Council:
Councilmember Leone reported that approximately 20,000 individuals attended the Fire Works Display held at the Peoria Sports Complex and he thanked all the volunteers. Councilmember Leone commented that 50 individuals attended a recycling information meeting held at Cotton Boll Elementary School and three additional meetings will be held in the Pine District. He also commented on the cooperation of construction crews completing road work along Olive and Northern Avenues.

Councilmember Carlat highlighted a number of road and drainage projects in her District that were approved in the budget process. This demonstrates Council's efforts to improve the quality of life for Peoria residents.

Councilmember Aames also commented on the Fire Works Display. He added that the agenda was long this evening and noted that the transit issues were approved to help develop a long term plan for Peoria.

Councilmember Evans commented that the recommendation to deny the liquor license application before Council that evening did not mean that the license would not be approved by the State. The public may send comments to the City Clerk to be forwarded to the State Liquor License Board.

Vice Mayor Hunt reported that the Young Ambassadors visiting from Ireland had a great experience in Arizona and the program was a remarkable program promoting World

Peace. Vice Mayor Hunt extended condolences to the family of Steve White and the Southwest Ambulance family.

Reports from the Mayor:
Mayor Barrett noted that Council would be on summer break until August.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 9:45 p.m.

_____
Bob Barrett, Mayor

ATTEST:

_____
Mary Jo Kief, City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Peoria, Arizona held on the 10th day of July, 2007. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 21st day of August, 2007.

(Seal)

_____
Mary Jo Kief, City Clerk