



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

**CITY COUNCIL STUDY SESSION
NOTICE & AGENDA
Wednesday, June 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:**

STUDY SESSION AGENDA

Subjects for Discussion Only:

1. Development Services User Fee Cost Recovery Policy
2. Development Impact Fees Study Update
3. Field Allocation Policy
4. Trail Lighting Policy
5. Peoria Friends of the Arts

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**

SS: #1

Date Prepared: June 12, 2012

Council Meeting Date: June 20, 2012

TO: Carl Swenson, City Manager
FROM: Katie Gregory, Interim Management and Budget Director
THROUGH: Susan K. Thorpe, Deputy City Manager
SUBJECT: Council Policy – Development Services User Fee Cost Recovery

Purpose:

This is a request for City Council to review the proposed Development Services User Fee Cost Recovery Policy.

Background:

Local governments are providers of many types of general services to their communities. While all services provided by local government are beneficial to constituents, some services can be classified as globally beneficial to all citizens, while others provide more of a direct benefit to a specific group or individual. It is commonly felt that fees should be established at a level that will recover the cost of providing each service, no more, and no less. The following table provides examples of services provided by local government within a continuum of the degree of community benefit received:

Services that provide a “Global” Community Benefit	Services that Provide Both “Global” Benefit and also a Specific Group or Individual Benefit	Services that Provide a Primary Benefit to an Individual or Group, with less “Global” Community Benefit
<ul style="list-style-type: none">- Police- Park Maintenance	<ul style="list-style-type: none">- Recreation/Community Services- Fire Suppression/Fire Prevention	<ul style="list-style-type: none">- Building Permits- Planning and Zoning Approval- Site Plan Review- Engineering Development Review

Over the past year, Management and Budget, Planning and Community Development and the Economic Development Services Departments have reviewed the user fee activities in the Development Services divisions of Planning, Building Development and Site Development.

Based on the analysis, it was found that the current schedule of fees does not recover the full cost of providing services. Additionally, with the exception of a handful of Engineering Review fees, the majority of the fees currently charged have not been adjusted in well over 10 years.

The following table shows the budgeted costs, revenues received and % of subsidy for each division based on the current adopted fee schedule.

Division	Service Delivery Cost	Current Revenue	% subsidy
Planning	\$503,503	\$240,463	52%
Site Development	\$975,661	\$609,541	38%
Building Development	\$1,412,990	\$739,618	48%
TOTAL	\$2,980,772	\$1,589,622	45%

Staff is recommending that Council consider adopting a Development Services User Fee Policy that would establish a set procedure for reviewing and adjusting fees, identifying cost recovery targets and establishing pricing policy considerations.

Council Policy Discussion

The city currently does not have a formal cost recovery policy for Development Services User Fees. When developing a cost recovery policy, there are a number of important considerations:

1. How much of the service cost should be borne by the individual user of the service and how much will be subsidized by the general taxpayers? Currently the General Fund subsidizes the development services activities by 45%.
2. What are the appropriate levels of cost recovery for certain groups or activities? Some examples include:
 - a. Non-profit groups are currently assessed 10% of the listed fees.
 - b. Certain residential activities (water heaters, accessory use permits) are subsidized to encourage compliance and address public safety concerns.
 - c. At-risk grading permits are currently assessed at 150% of the regular fee.
3. How often should fees be reviewed and updated? Best management practices state that fees should be reviewed annually with a comprehensive update every 3-5 years.
4. Should the City utilize an annual increase mechanism that reflects increases in costs? Council may want to consider adopting annual adjustments based on labor cost increases, CPI or some other reasonable mechanism.

Additionally, Council may wish to consider a phase-in of the proposed fee adjustments over a two or three year period. Phasing in the fee adjustments spreads the impact of any increases in fees for service over a longer period of time.

Previous Actions:

February 13, 2012 - The Cost Recovery Policy for Development Services User Fees was reviewed with the General Government Council Subcommittee and they unanimously approved moving the policy forward to the full Council.

Options:

A: Forward the proposed Council Policy on Development Services User Fees for adoption. Once adopted, a cost of service analysis will be completed and staff will begin stakeholder outreach. Staff will bring back final fee recommendations to a future Study Session for review and ultimate adoption by the full Council.

B: Make changes to the Council Policy and bring a revised policy back to the full Council for additional review.

