



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

**CITY COUNCIL REGULAR MEETING
NOTICE & AGENDA
Tuesday, March 06, 2012
7:00 PM
CITY COUNCIL CHAMBER**

CITY COUNCIL:

Mayor

Bob Barrett

Palo Verde District

Ron Aames, Vice Mayor

Acacia District

Tony Rivero

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:

PROCLAMATION:

1. Recognition of the Peoria High School 2012 State Champion Boys Basketball Team

PRESENTATION:

1. New Legislative Representative Introduction - District 4 Representative Phil Lovas

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

Discussion and possible action to approve the minutes of:

January 31, 2012 Study Session

February 7, 2012 Special Meeting and Study Session

February 7, 2012 Regular Meeting

2C Finalize Transfer of Public Housing Operations to Maricopa County

Discussion and possible action to adopt **RES. 2012-19** authorizing the transfer of the Public Housing Authority operations and programs to the Housing Authority of Maricopa County as recommended by the Council Not-For-Profit Review and Housing Sub-Committee.

3C Memorandum of Understanding, West Valley Art Museum, Gallery Operations

Discussion and possible action to approve a Memorandum of Understanding with the West Valley Art Museum to operate the Art Gallery at City Hall.

4C License Agreement, Zayo Group, LLC, Telecommunications Services

Discussion and possible action to approve a License Agreement with Zayo Group, LLC for a period of five years for permission to construct, install, operate, maintain, and use public highways, public rights-of-way, public streets, and public utility easements within the City of Peoria to provide telecommunications services.

5C Budget Amendment, Legal Fees for Implementation of New Impact Fee Statute

Discussion and possible action to approve a budget amendment in the amount of \$15,000 from the City's contingency appropriation to various impact fees funds to pay Peoria's share of legal fees incurred for the implementation of the new development impact fee statute.

6C Final Plat, Peoria Community Center, 83rd Avenue and Madison Street

Discussion and possible action to approve a Final Plat of Peoria Community Center, located at the northwest corner of 83rd Avenue and Madison Street, subject to stipulations.

7C Final Plat, Sunset Ranch IIC, Lake Pleasant Parkway, North of Williams Road

Discussion and possible action to approve a Final Plat of Sunset Ranch IIC, located on Lake Pleasant Parkway north of Williams Road, subject to stipulations.

8C Final Plat, Sunset Ranch IID, Lake Pleasant Parkway, North of Williams Road

Discussion and possible action to approve a Final Plat of Sunset Ranch IID, located on Lake Pleasant Parkway north of Williams Road, subject to stipulations.

9C Final Plat, Sunset Ranch IIE, Lake Pleasant Parkway, North of Williams Road

Discussion and possible action to approve a Final Plat of Sunset Ranch IIE, located on Lake Pleasant Parkway north of Williams Road, subject to stipulations.

10C Condo Plat, Riverwalk Professional, 77th Avenue and Deer Valley Road

Discussion and possible action to approve a Condo Plat of Riverwalk Professional, located at 77th Avenue and Deer Valley Road, subject to stipulations.

REGULAR AGENDA

NEW BUSINESS

11R Council Subcommittees

Discussion and possible action to review and approve, or modify and approve, the recommendation to reduce Council Subcommittees from six to four and adopt revised Council Policy 1-10.

CALL TO THE PUBLIC: (NON-AGENDA ITEMS)

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:

1. Council Calendar
2. Reports with Presentation
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. Council Subcommittee 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.

PUBLIC NOTICE:

In addition to the City Council members noted above, one or more members of the City of Peoria Boards and Commissions may be present to observe the City Council meeting as noticed on this agenda.

CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION

Date Prepared: February 27, 2012

Council Meeting Date: March 6, 2012

TO: Carl Swenson

FROM: John Schell

SUBJECT: New legislative representative introduction - District 4 Representative Phil Lovas

Purpose:

Mayor Bob Barrett will introduce newly appointed Representative Phil Lovas to the Council and members of the public.

Background/Summary:

Representative Lovas was recently appointed by the Maricopa County Board of Supervisors to fill an open seat in the House.

Previous Actions:

N/A

Options:

A: N/A

B: N/A

Staff's Recommendation:

N/A

Fiscal Analysis: N/A

Narrative: N/A

Exhibit(s): N/A

Contact Name and Number: John Schell (623) 773-7370 or Lisa Estrada (623) 773-7684

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
COUNCIL CHAMBERS
January 31, 2012

A **Study Session Meeting** of the City Council of the City of Peoria, Arizona was convened at 8401 West Monroe Street in open and public session at 5:01 p.m.

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

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

Members Absent: None

Other Municipal Officials Present: Carl Swenson, City Manager; Susan Daluddung, Deputy City Manager; Steve Burg, Chief Assistant City Attorney; Wanda Nelson, City Clerk; Andy Granger, Engineering Director; Katie Gregory, Interim Management and Budget Director; Stacy Irvine, Interim Fire Chief; Chris Jacques, Planning and Community Development Director; Bo Larsen, Public Information Manager; Brent Mattingly, Finance Director; Roy Minter, Police Chief; Jeff Tyne, Interim Community Services Director; Scott Whyte, Economic Development Services Director; Corina Russo, Assistant to the City Manager; and Linda Blas, Deputy City Clerk.

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.

Subject for Discussion only:

1. Economic Development Prioritization and Funding Update

Scott Whyte, Economic Development Services Director, summarized the progress of the Economic Development Implementation Strategy (EDIS) initiatives and project funding allocations since October 2010.

Mr. Whyte discussed the long-term economic development approach to implement the initiatives and objectives contained in the adopted EDIS. Mr. Whyte reviewed funding options for economic development.

Discussion ensued pertaining to long-term funding for future economic development. It was the consensus of Council to move forward with the projects and funding outlined in the attached matrix presented to Council as "Exhibit 2A" and pursue a Section 108 loan as part of the 2013 Community Development Block Grant program.

Adjournment:

Being no further business to come before the Council, the meeting was duly adjourned at 6:21 p.m.

Bob Barrett, Mayor

ATTEST:

Wanda Nelson, City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct summary of the proceedings of the Study Session Meeting of the City Council of Peoria, Arizona held on the 31st day of January, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 6th day of March, 2012.

(Seal)

Wanda Nelson, City Clerk

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
COUNCIL CHAMBER
February 7, 2012

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 5:00 p.m.

Members Present: Mayor Bob Barrett; Vice Mayor Ron Aames; Councilmembers Joan Evans, Carlo Leone, Dave Pearson and Tony Rivero.

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; Wanda Nelson, City Clerk; Katie Gregory, Interim Management and Budget Director; John Imig, Information Technology Director; Stacy Irvine, Interim Fire Chief; Bo Larsen, Public Information Manager; Claudia Luján, Interim Human Resources Director; Bill Mattingly, Public Works and Utilities Director; Brent Mattingly, Finance Director; Bob Sanders, Deputy Police Chief; Jeff Tyne, Interim Community Services Director; Corina Russo, Assistant to the City Manager; and Linda Blas, Deputy City Clerk.

Audience: Approximately four members of the public were present.

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

CONSENT AGENDA

CONSENT AGENDA: All items listed with a "C" are considered to be routine or have been previously reviewed by the City Council, and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests; in which event the item will be removed from the General Order of Business, and considered in its normal sequence on the Agenda.

Mayor Barrett asked if any Councilmember wished to have an item removed from the Consent Agenda. Having no requests from Council, motion was made by Vice Mayor Aames, seconded by Councilmember Rivero, to approve the Consent Agenda. Upon vote, the motion carried unanimously 6 to 0.

1C Authorization to Hold an Executive Session

Pursuant to A.R.S. 38-431.03: Authorized the holding of an Executive Session for the purpose of discussion and consultation with the City Attorney regarding the pending litigation of Jerod Scott v. City of Glendale & City of Peoria, et al. (CV2011-006751) pursuant to A.R.S. § 38-431.03(A)(3).

STUDY SESSION AGENDA

Subjects for Discussion Only:

1. Water, Wastewater and Reclaimed Water Rates

Katie Gregory, Interim Management and Budget Director, summarized the operating, financial and rate impacts of the following proposed Fiscal Year 2013 Water and Wastewater rate scenarios:

- Staff recommended rate scenario
- Staff alternative rate scenario
- Tier 1 rate scenario
- Tier 2 rate scenario
- Scenario with a targeted debt coverage ratio of 1.65

Discussion ensued regarding expenditure reductions, extending the debt coverage ratio trend line, bond ratings, and sales tax on water services.

It was the consensus of Council for staff to prepare the Fiscal Year 2013 operating and capital budgets based on the proposed water and wastewater rate with an estimated debt coverage ratio of 1.65, provide options for additional reductions, provide options to transfer water sales tax revenue, and pursue a waiver from the Municipal Tax Code Commission to separate sales tax on water service from other utilities.

Ms. Gregory provided information on the contributions from Capital Improvement Projects to the Percent for the Arts fund.

Discussion ensued regarding taxing water and sewer services to fund the Percent for the Arts. It was the consensus of Council to discontinue discussion on funding for the arts.

Ms. Gregory discussed the proposed adjustment to the reclaimed water rate based on current budgets and forecasts, cost assumptions, and consumption patterns.

Staff was directed to submit the recommended rate of \$1.25 per 1,000 gallons effective July 2012 on reclaimed water for consideration at a future City Council meeting.

2. Solid Waste Rates - Residential and Commercial

Clerk's Note: There was no discussion on Residential and Commercial Solid Waste Rates. The item pertaining to proposed rates for the City's Solid Waste Programs was pulled from the agenda.

3. Council Ethics Process

Steve Kemp, City Attorney, presented draft rules of procedure to govern ethics matters involving members of the City Council.

Discussion ensued regarding the process for ethics matters. Staff was directed to provide a proposed Code of Ethics in addition to the draft Rules of Procedure for City Council Ethics Proceedings for further discussion by Council.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 6:23 p.m.

Bob Barrett, Mayor

ATTEST:

Wanda Nelson, City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct summary of the proceedings of the Special Meeting and Study Session of the City Council of Peoria, Arizona held on the 7th day of February, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 6th day of March, 2012.

(Seal)

Wanda Nelson, City Clerk

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
COUNCIL CHAMBER
February 7, 2012

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 silent reflection, Councilmember Pearson led the Pledge of Allegiance.

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

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; Wanda Nelson, City Clerk; Andy Granger, Engineering Director; Katie Gregory, Interim Management and Budget Director; John Imig, Information Technology Director; Stacy Irvine, Interim Fire Chief; Chris Jacques, Planning and Community Development Director; Bo Larsen, Public Information Manager; Claudia Luján, Interim Human Resources Director; Bill Mattingly, Public Works and Utilities Director; Brent Mattingly, Finance Director; Bob Sanders, Deputy Police Chief; Jeff Tyne, Interim Community Services Director; Scott Whyte, Economic Development Services Director; Corina Russo, Assistant to the City Manager; and Linda Blas, Deputy City Clerk.

Audience: Approximately 15 members of the public were present.

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

CONSENT AGENDA: All items listed with a "C" are considered to be routine or have been previously reviewed by the City Council, and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember so requests; in which event the item will be removed from the General Order of Business, and considered in its normal sequence on the Agenda.

Mayor Barrett asked if any Councilmember wished to have an item removed from the Consent Agenda.

Councilmember Evans requested that Agenda Item 11C be removed for separate discussion.

Motion was made by Vice Mayor Aames, seconded by Councilmember Rivero, to approve the Consent Agenda with the exception of Agenda Item 11C. Upon vote, the motion carried

unanimously 6 to 0.

Clerk's Note: Councilmember Carlat joined the meeting at 7:02 p.m.

CONSENT – New Business:

1C Disposition of Absence

Excused the absence of Councilmember Carlo Leone from the Study Session held at 5:00 p.m. and the Regular City Council Meeting held at 7:00 p.m. on January 17, 2012.

2C Minutes

Approved the minutes of:
January 3, 2012 Special Meeting and Study Session
January 3, 2012 Regular Meeting

3C Appointment, Boards and Commissions

RESOLUTION 2012-09

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING MICHAEL BELLARD TO THE BUILDING BOARD OF APPEALS AND ESTABLISHING THE TERM OF OFFICE.

RESOLUTION 2012-10

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING PRISCILLA COOK TO THE HISTORIC PRESERVATION COMMISSION AND ESTABLISHING THE TERM OF OFFICE.

RESOLUTION 2012-11

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING LEONARD SPRAKER TO THE MUNICIPAL DEVELOPMENT AUTHORITY AND ESTABLISHING THE TERM OF OFFICE.

RESOLUTION 2012-12

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING LEIGH STRICKMAN TO THE PLANNING AND ZONING COMMISSION AND ESTABLISHING THE TERM OF OFFICE.

RESOLUTION 2012-13

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING REED WEBBER TO THE VETERANS MEMORIAL BOARD AND ESTABLISHING THE TERM OF OFFICE.

Approved the recommendations from the Council Subcommittee on Policy and Appointments pertaining to the following reappointments and adopted the Resolutions as presented:

Adopted **RES. 2012-09** reappointing Michael Bellard, as a regular member to the Building Board of Appeals, for a term to expire December 2015,

Adopted **RES. 2012-10** reappointing Priscilla Cook, as a regular member to the Historic Preservation Commission, for a term to expire December 2015,

Adopted **RES. 2012-11** reappointing Leonard Spraker, as a regular member to the Municipal Development Authority, for a term to expire November 2015,

Adopted **RES. 2012-12** reappointing Leigh Strickman, as a regular member to the Planning and Zoning Commission, for a term to expire December 2015; and

Adopted **RES. 2012-13** reappointing Reed Webber, as a regular member to the Veterans Memorial Board, for a term to expire December 2015.

4C Initial Zoning, Lake Pleasant Parkway and Pinnacle Peak Road

ORDINANCE NO 2012-04

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. 2012-04** establishing initial zoning of Suburban Ranch (SR-43) on approximately 2.49 acres recently annexed privately-owned land from Maricopa County generally located north of the intersection of Lake Pleasant Parkway and Pinnacle Peak Road.

5C Grant Application, Bureau of Reclamation WaterSMART, Water and Energy Efficiency Grant

RESOLUTION NO. 2012-16

RESOLUTION OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, APPROVING THE APPLICATION FOR THE 2012 WATERSMART: WATER AND ENERGY EFFICIENCY GRANT.

Adopted **RES. 2012-16** approving the application for a U.S. Department of Interior, Bureau of Reclamation WaterSMART: Water and Energy Efficiency Grant.

6C Intergovernmental Agreement, City of Glendale, Regional Metropolitan Medical Response System

Approved an intergovernmental agreement with the City of Glendale to accept a trailer as part of the mission of the Regional Metropolitan Medical Response System to share resources in strengthening the regional response capabilities to transport mass casualty and shelter resources in the event of a disaster.

7C Second Partial Assignment and Assumption, Annexation Agreement and Consent, City of Peoria, The Larry Company, LLC, Peoria Peaks, LLC, and Johnson Bank

Authorized a Second Partial Assignment and Assumption of Annexation Agreement and Consent between City of Peoria, The Larry Company, LLC, Peoria Peaks, LLC, and Johnson Bank for four parcels located northwest of Jomax and Dysart Roads.

8C Fiscal Year 2012 Second Quarter Budget Amendments

Approved Second Quarter Budget Amendments for Fiscal Year 2012.

9C Right-of-Way Easement, Arizona Public Service, Truck Road Reliever, Rose Garden Lane and 111th Avenue

RESOLUTION NO. 2012-15

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, AUTHORIZING THE GRANTING OF AN EASEMENT TO ARIZONA PUBLIC SERVICE COMPANY FOR THE RELOCATION OF EXISTING UTILITY LINES IN THE VICINITY OF ROSE GARDEN LANE AND THE FUTURE TRUCK ROUTE AT THE 111TH AVENUE ALIGNMENT.

Adopted **RES. 2012-15** authorizing the execution of a Right-of-Way Easement to Arizona Public Service for the relocation and maintenance of an overhead utility line associated with the construction of the Truck Road Reliever Project.

10C Acceptance and Subsequent Land Donation, Downtown Peoria Residential Lot, 11619 N. 80th Avenue

RESOLUTION NO. 2012-14

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, AUTHORIZING THE ACCEPTANCE AND SUBSEQUENT CONVEYANCE BY QUIT CLAIM DEED OF A RESIDENTIAL LOT LOCATED AT 11619 N. 80th AVENUE, PEORIA, ARIZONA.

Adopted **RES. 2012-14** authorizing the acceptance of a vacant lot in downtown Peoria at 11619 N. 80th Avenue from Wells Fargo Bank and further authorize the offering of the property to a non-profit through a Materials Management Solicitation of Interest.

11C Authorize Expenditure, Ironwood Council District Funds

Clerk's Note: This item was heard separately at the end of the Consent Agenda.

Councilmember Pearson provided an overview of the request to expend Ironwood Council District Funds in support of the City's "P83 Party". Councilmember Pearson encouraged attendance at the event to be held on March 3, 2012 in the Arrowhead Entertainment area.

Motion was made by Councilmember Pearson, seconded by Vice Mayor Aames, to authorize an expenditure of up to \$45,000 in Ironwood Council District Funds to support the City's "P83 Party" special event.

Upon vote, the motion carried unanimously 7 to 0.

REGULAR AGENDA

NEW BUSINESS

12R PUBLIC HEARING - Liquor Licenses, Various Locations

Staff Report/Public Comment:

Brent Matting, Finance Director, 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 the request for (a) a New Wine and Beer Liquor License (Series 10) for Arco AM/PM, located at 9102 W. Peoria Avenue, Mohamed Sweillam, Applicant, LL#20004487; and (b) a Person and Location Transfer for an Off-Sale All Liquor License (Series 09) for CVS/Pharmacy #07115, located at 7530 W. Cactus Road, Jason B. Morris, Applicant, LL#10003803.

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

COUNCIL ACTION:

Motion was made by Councilmember Rivero, seconded by Vice Mayor Aames, to recommend approval to the State Liquor Board for (a) a New Wine and Beer Liquor License (Series 10) for Arco AM/PM, located at 9102 W. Peoria Avenue, Mohamed Sweillam, Applicant, LL#20004487; and (b) a Person and Location Transfer for an Off-Sale All Liquor License (Series 09) for CVS/Pharmacy #07115, located at 7530 W. Cactus Road, Jason B. Morris, Applicant, LL#10003803.

Upon vote, the motion carried unanimously 7 to 0.

13R PUBLIC HEARING - Code Amendment, Chapter 14, Administrative Regulations, Temporary Use Permits

ORDINANCE NO. 2012-05

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 ARTICLE 14-39-11 "ADMINISTRATIVE PROCEDURES" OF THE PEORIA ZONING ORDINANCE; PROVIDING FOR SEPARABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Staff Report/Public Comment:

Chris Jacques, Planning and Community Development Director, reported on the request to amend Chapter 14 of the Peoria City Code (1977 Edition) regarding the types of allowable structures and site restoration time frames that may be used for outdoor sales and displays in conjunction with an approved temporary use permit.

PUBLIC HEARING:

Mayor Barrett opened the Public Hearing and asked if any Councilmember or citizen wished to comment on the request to amend Chapter 14 of the Peoria City Code (1977 Edition) to modify temporary use permit regulations.

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

COUNCIL ACTION:

Motion was made by Councilmember Evans, seconded by Councilmember Pearson, to adopt **ORD. 2012-05** amending Chapter 14 of the Peoria City Code (1977 Edition), amending Article 14-39-11 pertaining to temporary use permit regulations.

Upon vote, the motion carried unanimously 7 to 0.

14R Exclusive Negotiating Agreement, Emerald Yard LLC, Rovey Industrial Park

Scott Whyte, Economic Development Services Director, provided an overview of the request to enter into an Exclusive Negotiating Agreement with Emerald Yard, LLC for the development of a rail-supported industrial park in southern Peoria.

Motion was made by Councilmember Rivero, seconded by Councilmember Leone, to authorize the City Manager to enter into an Exclusive Negotiating Agreement with Emerald Yard, LLC for the development of the Rovey Industrial Park in southern Peoria.

Upon vote, the motion carried unanimously 7 to 0.

15R Exclusive Negotiating Agreement, Osage West, LLC, Peoria Eighty Three (P83) Mixed-Use Redevelopment Project

Scott Whyte, Economic Development Services Director, reported on the request to extend the Exclusive Negotiating Agreement with Osage West, LLC on the Peoria Eighty Three (P83) Mixed-Use Redevelopment Project.

Motion was made by Vice Mayor Aames, seconded by Councilmember Rivero, to authorize the City Manager to enter into a 365-day extension to the Exclusive Negotiating Agreement with Osage West, LLC on the Peoria Eighty Three (P83) Mixed-Use Redevelopment Project.

Upon vote, the motion carried unanimously 7 to 0.

16R Council Policy 1-10, City Council Subcommittees

Councilmember Leone reported on his request for reconsideration of Council Policy 1-10.

Motion was made by Councilmember Leone, seconded by Councilmember Carlat, to reconsider Council Policy 1-10 as adopted on September 20, 2011 pertaining to City Council Subcommittees.

Upon vote, the motion carried unanimously 7 to 0.

Motion was made by Councilmember Leone, seconded by Councilmember Pearson, to reduce the number of City Council Subcommittees to four effective May 2012 and to direct staff to submit the names and composition of the four subcommittees for future consideration by Council.

Discussion ensued regarding the number of subcommittees needed.

Councilmember Carlat moved to amend the motion by rescinding subcommittees and reverting back to Committee Policy prior to September 20, 2011. The amended motion died for lack of a second.

Upon vote, the motion to reduce the number of City Council Subcommittees to four effective May 2012 and to direct staff to submit the names and composition of the four subcommittees for future consideration by Council carried 6 to 1, with Councilmember Carlat voting "no".

CALL TO THE PUBLIC: (NON-AGENDA ITEMS)

Bill Evans addressed Council on behalf of SWABS-Az, Inc. regarding non-payment for services rendered as a subcontractor on the Scotland Yard Project.

