

# City Council Meeting Notice & Agenda

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Tuesday, February 05, 2013  
City Council Chamber  
8401 West Monroe Street  
Peoria, AZ 85345

## Special Meeting & Study Session

5:00 P.M. Convene

**Roll Call**  
**Final Call To Submit Speaker Request Forms**

### 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.

### Consent

1C. **Authorization to Hold an Executive Session**

Pursuant to A.R.S. § 38-431.03.A.5: Discussion and possible action to authorize the holding of an Executive Session for the purpose of discussion and consultation with legal counsel and designated representatives of the public body pertaining to labor negotiations.

**(The Executive Session will be held directly following the 7:00 p.m. Regular City Council Meeting.)**

### Study Session Agenda

**Subject(s) for Discussion Only**

2. 2013 Economic Development Update

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Mayor  
Bob Barrett

Acacia  
District  
Tony Rivero,  
Vice Mayor

Ironwood  
District  
Bill Patena

Mesquite  
District  
Cathy Carlat

Palo Verde  
District  
Ron Aames

Pine  
District  
Carlo Leone

Willow  
District  
Jon Edwards

### **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**

## **Executive Session**

**Convene immediately following Special City Council Meeting  
Executive Room, City Council Chamber**

Under the provisions of A.R.S. § 38-431.02 there will be a **CLOSED EXECUTIVE SESSION**.

### **Executive Session Agenda**

3. Discussion and consultation with legal counsel and designated representatives of the public body pertaining to labor negotiations. (Pursuant to A.R.S. § 38-431.03.A.5)

### **Adjournment**

The above-named Public Body of the City of Peoria, Arizona will convene into Executive Session pursuant to A.R.S. § 38-431.03 for those items listed on the agenda. Only those persons who are:

- Members of the Public Body, or
- Officers of the City that are required to attend, or
- Those individuals whose presence is reasonably necessary for the Public Body to carry out its Executive Session responsibilities as determined by the City Attorney may be present during the Executive Session.

All persons who remain present during the Executive Session are reminded that the business conducted in Executive Session, including all discussion taking place herein, is confidential and may not be disclosed to any person, except as permitted by law.

## Regular Meeting

7:00 P.M. Convene

### Pledge of Allegiance

### Roll Call

### Final Call To Submit Speaker Request Forms

### Presentation

4. Certificates of Appointment to the following Board and Commission members who were appointed by Resolution at the January 22, 2013 City Council meeting:
  - Matthew Johnson appointed to the Personnel Board, and
  - Shawn Hutchinson appointed to the Planning and Zoning Commission.

### Consent Agenda

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### Consent

#### 5C. Minutes

Discussion and possible action to approve the following:

January 15, 2013 Meeting Minutes

January 22, 2013 Meeting Minutes

#### 6C. Grant Application, U.S. Department of Interior, Bureau of Reclamation, WaterSMART: Water and Energy Efficiency

Discussion and possible action to adopt **RES. 2013-20** approving an application to the U.S. Department of Interior, Bureau of Reclamation for “WaterSMART”: Water and Energy Efficiency Grants for 2013.

#### 7C. Contract, Sellers & Sons, Inc., WestWing Park, Lighting

Discussion and possible action to: (a) award a contract to Sellers & Sons, Inc. in an amount not to exceed \$200,000 for lighting improvements at WestWing Park; (b) authorize the use of general fund reserves; and (c) approve a budget transfer in an amount not to exceed \$200,000 from the General Fund Contingency account to the Park North Division account.

8C. **Contract, Sellers & Sons, Inc., Murphy Park Field, Lighting**

Discussion and possible action to: (a) award a contract to Sellers & Sons, Inc. in the amount of \$124,195 for the replacement of light poles and fixtures at Murphy Park; (b) authorize owner's contingency in the amount of \$10,805; (c) authorize the use of general fund reserves; and (d) approve a budget transfer in the amount of \$135,000 from the General Fund Contingency account to the Park South Division account.