Staff's Recommendation:

Staff recommends that the Council reviews the attached Development Services User Fees Cost Recovery Policy and direct staff to place the Council policy on a future Regular Agenda for approval.

Fiscal Analysis:

Once adopted, the Council Policy will set the framework for the Cost of Service review. Currently the City's General Fund is subsidizing 45% of the cost of Development Services activities. At the current level of development activity and fees, it is anticipated that the level of subsidization will increase as the cost to provide these services increases.

Exhibit(s):

Exhibit 1: Draft Council Policy on Development Services User Fees

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

 EXHIBIT 1 DRAFT COUNCIL POLICY	CP _____ <i>[One of pre-existing list]</i> <i>[Assigned by CAO]</i>
	DEPARTMENT: Management and Budget
SUBJECT: Development Services User Fee Cost Recovery Policy	EFFECTIVE DATE: <i>[Date of Council Meeting]</i>

A. Purpose

A.1. The purpose of this policy is to provide general guidelines and to incorporate best practices in establishing user fees to ensure that the City adequately recovers costs for services it provides to the public. The User Fee Policy identifies the procedure for adjusting fees, the level of cost recovery, factors that need to be considered in setting fees, and the frequency of comprehensive user fee studies. The key objective of the User Fee Policy is to review and update fees on an ongoing basis to ensure that they keep pace with changes in the cost-of living as well as changes in methods or levels of service delivery.

B. Procedure

- B.1. Fees for services shall be reviewed and adjusted annually to be consistent with the target cost recovery of the service and will be recommended by the responsible department and the Management and Budget Director.
- B.2. Fee recommendations for the Development Services Divisions will be made at the appropriate time as part of the annual budgeting process and will be approved by City Council.
- B.3. An updated fee schedule will be submitted to the City Attorney’s Office and City Clerk to update the City Code on an annual basis, unless otherwise required by State Statute.
- B.4. The Development Services User Fee Policy shall be reviewed every three to five years with City Council to ensure cost recovery is aligned with the city’s priorities. Changes to the policy can be made as needed with City Manager and City Council approval.

C. Definitions

- C.1. “Development Services Divisions” are the cost centers that support the planning, site development and building development activities within the city including fire prevention and engineering review and inspection services.
- C.2. “User Fee” is a fee charged by a government agency to recipients of its services. User fees generally apply to activities that provide special benefits to members of the public, and the amount of the fee is usually related to the cost of the service provided.

C.3. “Cost Recovery” is recouping a portion of or all costs associated with a particular service provided by the government agency to the public. Cost recovery has two important rationales: (a) maintaining equity considerations in regard to the provision of public services; and (b) revenue generation through full cost accounting, thereby improving government efficiency.

C.4. “Direct Costs” are the costs incurred directly by providing a specified service. These costs are associated with staff time spent performing service related duties and include employee salary and benefits. In general, direct costs are any costs that can be traced directly to the production of a given service or product.

C.5. “Indirect Costs” are the costs not directly accountable or associated with the production of a service, such as a fixed cost. Indirect costs include departmental overhead (operating expenses and internal administrative costs), as well as citywide overhead, including all those costs that support City programs and services.

D. Levels of Cost Recovery

D.1. Full Cost Recovery (100 Percent)

In general, fees for services provided by the development services divisions, should recover the full cost of providing the service. Fees that are determined to have a 100 percent cost recovery target shall be updated annually based on the costs incurred for providing services using actual data from the prior fiscal year.

D.2. Partial Cost Recovery (Below 100 Percent)

Certain fees may be identified to have a partial cost recovery target. These fees may be adjusted annually by a standardized escalator based on Labor cost adjustments. Fees are generally set at less than 100 percent cost recovery in cases where:

- (a) the collection of fees is not cost-effective;
- (b) the collection of fees would not comply with regulatory requirements;
- (c) the purpose of the fee is not to generate revenue but rather provide a community benefit (i.e. public safety)

D.3. Other Cost Recovery Targets

Other recovery targets may be identified for activities that require a higher levels of service (LOS) or that pose a greater risk to the City. Examples may include Expedited Review and At-Risk Grading Permits. In these cases, fees may be charged that recover more than 100% of the actual cost.

The Peoria City Council makes the final decisions based on community priorities and recommendations from review committees (if applicable).