Reports from the City Manager:

1. Council Calendar
2. Reports with Presentation
 - a. "P83 Party"

Jeff Tyne, Interim Community Services Director, presented on the "P83 Party" to be held from 4 p.m. to 9 p.m. on March 3, 2012. Mr. Tyne reported that the event will include various amusement activities, food booths, a beer garden, and musical acts. The "P83

Party” will take place along 83rd Avenue south of Bell Road following the Seattle Mariners/Oakland Athletics Spring Training game at the Peoria Sports Complex.

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.)

Carl Swenson, City Manager, informed Council that their Agenda packet contains information related to the following items:

- a. Council Subcommittee Update
- b. Peoria NOW Newsletter

Reports from City Council:

Councilmember Leone reported on the various City of Peoria events he attended. Councilmember Leone congratulated Vice Mayor Aames on his election to the Valley Metro Board of Directors.

Councilmember Rivero reported on his attendance at the Centennial Plaza Dedication and Celebration. Councilmember Rivero extended his compliments to Councilmember Evans and the Centennial Committee for a superb event.

Councilmember Pearson commended Councilmember Evans and the Centennial Committee for their work on the Centennial activities. Councilmember Pearson congratulated the Peoria Unified School District for being evaluated for District Accreditation through the AdvancED Accreditation Commission.

Councilmember Evans wished the State of Arizona a very Happy Birthday and urged citizens to participate in other centennial events throughout the state. Councilmember Evans thanked Councilmember Pearson for his involvement in the “P83 Party”.

Vice Mayor Aames reiterated the comments expressed by the other members of the City Council.

Reports from the Mayor:

Mayor Barrett complimented Councilmember Evans on the Centennial Celebration. Mayor Barrett announced he had been selected to serve on the Executive Board for WESTMARC.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 7:48 p.m.

ATTEST:

Wanda Nelson, 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 7th day of February, 2012. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 6th day of March, 2012.

(Seal)

Wanda Nelson, City Clerk

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Date Prepared: February 7, 2012

Council Meeting Date: March 6, 2012

TO: Carl Swenson, City Manager

FROM: Chris Jacques, AICP, Planning and Community Development Director

THROUGH: Susan J. Daluddung, AICP, Deputy City Manager

SUBJECT: Finalize Transfer of Public Housing Operations to Maricopa County

Purpose:

This is a request for City Council to approve a resolution authorizing the transfer of the Public Housing Authority operations and programs to the Housing Authority of Maricopa County as recommended by the Council Not-For-Profit Review and Housing Sub-Committee.

Background/Summary:

Planning and Community Development Staff worked in conjunction with the Executive Director of the Housing Authority of Maricopa County (HAMC) and local representatives from the U.S. Department of Housing and Urban Development (HUD) to pursue the transfer of the City's Public Housing Authority (PHA) management and operations to HAMC on a permanent basis. The Housing Choice Voucher Program (Section 8) was permanently transferred to HAMC on July 1, 2011.

In recognition of the fact that there are efficiencies of scale in managing and operating such a complex program, the PHA operations have been contracted to outside providers since 2002. HAMC has operated the PHA since October 1, 2008 through a formal intergovernmental agreement. HAMC personnel are currently responsible for all of the daily operations of the PHA as well as most of the reporting requirements for HUD. The City retains a Housing Advisory Board and ultimate responsibility for actions of the PHA. All funding received from HUD related to operations of the PHA are passed through the City directly to HAMC.

The PHA manages 70 properties comprised of 45 apartment style units and 25 single family homes. All of these properties were purchased with funds from HUD and may not be used for any purpose other than affordable housing. The property title to these properties will be deeded to HAMC after HUD approval of the proposed PHA transfer.

It should be noted that no program participants will be displaced by this action and all program participants have been notified of the possible transfer. In essence, the transfer would be 'invisible' to program participants as daily operations are already managed by HAMC. All Public Housing Residents were notified of this potential action, per HUD regulations. In addition, an informational meeting was held with the Resident Advisory Board and a further seven (7)

informational meetings were held for program participants. No negative feedback regarding the proposed transfer was received at any of the meetings.

If approved, Staff will work to complete the transfer by July 1, 2012.

Previous Actions:

- February 29, 2012: The Council Not-For-Profit Review and Housing Sub-Committee issues a recommendation of approval to the City Council for transfer of the Public Housing Authority operations and programs to the Housing Authority of Maricopa County.
- April 15, 2011: Discussion of transfer progress at FY12 Budget Hearing
- October 25, 2010: Progress update to Council Not-for-Profit and Housing Subcommittee
- June 16, 2010: Progress update to Council Not-for-Profit and Housing Subcommittee
- April 26, 2010: Discussion of transfer progress at FY11 Budget Hearing

Options:

- A:** Approve the permanent transfer of the Public Housing Authority operations and programs to the Housing Authority of Maricopa County.

- B:** Maintain responsibility for the Public Housing Authority while continuing the Intergovernmental Agreement with the Housing Authority of Maricopa County.

Staff's Recommendation:

Staff recommends and therefore requests that City Council adopt a resolution authorizing the transfer of all Public Housing Authority property, operations and programs to the Housing Authority of Maricopa County as recommended by the Council Not-For-Profit Review and Housing Sub-Committee.

Fiscal Analysis:

All funding for the Public Housing Authority is received from the U.S. Department of Housing and Urban Development and is passed-through to the Housing Authority of Maricopa County upon receipt of that funding by the City.

Narrative:

If approved by City Council, this matter will appear before the Board of Supervisors of Maricopa County for acceptance of the transfer. The local field office for the U.S. Department of Housing and Urban Development would then make the recommendation to management at their headquarters in Washington, D.C. to approve the transfer.

Exhibit(s):

Exhibit 1: Resolution

Contact Name and Number: Carin Imig, Neighborhood and Revitalization Administrator, x7381

RESOLUTION 2012-19

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, TO APPROVE THE PERMANENT AND VOLUNTARY TRANSFER OF THE MANAGEMENT, OPERATIONS AND ASSETS OF THE PUBLIC HOUSING AUTHORITY TO THE HOUSING AUTHORITY OF MARICOPA COUNTY.

WHEREAS, the Housing Authority of the City of Peoria and the Housing Authority of Maricopa County both administer Public Housing programs; and

WHEREAS, the Housing Authority of the City of Peoria has the responsibility for the administration and oversight of 70 Public Housing Units (comprised of 45 apartment style units and 25 single family homes) assigned to it by the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, since 2008, the Housing Authority of the City of Peoria has utilized an Intergovernmental Agreement with the Housing Authority of Maricopa County to administer the Public Housing program for all Public Housing Units located within the City of Peoria assigned to it by HUD; and

WHEREAS, the Housing Authority of Maricopa County has offered its services in the permanent management, administration and oversight of all Public Housing/Public Housing projects in the City of Peoria, Arizona; and

WHEREAS, transferring all program operations and obligations and conveying all property and assets of the Housing Authority of the City of Peoria to the Housing Authority of Maricopa County assures continuity of services to local program participants;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Peoria, Maricopa County, Arizona, as follows:

That the City Council authorizes the permanent transfer of all program management, operations and obligations of the Housing Authority of the City of Peoria to the Housing Authority of Maricopa County;

That the City Council further authorizes the conveyance of title to all Housing Authority of the City of Peoria Public Housing Units/Public Housing projects to the Housing Authority of Maricopa County through a Special Warranty Deed; and

That the City Council further authorizes conveyance of all other property of the Housing Authority of the City of Peoria to the Housing Authority of Maricopa County; and

That the City Manager and his appropriate designee(s) are authorized and directed to execute any and all such documents on behalf of the City, as may be necessary to effectuate the transfer of program management, operations, obligations and assets of the Housing Authority of the City of Peoria's Public Housing Units/Public Housing projects including the transfer of all property of the Housing Authority of the City of Peoria to the Housing Authority of Maricopa County;

PASSED AND ADOPTED by the Mayor and City Council of the City of Peoria, Arizona this 6th day of March, 2012.

Bob Barrett, Mayor

ATTEST:

Wanda Nelson, City Clerk

APPROVED AS TO FORM:

Stephen M. Kemp, City Attorney

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 3C

Date Prepared: February 7, 2012

Council Meeting Date: March 6, 2012

TO: Carl Swenson, City Manager

FROM: Jeff Tyne, Interim Community Services Director

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Memorandum of Understanding with the West Valley Art Museum for Gallery Operations

Purpose:

This is a request for the City Council to approve a Memorandum of Understanding (MOU) with the West Valley Art Museum to operate the Art Gallery located at City Hall.

Background/Summary:

At the December 6th Study Session staff provided an overview and update to the City Council regarding arts-related activities in the community. This included discussion on the City's growing partnership with the West Valley Art Museum (WVAM), in particular referencing an agreement with the WVAM to manage operations at the City Hall Art Gallery. The MOU attached is a result of discussion between the two agencies, and allows the WVAM to operate the Gallery on a daily basis, to include providing staffing/volunteers and to schedule exhibits upon agreement with city staff.

The proposed agreement outlines the responsibilities of each party, and has been reviewed by the WVAM Board. The term of the MOU is for 12 months, but has opportunities to extend the period should both parties wish to do so. The city also has an option to terminate sooner than the 12-month period.

The agreement addresses interests from both parties, as it will reduce city manpower needs with regard to the scheduling of exhibits and volunteers, and allows the WVAM to operate the gallery until a permanent location for their work is located. The agreement expressly states that 70 percent of the exhibits in the gallery are to be comprised of artwork outside the art collection belonging to the WVAM.

The following summarizes the key provisions of the MOU:

City Provisions:

- Provide Gallery space within current City Hall hours.
- Responsible for the fingerprinting of volunteers and new volunteer orientation.
- Coordinate in the publicity of events with the assistance of the City's Public Information Office.
- Not responsible for providing stipends or salaries to personnel or volunteers, purchasing operational supplies, providing security, or funding individual exhibits for the Gallery that are sponsored through the WVAM.

WVAM Provisions:

- Staff the gallery during hours of operation.
- Repair and paint Gallery walls following an exhibition as needed.
- Schedule exhibits on an annual basis.
- Obtain the necessary insurance, listing the city as an additional insured.
- Responsible for the installation and take down of exhibits outside of Gallery hours as to not disrupt normal city operations.
- Oversee the event known as Peoria Celebrations of Artists for this term only.

Previous Actions:

There has been no previous Council action on this item.

Options:

A: The Council can accept the agreement as written.

B: The Council can make recommend different terms to the agreement.

C: The Council can reject the agreement.

D: The Council can request more information from staff.

Staff's Recommendation:

Staff recommends the City Council accept the Memorandum of Understanding with the West Valley Art Museum to operate the City Hall Gallery.

Fiscal Analysis:

The city is responsible for the fingerprinting expense, which this is currently budgeted in the Community Services department operating budget.

Exhibit 1: Memorandum of Understanding with the West Valley Art Museum

Contact Name and Number: Kirk Haines - extension 7120

**MEMORANDUM OF UNDERSTANDING
CITY OF PEORIA, ARIZONA
AND
WEST VALLEY ART MUSEUM**

This Memorandum of Understanding (“MOU”) is dated as of the _____ day of _____, 2012, and is made by and between The City of Peoria, Arizona, an Arizona municipal corporation (“City”) and the West Valley Art Museum (“WVAM”), an Arizona Non-Profit Corporation.

WHEREAS the City and the WVAM wish to continue cooperating in the operation of a Gallery located in the City Hall Building;

AND WHEREAS said Gallery is expected to continue operating in the City Hall building for an undefined period of time necessary for the WVAM to locate a new “home” for its art, it being expressly understood that the operation of said Gallery may be suspended or discontinued at any time by the City upon reasonable notice to the WVAM;

AND WHEREAS the City and the WVAM have entered into a separate Bailment Agreement and Amendment(s) thereto, the provisions of which remain unaffected by this Memorandum of Understanding **AND** it is expressly understood that this Memorandum of Understanding relates to the operation of the Gallery only and does not change any term or condition of the Bailment Agreement and Amendment(s) thereto. To the extent there is a conflict among terms, the Bailment Agreement and any amendments thereto control;

AND WHEREAS the City and the WVAM wish to set forth more fully their various responsibilities related to the operation of the Gallery;

AND WHEREAS consistent with the Bailment Agreement this implementing agreement presumes exhibition of some or all of the WVAM’s collection as well as other artwork;

NOW THEREFORE, in consideration of the on-going agreement to operate a Gallery as set forth in the foregoing recitals, the City and the WVAM agree to cooperate in the operation of the Gallery as follows:

A. The City Shall:

1. Continue to, for a reasonable time of twelve months, unless this Agreement is sooner terminated at the City’s option, provide Gallery space in the City Hall for exhibiting art. Should the City terminate this Agreement at its option and prior to the expiration of the twelve month term, it will use its best efforts to provide ninety days notice of any such termination. Both parties recognize that the initial twelve month term may be extended by the mutual agreement of the parties as

- evidenced by an amendment hereto. Any extensions will be subject to the same option to terminate.
2. The City will provide for the fingerprinting of volunteers who will have access to the art and will further provide an orientation for all new volunteers who will, on behalf of the WVAM, staff the Gallery.
 3. Reasonably cooperate with the WVAM regarding the types of exhibits to be displayed. In the event of a disagreement, the City has final approval rights for any and all exhibits to be displayed in the Gallery.
 4. Provide custodial services for the Gallery no less than two times per week and as needed following special events. The custodial services will be limited to cleaning the pertinent portion of the City Hall building where the Gallery is located as well as appurtenances thereto. It is expressly understood that the custodial services contemplated do not extend to the cleaning of artwork or other personal property that is a part of or used in conjunction with any artwork exhibited.
 5. At its option, cooperate by and through its Public Information Office in the publicity and/or promotion of art that is to be exhibited or that is currently exhibited in the Gallery. All requests by the WVAM for promotional assistance will be initiated through the City's Public Information Manager.

B. The City Shall Not:

1. Provide stipends, salaries or benefits to or for Gallery personnel or volunteers. It is recognized and understood that Gallery personnel, volunteer or otherwise, are not City employees nor are they contractors operating for or on behalf of the City. Moreover, it is expressly understood that the WVAM is not an agent of or for the City.
2. Purchase operational supplies for the Gallery other than those supplies necessary to maintain the facility and to clean the Gallery as set forth in preceding paragraph A4.
3. Provide security for the Gallery and/or any of its exhibits including but not limited to works of art or other personal property.
4. Fund individual exhibits for the Gallery that are sponsored or contracted for by the WVAM. It is understood that all funding for such exhibits is the sole and exclusive responsibility of the WVAM.

C. The West Valley Art Museum Shall:

1. Staff the Gallery with volunteers (or personnel) who will manage all operational functions of the Gallery.
2. Repair and paint Gallery walls following each exhibition as needed and/or at the request of the City. Such repair and painting will be done at the WVAM's expense and in accordance with City guidelines for maintenance of its facilities, except that the City will supply the necessary paint.
3. Annually schedule exhibits comprised of at least seventy percent of artwork that is outside the art collection(s) belonging to the WVAM.
4. Obtain necessary insurance (or confirm evidence of existing insurance) for any and all artwork comprising the Gallery's exhibits whether or not an exhibit is from the WVAM's own collection or is from an outside organization or artist(s). The WVAM agrees to name the City as an additional insured on any and all policies of insurance related to its operation of the Gallery and further agrees to hold the City harmless and will defend and indemnify the City from and for any and all claims of damage, theft or other loss related in any way to the exhibition of art whether owned by the WVAM or others. The WVAM agrees to provide evidence of insurance to the City's Claims Coordinator prior to the start of any exhibit.
5. Schedule all staff and volunteers for the Gallery and will ensure that the Gallery is staffed during all hours of operation. The hours of operation are Monday through Wednesday 10 am to 4 pm and Thursday from 12 pm to 6 pm. The WVAM may, with the prior approval of the City, schedule staff and volunteers for special events. The WVAM recognizes and understands that obtaining the presence of City staff and/or access to City buildings during hours that fall outside the Gallery's normal operating hours is within the total discretion of the City.
6. Abide by all City, State and Federal laws as well as City policies and procedures in the operation(s) of the Gallery.
7. Adhere to any and all rules and regulations attached to or associated with outside exhibits that the WVAM agrees to host. It is expressly understood that the WVAM is in sole and exclusive control of all artwork and/or other property comprising exhibits located in the Gallery or appurtenant to the Gallery. Outside exhibits are those exhibits that include the art and/or property of persons, including but not limited to corporations, museums, galleries or others, that is not the art or property of the WVAM. It is further understood that no exhibit will require special display or environmental conditions without obtaining the express written consent and approval of the City.

8. Be responsible for the installation and taking down of all exhibits in the Gallery. The installation and taking down of exhibits will take place during hours the Gallery is not open and preferably between close of the Gallery on Thursday and opening of the Gallery on Monday. This provision is meant to prevent the disruption of normal City operations. Moreover, this provision is meant to prevent the closure of the Gallery during normal operating hours for the purpose of setting up or the taking down of exhibits, it being understood that the Gallery is to remain open during those hours agreed upon as set forth above. In effectuating this term, the WVAM will cooperate with the City in order to schedule the installation and take down activities at a convenient time and to avoid any expense to the City related to these activities. The City will allow reasonable access to the WVAM's storage area, in accordance with the terms of that certain Bailment Agreement between the WVAM and the City dated May 11, 2010, including any amendments thereto.

9. Oversee and coordinate the event known as Peoria's Celebration of Artists which event is annually held during the month of March in the City Hall. For purposes of the current term of this Agreement only, City staff will provide a history and will explain to the WVAM the framework they have previously used for the event. The WVAM will manage all aspects of the event and will also be responsible for the costs and expenses of the event.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first written above.

Dated _____

WEST VALLEY ART MUSEUM

By _____ Its _____

Dated _____

CITY OF PEORIA

Carl Swenson,
City Manager

ATTEST:

Wanda Nelson, City Clerk

APPROVED AS TO FORM:

Stephen M. Kemp, City Attorney

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 4C

Date Prepared: January 27, 2012

Council Meeting Date: March 6, 2012

TO: Carl Swenson, City Manager
FROM: Andrew Granger, P. E., Engineering Director
THROUGH: Susan J. Daluddung, Deputy City Manager
SUBJECT: License Agreement, Zayo Group, LLC

Purpose:

This is a request for Council to approve the License Agreement to Zayo Group, LLC for a period of 5 years for permission to construct, install, operate, maintain, and use public highways, public rights-of-way, public streets, and public utility easements within the City of Peoria to provide telecommunications services.

Background/Summary:

Zayo Group, LLC, herein after, "Zayo", provides high bandwidth infrastructure to provide regional, metro and fiber to the tower network solutions to other telecommunications carriers and large enterprise customers in markets across the nation. Types of customers that utilize Zayo's fiber optic network services include telecommunications carriers, data centers and enterprise end user customers. Zayo currently has fiber facilities in the following Arizona Communities; Chandler, Mesa, Paradise Valley, Phoenix, Scottsdale, Tempe and Gilbert.

Zayo Group, LLC has applied for this license agreement and subject to the provisions contained within the Agreement, and to the Peoria City Code, Peoria City Charter, Arizona State Statutes and the Constitution of the State of Arizona, the staff recommends that the City grant the nonexclusive revocable license, right and privilege to construct, install, operate, maintain and use facilities in, under, along, over and across public highways, public streets, public rights-of-way, and public utility easements to provide Telecommunications Services (as defined in § 23-92 of the Peoria City Code) within the current and future corporate limits of the City.

The facilities to be placed in the City's public right-of-way include; conduit, ducts, vaults, and other appurtenances. No above ground electrical boxes are to be installed at this time and all other facilities to be placed are required to be underground. All facilities installed shall comply with City construction standards.

Under the terms of the License Agreement Zayo is responsible to:

- Post a performance bond in favor of the City in the sum of Two Hundred Thousand Dollars (\$200,000) to guarantee that the Licensee shall well and truly observe, fulfill and perform each and every term of this License
- Prior to applying for any permit deposit into a suitable interest-bearing account, established by the City, and maintain on deposit through the term of this License, the sum of not less than Fifty Thousand Dollars (\$50,000), as security for the faithful performance by it of all the provisions of this License, and compliance with all orders, permits and directions of any agency of the City having jurisdiction over its acts or defaults under the License issued pursuant thereto, and the payment by the Licensee of any claims, liens and taxes due the City which arise by reason of the construction, operation or maintenance of the facilities. City shall have the full power of withdrawal of funds from the account except that all interest accrued shall be payable to the Licensee on demand.
- The Finance Department will be responsible to track all paper work related to the posting of and any withdrawals from the account, balance of the interest bearing account, and deposits to restore the account to the original amount.
- Apply and be responsible for any permits to construct, install, maintain or perform any work in the public highways, public streets, public rights-of-way and public utility easements, which requires a construction permit from the City pursuant to applicable City Codes.
- Become a member of Arizona Blue Stake.
- Keep accurate record drawings of facilities installed within the City's boundaries.
- If Zayo abandons use of its cable, ducts or other facilities (used to provide telecommunications services under or pursuant to the License) or upon cancellation, revocation or termination of the privilege herein granted, Licensee shall notify the City and may – subject to the City's approval – permanently abandon the improvements in place.
- In lieu of permanent abandonment, the City may require Zayo to promptly remove its above-ground facilities and to restore the public highways, public streets, public rights-of-way, and public utility easements to a reasonable condition under the supervision of the City to the reasonable satisfaction of the City and without cost or expense to the City.
- The revocable License Agreement is recommended to be granted for a period of 5 years.

The facilities to be installed will be located along the following route:

- Deer Valley Road; 75th Avenue to 107th Avenue
- 107th Avenue; Beardsley Road to Union Hills Drive
- Beardsley Road; 111th Avenue to 107th Avenue
- 111th Avenue; Beardsley Road to Beardsley Water Reclamation Facility
- Bell Road; 92nd Avenue to 87th Avenue

Previous Actions:

The City Attorney's Office, Economic Development Department and the Engineering Department reviewed the Agreement.

Options:

A: Approve the License Agreement to Zayo and grant permission to construct, install, operate, maintain, and use public highways, public rights-of-way, public streets, and public utility easements within the City of Peoria to provide telecommunications services and authorize the City Manager to execute the License Agreement.