9C. **Lease Agreement Amendment, White Mountain Apache Tribe, Water Rights**

Discussion and possible action to approve an amended water rights lease agreement between the City of Peoria, the White Mountain Apache Tribe and the United States for a term of 100 years for the lease of Central Arizona Project water.

10C. **Final Plat, Santana Village, Peoria Avenue and 77th Avenue**

Discussion and possible action to approve the Final Plat of Santana Village, located at Peoria Avenue and 77th Avenue, subject to stipulations.

11C. **Final Plat, Sunset Ranch Phase II Parcel F, 100th Avenue and Patrick Lane**

Discussion and possible action to approve the Final Plat of Sunset Ranch II Parcel F, located at 100th Avenue and Patrick Lane, subject to stipulations.

12C. **Final Plat, Sunset Ranch II Parcel E, 100th Avenue and Villa Chula**

Discussion and possible action to approve the Final Plat of Sunset Ranch II Parcel E, located at 100th Avenue and Villa Chula, subject to stipulations.

13C. **Condominium Replat, Amendment to Building F of the Condominium Plat for Union Hills Office Park, Union Hills Drive**

Discussion and possible action to approve the Condominium Replat, Amendment to Building F of the Condominium Plat for Union Hills Office Park, located at Union Hills Drive, west of 91st Avenue.

## Regular Agenda

### New Business

14R. **Exclusive Negotiating Agreement, Blue Ocean Biomanufacturing**

Discussion and possible action to authorize the City Manager to enter into an Exclusive Negotiating Agreement with Blue Ocean Biomanufacturing to develop a facility in Peoria.

### **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 City Manager**

15. **Council Calendar**

16. **Reports with Presentation**

A. Mobile Application for Non-Emergency Reporting - PeoriaAZ Civic Reporter

B. Police Department Mobile Phone Application

17. **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. Distinguished Budget Presentation Award

B. 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 and assistive listening devices are available upon 72 hours advance notice through the Office of the City Clerk, 8401 West Monroe Street, Peoria, Arizona 85345 - Phone: (623)773-7340 or FAX (623) 773-7304. To the extent possible, additional reasonable accommodations will be made available within the time constraints of the request. The City has a TDD line where accommodations may be requested at: (623)773-7221.

### **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 Council Meetings can be viewed live on Channel 11 (Cox Cable) and are available for viewing on demand at <http://www.peoriaaz.gov/content2.aspx?id=2151>.

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATION**

Agenda Item: #2

**Date Prepared: January 21, 2013**

**Council Meeting Date: February 5, 2013**

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**TO: Carl Swenson, City Manager**

**FROM: Scott Whyte, Economic Development Services Director**

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

**SUBJECT: 2013 Economic Development Update**

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**Purpose:**

To provide the City Council an update on economic development projects and programs, as well as the status of available funding.

**Background/Summary:**

On October 19, 2010, the City Council adopted the Economic Development Implementation Strategy (EDIS) which identified the city's economic development strengths, weaknesses, opportunities, and threats, as well as created a roadmap for economic development activity in the city through the establishment of eleven initiatives to guide economic development activities. Staff has used the Council adopted EDIS as a work plan in terms of pursuing specific proposals to move the city's economic development objectives forward. The EDIS initiatives are the following:

- University Recruitment
- Investment Zone Development: P83 Entertainment District, Old Town Peoria, Vistancia Commercial Core Mega Site, Rovey Industrial Park Mega Site, and Park West
- Health Care Recruitment
- Business Assistance Program
- Strategic Land Assembly
- Marketing Plan
- Medical Device Incubator
- Permit and Approval Process Task Force
- Workforce Development

Exhibit A provides a comprehensive summary of current Economic Development Services (EDS) activities with respect to the EDIS initiatives. Exhibit B provides a summary of potential funding allocations for EDIS projects. Exhibit C provides a list of all projects and their associated funding levels. Below is a summary of each project.

### Existing projects

Current projects are those that have city obligations through existing agreements or advanced levels of consultant review but are presently unfunded or underfunded.