E. Pricing Policy Considerations

The following economic and policy considerations shall be considered when setting cost recovery levels:

1. Fee amounts shall be proportional to the costs associated with providing the service. The full cost should consist of both direct and indirect costs and should be included within the fee amount. Indirect costs shall be captured through overhead rates for each department.
2. Competing policy objectives may result in reduced user fees and charges that recover only a portion of service costs. (Partial recovery)
3. Public use of government services shall be considered (potential to use fees as a means of encouraging or discouraging activities, for instance, at-risk grading permits).
4. Constitutional or other types of limitations on charging more or less than the actual cost of providing the service.
5. Subsidization (less than full cost recovery) of activities for groups who cannot afford access to services if fees are set at full cost recovery. In these cases, the City may subsidize a portion of the cost of the service.
6. The fee amount and its affect on the demand of the service shall be considered. A sensitivity analysis of consumer demand shall be considered when setting fees.
7. The nature and extent of the benefit to the fee-payers. The recipients that benefit from the service provided shall be identified. The fee review shall consider whether the service is beneficial to the public as a whole or the individual fee-payer.

F. Public Input and Availability of Fee Information

- F.1. When fee adjustments are recommended, data indicating the proposed fee, the estimated cost required for providing the service, and the estimated amount of revenue adjustments shall be available to the public prior to any formal action of the full City Council through the docketing of the report on the Council agenda.
- F.2. The Development Services Divisions shall post an updated schedule of all fees on the City's internet site on July 1st of each year.

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

SS: #2

Date Prepared: June 13, 2012

Council Meeting Date: June 20, 2012

TO: Carl Swenson, City Manager
FROM: Katie Gregory, Interim Budget Director
THROUGH: Susan Thorpe, Deputy City Manager
SUBJECT: Development Impact Fee Update

Purpose:

Provide Council with a brief overview of the schedule for updating the Development Impact Fee Studies and Infrastructure Improvement Plans and provide Council with an opportunity to identify any pressing policy issues related to the calculation and assessment of impact fees in Peoria.

Background/Summary:

Under Arizona Revised Statutes 9-463.05, municipalities in Arizona may assess development fees to offset infrastructure costs associated with providing necessary public services to new development. The City currently assesses development fees for water and wastewater improvements, water resource acquisition, public safety requirements, transportation needs, library and park capital needs. On April 26, 2011, Governor Brewer signed SB1525 into law which significantly amended the development fee enabling legislation.

SB1525 placed greater restrictions on several fee categories by redefining “necessary public services”. Fees collected for libraries are limited to facilities of 10,000 square feet or less, and fees for Parks and Recreation facilities may not be expended on parks greater than 30 acres, or community centers greater than 3,000 square feet. In addition, development fees cannot be assessed for equipment that supports various public services, such as vehicles and computers for libraries, except for police and fire.

Municipalities have until August 1, 2014 to be in full compliance with SB1525. Prior to August 1, 2014, the City will be required to complete a new fee study, using new land use assumptions, and meeting the new legal procedural requirements contained in SB1525.

Previous Actions:

On December 6, 2011, City Council amended the IIP and fee schedule to comply with the initial requirements of SB1525.

On December 18, 2007, City Council adopted the current Infrastructure Improvement Plans and fee schedule. The fees have not been adjusted since that time.

Fiscal Analysis:

Development fees are charges designed to provide funding for the cost of expanding infrastructure required to support new development within the City. Development fees have played a significant role in funding the City's infrastructure needs over the past several years. The City has expended over \$177 million in development fees over the past ten years. The City's most current ten-year capital improvements plan (CIP) includes just under \$80 million of development fee funded projects which represents 17% of the total ten-year CIP.

Under the new requirements, a portion of the City's planned infrastructure costs may no longer be included in the development fee calculation. As a result, the City will need to identify other funding sources to cover the full cost of providing this infrastructure.

Additionally, the City Council may opt to make certain policy choices affecting the amount of fees collected or further restricting the criteria for expending impact fees.