B: Deny the License Agreement to Zayo and deny permission to construct, install, operate, maintain, and use public highways, public rights-of-way, public streets, and public utility easements within the City of Peoria to provide telecommunications services.

Staff's Recommendation:

Staff recommends the approval of the License Agreement to Zayo for a period of 5 years for permission to construct, install, operate, maintain, and use public highways, public rights-of-way, public streets, and public utility easements within the City of Peoria to provide telecommunications services. Zayo will have to apply to the City for a permit renewal prior to the expiration in 5 years.

Fiscal Analysis:

There is no fiscal impact to the City of Peoria.

Narrative:

Approval of the License Agreement will require staff to implement and ensure Zaya complies with the terms of the Agreement.

Exhibits:

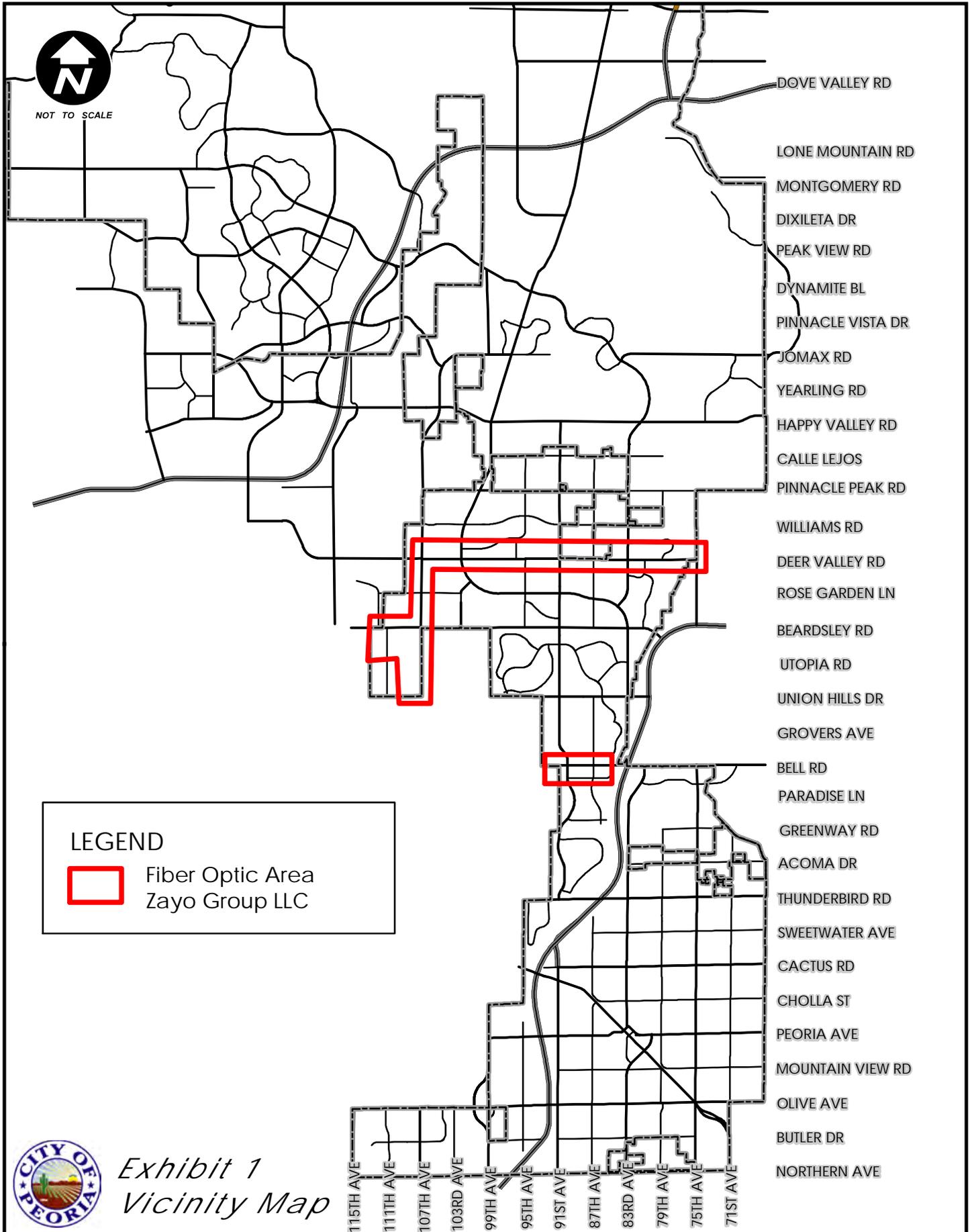
Exhibit 1: Vicinity Map

Exhibit 2: License Agreement

Council Communication



NOT TO SCALE



- DOVE VALLEY RD
- LONE MOUNTAIN RD
- MONTGOMERY RD
- DIXILETA DR
- PEAK VIEW RD
- DYNAMITE BL
- PINNACLE VISTA DR
- JOMAX RD
- YEARLING RD
- HAPPY VALLEY RD
- CALLE LEJOS
- PINNACLE PEAK RD
- WILLIAMS RD
- DEER VALLEY RD
- ROSE GARDEN LN
- BEARDSLEY RD
- UTOPIA RD
- UNION HILLS DR
- GROVERS AVE
- BELL RD
- PARADISE LN
- GREENWAY RD
- ACOMA DR
- THUNDERBIRD RD
- SWEETWATER AVE
- CACTUS RD
- CHOLLA ST
- PEORIA AVE
- MOUNTAIN VIEW RD
- OLIVE AVE
- BUTLER DR
- NORTHERN AVE

- 115TH AVE
- 111TH AVE
- 107TH AVE
- 103RD AVE
- 99TH AVE
- 95TH AVE
- 91ST AVE
- 87TH AVE
- 83RD AVE
- 79TH AVE
- 75TH AVE
- 71ST AVE

LEGEND

 Fiber Optic Area
Zayo Group LLC



*Exhibit 1
Vicinity Map*

**TELECOMMUNICATIONS LICENSE AGREEMENT ISSUED TO ZAYO
GROUP LLC BY THE CITY OF PEORIA, ARIZONA**

THIS LICENSE is issued by the CITY OF PEORIA, ARIZONA (hereinafter called "City"), a municipal corporation, to ZAYO GROUP LLC (hereinafter called "Licensee"), a DELEWARE corporation.

WHEREAS, Licensee has applied to the City for permission to construct, install, operate, maintain and use the public highways, public streets, public rights-of-way, and public utility easements in the City in order to provide telecommunications services; and

WHEREAS, Licensee has represented to and provided documents to the City which establish that on _____ the Arizona Corporation Commission ("ACC") issued Decision No. _____ (Docket No. _ - _____ - _ - _____) authorizing Licensee to provide local exchange, intraLATA and interLATA telecommunications services within the geographic area covered by Licensee's certificate of convenience and necessity, which geographic area is located partially within the municipal boundaries of the City; and

WHEREAS, by such authority as may be conferred by § 9-581 through § 9-583 of the Arizona Revised Statutes and statutes amendatory thereto, the Peoria City Charter and state and federal law, the City is issuing this License; and

WHEREAS, pursuant to the Peoria Municipal Code, the City Council has authorized the City Manager or his designee to execute a license with Licensee to construct, install, operate, maintain and use facilities in, along, under, over and across public highways, public streets, public rights-of-way, and public utility easements within the City to provide telecommunications services; and

NOW, THEREFORE, the City hereby grants a license ("License") to Licensee.

1. Permission Granted.

1.1 Subject to the provisions contained herein, and to the Peoria City Code, Peoria City Charter, Arizona State Statutes and the Constitution of the State of Arizona, the City hereby grants to Licensee the nonexclusive revocable license, right and privilege to construct, install, operate, maintain and use facilities in, under, along, over and across public highways, public streets, public rights-of-way, and public utility easements to provide Telecommunications Services (as defined in § 23-92 of the Peoria City Code) within the current and future corporate limits of the City. The terms, phrases, words and their derivatives shall have the meaning defined in Chapter 23 of the Peoria City Code as amended from time to time. The permission granted herein to Licensee shall hereinafter be referred to as "License." By accepting this License, Licensee agrees that this License and the Licensee are subject to all provisions of the Peoria City Charter and Peoria City Code, including, but not limited to, Chapter 23.

1.2 If it is necessary for the Licensee to comply with any rule or regulation of the Federal Communications Commission ("FCC") or the ACC to engage in business activities associated with use of the public highways, public streets, public rights-of-way, and public utility easements to provide telecommunications services, the Licensee shall comply with such laws or regulations as a condition precedent to exercising any rights granted by this License. Provided, however, no such rule or regulation of the FCC or

ACC shall enlarge or modify any of the rights or duties granted by this License without a written modification to this License except to the extent required to be permitted by applicable law.

1.3 Licensee shall apply and be responsible for any permits to construct, install, maintain or perform any work in the public highways, public streets, public rights-of-way and public utility easements which requires a construction permit from the City pursuant to applicable City Codes. Before constructing, operating, installing or using facilities in the public highways, public streets, public rights-of-way and public utility easements, Licensee shall notify the City in writing and shall be the party to apply and be responsible for any permits to construct, install, maintain or perform any work in the public highways, public streets, public rights-of-way and public utility easements which requires a construction permit from the City pursuant to applicable City Codes or this License. Licensee shall strictly adhere to and perform in accordance with the City's "Utility Permits – Guidelines for Working in the City of Peoria", attached as *Exhibit A*, as amended from time to time by the City Engineer: failure to do so will result in a breach of this License and liquidated damages will accrue in the amount of One Thousand Dollars (\$1,000) per day beginning on the seventh (7th) day after written notice of the violation and continuing until the breach has been cured. Licensee agrees that this is a reasonable approximation of the damages to the City, and that actual damages would be difficult or impossible to determine.

1.4 The authority granted by this License does not in any way provide for any express or implied consent to use or otherwise operate within City owned and or operated conduit. Any such use or operation must be approved through an amendment to this agreement or as otherwise prescribed by the City at the time of the request.

2. General Conditions.

2.1 The Licensee and City agree if a regulatory body or a court of competent jurisdiction should determine by a final, non-appealable order that the City did not have the authority to issue a License to Licensee under A.R.S. § 9-581 to § 9-583, as amended or succeeded, then this License shall be considered a revocable permit with a mutual right in either party to terminate without cause upon giving 60 days written notice to the other. The requirements and conditions of such revocable permit shall be the same requirements and conditions as set forth in this License except for conditions relating to the term of the License and the right of termination. If this License shall be considered a revocable permit as provided herein, the Licensee acknowledges the authority of the City Council to issue a revocable permit and the power to revoke as provided therein.

2.2 There is hereby reserved to the City every right and power which is required to be herein reserved or provided by any ordinance or the Charter of the City, and the Licensee, by its acceptance of this License, agrees to be bound thereby and to comply with any action or requirements of the City in its exercise of such rights or power, heretofore or hereafter enacted or established, except those actions or requirements which are unlawful under state or federal law. Neither the granting of any License nor any provision hereof shall constitute a waiver or bar to the exercise of any governmental right or power of the City.

2.3 In addition to the indemnity requirements set forth in the Peoria City Code at § 23-97, the Licensee shall indemnify, defend and hold harmless the City and its agents and employees from and against all claims, damages, losses and expenses of any nature, including reasonable attorney's fees sustained by the City on account of any suit, judgment, execution, claim or demand whatsoever arising out of the act or omission by the Licensee and its agents, employees and contractors pursuant to this License or the construction, installation, operation, maintenance or use of the facilities authorized herein, whether or not any act or omission complained of is authorized, allowed or prohibited by this License.

2.4 In addition to the insurance requirements set forth in the Peoria City Code in § 23-97, Licensee shall comply with the Insurance Requirements attached to this License. Provided that the insurance also complies with all the requirements of this License, the Licensee may maintain as the insurance under this § 2.4 endorsements or amendments, in forms acceptable to the City Attorney, and to the extent that Licensee shall construct, operate, install or use facilities in the public highways, public streets, public rights-of-way, and public utility easements.

3. Public Highway Preservation.

3.1 Performance Bond. The Licensee shall file and maintain a faithful performance bond in favor of the City in the sum of Three Hundred Eighty Thousand Dollars (\$380,000) to guarantee that the Licensee shall well and truly observe, fulfill and perform each and every term of this License. In case of any breach of any condition of this License, any amount of the sum in the bond, up to the whole thereof, may be forfeited to compensate the City for any damages it may suffer by reason of such breach; provided, however, that Licensee shall have sixty (60) days following written notice by the City of such a breach to cure the breach. Said bond shall be acknowledged by Licensee, as principal, and by a corporation licensed by the Arizona Insurance Commissioner to transact the business of a fidelity and surety insurance company, as surety, and said bond shall be approved by the City.

3.2 Security Fund. Prior to applying for any permit to construct, install, maintain or perform any work in the public highways, public streets, public rights-of-way and public utility easements which requires a construction permit from the City pursuant to applicable City Codes, the Licensee shall deposit into a suitable interest-bearing account, established by the City, and the Licensee shall maintain on deposit through the term of this License, the sum of not less than Fifty Thousand Dollars (\$50,000), as security for the faithful performance by it of all the provisions of this License, and compliance with all orders, permits and directions of any agency of the City having jurisdiction over its acts or defaults under the License issued pursuant thereto, and the payment by the Licensee of any claims, liens and taxes due the City which arise by reason of the construction, operation or maintenance of the facilities. City shall have the full power of withdrawal of funds from the account except that all interest accrued shall be payable to the Licensee on demand. No withdrawals shall be made from the security fund account without the prior written approval of the City Manager and ten days' prior written notice of intent to withdraw to Licensee.

3.2.1 Within thirty (30) days after notice to Licensee that any amount has been withdrawn by the City from the security fund pursuant to this § 3.2, the Licensee shall deposit a sum of money sufficient to restore such security fund to the original amount.

3.2.2 If the Licensee fails, within ten (10) business days of a notice of intent to withdraw from the security fund, to pay to the City any taxes or fees due and unpaid; or fails to repay to the City, within such ten (10) business days of such notice, any damages, costs or expenses which the City shall be compelled to pay by reason of any act or default of the Licensee in connection with this License; or fails, within thirty (30) days of such notice of failure by the City to comply with any provision of the License which the City reasonably determines can be remedied by an expenditure of the security, the City may immediately withdraw the amount thereof, with interest from the security fund. Upon such withdrawal, the City shall notify the Licensee of the amount and date thereof.

3.2.3 The Licensee shall be entitled to the return of such security fund, or portion thereof, as remains on deposit at the expiration of the term of the License or upon termination of the License at an earlier date, provided that there is then no outstanding default on the part of the Licensee. Any funds that the City erroneously or wrongfully withdraws shall be returned to Licensee, with interest of 1.0% per month, within thirty (30) business days of such a determination.

3.2.4 The rights reserved to the City with respect to the security fund are in addition to all other rights of the City whether reserved by this License or authorized by law, and no action, proceeding or exercise of a right with respect to such security fund shall affect any other right the City may have.

3.2.5 The Licensee shall provide the City, in a form acceptable to the City Attorney, an endorsement or amendment to such security providing that such security can be withdrawn by City pursuant to the provisions of this License and that, if withdrawn, such security shall be restored to the original amount as provided in this License.

3.3 Trees. Any trimming of trees by the Licensee in the public highways, public streets, public rights-of-way, and public utility easements shall be subject to such regulation as the City Manager or other authorized official may establish to protect the public health, safety and convenience.

3.4 Coordination. The City may issue reasonable policy guidelines to all telecommunications services licensees and permittees to establish procedures for determining how to control issuance of engineering permits to multiple licensees for the same one-mile segments of their facilities. The Licensee agrees to cooperate with the City in establishing such policy and comply with the procedures established by the City Manager or his designee to coordinate the issuance of multiple engineering permits in the same one-mile segments.

3.5 Competitively Neutral Annual Fee. In the event that the City negotiates an annual fee (pursuant to A.R.S. § 9-583(C)(2), as amended from time to time, or any similar statute) with any other existing telecommunications licensees of the City (an

“Existing Licensee”) during the term of this License, the City will notify the Licensee in writing and will then levy an annual fee equal to the annual fee thereafter charged to the Existing Licensee. The annual fee will be no higher than is legally permissible under A.R.S. § 9-583(C)(2), as amended from time to time. Once an annual fee is levied on the Licensee, it may not be increased during the term of this License except as may be provided in the renewed license of the Existing Licensee.

4. Records and Locator Service of Facilities; Mapping.

4.1 The Licensee shall comply with A.R.S. § 40-360.21 et seq. by participating as required by law as a member of the Arizona Blue Stake Center with the necessary records and persons to provide location service of Licensee’s facilities upon receipt of a locate call or as promptly as possible, but in no event later than two working days. A copy of the agreement or proof of membership shall be filed with the City.

4.2 The Licensee shall keep accurate installation records of the design and location of all of its underground and above ground telecommunications facilities in the public highways, public streets, public rights-of-way, and public utility easements in an electronic mapping format compatible with the current City electronic mapping format. Upon completion of any new construction or relocation of telecommunications facilities in the public highways, public streets, public rights-of-way, and public utility easements for which a new construction permit is required, the Licensee shall provide to the City Manager or his/her designee, within sixty (60) days of such completion, accurate updated electronic maps of the Licensee’s telecommunications facilities which includes “as-built” route maps and installation records for such construction in the City’s electronic mapping format showing the location of underground and above ground facilities using symbols as determined by the City.

5. Installation and Operation of the Facilities.

5.1 All installations shall meet the applicable standard specifications and requirements of the City.

5.2 The authority granted by this License to use the public highways, public streets, public rights-of-way, and public utility easements does not authorize Licensee’s use of the facilities for operating a cable television system, a cable system or authorize the Licensee to operate as a cable operator as those terms are defined in the Communications Act of 1934 as amended, state law, or the City Code. The authority granted by this License does not authorize the use of the public highways, public streets, public rights-of- way, and public utility easements for an open video system as defined in the Communications Act of 1996 or as defined or authorized by the FCC. The authority granted by this License is not in lieu of any other license or franchise the City may require to occupy the highways to provide service other than telecommunications service.

5.3 The Licensee shall comply with rules and regulations of the FCC and ACC that apply to the telecommunications services Licensee provides over the facilities in the public highways, public streets, public rights-of- way, and public utility easements that Licensee is authorized to use by this License. The Licensee shall, within a reasonable time after request by the City, provide the City copies of all correspondence from the FCC or ACC to the Licensee or from the Licensee to the FCC or ACC that is

directly relevant to use of the public highways, public streets, public right-of-way and public utility easements to provide telecommunications services as authorized by this License.

5.4 Proprietary Information. In order for the City to determine the Licensee's compliance with the terms of this License, within ten (10) days of written notice by City of a request for disclosure, the Licensee shall provide relevant documentation as requested by City. Upon reasonable notice by City, Licensee shall make its facilities available for joint inspection as requested by the City. If the Licensee determines that in order to respond to City's request for documentation and inspection that it must reasonably provide proprietary information, the Licensee shall so designate such claim to proprietary treatment on documents provided to City.

5.4.1 Proprietary information disclosed by Licensee for the purposes hereunder shall mean any document or material clearly identified as confidential (hereinafter "Proprietary Information"). Such Proprietary Information shall include, but not be limited to, any customer lists, financial information, technical information or other information clearly identified as confidential pertaining to services provided to its customers.

5.4.2 Proprietary Information disclosed by Licensee hereunder to the City or its constituent departments shall be regarded as proprietary as to third parties. If the City receives a request to disclose such information, the City shall notify Licensee of such request and allow the Licensee a reasonable opportunity to defend its information from disclosure. The foregoing shall not apply to any information that is already in the public domain; however, if public domain information is included with Proprietary Information on the same document, the City shall only disclose those portions within the public domain.

5.4.3 Notwithstanding any provision in this License, the Licensee acknowledges and understands that City is a political subdivision of the State of Arizona and is subject to the disclosure requirements of Arizona's Public Records Law (A.R.S. § 39-121 et seq.) and Licensee agrees that the City has no liability to Licensee for negligent disclosure thereunder.

6. Licensee Abandonment of the Facilities. If the Licensee abandons use of its cable, ducts or other facilities (used to provide telecommunications services under or pursuant to the License) or upon cancellation, revocation or termination of the privilege herein granted, Licensee shall notify the City and may – subject to the City's approval – permanently abandon the improvements in place.

6.1 In lieu of permanent abandonment, the City may require Licensee promptly to remove its above-ground facilities and to restore the public highways, public streets, public rights-of-way, and public utility easements to a reasonable condition under the supervision of the City to the reasonable satisfaction of the City and without cost or expense to the City. This provision shall not apply to any underground telecommunications facilities of Licensee.

6.2 Upon permanent abandonment, if the City does not require removal, the Licensee shall submit to the City a proposal and instruments for transferring ownership to

the City without cost to the City. Any such facilities which are not removed as required by the City within one hundred twenty (120) days of either such date of termination or revocation or of the date the City issued a permit authorizing removal, whichever is later, automatically shall become the property of the City. The Arizona Blue Stake Center must be notified to record facilities abandoned.

7. Term of License.

7.1 The right, privilege and license granted herein shall continue and exist for a period of five (5) years from the effective date hereof unless sooner revoked as provided in § 10 below. No provision of this License may be construed to grant any automatic extension, renewal, or replacement thereof.

7.2 At any time prior to the expiration of this License, the Licensee may apply to the City for a renewal or extension of the License in accordance with the then existing state and City laws.

8. Transferability of License.

8.1 No Assignment. The rights, privileges and license granted hereunder shall not be sublet, assigned or otherwise transferred nor shall any of the rights or privileges therein granted or authorized be leased, assigned, sold or transferred, either in whole or in part, nor shall title thereto, either legal or equitable, or any right, interest or property therein, pass to or vest in any person, except the Licensee, either by act of the Licensee or operation of law, without the express written consent of the City by an ordinance or resolution passed by the City Council, which consent shall not be unreasonably withheld. Before any proposed assignment or other transfer becomes final, the Licensee shall request the consent of the City to such proposed assignment. Any such assignment or transfer shall be in conformance with all applicable sections of the City Code. Any transfer or assignment that is to occur shall adhere to the provisions outlined in Section 6-21. The new Licensee (as consented to by the City) shall be equally subject to all the obligations and privileges of the original License – including any amendments – which will remain in full effect as if the new Licensee was the original Licensee.