- **Bioinspire** – incubator program with operating costs funded through Year three (3) of a five (5) year program (executed operating grant agreement).
- **Trine University** – Only initial funding has been obtained. Future year funding, should it be necessary, has not been allocated (executed development agreement).
- **Maxwell Technologies** – We are presently applying for a Section 108 loan from the federal government through the CDBG program. If this application is not approved, there is no funding set aside to cover the city's obligation (executed development agreement).
- **Commercial Rehabilitation Program** – Phase 2 will be complete in spring 2013, but there is no funding allocated for future phases (existing Council approved program).
- **P83 Public Improvements** – This multi-phase improvement program to the Entertainment District has insufficient funding to implement the planned improvements (in the Design Concept Report phase).
- **PSP Mixed-Use Redevelopment Project** – This public/private partnership with PSP, LLC likely will have parking garage design and construction costs in excess of existing cost estimates (executed ground lease).
- **Vistancia Commercial Core** – A public/private partnership with Vistancia Land Holdings to bring economic development opportunities to the Loop 303 area. Aside from the build out of El Mirage Road, Vistancia has no allocation to support the targeted marketing strategy that was approved by Council on 6/19/12 (executed development agreement).

Funding should be allocated to these projects first because the city has an existing obligation through an executed agreement, or an existing program.

### Upcoming Projects

Upcoming projects are those where the city has an executed Exclusive Negotiating Agreement (ENA) but not yet advanced to a development agreement.

- **Huntington University** (ENA approved 10/9/12)
- **College of St. Scholastica** (ENA approved 10/9/12)
- **Blue Ocean Biomanufacturing** (ENA on Council agenda on 2/5/13)

There is currently no funding set aside for the development of these projects.

### Future Projects

Future projects are projects that are currently being pursued but have not yet reached the point of having an agreement, such as an ENA, in place.

- **Rovey Industrial Park** – A conceptual 328 acre, rail supported industrial park in southern Peoria. The city does have an ENA with the Rovey family for the purpose of pre-design services and master-planning of the site. The ENA terminates in February 2013.

- **Peoria Town Center** – new ownership and the ongoing Building Re-Use Implementation Strategy are improving the opportunity for this center.
- **Saxa** – this 16-acre parcel at Park West is of significance because it lies on the Loop 101 and would be supported by the Park West development.
- **Goodwill Property Re-Use** – new ownership is seeking to demolish the existing building and construct a new smaller Goodwill as well as some additional potential mixed-use development.
- **Peoria Innovation Center** – this concept was first presented by Trine University as something they are looking to do, in partnership with the city and the private sector, to bring the university closer to industry.

#### **Previous Actions:**

Below is a list of previous Council meetings that discussed economic development status updates:

- January 31, 2012 – City Council Study Session on Economic Development Status Update and Funding Allocation
- September 9, 2011 – Council Workshop on Economic Development Project Prioritization

#### **Options:**

1. **Continue to move forward with EDIS implementation as the initiatives are currently identified, and fund all existing projects.** This means that all existing projects, as included in Exhibit B, would receive the funding allocation needed to comply with the executed agreement.
2. **Modify the initiatives in the EDIS and approve funding for economic development activities different from that which is presented.** This means that the current list of initiatives would be re-prioritized by the Council in the budget process.
3. **Reject all options.** This means that staff would put all activities on hold in order to develop a new economic development implementation strategy.
4. **Cease any economic development pursuits beyond the existing projects.** This means that the EDS Department's work plan for 2013 and likely 2014 would only be to implement those existing projects mentioned above, and not pursue any other economic development activity, such as those pursuits identified above as upcoming and future projects, as well as any business attraction activities as no funding is available for such.

**Staff Recommendation:**

Continue to move forward with EDIS implementation as the initiatives are currently identified, and fund all existing projects. This means that all existing projects, as included in Exhibit B, would receive the funding allocation needed to comply with the executed agreement.

**Fiscal Analysis:**

Please see attached Economic Development Project and Budget Matrix document (Exhibit B).

**Narrative:**

Please see attached Economic Development Project Update document.