Narrative:

Staff is currently in the process of receiving bids for an update to the General Government and Utilities Impact Fee Studies and Infrastructure Improvement Plans. It is anticipated that Council will be provided with a number of updates throughout the Impact Fee Study and various policy items will be identified for discussion. Policy considerations may include, but are not limited to:

- Eliminating or reducing the scope of infrastructure in certain fee categories
- Adopting fees that are less than the maximum supportable fee
- Adding or reducing impact fee zones
- Including an annual adjustment factor
- Evaluating fee reduction options for certain types of uses

Additional policy items may be identified as new information is reviewed and we begin engaging our development stakeholders. Prior to beginning the studies, staff would like to hear of any pressing policy items, if any, that Council would like staff to consider in the course of their review.

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

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

SS: #3

Date Prepared: June 5, 2012

Council Meeting Date: June 20, 2012

TO: Carl Swenson, City Manager
FROM: Jeff Tyne, Interim Community Services Director
THROUGH: Susan J. Daluddung, Deputy City Manager
SUBJECT: Community Services Department Field Allocation Policy

Purpose:

The City of Peoria offers a variety of park fields and adjacent amenities with which to serve both youth and adults, for both residents and non-residents. Given the demand for these facilities, City staff strives to regulate use of these fields in a fair and equitable manner. This has traditionally been done by using a classification system, which prioritizes use and administration of fees. Going forward, City staff seeks to adopt a formal field allocation policy as supported by City Council.

Background/Summary:

The City of Peoria manages the use of fields in 37 parks and outdoor facilities. However, the recreational use of these fields can be restricted, recognizing sports lighting standards, lack of restrooms, limited parking, and overall impact on the surrounding neighborhoods. Given these conditions, more extensive field programming occurs at targeted locations.

The city utilizes six lighted youth ball fields, four adult softball fields, and two multi-purpose fields at Rio Vista Park. In addition, the City maintains joint decision making ability with the Peoria Unified School District on use of lighted facilities at Sunrise Mountain High School multi-purpose field and Cheyenne and Coyote Hills Elementary ball fields.

Field use is traditionally booked by user groups in June, October and February for practices and league play. Tournament allocations often are set in October for the following calendar year. City staff commonly assess fees for use of lights, additional staff, use of electricity or other hard costs affiliated with the field rental. All fee levels are based on the City Council Policy for Community Services Recreation Pricing and Fees, which was adopted by City Council at the May 1st regular meeting. Fields are classified into two types of facilities: Premium Facilities (Rio Vista Community Park, Osuna Park or Centennial Plaza) or regular use facilities (all other parks).

Existing department practice offers priority field use to City of Peoria programs, and are often accounted for before any other allocations are made. Overall a classification system is used to prioritize usage, which categorizes user groups into the following:

1. City of Peoria Programs and Events
2. Peoria Unified School District Usage (per agreement)
3. Individual Resident/Not-for-Profit Requests
4. Non-Resident/Corporate Requests

The Peoria Sports Complex operates under a different business model. Serving as an enterprise operation, the field usage is closely coordinated with clients such as Major League Baseball teams. As such, the user groups and facility guidelines for the Sports Complex differ from those for the other City fields. Information specific to the Peoria Sports Complex has also been outlined in the Community Services Department Field Allocation Policy. However, this information is compiled in a separate section at the end of the document.

Previous Actions:

A draft Community Services Department Field Allocation Policy document was reviewed by the Council Subcommittee on Community Culture. The Subcommittee, in unanimous agreement, were supportive of staff recommendations and recommended forwarding the policy to the Council as a whole during an upcoming Study Session meeting.

Options:

The following options are possible for the City Council to recommend:

- A. Direct staff to maintain current practices and not adopt a formal Field Allocation Policy.
- B. Direct staff to rewrite the Draft Field Allocation Policy with updated input from City Council as a whole. This option would likely include Council direction regarding staff research and expected committee meeting follow-up.
- C. Adopt the Field Allocation Policy and put it into place as a guiding document for future field rentals.

Staff's Recommendation:

To incorporate a formalized framework for field rentals and allocation, staff requests that the proposed Field Allocation Policy be adopted.

Fiscal Analysis:

The Field Allocation Policy will provide future guidelines for field rentals and fees charged to certain user groups. As fee increases are proposed during the budget process each year, there could be a potential for increased revenue. However, the Policy in itself will not cause a fiscal impact.