8.2 Contact. The Licensee shall notify the City within thirty (30) days of any change in mailing address or emergency phone numbers.

Licensee Address:

Zayo Group LLC
400 Centennial Parkway Suite#200
Louisville, Colorado 80027

Licensee Emergency Phone Number:

303-381-4666

8.3 Instruments. After the transfer, the Licensee shall provide City a copy of the deed, agreement, mortgage, lease, or other written instrument evidencing such transfer, certified and sworn to as correct by the Licensee. A request for consent to transfer shall include an assignment agreement executed by Licensee and transferee, and for execution by the City after its consent, that:

8.3.1 The transferee has read, accepts and agrees to be bound by the License;

8.3.2 The transferee assumes all obligations, liabilities and responsibility under the License for the acts and omissions of Licensee, known and unknown, for all purposes, and agrees that the transfer shall not permit it to take any position or exercise any right which Licensee could not have exercised;

8.3.3 The assignment of the License (including all amendments) shall be binding on the transferee as upon the transferor of the License as if the transferee had originally executed the License for the full term of the License; and

8.3.4 The transfer will not substantially diminish the financial resources available to the Licensee.

8.4 Lenders. Nothing in this § 8.4 shall be deemed to prohibit a pledge or, hypothecation or mortgage or similar instrument transferring conditional ownership of all or part of the Licensee's assets to a lender or creditor in the ordinary course of business. In the event a lender assumes control of the assets and operation of the Licensee through a default of the Licensee in loan obligations, the lender may assume the rights and obligations of the Licensee. The lender may not transfer or change control of the License without submitting the change to the City for consent under this § 8. If the lender does continue operation on any basis at any time, it shall be subject to all provisions of the License. No later than three years after assumption of control by the lender, the lender shall apply to the City for the right to continue assumption of control or to transfer the License. Application by the lender for approval of such assumption of control or transfer shall be subject to all provisions set forth herein on consent by the City Council and approval shall not be unreasonably denied or delayed. A "lender" as discussed herein does not include a company, person or corporation or other entity that operates cable television systems or telecommunications systems as a principal or important business. This section is intended to prohibit the intentional use of lending and/or foreclosure as a method for effecting change of control or transfer of the License without City Council review and approval.

8.5 Permitted Transfer.

8.5.1 Notwithstanding the foregoing, prior consent shall not be required for a transfer to a company that meets either of the following conditions:

(a) The company is owned or controlled or under common control and with the same direct parent as Licensee and is intended after such transfer to remain under the ownership or control of that parent or an entity under common control or with the same direct parent; or

(b) After the transfer, the company will be owned or controlled or under common control with the same direct parent, and are intended after such transfer to remain under the ownership or control of that parent or an entity under common control or with the same direct parent.

8.5.2 Within thirty (30) days after completing a transfer described in this § 8.5, Licensee and the proposed transferee shall submit to the City a notice of transfer, including documents meeting the conditions of § 8.3, and a description of the nature of

the transfer, including complete information regarding the effect of the transfer on the direct and indirect ownership and control of the License.

8.5.3 After the transfer, the Licensee shall provide City a copy of the deed, agreement, mortgage, or lease or of another written instrument evidencing such transfer, certified and sworn to as correct by the Licensee.

8.5.4 After the transfer, the new licensee must comply with the provisions of this § 8 with respect to further transfers as if the new licensee were the original Licensee.

9. Nonexclusive License. This grant is not exclusive, and nothing herein contained shall be construed to prevent the City from granting other like or similar grants or privileges to any other person, firm or corporation, or to deny to or lessen the powers and privileges granted the City under the Constitution and laws of the State of Arizona.

10. Revocation of License.

10.1 The City may revoke the License granted hereunder prior to its date of expiration if the Licensee fails to comply with the material terms and conditions of the License or applicable law.

10.2 Before revoking the License, the City Manager or a designee shall give written notice to Licensee of the defect in performance and give Licensee sixty (60) days within which to cure the defect in performance.

10.3 The City need not provide a sixty (60) day cure period prior to revocation if the City finds that the defect in performance is due to an intentional misconduct, is a violation of criminal law, or is a part of a pattern of violations where the Licensee has already had notice and opportunity to cure.

10.4 If the Licensee requests a hearing before revocation, the City shall provide a procedure for such a hearing prior to final action on the notice of defect in performance.

11. Acceptance of License Terms and Conditions.

11.1 This License shall not become effective until written acceptance thereof shall have been filed by Licensee with the City Clerk. By accepting this License, the Licensee covenants and agrees to perform and be bound by each and all of the terms and conditions imposed by the License and by the Charter and Code of the City.

11.2 The Licensee acknowledges and accepts the right of the City to issue a License under currently applicable law and Licensee agrees it shall not now or at any time hereafter challenge this right to issue the License in any way or in any forum.

11.3 The Licensee has reviewed the City's ability to grant a License and accepts such a License as the City may now be legally able to grant.

11.4 In the event of conflict between the terms and conditions of the License and the terms and conditions on which the City can grant a license or permission to use the public highways, public streets, public rights-of-way and public utility easements as set forth in applicable law, the applicable law shall, without exception, control.

11.5 Nothing in this License shall be deemed to waive the requirement of the various codes, ordinances and regulations of the City regarding permits, fees to be paid or manner of construction.

11.6 The Licensee agrees that it shall have no recourse whatsoever against the City or its officials, boards, commissions, agents or employees for any loss, costs, expense or damage arising out of any provision or requirement of the City because of the enforcement of the License or because of defects in ordinance or License issuance, or because of any required dedication or failure to require the dedication of any right or interest in real or personal property in conjunction with any site plan approval, zoning, rezoning, or any other application of City authority to an interest in land.

This License executed this ___ day of _____, 2009

CITY OF PEORIA, ARIZONA, a municipal corporation

By: _____
Carl Swenson, City Manager

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

ACCEPTED:

By: _____
Its: President and General Manager

State of Arizona)

County of _____)

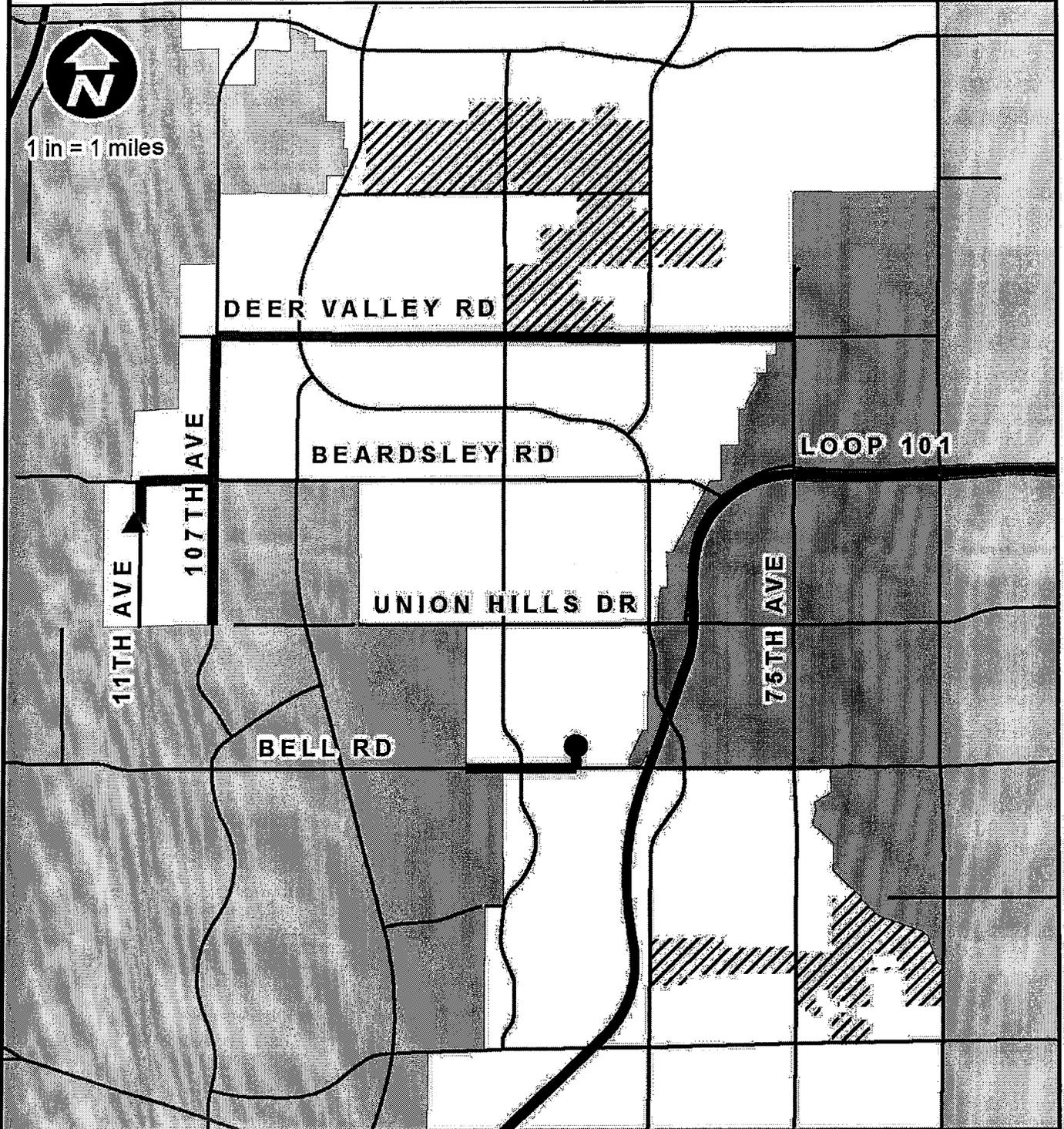
On this _____ day of _____, 20____, before me personally appeared _____, whose identity was proven to me on the basis of satisfactory evidence to be the person who he or she claims to be, and acknowledged that he or she signed the above/attached document.

Notary Public

EXHIBIT 'A'



1 in = 1 miles



Legend

 County

 External

 Fiber Optic Line

 19644 N 111th Avenue

 17000-17248 N 87th Avenue

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 5C

Date Prepared: February 21, 2012

Council Meeting Date: March 6, 2012

TO: Carl Swenson, City Manager

FROM: Katie Gregory, Interim Management & Budget Director

THROUGH: Susan Thorpe, Deputy City Manager

SUBJECT: Legal Fees Related to the Implementation of New Impact Fee Statute

Purpose:

This is a request for the City Council to approve a budget amendment authorizing the use of impact fees to pay a \$15,000 invoice to the League of Arizona Cities and Towns, representing Peoria's share of legal fees incurred for the implementation of the new development impact fee statute.

Background/Summary:

On April 26, 2011, Governor Brewer signed into law Senate Bill 1525, which introduced sweeping changes to the development fee enabling legislation. Since the passage of the new statutes, the League of Arizona Cities and Towns has been working to help member cities understand and comply with the requirements of SB1525. Throughout the process, the major cities including Peoria have worked with the league and outside counsel hired by the league to address a number of damaging provisions in the impact fee legislation. The league's work led to compromise legislation which did not include a number of punitive provisions on the types of fees that could be imposed and the length of development that could be considered in fee calculations. The work done by the league was a critical component in obtaining the Governor's commitment not to consider impact fee legislation for the next three years.

Previous Actions:

At the Study Session on December 6, 2011, staff gave an overview of the changes required by SB1525 and the initial steps needed to comply with the amended statute by January 1, 2012. At the Regular Meeting that same night, the City Council adopted ordinances to amend chapters 20 and 22 of the Peoria City Code. The amendments repealed fees no longer allowed under the new impact fee statutes (Solid Waste, General Government, Trails, and Open Space) and made minor adjustments to certain fees to reflect the deletion of ineligible costs in the Infrastructure Improvement Plan (IIP).

Options:

A: That the Mayor and Council elect to approve a budget amendment from the city's contingency appropriation to various impact fee funds, allowing the city to use the balances in these funds to pay a \$15,000 invoice to the League of Arizona Cities and Towns, representing Peoria's share of legal fees incurred for the implementation of the new development impact fee statute.

B: That the Mayor and Council elect not to approve a budget amendment. This action would prevent the city's use of impact fee funds to pay the League of Arizona Cities and Towns.

Staff's Recommendation:

That the Mayor and Council approve a budget amendment from the city's contingency appropriation to various impact fees funds so that available cash balances in these funds may be used for the purpose of paying Peoria's share of legal fees incurred for the implementation of the new development impact fee statute. Specifically, approve a budget amendment in the amount of \$15,000 from the Open Space Development Fee Fund, Contingency Account 7915-7915-570000 to the following impact fees funds affected by the new legislation:

- Open Space Development Fee Fund, Legal Services Account 7915-7915-520001 (\$3,750)
- Trails Development Fee Fund, Legal Services Account 7920-7920-520001 (\$3,750)
- General Government Development Fee Fund, Legal Services Account 7940-7940-520001 (\$3,750)
- Solid Waste Expansion Fee Fund, Legal Services Account 2650-2650-520001 (\$3,750)

Fiscal Analysis:

Although the city will not be collecting development fees from future development for the fees identified above, previously collected fees can be expended through January 1, 2020. Sufficient fund balances exist in each of the funds above to pay a portion of the \$15,000 invoice to the League of Arizona Cities and Towns.

Narrative:

Municipalities have until August 1, 2014, to be in full compliance with SB1525. Prior to this date, the city will be required to complete a new fee study using new land use assumptions and meet the new procedural requirements contained in SB1525. Staff is in the process of developing a scope of services to hire a consultant to complete a new fee study.

Contact Name and Number: Katie Gregory, (623) 773-7364

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 6C

Date Prepared: February 1, 2012

Council Meeting Date: March 6, 2012

TO: Carl Swenson, City Manager

FROM: Scott Whyte, Economic Development Services Director

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Final Plat, Peoria Community Center, Northwest Corner 83rd Avenue and Madison Street (Project No. R110045)

Purpose:

This is a request for City Council to approve a Final Plat of "Peoria Community Center", located at the Northwest Corner of 83rd Avenue and Madison, and authorize the Mayor and City Clerk to sign and record the Final Plat with the Maricopa County Recorder's Office subject to the following stipulations:

1. All civil and landscape/irrigation plans have been approved by the City of Peoria (City) in support of recordation of the Final Plat.
2. An approval of design from the City Engineering Department for the necessary improvements in accordance with the City of Peoria Development Regulations has occurred and the project is under construction.
3. The Final Plat will be recorded within 60 days of this action.

Background/Summary:

The purpose of the Final Plat is to consolidate the lots 1-24 of block 28 of the original Peoria Town site into one lot and dedicate easements as required by the approved plans. This project is within the City's water\sewer service area.

Previous Actions:

The Final Plat was reviewed by the City and completed in December 2011 and no changes were made to the proposed Final Plat. An Award of Contract Amendment action was acted upon at the July 5, 2011 Council Meeting.

Options:

A: The Final Plat has been approved through the Economic Development Services Department. An option would be to not accept the proposed Final Plat; although it should be noted that the project is currently under construction and the project would then not be in conformance with sound development principles .

B: The other option would be to formally approve the Final Plat and allow this consolidation of block 28 and dedication of easements as shown herein.

Staff's Recommendation:

Staff recommends the approval and subsequent recordation of the attached Final Plat.

Fiscal Analysis:

There is no direct budgetary impact to the City to approve the Final Plat.

Narrative:

The acceptance of this Final Plat by City Council will allow the City of Peoria to move forward in developing this property.

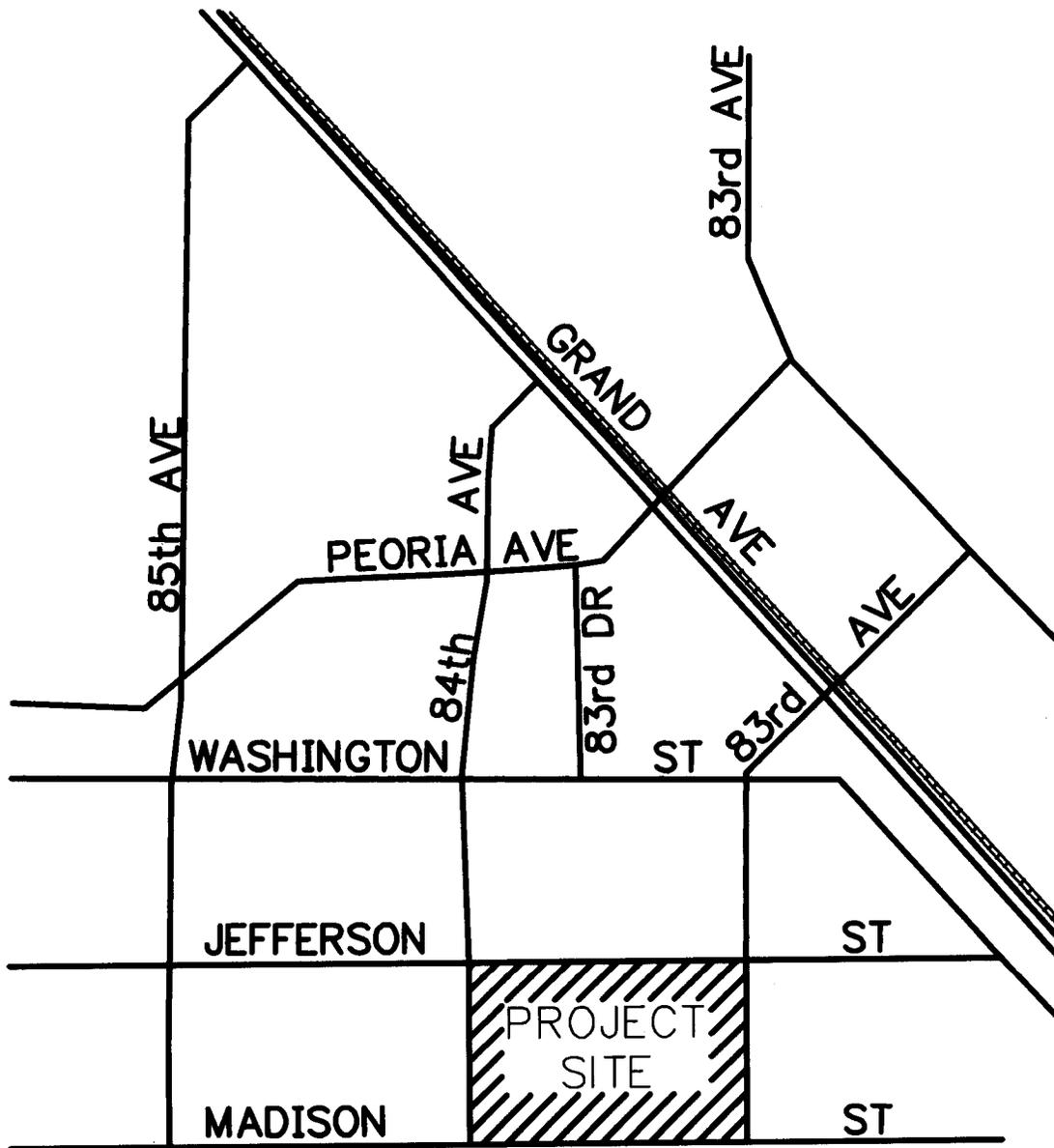
Exhibit(s):

Exhibit 1: Final Plat

Exhibit 2: Vicinity Map

Contact Name and Number:

Jesse Gonzales, Associate Engineer: 623-773-7548



VICINITY MAP

N.T.S.

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 7C

Date Prepared: February 6, 2012

Council Meeting Date: March 6, 2012

TO: Carl Swenson, City Manager

FROM: Scott Whyte, Economic Development Services Director

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Final Plat of Sunset Ranch IIC, Lake Pleasant Parkway north of Williams Road
(Project No. R110044)

Purpose:

This is a request for City Council to approve a Final Plat of Sunset Ranch IIC, located on Lake Pleasant Parkway north of Williams Road, and authorize the Mayor and City Clerk to sign and record the Final Plat with the Maricopa County Recorder's Office subject to the following stipulations:

1. All civil and landscape/irrigation plans must be approved by the City of Peoria (City) prior to recordation of the Final Plat.
2. An approval of design from the City Engineering Department for the necessary improvements in accordance with the City Subdivision Regulations, as determined by the City Engineer, must be obtained prior to recording the Final Plat.
3. The developer must provide a financial assurance in the amount agreed upon by the City Engineer and an Agreement to Install for construction of the infrastructure improvements in accordance with the City Subdivision Regulations, prior to recordation of the Final Plat.
4. In the event that the Final Plat is not recorded within 60 days of Council approval, the Final Plat will become void. The developer may request re-approval from the City, with the understanding that the City has the option of imposing additional requirements or stipulations.

Background/Summary:

The purpose of the Final Plat is to plat a 16 lot subdivision for residential use. This development is within the City's water\sewer service area. All internal roadways are public and are being dedicated to the City.

Previous Actions:

The preliminary plat was approved by the City in December 2006, with 86 lots. After approval of the preliminary plat, the developer chose to phase the subdivision, and the 86 lots will make up five Final Plats. The Final Plat for Sunset Ranch IIB (29 lots) was approved by the City in September 2010 and recorded. The Final Plat for Sunset Ranch IIA (34 lots) was approved by the City in September 2011 and recorded.

Options:

A: The Final Plat has been approved through the Economic Development Services Department. An option would be to not accept the proposed Final Plat; although it should be noted that not approving the Final Plat will prevent the Developer from developing this land.

B: The other option would be to formally approve the Final Plat and allow this parcel to be developed.

Staff's Recommendation:

Staff recommends the approval and subsequent recordation of the attached Final Plat.

Fiscal Analysis:

There is no direct budgetary impact to the City to approve the Final Plat.

Narrative:

The acceptance of this Final Plat by City Council will allow the developer to move forward in developing this property.