**Exhibit(s):**

Exhibit A: Project Update

Exhibit B: Economic Development Project and Budget Matrix Document

Exhibit C: EDS Project Summary Based on EDIS Initiative

## Exhibit A: ED Project Update

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As of January 22, 2013

### Business Attraction

#### University Recruitment

The city has been very active in its university recruitment efforts. To date our achievements and activities include the following:

- Executed development agreement with Trine University (10/23/12)
  - Trine will defend their application to the Arizona State Private Post-Secondary Board on January 24, 2013. It is anticipated that their accreditation will be approved on that day.
  - Trine is gearing up for classes and anticipates the first 8-week quarter to start in Spring 2013 at the facility at 14100 N. 83<sup>rd</sup> Avenue.
- Two executed ENAs (10/9/12)
  - Huntington University for the development of undergraduate nursing, exercise science, and digital media (fusion media)
  - College of St. Scholastica for the development of graduate nursing, health care information management, and social work
- A fourth university has visited the market and received a presentation for a residential campus development in Vistancia. The next step, if Peoria is selected, will be to execute an ENA with them and finalize the project scope.
- A university summit was held (12/11/12) with the three partners in the consortium to identify and define the consortium, as well as the programs for each university. The first meeting was very successful and a Memorandum of Understanding (MOU) is being drafted that formalizes the approach to the consortium.

#### Health Care Recruitment

- The city is re-negotiating the ENA with Vanguard Health Systems for a hospital campus in northern Peoria (build-to-suit). Should negotiations with Vanguard not progress at a quick pace, staff will pursue a joint Request for Proposals (RFP) in partnership with Vistancia Land Holdings for a higher education residential campus and health care consortium.
- The Kidney Institute opened in October 2012.
- Genome Identification Corp. (GID) – the city approved a development agreement in October 2012. GID is a start-up forensic DNA company expected to bring 23.5

jobs to the city over a 3-year period of time; the average salary will be at least \$69,300. GID is working with investors on obtaining working capital, with the goal of commencing operations in the spring 2013.

### Investment Zones

In this category we would like to highlight 5 focus areas:

- **P83 - Entertainment District**
  - Peoria Sports Park (PSP) Redevelopment Project - The project has a new financial partner – Jared Chandler of Chandler Hotel Group. The development team has been negotiating a ground lease for several months and was approved by Council on 1/22/13. Project economic analysis and development agreement negotiations are the next steps.
  - P83 Public Improvements - The Design Concept Report (to 30% engineered plans) for the P83 district identity and place-making improvements is almost complete. A draft report is expected by spring 2013.
- **Old Town Peoria**
  - Commercial Rehabilitation Program - completed the Wagoner Plaza I center in June of 2012. The second phase, Wagoner Plaza II, is expected to be completed in early spring 2013.
  - In September 2012, the city entered into a contract with First Strategic to create a Building Re-use Implementation Strategy for 8 vacant and/or underutilized buildings in the city (4 are in Old Town). The first phase of this strategy is to conduct a market evaluation and economic viability analysis for the city in particular and the buildings specifically as they relate to the targeted industries identified in the EDIS. The first phase should be completed in spring 2013.
  - A building assessment was completed on the old fire station and fire administration buildings on Washington Street in Old Town. The purpose of the assessment was to facilitate discussions with prospective tenants regarding the tenant improvements necessary to the buildings to be re-used and operational.
- **Rovey Industrial Park Mega Site**
  - The city entered into an Exclusive Negotiating Agreement with the Roveys on February 13, 2013 to collaborate on pre-design services. And extension of the ENA is currently being negotiated.
  - The city, in reviewing the Traffic Impact Analysis for the proposed project in phase 1 (128 acres), issued a letter to the Roveys indicating that no additional traffic lanes were necessary for 10 years (through 2022) if development occurred according to that outlined in the TIA. Next step is to complete an application to the Arizona Corporation Commission for a rail crossing over 75<sup>th</sup> Avenue.