Exhibit(s):

Exhibit 1: DRAFT Community Services Department Field Allocation Policy

Contact Name and Number: Jeff Tyne, 623-773-7114

COMMUNITY SERVICES FIELD ALLOCATION POLICY

The City of Peoria has neighborhood and community parks that are considered a community asset and are available to use. Citizens can use our parks at no charge on a first come, first served basis when they are available. However, if a citizen, organization or business would like to rent a sports field for exclusive use, the following guidelines will apply.

DEFINITIONS

User Groups – Agencies or organizations

Good Standing – An agency or organization that successfully had prior tournaments or field rentals and has no outstanding debt with the City of Peoria.

In Season - The following months are considered in-season use for the following sports:

Football – August to November

Soccer – September to March

Baseball – February to July

Youth – Ages 18 and below. Child: Under the age of 13. Teen: Ages 13 through 18.

Adult – Ages 19 and up.

Resident – Any person permanently residing or living within the corporate limits of the City of Peoria and/or paying property taxes to the City. Acceptable proof is a copy of the property tax statement showing the physical location of the residence or staff viewing the website – www.maricopa.gov.

Non-Resident – Any person permanently residing or living outside the corporate limits of the City of Peoria and who does not pay property taxes to the City.

USER GROUPS

The following user groups have been established for the purpose of allocating field use and charging the appropriate fees

Category 1 – City use for activities, tournaments, and leagues sponsored by the City of Peoria or co-sponsored events conducted in cooperation with outside individuals, organizations or agencies.

Category 2 – School Districts that have an Intergovernmental Agreement (IGA) with the City of Peoria for joint facility use.

Category 3 - Non-profit groups, youth sports organizations, clubs, schools, charitable organizations, youth tournaments, Peoria residents and Peoria businesses. The following requirements must be updated each January or 3 months before the playing season begins:

- League president’s name with address and telephone number and league representative name that would reserve the field(s) with address and telephone number.
- Copy of Liability Insurance Policy naming the City of Peoria as additional insured for two million dollars.
- IRS letter of determination of 501 c (3) non-profit status.
- League boundaries include the City of Peoria. Documentation must be provided.

Category 4 – All other groups, i.e., commercial uses, adult tournaments, non-residents, non-Peoria businesses.

NON-TOURNAMENT USE

The following group prioritization will be used when allocating fields:

1. Category 1 - Programs, events and activities
2. Category 2 - Programs, events and activities
3. Category 3 - Historic users of City of Peoria facilities - retention of previous year’s use providing user is in good standing.
4. Category 3 - New requests
5. Category 4 - New requests

Requests will be accepted in accordance with the schedule below and reviewed by the Sports Supervisor. Allocations will be completed by the posted award date.

Requests for continuous bookings of field(s) for in season league games can be made in three blocks of time during the year.

<u>For the months of:</u>	<u>Requests due by:</u>	<u>Awards Made by:</u>
August – December	June 1	June 20
January – April	October 1	October 20
May - August	February 1	February 20

All requests for use of field(s) are to be in writing and directed to the City of Peoria Recreation Division, Sports Supervisor. There is no priority assigned for turning in early requests – all requests will be reviewed after the “requests due date”.

Use by groups outside of the recognized in-season will be subject to category 3 fees.

The field(s) is available to rent from 8 a.m. – 10 p.m., 7 days/week. Category 1 user group takes precedent on field use at all parks and may impact availability.

Long term reservations by individual teams will be no longer than four (4) weeks.

The organization President or representative is responsible for booking the field(s) for the league teams. An organization requesting continuous bookings of field(s) for in-season sports must submit the following:

- Number of participants in the league
- Number of teams
- Field(s) utilization plan (i.e., field(s) requested, dates, times, etc.)

- Date and times the lights will be used
- Schedules of the games
- League Boundaries

Any changes to the league and/or organization (i.e., games, starting/ending dates, times, boundaries, etc.) must be communicated to the Peoria Recreation Division, Sports Supervisor.

It is the responsibility of each organization to notify the Peoria Recreation Division, Sports Supervisor of cancelled games. Each organization must designate a specific individual to perform this responsibility.

The City of Peoria staff will perform all field preparations.