Exhibit(s):

Exhibit 1: Final Plat

Exhibit 2: Vicinity Map

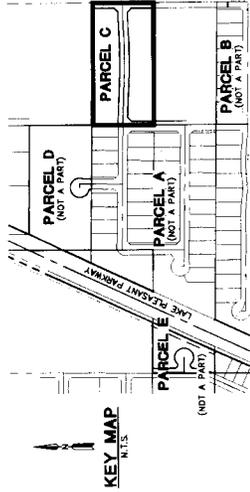
Contact Name and Number:

Jodi Breyfogle, PE, CFM: 623-773-7577

SUNSET RANCH II - PARCEL C FINAL PLAT

PEORIA, ARIZONA

A PORTION OF THE NORTHEAST QUARTER OF SECTION 17,
TOWNSHIP 4 NORTH, RANGE 11 EAST OF THE GILA AND SALT RIVER
BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA



SHEET INDEX
01 COVER SHEET
02 FINAL PLAT - PARCEL C

DEDICATION

STATE OF ARIZONA } 85
COUNTY OF MARICOPA

KNOW ALL MEN BY THESE PRESENTS, THAT WOODSIDE ENCORE AT SUNSET RANCH, LLC, AN ARIZONA CORPORATION, AS OWNER, HAS SUBMITTED UNDER THE FINAL PLAT "SUNSET RANCH II - PARCEL C," A PORTION OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 4 NORTH, RANGE 11 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, TO THE CITY OF PEORIA, ARIZONA, FOR THE USE AND ENJOYMENT OF THE CITY OF PEORIA, ARIZONA, AS A TRUCK ROUTE, TO BE KNOWN AS "LAKE PLEASANT PARKWAY." AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND WIDTH OF SAID TRUCK ROUTE AND STREET BEARING TO BE KNOWN BY THE NUMBER, LETTER AND NAME THAT IS GIVEN TO EACH RESPECTIVELY ON SAID PLAT. WOODSIDE ENCORE AT SUNSET RANCH, LLC, AN ARIZONA CORPORATION, IN MARICOPA COUNTY, ARIZONA, ITS SUCCESSORS AND ASSIGNS (THE CITY), FOR USE AS SUCH, THE STREETS AS SHOWN ON SAID PLAT AND INCLUDING ALL PUBLIC UTILITY EASEMENTS THEREIN DEDICATED TO THE CITY OF PEORIA, ARIZONA, FOR USE AS SUCH, THE MAINTENANCE OF LANDSCAPING WITH THE RIGHT OF WAY SHALL BE THE RESPONSIBILITY OF THE FRONTING PROPERTY OWNER.

TRACTS J, K, AND L ARE HEREBY DECLARED AS COMMON AREA FOR THE USE AND ENJOYMENT OF THE CITY OF PEORIA, ARIZONA, AND THE CITY OF PEORIA, ARIZONA, SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF LANDSCAPING WITH THE RIGHT OF WAY SHALL BE THE RESPONSIBILITY OF THE FRONTING PROPERTY OWNER. THE CITY OF PEORIA, ARIZONA, SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF LANDSCAPING WITH THE RIGHT OF WAY SHALL BE THE RESPONSIBILITY OF THE FRONTING PROPERTY OWNER. THE CITY OF PEORIA, ARIZONA, SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF LANDSCAPING WITH THE RIGHT OF WAY SHALL BE THE RESPONSIBILITY OF THE FRONTING PROPERTY OWNER.

OWNER'S AGREEMENT: THE COMPLETION OF CONSTRUCTION, ALL LOTS WILL BE ACCURATELY STAKED AND MARKED WITH PERMANENT MARKERS, AS DEMONSTRATED ON THIS PLAT AND A CERTIFICATION FILED WITH MARICOPA COUNTY BY AN ARIZONA REGISTERED LAND SURVEYOR. CERTIFYING SUCH LOTS ARE BEING CONVEYED TO THE CITY OF PEORIA, ARIZONA, FOR THE USE AND ENJOYMENT OF THE CITY OF PEORIA, ARIZONA, AND HEREBY AGREES TO THE TYPE OF MARKERS USED.

IN WITNESS WHEREOF: THE UNDERSIGNED, WOODSIDE ENCORE AT SUNSET RANCH, LLC, AN ARIZONA CORPORATION, AS OWNER, HAVE HERETO CAUSED THEIR NAMES TO BE AFFIXED AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF THE CITY OF PEORIA, ARIZONA, ON THIS _____ DAY OF _____, 2012.

WOODSIDE ENCORE AT SUNSET RANCH, LLC, AN ARIZONA CORPORATION
BY: _____ DATE: _____
ITS: _____

ACKNOWLEDGMENT

STATE OF ARIZONA } 85
COUNTY OF MARICOPA

ON THIS _____ DAY OF _____, 2012, BEFORE ME THE UNDERSIGNED PERSONAL NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF, I HAVE HEREONTO SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC DATE: _____
MY COMMISSION EXPIRES: _____

NOTES

1. THIS SUBDIVISION IS SUBJECT TO A MAINTENANCE IMPROVEMENT DISTRICT (MID _____) AND STREET LIGHT IMPROVEMENT DISTRICT (SLID _____) AS REQUIRED.
2. NO CONSTRUCTION OF ANY KIND SHALL BE CONSTRUCTED OR PLACED WITHIN THE UTILITY EASEMENTS, EXCEPT UTILITIES, WOOD, WIRE OR REMOVABLE SECTION TYPE FENCING, AND/OR PAVING NOT IN PLANNING EXCEPT GRASS. IT SHALL BE FURNISHED AND MAINTAINED BY THE OWNER OF THE PROPERTY. ALL UTILITIES SHALL BE INSTALLED AND MAINTAINED BY THE OWNER OF THE PROPERTY. ALL UTILITIES SHALL BE INSTALLED AND MAINTAINED BY THE OWNER OF THE PROPERTY.
3. ALL NEW AND EXISTING UTILITY, ELECTRICAL FACILITIES LESS THAN 60 VOLTS, CABLE TV, TELECOMMUNICATIONS, REFRIGERATION, CELLULAR, GAS, ETC. SHALL BE INSTALLED UNDERGROUND AS PART OF THE STREET IMPROVEMENTS. CONSTRUCTION OF RECREATION TRAILS SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION.
4. MAINTENANCE OF SURFACE AND UNDERGROUND DRAINAGE FACILITIES WITHIN ALL TRACTS, EASEMENTS AND RIGHT-OF-WAY SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION.
5. ALL LOT CORNERS SHALL BE MONUMENTED WITH 1/2" REBAR AND CAPPED OR TAGGED BEARING THE REGISTRATION NUMBER OF THE SURVEYOR RESPONSIBLE FOR THEIR PLACEMENT.
6. SOAKS, FENCES, WALLS, UTILITY BOXES, STRUCTURES, SHEDS, HEDGES OR PLANTS, BUT EXCLUDING TREES OVER 30 INCHES IN HEIGHT SHALL NOT BE PERMITTED WITHIN EASEMENTS OR THE RIGHT OF WAY EXCEPT PERMITTED. TREES ARE TO BE PLANTED TO AS NOT TO OBSTRUCT 50% OF THE VISIBILITY WHICH COINCIDES WITH THE SUBDIVISION.
7. THIS SUBDIVISION IS LOCATED WITHIN THE CITY OF PEORIA WATER SERVICE AREA AND HAS BEEN DESIGNATED AS HAVING A TRUCK ROUTE DESIGNATION UNDER MAP 100.
8. THIS SUBDIVISION IS LOCATED WITHIN THE CITY OF PEORIA SEWER SERVICE AREA.
9. THIS SUBDIVISION IS LOCATED WITHIN THE VICINITY OF A MILITARY AIRPORT.
10. THIS SUBDIVISION IS LOCATED IN THE VICINITY OF A DESIGNATED TRUCK ROUTE, LAKE PLEASANT PARKWAY, DESIGNATED AS A TRUCK ROUTE BY THE CITY OF PEORIA.
11. NO STRUCTURE OF ANY KIND BE CONSTRUCTED OR ANY VEGETATION BE PLANTED NOR BE ALLOWED TO GROW WITHIN THE EASEMENT OR DRAINAGE EASEMENT OR TRACT WHICH WOULD IMPED THE FLOW OF WATER OVER, UNDER, OR THROUGH THE EASEMENT OR TRACT.
12. AN ASSOCIATION, ENCORE AT SUNSET RANCH COMMUNITY ASSOCIATION, 858 19 AND WILL ANNEX THE ADDITIONAL PARCEL TRACT AREAS AS DETERMINED IN THE DEDICATION INSTRUMENT.
13. MAXIMUM BUILDING ENVELOPE ON EACH LOT IS 65%.

RATIFICATION AND APPROVAL

THE UNDERSIGNED, DULY APPOINTED PRESIDENT, ON BEHALF OF THE BOARD OF DIRECTORS OF THE CITY OF PEORIA, ARIZONA, DO HEREBY RATIFY AND APPROVE THE FINAL PLAT AND APPROVE ALL DESIGNATIONS OF AREAS OF COMMON RESPONSIBILITY SET FORTH HEREIN.

PULL KROFF, DIRECTOR DATE: _____

ACKNOWLEDGMENT FOR RATIFICATION AND APPROVAL

COUNTY OF MARICOPA } 85
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2012, BY PULL KROFF, DIRECTOR OF ENCORE AT SUNSET RANCH COMMUNITY ASSOCIATION, ON BEHALF OF THE ASSOCIATION.

APPROVALS

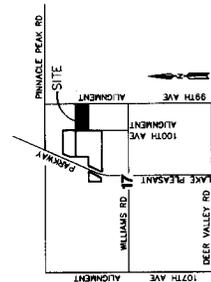
APPROVED BY THE COUNCIL OF THE CITY OF PEORIA, ARIZONA
THIS _____ DAY OF _____, 2012

ATTEST: MAYOR DATE: _____
CITY CLERK DATE: _____
CITY ENGINEER DATE: _____

Bowman CONSULTING
1900 South Phoenix Avenue, Suite 101
Phoenix, Arizona 85024
Phone: (480) 953-9800
Fax: (480) 953-9801
www.bowmanconsulting.com



VICINITY MAP
NOT TO SCALE



CIVIL ENGINEER
BOWMAN CONSULTING, LLC
3010 SOUTH PHOENIX DR., SUITE 101
PHOENIX, ARIZONA 85024
PHONE: (480) 953-9800
CONTACT: SHELBY D'OLIVER

DEVELOPER

WOODSIDE ENCORE AT SUNSET RANCH, LLC
10000 W. WILLOW AVE., SUITE 100, #100
MESA, ARIZONA 85201
PHONE: (480) 752-0901
CONTACT: PAUL BOYNT

FLOOD ZONE INFORMATION

THIS SUBDIVISION IS SUBJECT TO THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) FOR MARICOPA COUNTY, ARIZONA, ON COMMUNITY RATE MAP (FIRM) FOR MARICOPA COUNTY, ARIZONA, ON COMMUNITY RATE MAP (FIRM) NO. 46133C100H, DATED SEPTEMBER 30, 2005. THE SUBJECT PROPERTY IS LOCATED WITHIN THE 1% ANNUAL CHANCE FLOOD ZONE WITH AN AVERAGE DEPTH OF FEET 1.00 OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE. AREAS ARE PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOODS.

BASIS OF BEARING

THE BEARING AND DISTANCE OF THE NORTH-EAST QUARTER AND SALT TRAIL BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, SOUTH 80 DEGREES 34 MINUTES 34 SECONDS EAST.

CERTIFICATION

THE SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF NOVEMBER 2011. THAT THE MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE SET AS SHOWN, THAT THEIR POSITIONS ARE CORRECTLY SHOWN AND THAT SAID MONUMENTS ARE SUFFICIENT TO DUBLE THE SURVEY TO BE RETRACED.

BY: _____ DATE: 02/02/12
REGISTERED PROFESSIONAL SURVEYOR
REGISTRATION NO. 33315 AZ

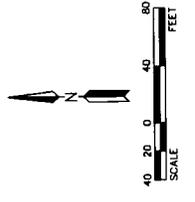
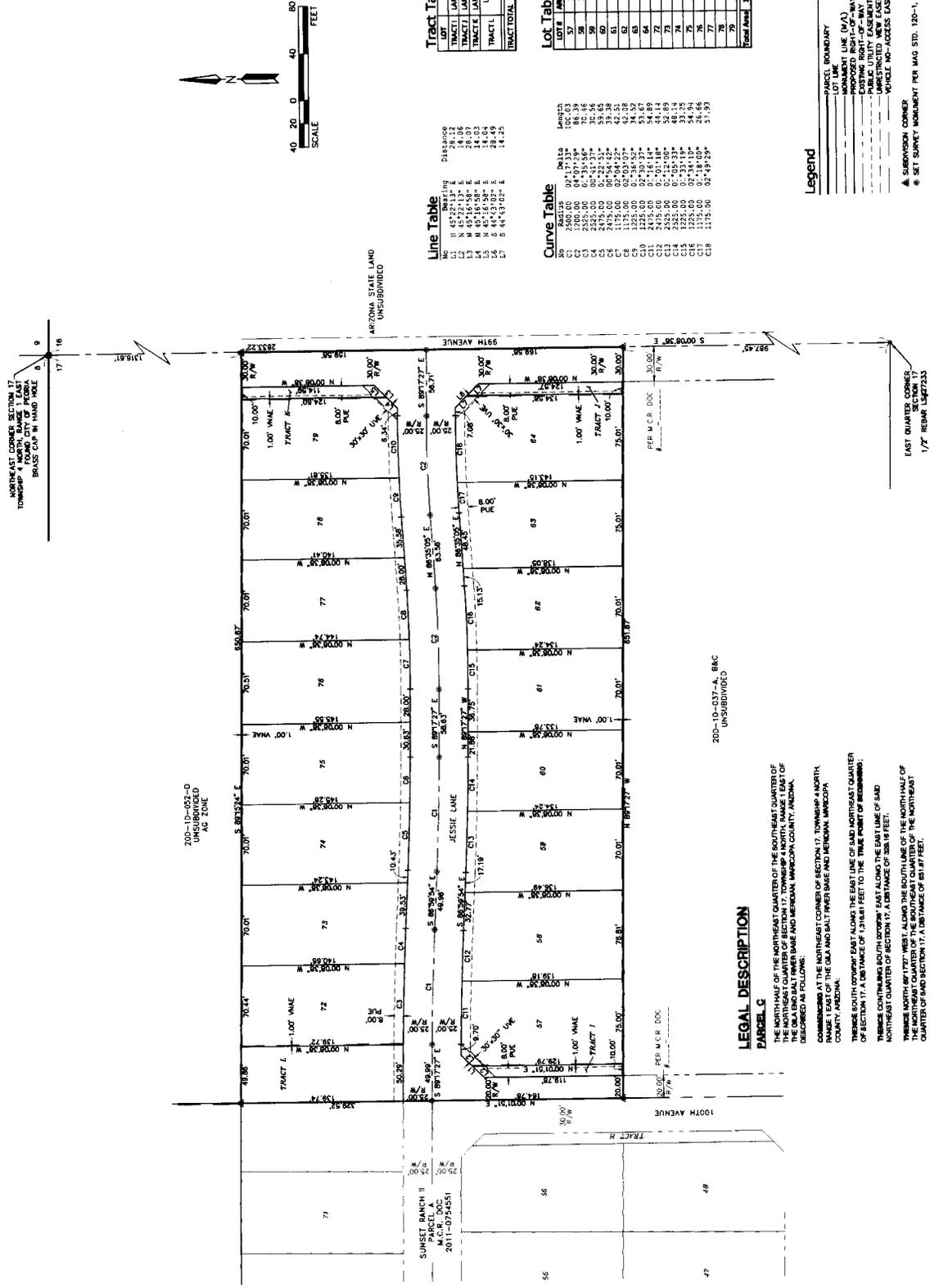
COUNTY RECORDER

FILED _____ DATE _____
BOOK _____ PAGE _____
RECORDED BY 15/13
RECORDED BY _____
FILED _____ DATE _____
SCALE

R110044

01 of 02

DATE: 02/20/12
PROJECT NO: 0008-02
SCALE: AS SHOWN
CLIENT: BH
QUALITY: BH
DATE: 11-14-10
03 of 02



Tract Table

TRACT	LAND NAME	AREA (AC)	ACRES
TRACT 1	LANDSCAPE OPEN SPACE, PUE	1.206	0.028
TRACT 2	LANDSCAPE OPEN SPACE, PUE	1.295	0.029
TRACT 3	LANDSCAPE OPEN SPACE, PUE	1.336	0.031
TRACT 4	LANDSCAPE OPEN SPACE, PUE	4.996	0.106
TRACT TOTAL		10.733	0.244

Line Table

NO.	START	END	DISTANCE
1	45222.113	45222.113	28.12
2	45161.548	45161.548	28.01
3	45161.548	45161.548	28.01
4	45161.548	45161.548	28.01
5	44743.025	44743.025	28.49
6	44743.025	44743.025	28.49
7	44743.025	44743.025	28.49

Curve Table

NO.	RADIUS	DELTA	LENGTH
1	2500.00	02°11'33"	100.03
2	1175.00	07°13'56"	70.16
3	2525.00	06°33'56"	101.46
4	2425.00	06°23'31"	99.65
5	2425.00	06°23'31"	99.65
6	2425.00	06°23'31"	99.65
7	2425.00	06°23'31"	99.65
8	1175.00	07°13'56"	70.16
9	1175.00	07°13'56"	70.16
10	1175.00	07°13'56"	70.16
11	2425.00	06°23'31"	99.65
12	2425.00	06°23'31"	99.65
13	2425.00	06°23'31"	99.65
14	2425.00	06°23'31"	99.65
15	2425.00	06°23'31"	99.65
16	2425.00	06°23'31"	99.65
17	1175.00	07°13'56"	70.16
18	1175.00	07°13'56"	70.16
19	1175.00	07°13'56"	70.16

- Legend**
- SUBDIVISION CORNER
 - MONUMENT LINE (M/L)
 - LOT LINE
 - MONUMENT LINE (M/L)
 - EXISTING RIGHT-OF-WAY (R/W)
 - PUBLIC UTILITY EASEMENT (PUE)
 - UNRESTRICTED EASEMENT (UNRES)
 - VEHICLE AND ACCESS EASEMENT (VAE)

▲ SUBDIVISION CORNER
 * SET SURVEY MONUMENT PER MAG. STD. 120-1, TYPE 'V'
 * SET SURVEY MONUMENT PER MAG. STD. 120-1, TYPE 'V'

LEGAL DESCRIPTION
PARCEL C

THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GULF AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

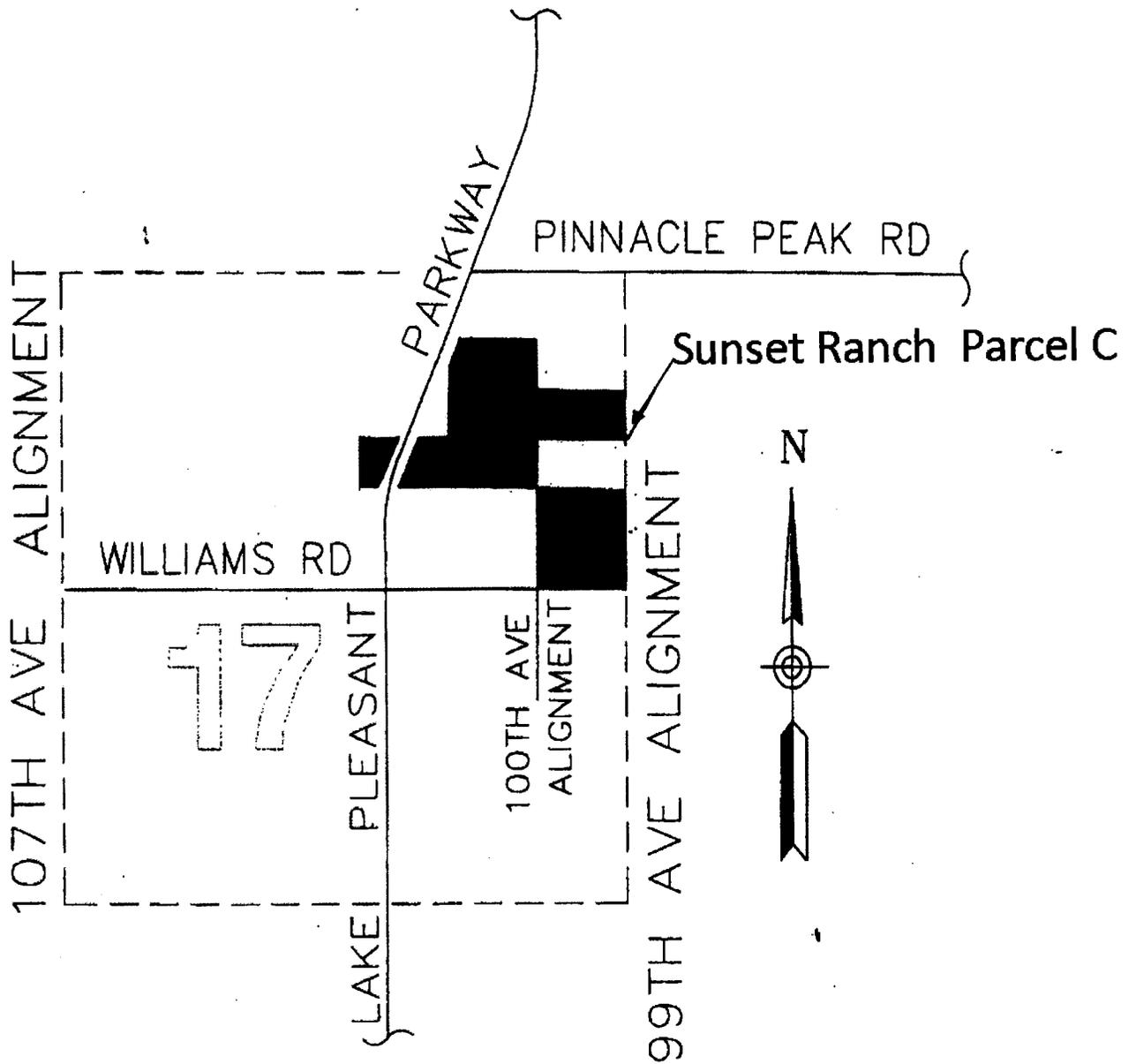
COMMENCING AT THE NORTHEAST CORNER OF SECTION 17, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GULF AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

THENCE SOUTH 09°09'54" EAST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 17, A DISTANCE OF 104.61 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 09°09'54" EAST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 17, A DISTANCE OF 80.07 FEET;

THENCE SOUTH 09°09'54" EAST, ALONG THE WEST LINE OF THE NORTH HALF OF SAID SECTION 17, A DISTANCE OF 80.07 FEET;

THENCE SOUTH 09°09'54" EAST, ALONG THE NORTH LINE OF THE NORTH HALF OF SAID SECTION 17, A DISTANCE OF 80.07 FEET TO THE TRUE POINT OF BEGINNING.



