



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

**CITY COUNCIL SPECIAL MEETING
AND STUDY SESSION
NOTICE & AGENDA
Tuesday, March 20, 2012
5:00 PM
CITY COUNCIL CHAMBER**

**CONVENE:
ROLL CALL:**

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

**FINAL CALL TO SUBMIT SPEAKER REQUEST
FORMS:**

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 Authorization to Hold an Executive Session

Pursuant to A.R.S. § 38-431.03: Discussion and possible action to authorize the holding of an Executive Session for the purpose of discussion with legal counsel for legal advice regarding contract negotiations with Professional Medical Transport, pursuant to A.R.S. § 38-431.03(A)(4).

STUDY SESSION AGENDA

Subjects for Discussion Only:

1. Economic Development Opportunity
2. Charter Amendment to Article VI, Section 3, Taxing Powers regarding City Sales Taxes on Wastewater Collection Services

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.

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: 3/13/12

Council Meeting Date: 03/20/12

TO: Carl Swenson

FROM: John Schell

SUBJECT: Presentation by FirstStrategic on Bioscience Economic Development

Purpose:

A presentation to Council by FirstStrategic on bioscience economic development. FirstStrategic will discuss potential partnership opportunities that build upon the City's objectives in the arena of bioscience.

Background/Summary:

FirstStrategic Communications and Public Relations is one of the most accomplished consulting firms in Arizona with experience in bioscience economic development. The firm is more widely known for its role in attracting and locating Translational Genomics Research Institute ("T-Gen") to Arizona.

Peoria has the potential to build the infrastructure, attract high paying jobs associated with bioscience activity in the metropolitan Phoenix area and prepare for the jobs of the future. The City of Peoria is uniquely poised to act because of its business attraction efforts and proactive policy initiatives supported by past and current city leaders.

FirstStrategic will highlight for Council its experience in the bioscience arena, including the potential for Peoria to realize new economic development of bioscience manufacturing. Through a unique partnership FirstStrategic has with one of the nation's leading healthcare consulting firms, PricewaterhouseCoopers ("PwC"), FirstStrategic will explain how it can expand upon the strategic vision and plan for biosciences Peoria already has in place.

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

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Study Session #2

Date Prepared: February 27, 2012

Council Meeting Date: March 20, 2012

TO: Honorable Mayor and Council
FROM: Stephen M. Kemp, City Attorney
SUBJECT: Proposed Charter Amendment-Sales Tax on Wastewater Collection Services

Purpose:

This is a request for City Council to review the proposed charter amendment reviewed by the Policy and Appointments Subcommittee as to the sales tax on wastewater collection services, and provide direction to staff.

Background/Summary:

Previously the City Council reviewed twelve (12) charter amendments. Based on the Council review, nine (9) amendments will be submitted for further consideration. The City Council Policy and Appointments Subcommittee reviewed fourteen (14) charter amendments submitted by various members of Council. Two (2) proposed amendments were withdrawn and the Council elected not to proceed further with three (3) draft charter amendments. One of the amendments that the Council elected not to proceed with would have required approval of the qualified electors of the City prior to adoption of an option to impose a sales tax on wastewater collection services. Subsequently, Vice-Mayor Aames requested Mayor Barrett to return this item to study session for discussion on the proposed charter amendment requiring approval of the qualified electors prior to imposing a sales tax on wastewater collection services.

Under the charter and state law, Charter Amendments must be approved by the Council and submitted to the qualified electors of the City for approval. The City's next primary election is August 28, 2012. In order to meet the deadlines for this election, this amendment is being brought before the Council and based on your direction, agenda items will be prepared for your approval.

Previous Actions:

Reviewed in City Council study session on February 21, 2012

Reviewed by City Council Subcommittee on Policy and Appointments on proposed charter amendments at the December 2011 and January 2012 meetings

Options:

A: Direction to staff regarding the proposed charter amendment as to the sales tax on wastewater collection services

Staff's Recommendation:

This is a policy issue for the Council to direct.

Fiscal Analysis:

Not Applicable

Narrative:

For purposes of Council discussion a short summary of the amendment is set forth below:

1. The proposed amendment would provide that adoption of a model City tax code option or imposition by the City of a sales tax on wastewater collection services and would require the approval of the qualified electors of the City.

Exhibit:

PROPOSED CHARTER AMENDMENT

1. Proposed charter amendment pertaining to sales tax on wastewater collection services.

Contact:

Stephen M. Kemp, City Attorney (623) 773-7321

RESOLUTION NO. 2012-

**A RESOLUTION OF THE MAYOR AND COUNCIL OF
THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA
PROPOSING AN AMENDMENT TO THE CITY OF
PEORIA, ARIZONA, CITY CHARTER, AMENDING
ARTICLE VI, SECTION 3 PERTAINING TO TAXING
POWERS.**

TEXT OF PROPOSED AMENDMENT

NOW THEREFORE, be it resolved by the Mayor and Council of the City of Peoria, Maricopa County, Arizona as follows:

SECTION 1. The following amendment of Article VI, Section 3 is proposed to become valid when approved by a majority of the qualified electors voting thereon and upon proclamation of the Mayor after completion of the official canvass in accordance with Article X, Section 2 of the Peoria City Charter.

SECTION 2. The Charter of the City of Peoria, Arizona is amended by amending Article VI, Section 3 to read as follows:

Sec. 3. Taxing powers.

A. The council shall have the power to levy and collect ad valorem and excise taxes as provided by this section, including, but not limited to, a transaction privilege tax, a use tax, and a business license tax, and all other taxes not prohibited by federal or Arizona constitution or laws.

B. The Council shall not increase the rate of the transaction privilege tax imposed by the City, unless the increase in rate is approved by a majority of the qualified electors of the city voting in a regular or special election.

(1) The Council shall not enact an option or rate providing for the imposition of transaction privilege tax upon sales of wastewater collection services unless the

imposition of the transaction privilege tax or the adoption of the option providing for a transaction privilege tax upon sales of wastewater collection services is approved by a majority of the qualified electors of the city voting in a regular or special election.

C. The Council may impose taxes for any or all of the following purposes:

- (1) To pay the interest and maintain the sinking fund of the bonded indebtedness of the city;
- (2) For the establishment and support of free public libraries and for the construction and maintenance of public buildings;
- (3) For advertising and promoting the advantages of the city;
- (4) To create a reserve fund for replacement of equipment, for the furnishing of city services and the maintenance of all municipally-owned and operated utilities;
- (5) For the general expenses incurred in the operation of city government;
- (6) For local public improvements; and
- (7) For any other lawful municipal purpose.

SECTION 3. The proposed amendment approved by the Mayor and a majority of the members of the City Council and entered into the minutes shall be submitted by the Peoria City Clerk to the qualified electors of the City at the August 28, 2012 regular election as provided by Article X, Section 2 of the Peoria City Charter.

SECTION 4. This Resolution shall become effective in the manner provided by law.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona this _____ day of _____, 2012, as follows:

Resolution No. 2012-
Taxing Powers
March 20, 2012
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Ayes: _____

Nays: _____

Bob Barrett, Mayor

ATTEST:

Wanda Nelson, City Clerk

APPROVED AS TO FORM:

Stephen M. Kemp, City Attorney

Published in Peoria Times

Publication Dates: _____

Effective Dates: _____