TOURNAMENT BOOKING/RESERVATIONS

The following group prioritizing will be used when allocating fields:

1. Category 1 - Programs, events and activities
2. Category 2 - Programs, events and activities
3. Category 3 - Historic users of City of Peoria facilities - retention of previous year's use providing user is in good standing
4. Category 3 - New requests
5. Category 4 - New requests

Tournaments are booked in October and November for the following calendar year through a solicitation of requests from tournament promoters and private entities. Contact the Peoria Recreation Division, Sports Supervisor to be included in this process.

A cleanup and reservation deposit will be required of all category 3-4 organizations/individuals reserving the softball or multipurpose complex. Organizations/individuals, which book the field(s) or complex and do not utilize them, will result in the loss of the reservation deposit and the organization/individual may not be able to use the field(s) in the future.

It is the responsibility of each organization to notify the Peoria Recreation Division, Sports Supervisor of cancelled games. Each organization must designate a specific individual to perform this responsibility.

The City of Peoria staff will perform all field preparations.

CONDUCT OF TEAMS/INDIVIDUALS

All participants of the organization and individuals who rent the field(s) or complex are responsible for maintaining the cleanliness of them. Organizations/individuals are responsible for removing all trash from dugout areas, parking lots and the rented field(s) or complex. Failure to do so will result in the loss of the cleanup deposit and may result in the loss of the field(s) or complex in the future.

Placing dumpsters, portable toilets, etc. is prohibited at all parks unless arrangements have been made with the Peoria Recreation Division, Sports Supervisor.

Coaches, players and spectators must park their vehicles in designated parking areas only. Vehicles can be driven to specific areas for loading and unloading only. Vehicles are not to be driven or parked on the ball fields, playgrounds or grass areas at any time. All vehicle notice signs must be adhered to.

All animals must be on a leash.

No tobacco or alcoholic products on the fields (i.e., dugouts).

Concessions are the exclusive rights of the City's concessionaire at Rio Vista Park. Concessions at the other parks can be discussed with the Sports Supervisor.

Selling of merchandise is prohibited unless arrangements have been made with the Peoria Recreation Division, Sports Supervisor.

Park Ordinances must be adhered to at all times. A copy of the ordinances is located at www.peoriaaz.gov/parks.

A facility reservation/cleanup deposit will be administered if the multipurpose complex or softball complex. If the tournament promoter/organizer, for any reason, cancels the tournament or uses less than 50% of the time scheduled, the deposit is forfeited to the City. This deposit will go into the cleaning deposit only if the tournament occurs. Deposits made with a check will be refunded **2-3 weeks** after the tournament is completed. Deposits made with credit cards will be refunded **2-3 days** after the completion of the tournament. The cleanup deposit will be refunded at the conclusion of the tournament with the approval of the City's Sports Supervisor.

The City Manager or his designee can make discretionary decisions considered in the best interest of the City of Peoria.

Please refer to Section 2-207 of the City code for the field rental fees.

PEORIA SPORTS COMPLEX GUIDELINES OF USE

The City of Peoria owns and operates the Peoria Sports Complex on an annual basis. All usage areas are considered rentable areas and therefore if a citizen, organization or business would like to rent one of these areas for exclusive use, the following guidelines will apply.

USER GROUPS

Category 1 – Major League Baseball Tenants per lease agreements

Category 2 – City of Peoria programs and Peoria Diamond Club use, per contract. (To include Official City-sponsored or co-sponsored programs and events.)

Category 3 – Non-profit groups, youth sports organizations, schools and charitable organizations. The following is required from these groups:

- Event organizer name with address and telephone number.
- Copy of Liability Insurance Policy naming the City of Peoria as additional insured for two million dollars.
- IRS letter of determination of 501 c (3) non-profit status.

Category 4 - General or commercial use including tournaments.

REQUEST FOR USE OF SPORTS COMPLEX FACILITIES

Requests can be submitted to Sports Complex Manager or members of the Operations Team at any time during the year. All requests will be handled on an event by event basis and will be decided upon and scheduled based on sports complex availability, projected revenues and overall viability.

FACILITY GUIDELINES - CONDUCT OF TEAMS/INDIVIDUALS

No one is allowed on the stadium field at any time without proper credentials. If anyone enters onto the field without proper credentials, he/she will be immediately ejected from the stadium without a refund. The same ejection rule applies for the practice fields. Anyone using obscene or abusive language or causing any type of discomfort to the guests around them will be asked by Peoria Stadium personnel to cease this conduct. If the offensive conduct persists, those involved will be subject to ejection from the ballpark without a refund.