VICINITY MAP

NTS

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 8C

Date Prepared: February 6, 2012

Council Meeting Date: March 6, 2012

TO: Carl Swenson, City Manager

FROM: Scott Whyte, Economic Development Services Director

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Final Plat of Sunset Ranch IID, Lake Pleasant Parkway north of Williams Road
(Project No. R120005)

Purpose:

This is a request for City Council to approve a Final Plat of Sunset Ranch IID, located west of Lake Pleasant Parkway and north of Williams Road, and authorize the Mayor and City Clerk to sign and record the Final Plat with the Maricopa County Recorder's Office subject to the following stipulations:

1. All civil and landscape/irrigation plans must be approved by the City of Peoria (City) prior to recordation of the Final Plat.
2. An approval of design from the City Engineering Department for the necessary improvements in accordance with the City Subdivision Regulations, as determined by the City Engineer, must be obtained prior to recording the Final Plat.
3. The developer must provide a financial assurance in the amount agreed upon by the City Engineer and an Agreement to Install for construction of the infrastructure improvements in accordance with the City Subdivision Regulations, prior to recordation of the Final Plat.
4. In the event that the Final Plat is not recorded within 60 days of Council approval, the Final Plat will become void. The developer may request re-approval from the City, with the understanding that the City has the option of imposing additional requirements or stipulations.

Background/Summary:

The purpose of the Final Plat is to plat a 3 lot subdivision for residential use. This development is within the City's water\sewer service area. All internal roadways are public and are being dedicated to the City.

Previous Actions:

The preliminary plat was approved by the City in December 2006, with 86 lots. After approval of the preliminary plat, the developer chose to phase the subdivision, and the 86 lots will make up five Final Plats. The Final Plat for Sunset Ranch IIB (29 lots) was approved by the City in September 2010 and recorded. The Final Plat for Sunset Ranch IIA (34 lots) was approved by the City in September 2011 and recorded.

Options:

A: The Final Plat has been approved through the Economic Development Services Department. An option would be to not accept the proposed Final Plat; although it should be noted that not approving the Final Plat will prevent the Developer from developing this land.

B: The other option would be to formally approve the Final Plat and allow this parcel to be developed.

Staff's Recommendation:

Staff recommends the approval and subsequent recordation of the attached Final Plat.

Fiscal Analysis:

There is no direct budgetary impact to the City to approve the Final Plat.

Narrative:

The acceptance of this Final Plat by City Council will allow the developer to move forward in developing this property.

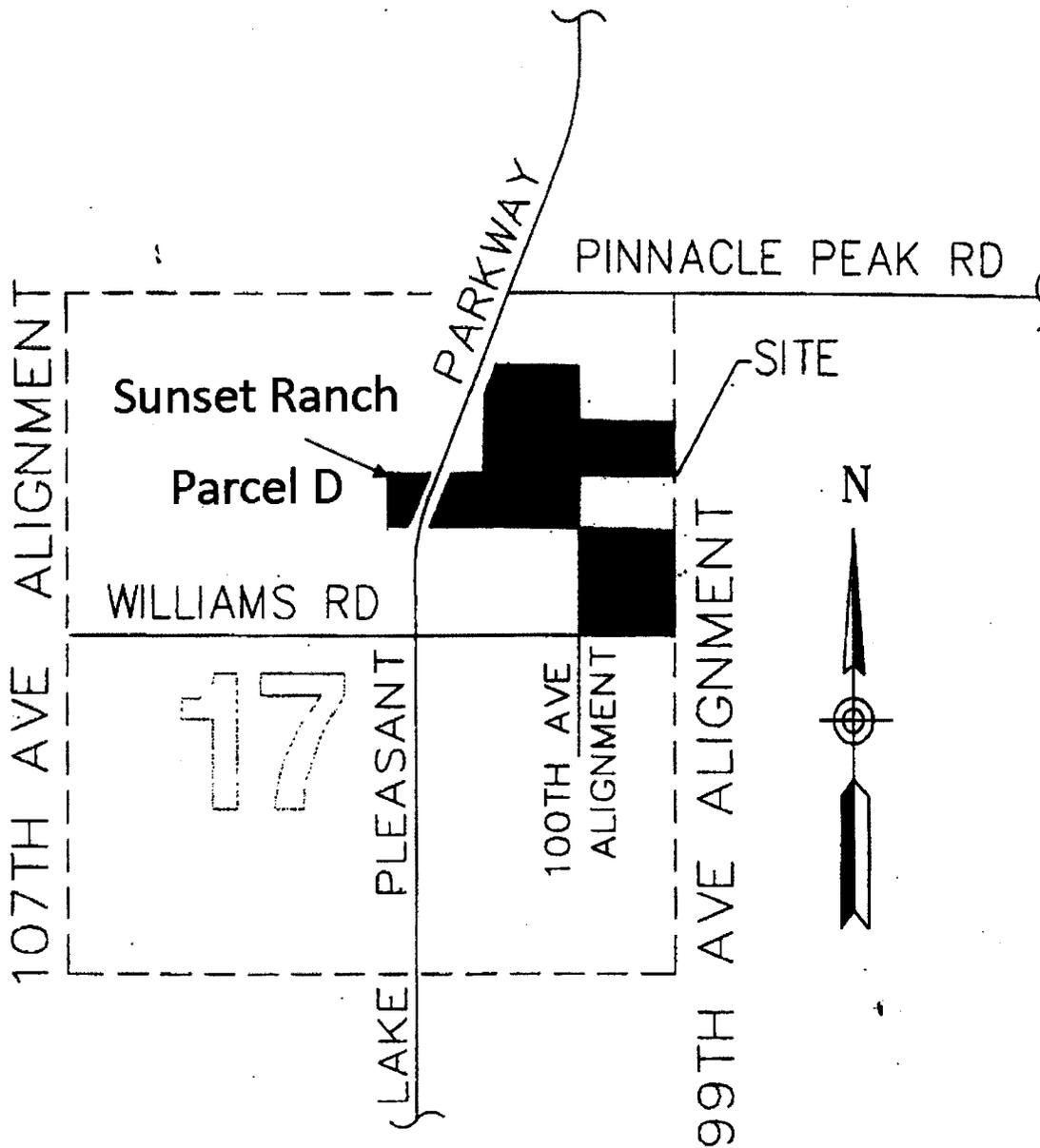
Exhibit(s):

Exhibit 1: Final Plat

Exhibit 2: Vicinity Map

Contact Name and Number:

Jodi Breyfogle, PE, CFM: 623-773-7577



VICINITY MAP

NTS

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 9C

Date Prepared: February 6, 2012

Council Meeting Date: March 6, 2012

TO: Carl Swenson, City Manager

FROM: Scott Whyte, Economic Development Services Director

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Final Plat of Sunset Ranch IIE, Lake Pleasant Parkway north of Williams Road
(Project No. R120006)

Purpose:

This is a request for City Council to approve a Final Plat of Sunset Ranch IIE, located on Lake Pleasant Parkway north of Williams Road, and authorize the Mayor and City Clerk to sign and record the Final Plat with the Maricopa County Recorder's Office subject to the following stipulations:

1. All civil and landscape/irrigation plans must be approved by the City of Peoria (City) prior to recordation of the Final Plat.
2. An approval of design from the City Engineering Department for the necessary improvements in accordance with the City Subdivision Regulations, as determined by the City Engineer, must be obtained prior to recording the Final Plat.
3. The developer must provide a financial assurance in the amount agreed upon by the City Engineer and an Agreement to Install for construction of the infrastructure improvements in accordance with the City Subdivision Regulations, prior to recordation of the Final Plat.
4. In the event that the Final Plat is not recorded within 60 days of Council approval, the Final Plat will become void. The developer may request re-approval from the City, with the understanding that the City has the option of imposing additional requirements or stipulations.

Background/Summary:

The purpose of the Final Plat is to plat a 5 lot subdivision for residential use. This development is within the City's water\sewer service area. All internal roadways are public and are being dedicated to the City.

Previous Actions:

The preliminary plat was approved by the City in December 2006, with 86 lots. After approval of the preliminary plat, the developer chose to phase the subdivision, and the 86 lots will make up five Final Plats. The Final Plat for Sunset Ranch IIB (29 lots) was approved by the City in September 2010 and recorded. The Final Plat for Sunset Ranch IIA (34 lots) was approved by the City in September 2011 and recorded.

Options:

A: The Final Plat has been approved through the Economic Development Services Department. An option would be to not accept the proposed Final Plat; although it should be noted that not approving the Final Plat will prevent the Developer from developing this land.

B: The other option would be to formally approve the Final Plat and allow this parcel to be developed.

Staff's Recommendation:

Staff recommends the approval and subsequent recordation of the attached Final Plat.

Fiscal Analysis:

There is no direct budgetary impact to the City to approve the Final Plat.

Narrative:

The acceptance of this Final Plat by City Council will allow the developer to move forward in developing this property.

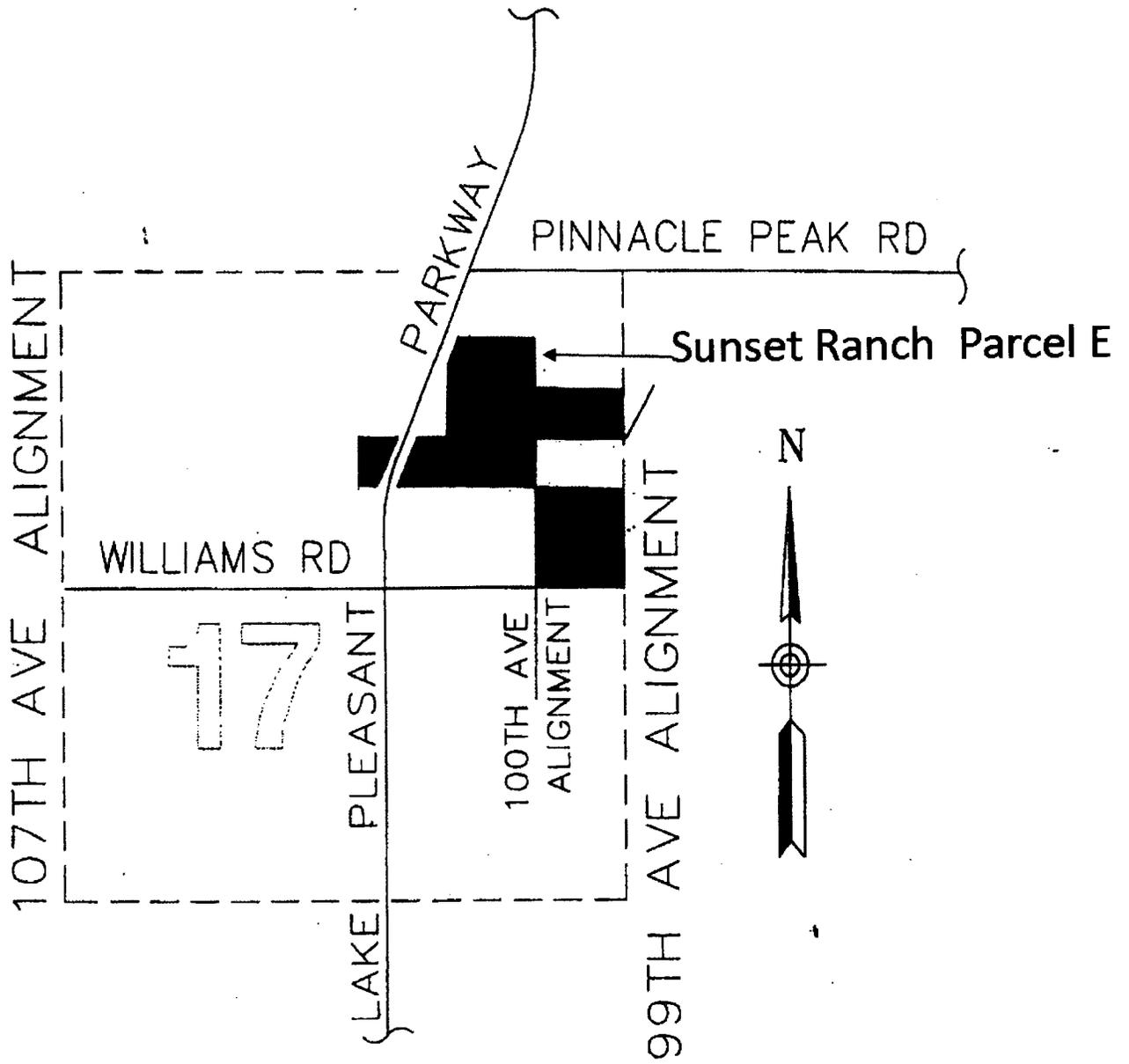
Exhibit(s):

Exhibit 1: Final Plat

Exhibit 2: Vicinity Map

Contact Name and Number:

Jodi Breyfogle, PE, CFM: 623-773-7577



VICINITY MAP

NTS

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 10C

Date Prepared: February 6, 2012

Council Meeting Date: March 6, 2012

TO: Carl Swenson, City Manager

FROM: Scott Whyte, Economic Development Services Director

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Condo Plat, Riverwalk Professional, Deer Valley Road and 77th Avenue (Project No. R070085A)

Purpose:

This is a request for City Council to approve a Condo Plat of Riverwalk Professional, located on Deer Valley Road and 77th Avenue, and authorize the Mayor and City Clerk to sign and record the Condo Plat with the Maricopa County Recorder's Office subject to the following stipulations:

1. In the event that the Condo Plat is not recorded within 60 days of Council approval, the Condo Plat will become void. The developer may request re-approval from the City, with the understanding that the City has the option of imposing additional requirements or stipulations.

Background/Summary:

The purpose of the Condo Plat is to establish condominium units within an existing commercial subdivision. This development is within the City's sewer service area.

Previous Actions:

The original Final Plat was reviewed by the City and approved in June 2008. It was recorded in Book 994, Page 1.

Options:

A: The Condo Plat has been approved through the Economic Development Services Department. An option would be to not accept the proposed Condo Plat; although it should be noted that not approving the Condo Plat will prevent the Developer from marketing these condo units.

B: The other option would be to formally approve the Condo Plat and allow this site to be further marketed and developed.

Staff's Recommendation:

Staff recommends the approval and subsequent recordation of the attached Condo Plat.

Fiscal Analysis:

There is no direct budgetary impact to the City to approve the Condo Plat.

Narrative:

The acceptance of this Condo Plat by City Council will allow the developer to move forward in marketing this property.

Exhibit(s):

Exhibit 1: Condo Plat

Exhibit 2: Vicinity Map

Contact Name and Number:

Jodi Breyfogle, PE, CFM: 623-773-7577

DEDICATION
 STATE OF ARIZONA } ss
 COUNTY OF MARICOPA

77th AVENUE RIVER WALK, L.L.C. AN ARIZONA LIMITED LIABILITY COMPANY,
 AS OWNER, DOES HEREBY PUBLISH THIS CONDOMINIUM PLAT OF THE
 "RIVERWALK PROFESSIONAL CENTER NORTH", OVER A PORTION OF THE
 WEST HALF OF THE MERIDIAN TOWNSHIP 4 NORTH, RANGE 1 EAST, GILA
 MARICOPA COUNTY, ARIZONA, AS SHOWN AND PLATED HEREON AND
 HEREBY PUBLISH THIS CONDOMINIUM PLAT AS, AND FOR, THE RIVERWALK
 CONDOMINIUM PLAT. THE CONDOMINIUM PLAT SETS FORTH THE LOCATION
 AND ONE OF THE DIMENSIONS OF THE LOTS, TRACTS, EASEMENTS
 AND STREETS, CONSTITUTING THE NUMBER, LETTER OR NAME GIVEN TO
 EACH, RESPECTIVELY, ON SAID CONDOMINIUM PLAT AND HEREBY DEDICATES
 TO THE CITY OF PEORIA FOR USE, AS SUCH, THE STREET AS SHOWN ON
 SAID CONDOMINIUM PLAT. THE CITY OF PEORIA HAS REVIEWED THE
 PROGRESS, PRESENT AND PROPOSED PLANS AND APPROVED THE
 DEDICATION AND DEDICATIONS STATED ON OR WITHIN THE FINAL PLAT
 AS OWNED BY THE CITY OF PEORIA, MARICOPA COUNTY RECORDS, IN BOOK
 984, PAGE 21, MARICOPA COUNTY RECORDS, SHALL REMAIN IN FULL
 FORCE AND EFFECT WITH THE RECORDATION OF THIS REPLAT.
 THE OWNER DOES HEREBY GRANT AND CONVEY TO THE PUBLIC,
 NON-EXCLUSIVE PERMANENT AND PERPETUAL CROSS ACCESS EASEMENTS
 FOR VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS (BUT NOT
 PARKING) AND CROSSING OF THE STREET AS SHOWN ON SAID PLAT
 (INCLUDING BUT NOT LIMITED TO THE CROSSING OF THE STREET AS SHOWN ON
 SAID CONDOMINIUM PLAT) AND SHALL BE BINDING UPON DEER VALLEY
 SERVICE CENTER, LLC, SUCCESSORS AND ASSIGNS.

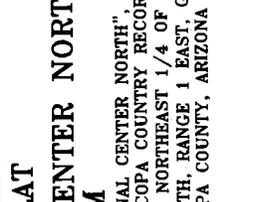
IN WITNESS WHEREOF, OWNER HAS HERETO CAUSED ITS CORPORATE
 NAME TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY THE
 UNDERSIGNED, DULY AUTHORIZED OFFICER, _____, 2012
 THIS _____ DAY OF _____, 2012
 IN WITNESS WHEREOF:
 77TH AVENUE RIVER WALK, L.L.C. AN ARIZONA LIMITED LIABILITY COMPANY,
 BY: _____ DATE: _____
 TITLES: _____

ACKNOWLEDGEMENT:
 STATE OF ARIZONA } ss
 COUNTY OF MARICOPA

ON THIS _____ DAY OF _____, 2012, BEFORE ME, THE
 UNDERSIGNED, PERSONALLY APPEARED JAY SMITH, WHO ACKNOWLEDGED
 HIMSELF TO BE THE OWNER OF THE FOREGOING INSTRUMENT AND
 THAT HE SIGNED THE SAME AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR
 THE PURPOSES THEREIN CONTAINED.
 IN WITNESS WHEREOF, I HEREINTO SET MY HAND AND OFFICIAL SEAL
 AT _____, ARIZONA, THIS _____ DAY OF _____, 2012.
 BY: _____ MY COMMISSION EXPIRES _____

CONDOMINIUM PLAT FOR "RIVERWALK PROFESSIONAL CENTER NORTH" A CONDOMINIUM

A CONDOMINIUM PLAT OF "RIVERWALK PROFESSIONAL CENTER NORTH", AS
 RECORDED IN BOOK 984 OF MAPS, PAGE 21, MARICOPA COUNTY RECORDS,
 LOCATED IN A PORTION OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE
 NORTHEAST 1/4 OF SECTION 23 TOWNSHIP 4 NORTH, RANGE 1 EAST, GILA
 AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA



VICINITY MAP
 SCALE: 1" = 100'

OWNER: RIVER WALK, L.L.C.
 9631 W. GAMBRI TRAIL
 PEORIA, AZ 85383
 CONTACT: JAY SMITH
 (602) 998-1883

SURVEYOR: INFINITY ENGINEERING SERVICES, LTD
 40005001190 N. DATED SEPTEMBER 30, 2012; THIS
 PROPERTY IS LOCATED IN FLOOD ZONE X2, AREAS OF AVERAGE
 DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS
 THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM
 100-YEAR FLOOD.

PLAT CERTIFICATION
 THIS IS TO CERTIFY THAT THE SURVEY OF THE PREMISES
 DESCRIBED AND PLATED HEREON WAS MADE UNDER MY
 PERSONAL SUPERVISION AND THAT I AM A LICENSED SURVEYOR
 WHO IS TRUE AND CORRECT AS SHOWN; THAT THE
 MONUMENTS SHOWN ACTUALLY EXIST OR HAVE BEEN
 RECORDED IN THE PUBLIC RECORDS AND THAT THE
 MONUMENTS ARE SUFFICIENT TO EMBLE THE SURVEY TO BE
 RETRACTED.

APPROVAL
 ON THIS _____ DAY OF _____, 2012,
 BY: _____ MAYOR
 ATTEST: _____ CITY CLERK
 FOR CITY ENGINEER: _____

DRAMA BY: N.C.
CHECKED BY: 01/23/12
DATE: 01/23/12
PROJECT #: 11-104
LAST MODIFIED BY:

INFINITY ENGINEERING SERVICES, LTD.
 40005001190 N. DATED SEPTEMBER 30, 2012; THIS
 PROPERTY IS LOCATED IN FLOOD ZONE X2, AREAS OF AVERAGE
 DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS
 THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM
 100-YEAR FLOOD.