- **Plaza del Rio**
  - Bioinspire opened on September 25, 2012 and is now home to 6 companies.
- **Northern Peoria**
  - City Council adopted the Vistancia Mega Site Targeted Industry Attraction Strategy in May of 2012. This strategy outlines how the city works with GPEC and Vistancia to attract targeted industries to the area.
    - Site Selection Consultants were hosted by Vistancia and GPEC in February 2012
    - The Amended and Restated Vistancia DA was approved by City Council in May 2012.
    - An event with partners (GPEC, Vistancia, and DPR) is planned for the end of February in San Francisco as part of the city's California strategy.

### Marketing Plan

The city has engaged in various promotional activities to market and promote the City:

- Investment Conference – Approximately 95 people attended the Investment Conference held at the Arizona Broadway Theatre on January 19, 2012. The next conference – Investing in Innovation – will be held on February 20, 2013.
- Public Relations Campaign – campaign has been very successful in outreach efforts to establish the city's image nationally and internationally as an emerging place to do business:
  - This fiscal year we have been featured in several magazine articles (*Business Xpansion Journal, Site Selection*)
  - Bioinspire was featured in 34 web publications when it launched its call for applications
  - The city and BioAccel were hosted on PBS' "Arizona Horizon" to discuss BioAccel
  - The city and Trine University were featured on KJZZ, which was then picked up by National Public Radio (NPR)
  - Several articles in *Arizona Republic, Phoenix Business Journal, Peoria Independent, and Peoria Times*, including extensive cover in the *Business Journal* for Bioinspire and the companies.
  - Outreach resulted in high attendance at events:
    - Job Fair (November 8, 2012) – 1,500+
    - Peoria Small Business Roundtable – 28 participants

### Medical Device Incubator

In November 2011, City Council approved a contract with BioAccel for the management of an incubator facility. That facility, Bioinspire, opened in September 2012 with 5 companies. BioAccel conducted a comprehensive Call for Applications to identify, analyze and vet Bioinspire prospects. The six that are now housed in the facility are the following:

- Arizona Medical Systems: a company that has developed transformative technologies that simplify cardiovascular procedures for physicians and provide better outcomes for patients of heart disease.
- Hildeez: a company that provides a comfortable recovery garment that allows easy access to a patient's treatment site following a surgical procedure such as a total knee replacement.
- Kulira Technologies: an advanced biomedical engineering firm that creates solutions for surgical oncology using state-of-the-art biomaterials.
- Nasseo: a medical device company that is dedicated to providing clinicians and patients with smarter and longer-lasting dental and orthopedic implants.
- Yolia Health: an optometric device company committed to help eye care providers preserve, restore and enhance vision through cost-effective, non-invasive forms of treatment.
- Stimwave Technologies: a pain management company that has developed a wirelessly powered microimplantable stimulators for the neuromodulation field for pain relief particularly for patients suffering from chronic back and leg pain.

### **Business Retention and Expansion**

#### Business Assistance Program

The goal of Peoria's Business Assistance Program is to retain and expand existing businesses by learning about issues business owners are facing and addressing those issues in a timely manner.

Visits to existing companies in 2012 totaled 187. The following programs and developments are, in part, in response to the needs of the existing business community:

- Job Fair
- Commercial Rehabilitation Program
- P83 Entertainment District Identity Program
- Peoria Small Business Roundtable

## Redevelopment

### Strategic Land Assembly

Infill and redevelopment enables communities to stimulate new development and investment into existing urban and suburban areas that already provide services. This is accomplished by developing, redeveloping, and re-using existing sites and buildings in neighborhoods, commercial corridors, and centers.

In 2012, EDS put a great deal of effort in redevelopment activities for Old Town, including the successful completion of phase 1 of the Commercial Rehabilitation Program, the beginning of the phase 2 construction on Wagoner Plaza 2, and the building assessment of the old Fire Station and Administration buildings.

Presently, we have contracted with a firm, First Strategic, which is evaluating 8 vacant and underutilized buildings that are in the city. The result of the Building Re-Use Implementation Strategy will be an approach to re-use those buildings and turn them into viable commercial properties.