Smoking is prohibited in any public seating area or restroom. Smoking is permitted in designated areas only.

By city ordinance, there is no overnight parking at Peoria Sports Complex. For more information on parking,

All Mariners and Padres Practice Fields have covered bleachers. Patrons are permitted to bring their own portable chairs and shade to these areas, provided it does not obstruct the view of others.

Food, beverage and coolers are permitted in the Practice Fields, with the exception of glass containers and alcoholic beverages. Concessions are open for purchase at select events.

Pets are not permitted in Peoria Stadium with the exception of guide, signal and service animals.

Pets are permitted in the Practice Fields provided they are leashed. Owners should pick up and properly dispose of pet waste.

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

SS: #4

Date Prepared: June 5, 2012

Study Session Meeting Date: June 20, 2012

TO: Carl Swenson, City Manager
FROM: Jeff Tyne, Interim Community Services Director
THROUGH: Susan J. Daluddung, Deputy City Manager
SUBJECT: Trail Lighting Policy Consideration

Purpose:

To consider development of policies and administrative practices with regard to lighting multi-use trails.

Summary:

Over the last 20 years, the City of Peoria has undertaken a concerted effort to develop a high quality, regionally integrated trail system throughout its boundary area by utilizing river, wash, and utility corridors. The system has been largely constructed in segments; often in conjunction with residential development, and in partnership with various government agencies.

During the past decade, emphasis has been placed on developing the Skunk Creek and New River Trails. To date, more than 1.5 miles of the Arizona Canal Diversion Channel and Skunk Creek trail has been completed with underpasses located at 75th Avenue, 83rd Avenue, and Loop 101 as it connects to the New River Trail at Rio Vista Community Park. More than 12 miles of trail have also been constructed along New River between Happy Valley Road and Olive Avenue, with completed underpasses at Happy Valley Road, Deer Valley Road, Beardsley Road, Union Hills Road, 83rd Avenue, Bell Road, Thunderbird Road, Grand Avenue/U.S. 60, Peoria Avenue, and recently completed Olive Avenue. There are plans to also extend the New River Trail to Northern Avenue, and complete missing segments to Happy Valley Road within the next two years.

As the system has developed, a number of considerations have surfaced regarding the use and amenities of trails. These include elements regarding trail lighting, access, noise, safety, trash, security aspects, resting nodes, trail heads and parking. To consistently address these elements, staff intends to clarify expectations and establish policies with regard to the City's trail system.

Staff has received a number of comments from trail users supporting lighting along the trail for use after dark. Those circumstances often occur during the winter when the sun sets before 6:00 p.m., or during the summer months when temperatures are excessive until 8 p.m. The current trail hours are dusk to dawn.

At this point, the City staff does not intend to utilize lighting on trails in the foreseeable future. One original exception was a small segment of trail identified for improvements in the current year budget. Originally, funding was established through the Community Works program to place solar lighting along the south side of Skunk Creek as part of the 83rd Avenue Trailhead project. While potentially a viable location, actual implementation would be difficult. During the design process, staff is understanding that the solar technology for this is currently limited, and would not produce an appropriate level of lighting for an economical cost. Therefore, the \$350,000 of funding will not be sufficient to install solar lighting along this segment of trail.

As trail development projects occur, the City has actively communicated with adjacent residences to receive feedback about the trail, and impacts to their privacy. Generally citizens have been supportive of the adjacent trail system. Since the trail has been completed, few complaints have been received from citizens. However, concerns have mounted in regard to illegal use of motorized vehicles (i.e. scooters, ATV's, and motorcycles) on the trail system.

Previous Actions:

This item was reviewed by the Council Subcommittee on Community Culture in January 2012.

Options:

- 1) Evaluate citizen and user interest, expected fiscal impacts, and operational usefulness of trail lighting in the planned update of the Parks, Recreation, Open Space and Trails master plan. Provide Council with a briefing of these results upon completion.
- 2) Adopt policy in advance of the master plan effort that reflects City Council priorities.

Staff's Recommendation:

Staff's recommendation is to survey citizen input about trail use, trail safety, and lighting considerations during the Parks, Recreation, Open Space and Trails Master Plan update within the next 6-8 months. Staff would then share those results with City Council and develop a long term strategy and draft policy for Council review based on the feedback from the survey results.