CONDOMINIUM PLAT
 FOR
 "RIVERWALK PROFESSIONAL CENTER NORTH"
 A CONDOMINIUM

NOTES:
 1. NO CONSTRUCTION OF ANY KIND SHALL BE CONSTRUCTED OR PLACED WITHIN THE
 TYPE FENCING AND/OR PAVING, NOR ANY PLANTING EXCEPT GRASS. IT SHALL
 BE FURTHER UNDERSTOOD THAT THE CONSTRUCTION THAT MUST BE COMPLETED
 THE COURSE OF MAINTENANCE, CONSTRUCTION OR RECONSTRUCTION.
 2. ALL NEW AND EXISTING UTILITIES, CELLULAR TOWERS, ETC. SHALL BE
 INSTALLED UNDERGROUND AS PART OF THE STREET IMPROVEMENTS. WITHIN ALL
 MAINTENANCE EASEMENTS AND PORTS OF WAY SHALL BE THE RESPONSIBILITY OF THE
 HOMEOWNERS ASSOCIATION.
 3. ALL LOT CORNERS SHALL BE SUBSTANTIATED WITHIN 1/2" BEAR AS CORRODED OR
 FOR THEIR PLACEMENT. THE NUMBER OF THE SURVEYOR RESPONSIBLE FOR
 PLACING THE CORNERS SHALL BE SHOWN ON THE PLAT.
 4. PERMANENT EASEMENTS, INCLUDING TREES OVER 30 INCHES IN HEIGHT SHALL NOT BE
 PERMITTED WITHIN VIEW EASEMENTS OR THE SHORT DISTANCE TRIANGLES. NOT
 BELOW 14 INCHES ARE PERMITTED. TREES ARE TO BE PLANTED SO AS NOT TO
 OBSTRUCT VIEW OF THE VISIBILITY WHEN COMBINED WITH OTHER OBSTRUCTIONS.
 5. SERVICE AREA AND HAS BEEN DESIGNATED AS HAVING A 100-YEAR ASSIGNED
 WATER SUPPLY.
 6. THIS SUBDIVISION IS LOCATED WITHIN THE CITY OF PEORIA SEWER SERVICE AREA.
 7. THIS SUBDIVISION IS LOCATED WITHIN THE VICINITY OF A MILITARY AIRPORT.
 8. THIS SUBDIVISION IS LOCATED WITHIN THE VICINITY OF A RESERVATION OF THE CITY OF PEORIA.
 9. THIS SUBDIVISION IS LOCATED WITHIN THE VICINITY OF A ROCK QUARRY (PRAMEL
 OPERATIONS).
 10. THIS SUBDIVISION IS LOCATED WITHIN THE VICINITY OF A ROCK QUARRY (PRAMEL
 OPERATIONS).
 11. NO CONSTRUCTION OF ANY KIND BE CONSTRUCTED OR ANY ACQUISITION BE PLANTED
 SHALL BE ALLOWED TO GO WITHIN THE DRAINAGE EASEMENT OR TRACT WHICH
 WOULD IMPAIR THE FLOW OF WATER OVER, UNDER, OR THROUGH THE EASEMENT.
 12. BE FORMED AND HAVE THE RESPONSIBILITY FOR MAINTAINING ALL COMMON AREAS
 DRAINAGE FACILITIES IN ACCORDANCE WITH APPROVED PLANS.
 13. ALL INTERIOR UNIT BOUNDARIES (BOUNDARIES BETWEEN SPECIFIC UNITS AND/OR
 SPECIFIC COMMON AREAS) DENY ANY INDIVIDUALLY BEARING PORTION OF THAT
 WALL, DUCT, WIRE, CONDUIT, OR OTHER FUTURE WITHIN THAT WALL ARE
 IDENTIFIED THROUGHOUT THE WALLS AREA, A PART OF THE UNIT.
 14. ALL EXTERIOR UNIT BOUNDARIES (BOUNDARIES BETWEEN SPECIFIC UNITS AND
 NON-IDENTIFIED EXTERIOR COMMON AREA) ARE IDENTIFIED THROUGHOUT THE WALL, DUCT,
 WIRE, CONDUIT, OR OTHER FUTURE LIVING WITHIN THE UNIT BOUNDARIES ARE
 IDENTIFIED AS COMMON ELEMENTS. ALL LAWN, FINISH MATERIALS, AND
 FINISH MATERIALS ON THE WALLS ARE A PART OF THE UNIT.

SHEET INDEX
 CB.01 - COVER SHEET
 CB.02 - SMALL LOT UNIT DIMENSIONS
 CB.03 - SOUTH PORTION - CONDOMINIUM PLAT
 CB.04 - SOUTH PORTION - CONDOMINIUM PLAT
 CB.05 - UNIT DIMENSIONS
 CB.06 - UNIT DIMENSIONS
 CB.07 - UNIT DIMENSIONS

BENCH MARK
 BRASS CAP IN HAND HOLE AT THE
 INTERSECTION OF 75th AVENUE AND DEER
 (ELEVATION = 1284.577 C.O.P. DATUM)

FLOOD ZONE
 ACCORDING TO THE FLOOD INSURANCE RATE MAP
 #40005001190 N. DATED SEPTEMBER 30, 2012; THIS
 PROPERTY IS LOCATED IN FLOOD ZONE X2, AREAS OF AVERAGE
 DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS
 THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM
 100-YEAR FLOOD.

AREAS
 SUBDIVISION (NET) = 551.895 ACRES(±) OR 15.67 ACRES(±)
 LOT 1 (NET) = 190.727 ACRES(±) OR 4.15 ACRES(±)
 LOT 2 (NET) = 121.023 ACRES(±) OR 2.78 ACRES(±)
 TRACT A (NET) = 250.335 ACRES(±) OR 5.74 ACRES(±)

BASIS OF BEARINGS
 THE SECTION 23, TOWNSHIP 4 NORTH, RANGE 1 EAST,
 NORTH 89°30'41" EAST

LEGAL DESCRIPTION
 RIVERWALK PROFESSIONAL CENTER NORTH, AS RECORDED IN
 MARICOPA COUNTY RECORDS, PAGE 21, RECORDS OF MARICOPA
 COUNTY, ARIZONA

Parcel Table

UNIT ID #	AREA	PERIMETER
1000	1175.98	158.67
1005	1056.00	132.00
1010	1175.97	155.25
1015	1214.48	166.67
1020	1056.00	132.00
1025	1271.33	154.67
1100	7014.64	479.33
1200	1175.97	155.25
1300	1056.00	132.00
1400	1207.98	166.67
1405	1176.00	140.00
1410	815.34	121.17
1415	2844.47	260.83
1420	900.37	277.33
1425	827.64	124.17
1430	1053.33	132.00
1440	1149.22	165.33
1500	1076.00	133.33
1510	1076.00	133.33
1515	943.33	125.33
1520	1060.00	133.33
1525	943.33	125.33
1530	1187.92	161.33
1535	1234.24	186.00
1540	1076.00	133.33
1545	1076.00	133.33
1550	943.33	125.33

Parcel Table

UNIT ID #	AREA	PERIMETER
1555	1087.94	133.33
1560	933.33	125.33
1565	1227.34	168.00
1570	1175.97	155.25
1575	1056.00	132.00
1580	1202.65	168.67
1585	1205.33	162.67
1590	1062.00	132.00
1625	1214.14	162.67
1635	1214.14	162.67
1645	1076.00	133.33
1655	1309.33	162.67
1665	1056.00	132.00
1675	1210.59	166.67
1685	1056.00	132.00
1695	1309.33	162.67
1700	1056.00	132.00
1705	1056.00	132.00
1710	1056.00	132.00
1715	1056.00	132.00
1720	1056.00	132.00
1725	1210.59	166.67
1730	1056.00	132.00
1735	1056.00	132.00
1740	1056.00	132.00
1745	1056.00	132.00
1750	1056.00	132.00
1755	1056.00	132.00
1760	1056.00	132.00
1765	1056.00	132.00
1770	1056.00	132.00
1775	1056.00	132.00
1780	1056.00	132.00
1785	1056.00	132.00
1790	1056.00	132.00
1795	1056.00	132.00
1800	1056.00	132.00
1805	1056.00	132.00
1810	1056.00	132.00
1815	1056.00	132.00
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1830	1056.00	132.00
1835	1056.00	132.00
1840	1056.00	132.00
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1850	1056.00	132.00
1855	1056.00	132.00
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1865	1056.00	132.00
1870	1056.00	132.00
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2015	1056.00	132.00
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2040	1056.00	132.00
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2065	1056.00	132.00
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2090	1056.00	132.00
2095	1056.00	132.00
2100	1056.00	132.00
2105	1056.00	132.00
2110	1056.00	132.00
2115	1056.00	132.00
2120	1056.00	132.00
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2130	1056.00	132.00
2135	1056.00	132.00
2140	1056.00	132.00
2145	1056.00	132.00
2150	1056.00	132.00
2155	1056.00	132.00
2160	1056.00	132.00
2165	1056.00	132.00
2170	1056.00	132.00
2175	1056.00	132.00
2180	1056.00	132.00
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2255	1056.00	132.00
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2270	1056.00	132.00
2275	1056.00	132.00
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2290	1056.00	132.00
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2400	1056.00	132.00
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2430	1056.00	132.00
2435	1056.00	132.00
2440	1056.00	132.00
2445	1056.00	132.00
2450	1056.00	132.00
2455	1056.00	132.00
2460	1056.00	132.00
2465	1056.00	132.00
2470	1056.00	132.00
2475	1056.00	132.00
2480	1056.00	132.00
2485	1056.00	132.00
2490	1056.00	132.00
2495	1056.00	132.00
2500	1056.00	132.00
2505	1056.00	132.00
2510	1056.00	132.00
2515	1056.00	132.00
2520	1056.00	132.00
2525	1056.00	132.00
2530	1056.00	132.00
2535	1056.00	132.00
2540	1056.00	132.00
2545	1056.00	132.00
2550	1056.00	132.00
2555	1056.00	132.00
2560	1056.00	132.00
2565	1056.00	132.00
2570	1056.00	132.00
2575	1056.00	132.00
2580	1056.00	132.00
2585	1056.00	132.00
2590	1056.00	

SURVEYOR
 MARY E. ENGINEERING
 P.O. BOX 2308
 1414 N. 7TH AVENUE
 85202-2605-1893

PROJECT
 RIVERWALK
 PROFESSIONAL CENTER NORTH
 PEORIA ARIZONA

LAST MODIFIED BY:
 PROJECT # 11-104
 SCALE: T = 50
 DATE: 12/28/11
 CHECKED BY: BLN
 DRAWN BY: MJC

GRAPHIC SCALE
 1 inch = 50 ft.
 (AS SHOWN)

APN 200-19-000
 DEER VALLEY SERVICE CENTER 88-994(231)
 INSTR. NO. 04-13350
 1" V.A.E.S.
 MCR

APN 200-19-000A
 TRACT A (RIVER CHANNEL)
 INSTR. NO. 07-087223

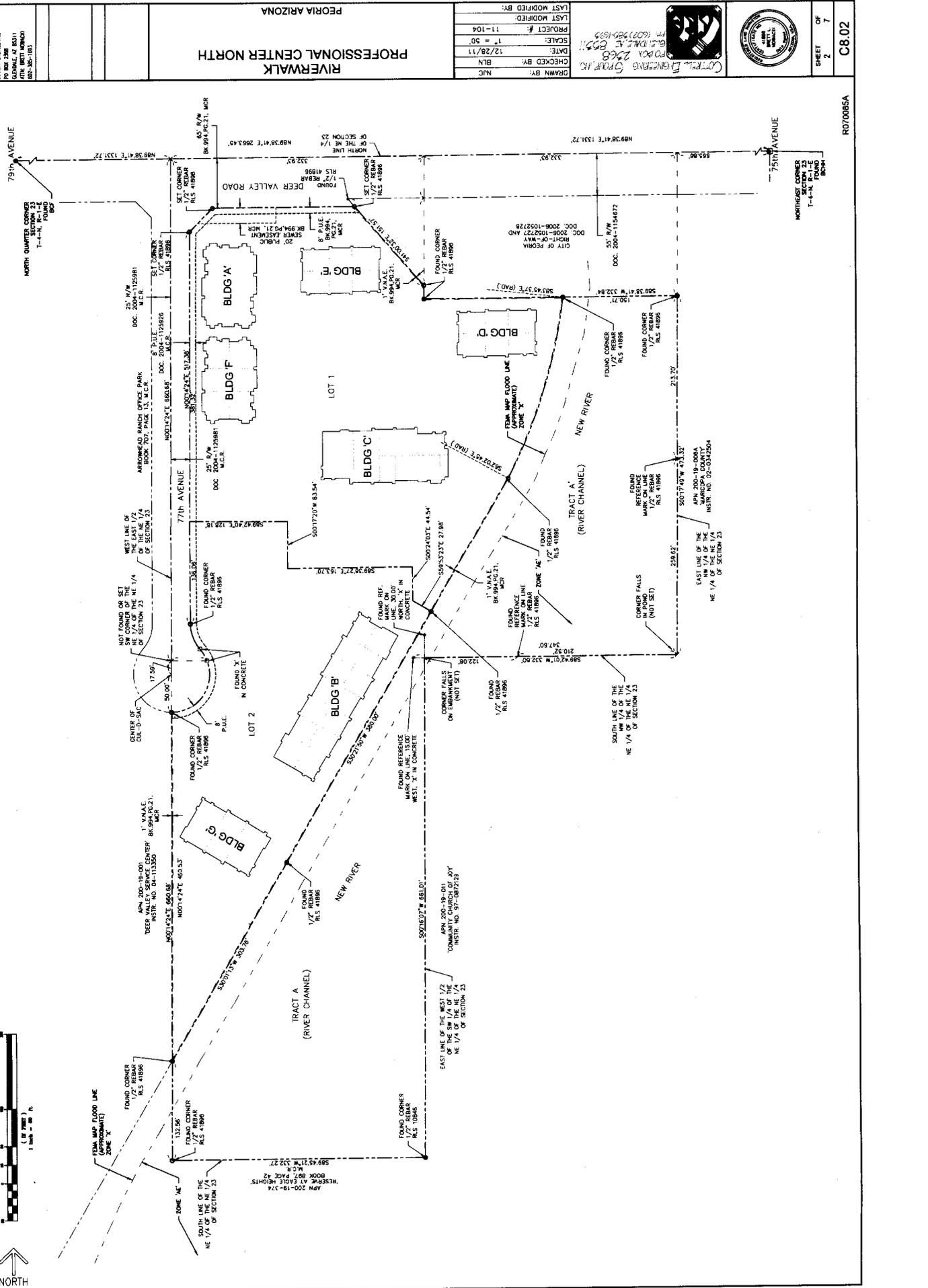
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 TRACT B (RIVER CHANNEL)
 INSTR. NO. 07-087223

APN 200-19-000C
 TRACT C (RIVER CHANNEL)
 INSTR. NO. 07-087223

APN 200-19-000D
 TRACT D (RIVER CHANNEL)
 INSTR. NO. 07-087223

APN 200-19-000E
 TRACT E (RIVER CHANNEL)
 INSTR. NO. 07-087223

APN 200-19-000F
 TRACT F (RIVER CHANNEL)
 INSTR. NO. 07-087223



SHEET 2 OF 7

C8.02

R070085A

PEORIA ARIZONA

PROFESSIONAL CENTER NORTH

RIVERWALK

LAST MODIFIED BY:

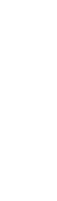
PROJECT #

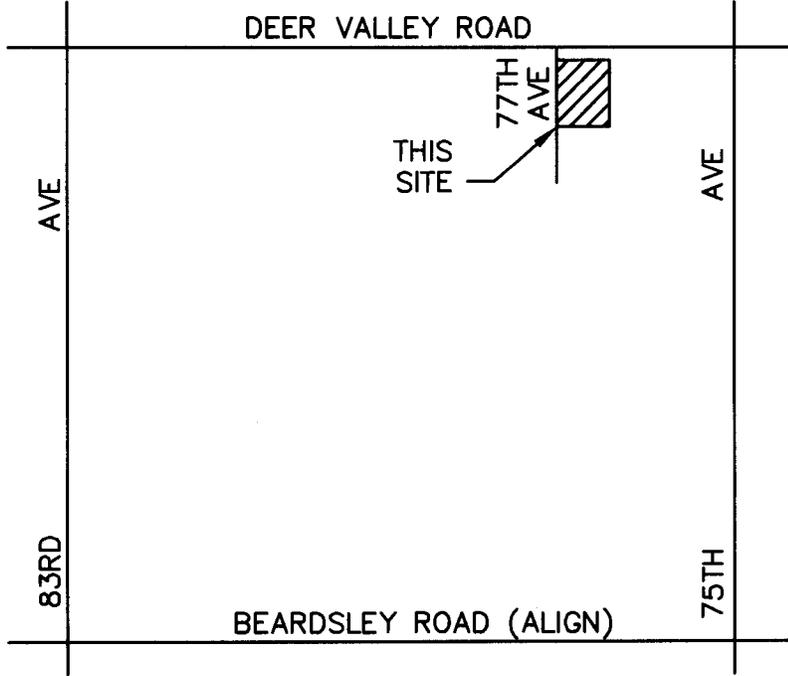
SCALE:

DATE:

CHECKED BY:

DRAWN BY:





VICINITY MAP

SCALE: NTS



**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 11R

Date Prepared: February 9, 2012

Council Meeting Date: March 6, 2012

TO: Honorable Mayor & City Council
FROM: Susan K. Thorpe, Deputy City Manager
THROUGH: Carl Swenson, City Manager
SUBJECT: Discussion and Approval of Reduction from Six to Four Council Subcommittees

Purpose:

This is a request for City Council to review and approve, or modify and approve, the recommendation to reduce Council Subcommittees from six to four, in accordance with Council direction at the February 7 Council meeting.

Background/Summary:

The City Council adopted Council Policy CP 1-10 on September 20, 2011. Since that time six Council subcommittees have been operating, with three Councilmembers on each subcommittee, a staff liaison and administrative support.

On February 7, the City Council at its regular meeting voted to reduce the number of subcommittees from six to four. The Council asked City staff to bring back a recommendation regarding this change.

In developing the proposal, staff reviewed the original recommendation of four subcommittees and are proposing the same, with some minor modifications, as shown in the attached exhibit.

Previous Actions:

Council initially discussed the concept, structure and process for subcommittees over a series of study sessions in June, July and August, 2011. Council adopted a Policy for Subcommittees on September 20, 2011 and subcommittees began meeting in Fall 2011.

Options:

- A. Discuss and approve the four subcommittees recommended in the attachment, or any modification thereof.
- B. Direct staff to gather more information on other options.

C. Continue operating with the current subcommittees.

Staff's Recommendation:

Staff recommends that the Council choose the recommended alternative, or make modifications as desired and adopt a revised Council Policy (CP) 1-10.

Fiscal Analysis:

There is no additional fiscal impact as a result of this action.

Narrative:

Following Council action to adopt the revised CP 1-10, reducing Subcommittees from six to four, there will need to be a future Council action to re-designate membership on each subcommittee (each councilmember could potentially serve on two subcommittees) , and subsequent action by the updated subcommittees to designate chairpersons and set regular meeting dates for the revised subcommittees.

Exhibit 1: Summary of subcommittees with recommendation

Exhibit 2: Spreadsheet of Subcommittees with members and meeting dates

Exhibit 3: Updated draft Council Policy

Contact Name and Number: Susan Thorpe, Deputy City Manager, ext. 7318

Summary of Alternatives – Moving from 6 to 4 Subcommittees, DRAFT March 6, 2012

CURRENT COUNCIL SUBCOMMITTEES (6 Subcommittees)	ORIGINAL STAFF RECOMMENDED - July 2011 (4 Subcommittees)	UPDATED STAFF RECOMMENDED – March 2012 (4 Subcommittees)
<p><u>1. Policy and Appointments</u> Policies Relating to: Appointments to Boards and Commission, Ethics, Charter Officers, Council Policies, City Charter</p>	<p><u>1. Policy and Appointments</u> Policies Relating to: Appointments to Boards and Commissions, Ethics, Charter Officers, Council Policy, City Charter, Elections</p>	<p><u>1. Policy and Appointments</u> Policies Relating to: Appointments to Boards and Commissions, Ethics, Charter Officers, Council Policy, City Charter, Elections</p>
<p><u>2. Community Culture</u> Policies Relating to: Arts, Libraries, Education, Cultural Events & Promotions, Parks, Recreation and Veteran's Affairs</p>	<p><u>2. Community Culture and Neighborhoods</u> Policies Relating to: Arts, Libraries, Education, Cultural Events & Promotions, P'arks, Recreation, Veteran's Affairs, Police & Fire Services, Code Enforcement, Emergency Preparedness, Homeland Security, Terrorism</p>	<p><u>2. Community Culture and Public Safety</u> Policies Relating to: Arts, Libraries, Education, Cultural Events & Promotions, Parks, Recreation, Veteran's Affairs, Police & Fire Services, Code Enforcement, Emergency Preparedness, Homeland Security, Terrorism</p>
<p><u>3. Public Safety</u> Policies Relating to: Police & Fire Services, Code Enforcement, Homeland Security, Terrorism, and Emergency Preparedness</p>	<p><u>3. Community and Economic Development</u> Policies Relating to: Not-for-Profit & Housing, Environment, Building Safety, Revitalization, Planning & Zoning, Economic Development, Business Retention, Transportation, Public Works, Streets, Utilities, Technology, Historic Preservation</p>	<p><u>3. Sustainable Development and Public Services</u> Policies Relating to: Not-for-Profit & Housing, Environment, Building Safety, Revitalization, Planning & Zoning, Economic Development, Business Retention, Transportation, Public Works, Streets, Utilities, Technology, Historic Preservation, Traffic and NTMP Program</p>
<p><u>4. Sustainable Development</u> Policies Relating to: Not-for-Profit & Housing, Environment, Building Safety, Neighborhoods, Revitalization, Historic Preservation, Planning, Zoning, Economic Development and Business Retention</p>	<p><u>4. General Government</u> Policies Relating to: Taxes, Budget and Finance, Rates and Fees, Inter Gov, General Government Activities</p>	<p><u>4. General Government</u> Policies Relating to: Taxes, Budget and Finance, Any and All Rates, Any and All Fees, Inter Gov, General Government Activities, any topic not included in other Subcommittees</p>
<p><u>5. Public Services</u> Policies Relating to: Transportation, Streets, Public Works, Utilities, Technology</p>		
<p><u>6. General Government</u> Policies Relating to: Budget, Finance, Taxes, Rates and Fees, Intergov, Elections, General Government Activities</p>		

City of Peoria Council Subcommittee Assignments – UPDATED MARCH 2012 * DRAFT *****

Council Subcommittee	Members	Staff Liaison & Meeting Coordinator	City Attorney Designee	Council Assistant	Meeting Date, Time & Location
1. Policy and Appointments Appointments to Boards and Commissions, Ethics, Charter Officers, Council Policies, City Charter	Dave Pearson, Chair Ron Aames Carlo Leone	Wanda Nelson x 7342 Natalie Gilstrap x5141	Steve Kemp	Terri Smith x 7328	2 nd Tuesday at 5 p.m. Location: Ironwood Room
2. Community Culture and Public Safety Arts, Libraries, Education, Cultural Events & Promotions, Parks, Recreation and Veteran's Affairs, Police & Fire Services, Code Enforcement, Homeland Security, Terrorism, and Emergency Preparedness	<u>Current Comm Culture:</u> Tony Rivero, Chair Cathy Carlat Joan Evans <u>Current Public Safety:</u> Ron Aames, Chair Joan Evans Carlo Leone New Subcomm:	Liaison TBD Coordinator TBD	Steve Burg OR Steve Kemp	Council Asst TBD	TBD
3. Sustainable Development and Public Services Not-for-Profit & Housing, Environment, Building Safety, Neighborhoods, Revitalization, Historic Preservation, Planning, Zoning, Economic Development and Business Retention, Traffic and Transportation, NTMP, Streets, Public Works, Utilities, Technology	<u>Current Sustain. Devel:</u> Cathy Carlat, Chair Dave Pearson Tony Rivero <u>Current Public Services:</u> Ron Aames, Chair Carlo Leone Dave Pearson New Subcomm:	Liaison TBD Coordinator TBD	Steve Burg OR Steve Kemp	Council Asst TBD	TBD
4. General Government Budget, Finance, Taxes, Any and All Rates, Any and All Fees, Intergovernmental, Elections, General Government Activities, any topic not included in other Subcommittees	Joan Evans, Chair Cathy Carlat Tony Rivero	Brent Mattingly x 7134 Michele Grieb x 7113	Steve Kemp	Briana Decker x5133	2nd Mon. @ 6 p.m. Location: Ironwood Room

 <p style="text-align: center;">CITY COUNCIL POLICY</p>	CP 1-10
	Category: General Department: City Manager's Office
TITLE: Council Committees to include Standing Policy Subcommittees, Ad Hoc Committees and Regional Committees	Approved: September 20, 2011 <u>REVISED DRAFT March 6, 2012</u>

A. Purpose

Pursuant to City Charter and City Code, this document institutes policy to establish, modify and terminate Council standing policy subcommittees, ad hoc committees and regional committees and describe their powers, duties, and responsibilities. This policy is being implemented for a trial period of one year. The Council shall review this policy within one year of adoption.