## Small Business Development

The city has been developing its small business program since 2005 and pride's itself as a regional partner in small business advocacy. Peoria's small business program is designed for businesses that fit into these categories:

- Fewer than 75 employees
- Home-based
- Start-ups

The small business program, as a whole, focuses on assisting Peoria small business owners with any needs or requests they might have to make their business more successful. The program also assists prospects looking to locate in the City of Peoria and provides customer service for business retention and expansion. As a regional partner, our small business educational seminars are offered to any small business owner that looks to improve their business.

The goal is to specifically address small business concerns and grow the small business community in Peoria. In 2012, the following activities were pursued:

- Hosted 17 small business seminars on a variety of topics from video making and social media to human resource issues and small business taxes
  - Total of 325 attendees
  - Average attendance was 19 per event
- Worked with 17 prospects for business start-up/relocation
- Small Business Outreach:
  - Promote small business program at regional tradeshow, expos, organizations:

- ASBA Tradeshow, 11<sup>th</sup> Annual Biz2Biz Expo, ICSC Idea Exchange, GPS Biz2Biz Expo
- Delivered/mailed information regarding Peoria's Small Business Program to 608 new and existing businesses
- Assisted 35 businesses owners

### **Workforce Development**

The city has partnered with Maricopa Community Colleges, Maricopa Workforce Connections, and West-MEC to build a workforce development program focused on our business retention and business attraction efforts. Current activities include the following:

- Assessment of workforce needs based on interviews and surveys of existing Peoria businesses
- Job Fair (in collaboration with Peoria Chamber, Maricopa Workforce Connections, Goodwill of Central Arizona, MCC Small Business Development Center, Greater Phoenix SCORE, SBA, etc.)
- Participate in WESTMARC and West-MEC meetings regarding workforce development and economic development topics

The newest development is the addition of Trine University as a leader in technically-skilled workforce development.

# Economic Development Implementation Strategy

## Use of Available Funds

### One-Time Pot

\$24,709,207

Bio-Inspire Operating Agreement (Years 1-3)	\$4,657,000
Bio-Inspire Lease Agreement (70 months)	\$922,000
Maxwell Technologies	\$1,500,000
Trine University	\$2,550,000
Vistancia Commercial Corridor (El Mirage Extension only)	\$6,700,000
First Strategic	\$320,000
P83 Design Concept Report (DCR)	\$450,000
Peoria Sports Park Economic Analysis	\$150,000
Commercial Rehab (Wagoner 1 & 2)	\$2,106,000
Genome Identification Corp.	\$300,000
Strategic Land Assembly (GO restricted)	\$2,987,000

Total Committed - \$22,642,000

Remaining Available for  
Allocation = \$2,067,207

### Ongoing Pot

\$3,678,606

BRED Division Operating Budget	\$975,006
GPEC and Chamber Funding	\$128,600
Peoria Sports Project Financing Costs (Parking Garages)	\$2,175,000

Total Committed - \$3,278,606

Remaining Available for  
Allocation = \$400,000 (Starting FY 2017)

# Economic Development Implementation Strategy

Existing

<u>Project</u>	<u>Amount</u>	<u>Funded</u>	<u>Unfunded</u>	<u>Year Avail.</u>	<u>Source</u>
Bio-Inspire Operating Agreement	\$ 7.906m	\$ 4.657m	\$3.249m	2012-14	RTP, ½ Cent
Bio-Inspire Lease Agreement	\$ 0.922m	\$ 0.922m	\$0	2012-18	½ Cent
Maxwell Technologies	\$ 1.500m	\$ 1.500m	\$0	2014-16	CDBG, ½ Cent
Trine University	\$ 2.550m	\$ 2.550m	\$0	2013	RTP, ½ Cent
Vistancia Commercial Core	\$ 6.700m	\$ 6.700m	\$0	2014-15	Trans S-T, DIF
First Strategic	\$ 0.320m	\$ 0.320m	\$0	2012	RTP
Genome Identification Corp.	\$ 0.300m	\$ 0.300m	\$0	2012	½ Cent
P83 DCR	\$ 0.450m	\$ 0.450m	\$0	2013	Gen
PSP Economic Analysis	\$ 0.150m	\$ 0.150m	\$0	2013	RTP
P83 Improvements	\$17.000m	\$ 0	\$17.000m	2014	Gen, RTP, ½ Cent
Strategic Land Assembly	\$ 2.987m	\$ 2.987m	\$0	2012	GO Bonds
Commercial Rehab (Phase 1-3)	\$ 4.305m	\$ 2.106m	\$ 2.200m	2011-14	Gen Fun, RTP
<b>Total</b>	<b>\$45.090m</b>	<b>\$22.642m</b>	<b>\$22.449m</b>		
<u>Financed</u>					
Peoria Sports Park	\$30.000m	\$30.000m	\$0.000m	2014-34	MDA (1/2 Cent)