Fiscal Analysis:

Staff has estimated the cost to light one mile of trail with a traditional lighting system will range between \$250,000 and \$350,000 per mile, depending on whether overhead lighting or bollard style lighting is used. There would also be ongoing operating costs for electricity and routine maintenance.

Currently, there are no funds are programmed into the 10-year Capital Improvement program to light the trail system. It's important to note that the City may no longer collect and apply impact fees for trail projects. While general obligation bonds are a potential revenue source, such financing is not included under that existing source, and would often require new voter authorization from Peoria residents.

Exhibit(s): None

Contact Name and Number: Kirk Haines, 623-773-7120

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

SS: #5

Date Prepared: June 5, 2012

Study Session Meeting Date: June 20, 2012

TO: Carl Swenson, City Manager
FROM: Jeff Tyne, Interim Community Services Director
THROUGH: Susan J. Daluddung, Deputy City Manager
SUBJECT: Peoria Friends of the Arts

Purpose:

To create a Peoria Friends of the Arts organization that would establish a separate non-profit entity to help promote the fine arts in the Peoria community, and to assist in managing the activities at the City Hall Art Gallery.

Summary:

Consistent with recommendations from the City's Arts Master Plan, City staff is recommending establishment of a non-profit agency dedicated to the education and enrichment of fine arts in the community. Modeled after the Friends of the Library organization, Peoria Friends of the Arts (PFOTA), would promote the fine arts in Peoria in the following areas.

Financial – the ability to raise funds to support the arts in the areas of grants, scholarships, performances, public art, collection, and an endowment for long term sustainability.

Volunteerism – organize a pool of individuals to assist with creating and developing signature special events, support with City-led arts activities, and assist with the City Hall Art Gallery, various other arts activities.

Advocacy –actively communicate with the public as a supporting voice for the fine arts, and undertake community outreach.

Existing City employees have recent experience in creating similar not-for-profit organizations such as Play Peoria, Inc. and Friends of the Library. As an initial step, staff has proactively developed draft procedural and charter documents to prepare for such an entity. As a result, the process and potential for staff time involvement is expected to be minimal.

Should City Council direct staff to pursue the creation of a PFOTA, the expected first steps moving forward would include crafting marketing materials to help identify interested and qualified persons for membership. Subsequently, staff would work with founding members to identify roles, responsibilities, and formation of Board members. Once the membership is organized, the entity can develop a strategic plan to address fundraising, grants, events and activities for promotion. Moreover the entity can organize volunteer efforts for various community art initiatives. Since the entity will operate as a 501(C)(3), the required processes and filing could take up to 12 months to accomplish. It is staff's estimate that a PFOTA could be fully operational within 18 months.

Previous Actions:

In the spring of 2009, the City Council approved the Peoria Arts Master Plan, which laid a foundation for efforts to promote the fine arts in Peoria. At the December 6, 2011 Study Session, staff provided an overview and update to the City Council on master plan implementation. Included in that discussion was the possibility of establishing a "Friends of the Arts" entity, which is a recommendation from the Arts Master Plan.

Currently, the City's Arts Grant program continues to promote various festival activities, community-based programs, and critical agency funding. On March 6 2012, City Council approved a memorandum of understanding with the West Valley Arts Museum to oversee management of the City Hall Art Gallery.

Options:

- 1) Forward an agenda item for a future City Council meeting to create a Peoria Friends of the Arts organization.
- 2) Request staff to provide additional information as needed and consider returning for a future Study Session item for more discussion.
- 3) Do not move forward with the creation of a Peoria Friends of the Arts organization.

Staff's Recommendation:

The City staff recommends moving forward an agenda item to a future City Council meeting to create a Peoria Friends of the Arts not-for-profit organization.

Fiscal Analysis:

There are some modest anticipated costs in the formation of the Peoria Friend of the Arts organization. Fees to file for the 501(c)(3) status should not exceed \$500. There will be the need to create some marketing materials. With the recent hiring of a graphics designer and

other in-house staff, the only out-of-pocket expenses should not exceed \$2,000 for printing and materials costs in order to recruit interested and qualified persons to volunteer and support this organization.

Exhibit(s): None

Contact Name and Number: Kirk Haines, 623-773-7120