B. General Provisions

- The Mayor shall file with the City Clerk a list of all subcommittees and ad hoc committees, together with the members, chairperson, and charge of each subcommittee and ad hoc committee. Any changes in subcommittee or ad hoc committee information shall also be filed with the City Clerk.
- CP 1-6 *Public Body Meeting Procedures* shall govern all standing subcommittee and ad hoc committee meetings.
- Pursuant to City Code 2-63 City Manager-City Council relations, a standing policy subcommittee, ad hoc committee and its individual members shall deal with the administrative services of the city only through the City Manager, except for the purpose of inquiry. Neither a subcommittee or ad hoc committee nor any member thereof shall give orders or instructions to any subordinates of the City Manager.

Standing Policy Subcommittees

The purpose of standing policy subcommittees is to address policy issues as defined in Section E. of this Council Policy. Subcommittees are intended to be a public forum for council members "to make inquiries, analyze information, and provide recommendations" - not for departmental

Category: General

Title: *Council Committees to include Standing Policy Subcommittees, Ad Hoc Committees and Regional Committees*

CP 1-10

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oversight. The purpose is not to address administrative matters, procedures or practices or to give direction to city staff regarding either policy or administrative matters.

1. The Mayor with the consent of the Council shall establish various Council standing subcommittees to include but not limited to those in Section D of this document.
2. The Mayor with the consent of the Council shall appoint three Council Members to each Council standing policy subcommittee for a one-year term. The Mayor shall make a good faith effort to equalize membership on subcommittees among the six Council Members. The Mayor with the consent of the Council may remove a subcommittee member.
3. Subcommittees are subject to Open Meeting Laws, rules of procedure and other laws and regulations deemed applicable by the City Attorney.
4. The Mayor may be a non-voting ex-officio member of all subcommittees, if he/she chooses.
5. Approximately one month prior to the first regular Council meeting of the calendar year, the Mayor shall inquire of subcommittee members any requests for subcommittee appointments. The Mayor will make a good faith effort to accommodate those requests. Initial appointments and/or changes shall be reviewed by the Council for possible consent at the first regular Council meeting of the calendar year.
6. One month prior to the first regular Council meeting each year, the Mayor may reassign subcommittee memberships, based on councilmember interests. Changes shall be reviewed by the Council for possible consent at the first regular Council meeting of the calendar year.
7. Members of each subcommittee shall select a chairperson at the first subcommittee meeting of the calendar year. The chairperson shall determine the agenda for the subcommittee consistent with the subcommittee's charge. A specific date and time each month will be set for each subcommittee. However, meetings will be held only as needed based on agenda items.

Category: General

Title: *Council Committees to include Standing Policy Subcommittees, Ad Hoc Committees and Regional Committees*

CP 1-10

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8. The City Manager shall assign appropriate staff and resources to support subcommittee meetings.
9. The City Manager shall create an administrative procedure to ensure the proper and efficient functioning of the subcommittee process. The procedure shall be followed by all Council members and staff to ensure appropriate roles and responsibilities and relationships are adhered to by all parties.
10. The Mayor and individual Council Members may request an item be placed on a subcommittee agenda for the purpose of collecting information, providing analysis, and making recommendations to the City Council or the City Manager.
11. The City Manager or the Council acting as a body may refer matters to a subcommittee(s) for the purpose of collecting information, providing analysis, and making recommendations to the City Council.
12. Referrals and individual requests for discussion items to a subcommittee(s) must be in a format established by the City Manager. This format ensures that all Council members understand how to get an item on a subcommittee agenda.
13. The City Manager shall make the final decision about which subcommittee an item is assigned to, based on subject matter, in a timely manner, without undue delay.
14. The chairperson of a subcommittee shall place an item requested by the Mayor or individual Council Members for discussion on the subcommittee agenda in a timely manner without undue delay.
15. Subcommittees shall conduct public meetings on all matters referred to them in a timely manner without undue delay. Subcommittee agendas shall conform to Council rules. Citizen participation is encouraged.
16. When an item is referred to the Council as a whole from a subcommittee, it shall be referred in one of two ways: (1) with a unanimous recommendation or, (2) lacking a unanimous recommendation, it shall be referred without a recommendation. There may be a separate staff recommendation on

Category: General

Title: *Council Committees to include Standing Policy Subcommittees, Ad Hoc Committees and Regional Committees*

CP 1-10

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subcommittee items forwarded to City Council. No subcommittee can "kill" an item.

17. All items referred from a subcommittee shall be reviewed by the Council sitting as a committee of the whole in study session in a timely manner without undue delay. However, if an item is considered routine, of a time-sensitive or emergency nature, it may go directly to the Council for formal action.
18. The Council sitting as a committee of the whole in study session shall discuss the item referred from a subcommittee and determine that (1) the item should go to the full Council for formal action at a regular meeting, (2) further discussion is needed at a future Study Session, (3) further study is needed at the subcommittee level or at the staff level, or (4) no further discussion or action is needed.
19. Subcommittee meetings shall not be televised. No subcommittee shall be authorized to hold executive session except for the subcommittee charged with Council ethics investigations and only for that purpose.
20. The attached flow charts are intended to illustrate how items are processed.

Ad Hoc Committees

The purpose of ad hoc committees is to study, review, and make recommendations to the City Council regarding specific issues designated by the Mayor and Council.

1. The Mayor with the consent of the Council may establish, modify, and terminate ad hoc committees of the Council and charge them with their powers, duties, and responsibilities.
2. The Mayor with the consent of Council shall appoint and remove the members and chairperson for each ad hoc committee.
3. Membership of an ad hoc committee may include citizens and up to three Council Members.
4. Ad hoc committees shall be established only for a limited, clearly defined, time and at the end of the designated time shall

Category: General

Title: *Council Committees to include Standing Policy Subcommittees, Ad Hoc Committees and Regional Committees*

CP 1-10

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automatically be abolished unless the time is extended by the Mayor with the consent of the Council.

Regional Committees

Pursuant to Article 2 Section 7 of the City Charter, the Mayor is the sole representative of the city on regional committees. The Mayor may appoint one or more Council Members to represent the Mayor on a regional committee either temporarily or for an extended time. Examples of regional committees include the Maricopa Association of Governments, Regional Public Transportation Authority and Westmarc.

C. Intent of this Policy

1. It is the intent of this document to modify and affirm the standing policy subcommittee, ad hoc committee and regional committee process, pursuant to City Charter and City Code.
2. It is the intent of this document to allow Mayor and Council Members through the subcommittee process to make inquiries, analyze information, and provide recommendations to the City Council. This process is intended to engage Council members and the public more thoroughly in city-related policy discussions in an informal public setting, encouraging greater citizen and Council input on policy creation at inception.
3. The option of rotating standing policy subcommittee membership on an annual basis is intended to provide Council members with broad knowledge of the city in order to enhance Council policymaking.
4. It is the intent of this document that discussion of issues with potential city policy implications be discussed at the subcommittee level. All issues will be referred with or without a recommendation to the Council as a whole in a study session.
5. It is the intent of this document that the City Manager and Mayor, in the course of their duties, shall refer items they believe may impact city policy or require study, analysis or recommendation to a standing policy subcommittee(s).
6. It is NOT the intent of this document that the City Manager and Mayor refer items to a subcommittee(s) that they deem routine in nature or that do not impact city policy.

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7. It is the intent of this document to acknowledge that from time to time issues which impact city policy may be of an emergency or time sensitive nature which require immediate Council review and will bypass the subcommittee procedure at the recommendation of the City Manager and Mayor. These occurrences, however, will be the exception and not the rule.

- D. Subcommittee Titles and Descriptions –The list below is illustrative of the types of policy issues each subcommittee will discuss. The full Council will determine the specific charge of each subcommittee, and shall confirm or amend that charge on an annual basis.

1. Policy and Appointments

Relating to Public Policy concerning:

Appointments to Boards and Commission, Ethics, Charter Officers, Council Policies, City Charter

2. Community Culture and Public Safety

Relating to Public Policy concerning:

Arts, Libraries, Education, Cultural Events & Promotions, Parks, Recreation and Veteran's Affairs, Police & Fire Services, Code Enforcement, Homeland Security, Terrorism, and Emergency Preparedness

3. Public Safety

Relating to Public Policy concerning:

~~Police & Fire Services, Code Enforcement, Homeland Security, Terrorism, and Emergency Preparedness~~

34. Sustainable Development and Public Services

Relating to Public Policy concerning:

Not-for-Profit & Housing, Environment, Building Safety, Neighborhoods, Revitalization, Historic Preservation, Planning, Zoning, Economic Development and Business Retention, Transportation, Streets, Public Works, Utilities, Technology, Traffic and NTMP Program

5. Public Services

Relating to Public Policy concerning:

~~Transportation, Streets, Public Works, Utilities, Technology~~

46. General Government

Relating to Public Policy concerning:

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Budget, Finance, Taxes, Any and All Rates, Any and All Fees, Intergov, Elections, General Government Activities, any topic not included in other Subcommittees

Category: General

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E. Definitions

1. **Policy:** Public policies are the particular goals and directions of a local government. Common examples include community growth, land use development, strategic planning, and capital improvement and financing. City Council policy decisions focus on the purpose, services, and programs necessary to achieve the council's goals and objectives. Policy provides a high-level overall plan to achieve adopted goals and objectives. A policy will often contain the 'what' and 'why'.

Administrative decisions provide for the effective, efficient and equitable implementation of the policies approved by Council. They align the local government's administrative systems with the values, mission, and policy goals defined by the community and elected officials. Administrative tasks include establishing practices and procedures to implement adopted policy as well as the oversight of daily operations. Implementation will often contain the 'what', 'how', 'where', and 'when'.

2. **Consent:** Majority vote of the Peoria City Council in a regular or special meeting.

3. **Regular Meetings:** Regular Meetings are held for the purpose of discussion or action of the Council on various issues deemed necessary to further the business of the City. Regular Meetings may include Consent Agenda items.

4. **Study Sessions:** Study Sessions are held for the purpose of presentations and discussions on such issues that require more in-depth consideration of the City Council. No formal action of the City Council may be taken at such meetings, other than general consensus or conveying direction to staff for further action.

ATTACHMENTS:

1. Council Subcommittee Flow Chart for Staff Submitted Items
2. Council Subcommittee Flow Chart for Council Submitted Items
3. Council Subcommittee Flow Chart for Boards and Commissions

Category: General

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APPROVED:

/S/

Bob Barrett, Mayor

APPROVED AS TO FORM:

/S/

Stephen M. Kemp, City Attorney

Adopted: 9/20/11, CC #18R



City Council Calendar

Color Key:
City Council

< January	February 2012						March >
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	
			1	2	3	4	
5	6	7  Regular City Council Meeting  Special Meeting and Study Session	8  Public Safety Council Subcommittee Meeting	9	10	11	
12	13  City Council Subcommittee on General Government	14  City Council Subcommittee on Policy & Appointments	15	16	17	18	
19	20	21  Regular City Council Meeting	22	23	24	25	
26	27  City Council Subcommittee on Community Culture	28	29				



City Council Calendar

Color Key:
City Council

< February	March 2012					April >
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5	6  Regular City Council Meeting  Special City Council Meeting & Study Session	7	8	9	10
11	12	13  City Council Subcommittee on Policy & Appointments	14  Public Safety Council Subcommittee Meeting **CANCELLED**	15  Special Meeting and Study Session	16	17
18	19  City Council Subcommittee on Community Culture	20  Regular City Council Meeting  Special City Council Meeting & Study Session	21	22	23	24
25	26  Budget Study Session	27	28	29	30  Budget Study Session	31

**CITY OF PEORIA, ARIZONA
CITY MANAGER REPORT**

CMR: 3a

Date Prepared: 22 February 2012

Council Meeting Date: 6 March 2012

TO: Carl Swenson, City Manager

FROM: Tamara Shreeve, Council Office and Grant Program Manager

THROUGH: John Schell, Director, Governmental Affairs and Council Office

SUBJECT: Council Subcommittee Update

Summary:

The purpose of this report is to update the Mayor and Council on the Council Subcommittee activities. The attached spreadsheet lists the Council Subcommittees and the agenda item topics that have been submitted and assigned to the Subcommittee. If the item has been reviewed at a subcommittee meeting, the outcome of that discussion is also listed.

Exhibit 1: Council Subcommittee assigned agenda items

Contact Name and Number: Tamara Shreeve, x 5173

**Community Culture
Subcommittee**

Submitter	Subject	Sub- committee agenda date	Action	Study Session
Jeff Tyne / Susan D	Trail System Lighting	1/30/2012	Forward item to study session.	
Jeff Tyne / Susan D	Field Rental Policy	1/30/2012	Forward item to study session.	
Jeff Tyne / Susan D	Recreation Fees Policy	11/14/2011	Forward item to study session.	3/20/2012
Jeff Tyne / Susan D	Veterans Discount Program	2/27/2012	Forward item to study session.	
Jeff Tyne / Susan D	Establish "Peoria Friends of the Arts"	2/27/2012	Forward item to study session.	
Jeff Tyne / Susan D	Youth Master Plan			
Jeff Tyne / Susan D	Veterans Memorial Board Sponsorship	1/30/2012	Forward item to study session.	

**General Government
Subcommittee**

Submitter	Subject	Sub- committee agenda date	Action	Study Session
Brent Mattingly	Utility bill format	11/14/2011	Forward the item for full Council Study Session discussion of solid waste service options and rates.	2/7/2012
Tony Rivero	Residential Development Impact Fees	11/14/2011	Consensus of the subcommittee members was to wait for the full Impact Fee Study to address policy issues identified by Council.	
Dave Pearson	Itemizing Utility Bill	12/19/2011	Forward the item for full Council Study Session discussion of solid waste service options and rates.	2/7/2012
Steve Kemp	Adoption of Resolution supporting designating certain areas of the City with Peoria addresses and zip codes	2/13/2012	Forward to Council Study Session.	
Katie Gregory	Development Service User Fees	2/13/2012	Forward to Council Study Session.	

**Policy and
Appointments
Subcommittee**

Submitter	Subject	Sub- committee agenda date	Action	Study Session
Dave Pearson	Volunteer Appreciation	11/7/2011 1/10/2012	No further Action. Completed (11/7/11). Revisited item on 1/10/12. No further action. Completed.	NA
Dave Pearson	B&C Appointment Process	11/7/2011 12/13/2011 1/10/2012	Bring back to Subcommittee for further discussion (11/7/11). Administrative action - Use the new application form. Interviews and Resumes will be at the discretion of the SC. (12/13/11). Completed. Revisited item in 1/10/12. Completed.	NA
Wanda Nelson	Board and Commission Appointments & Reappointments	Ongoing	Appointments and reappointments reviewed and recommended by subcommittee - ongoing topic.	NA
Dave Pearson	Charter Amendments	12/13/2011 1/10/12 1/24/2012	Bring back to Subcommittee for further discussion (12/13/11). Discussed seven proposed charter amendments. Forward 6 of those to Study Session. One proposed amendment was withdrawn (1/10/12). Reviewed remainder charter amendments. Forward charter amendments to study session. (1/24/2012)	2/21/2012

Dave Pearson	Council Ethics Committee	11/7/2011 12/13/2011 1/10/2012	Bring back to Subcommittee for further discussion (11/7/11). Bring back to Subcommittee include a process flow chart 12/13/11. Forward to study session with consensus recommendation 1/10/12.	2/7/2012
Dave Pearson	CP1-5 Appointments to Boards and Commission	11/7/2011 12/13/11	Bring back to Subcommittee for further discussion (11/7/11). Consensus recommendation to forward to study session (12/13/11).	3/20/2012
Dave Pearson	CP 1-2 review. Edit Council Meeting Procedures to reflect Subcommittee Structure	12/13/2011	Bring back to subcommittee for further discussion (12/13/11).	
Dave Pearson	Council Role in review and approval of director appointments	12/13/2011	Consensus to move forward to regular council agenda/ through a City Manager's report.	Regular Council Meeting 1/3/2012
Susan Thorpe	Council Code of Ethics	2/14/2012	Discussed item - continue discussion at the next meeting (2/14/2012).	
Dave Pearson	Code of Ethics for Elected Officials and Citizen Advisory Committees	2/14/2012	Discussed item - continue discussion at the next meeting (2/14/2012).	
Claudia Lujan	Structure of the Sister Cities Board			

**Public Safety
Subcommittee**

Submitter	Subject	Sub- committee agenda date	Action	Study Session
Roy Minter	False Alarm Ordinance	11/7/2011	Bring back to subcommittee for further discussion (11/7/11).	3/20/2012
Dave Pearson	Recreational Vehicle Ordinance	1/11/2012	Forward to study session with full recommendation. Completed 1/11/12	4/2/2012
Tony Rivero	Recreational Vehicles City Code Section 14-110	1/11/2012	Forward to study session with full recommendation. Completed 1/11/12	4/2/2012
Carlo Leone	Traffic calming agenda item			
Carlo Leone	Traffic management agenda item			
Roy Minter	Park Ranger Staffing Study	12/14/2011	Informational item.	NA
Carlo Leone	Feral Cat Control			
Carlo Leone	Residential Parking			
Carlo Leone	Dirt Ordinance			
Jamal Rahimi/Andy Grainger	Neighborhood Traffic Management Program (NTMP Policy Change			

**Public Services
Subcommittee**

Submitter	Subject	Sub- committee agenda date	Action	Study Session
Bill Mattingly	Dial-a-Ride rates	11/17/2011	Forward item to Council Study Session. Completed	3/20/2012
Ron Aames	Transit Jurisdictional Equity Position	11/17/2011	Informational item. Forward information, through a City Manager's report, to the Council on a Regular Council Agenda.	Regular Council mtg. 1-3-2012
Susan Thorpe	Solid Waste Services	12/1/2011	Forward Item to Council Study Session. Completed.	2/7/2012
Bill Mattingly/ Susan Thorpe	Commercial Solid Waste Services	12/15/2011	Forward Item to Council Study Session. Completed.	2/7/2012
Dave Pearson	Change in City Ordinance regarding multi-family solid waste service	1/5/2012	Item was discussed, then withdrawn by Councilman Pearson. Completed	NA

**Sustainable
Development
Subcommittee**

Submitter	Subject	Sub- committee agenda date	Action	Study Session
Chris Jacques	Political Signs Zoning Ordinance	11/2/2011	Forward item to Council Study Session. Completed.	11/15/2011
Chris Jacques/ Susan D.	Open Space Master Plan and Decision Support Model	2/1/2012	Start community outreach activities and forward item to Council Study Session.	
Chris/Scott and Susan D.	Digital Billboards - Civic Engagement	11/7/2011	Forward Item to Study Session. Completed.	11/15/2011
Dave Pearson	Council Not-For-Profit and Housing Subcommittee	11/8/2011	Bring back to subcommittee for further discussion (11/8/11).	
Cathy Carlat	Not for Profit Committee	11/8/2011	Bring back to subcommittee for further discussion (11/8/11).	
Scott Whyte/ Susan D.	Old Town Entertainment District Designation	12/7/2011	Bring back to subcommittee for further discussion (12/7/11). Forward to Regular Council Meeting.	Regular Council Meeting