Upcoming

<u>Project</u>	<u>Amount</u>	<u>Funded</u>	<u>Unfunded</u>
Huntington University	\$0.000m	\$0.000m	\$0
College of St. Scholastica	\$0.000m	\$0.000m	\$0
Blue Ocean Biomanufacturing	\$0.000m	\$0.000m	\$0
<b>Total</b>	<b>\$0.000m</b>	<b>\$0.000m</b>	<b>\$0</b>

Future

<u>Project</u>	<u>Amount</u>	<u>Funded</u>	<u>Unfunded</u>
Rovey Industrial Park	\$0.000m	\$0.000m	\$0
Peoria Town Center	\$0.000m	\$0.000m	\$0
Saxa Property	\$0.000m	\$0.000m	\$0
Goodwill Prop Re-Use	\$0.000m	\$0.000m	\$0
Peoria Innovation	\$0.000m	\$0.000m	\$0

### Exhibit C: EDS Project Summary Based on EDIS Initiative

EDIS Initiative	Project	Status	Obligated Funding through CIP/DA/ FY13 operating budget
University Recruitment	Trine University	Executed DA. Trine received accreditation from AZ state body; finalizing HLC accreditation; signed lease for space at 14100 N. 83rd Ave.; hiring staff and faculty	\$2,550,000 in Trine EDA
	College of St. Scholastica	ENA - CSS is working on their proposal to the city.	\$ 12,550
	Huntington University	ENA - HU is working on their proposal to the city.	\$ 12,550
	Consortium	All schools are interested in participating. Second meeting to determine parameters will be on 2-21-13	\$ 12,550
Investment Zones			
Entertainment District	Peoria Sports Park	Executed ground lease 1-22-13; Next steps are economic analysis and negotiating development agreement	\$ -
	P83 DCR for Capital Improvements	DCR to be presented to Council in spring 2013	\$ 450,000
	P83 Capital Improvements	Phased approach determined by DCR	\$ -
Northern Peoria	Vistancia Commercial Core	One marketing event in California planned for Feb (in association with the Planning, Design and Construction show - will include GPEC, Vistancia, and DPR as partners)	\$ 5,000
		Construction of El Mirage Road according to the DA approved 5/1/12	\$6,700,000 in DA to build El Mirage Rd
Old Town	Building Reuse Implementation Strategy	Consultant has reduced list of potential buildings to 4; finalized the targeted industry assessment; currently working on the building assessment of each vacant building to determine appropriate uses for the space.	\$ 320,000
	Peoria Town Center	Recently purchased by a local investor; he is working with staff and the consultant on potential re-use concepts	0
	Goodwill	Property in escrow by the Mack Company who plans on demolishing existing store, building a new Goodwill store in a smaller format, and creating some additional mixed-use development on the property	0
	Commercial Rehab Program	Completing Phase 2 in spring 2013	\$ 2,106,000
	Blue Ocean Biomanufacturing	ENA with Blue Ocean will go to Council on Feb. 5	0
Rovey Industrial Park	Pre-design services	Per ENA, Roveys and the city are working to determine the ultimate construction of 75th Ave. The next steps include engineering concepts for 75th Ave. and completing the AZ Corporation Commission application.	\$20,000 in ENA
Healthcare Recruitment Strategy	Vanguard Medical Systems	Ongoing discussions on their future campus at Happy Valley and Loop 303	Subject to Council action

EDIS Initiative	Project	Status	Obligated Funding through CIP/DA/ FY13 operating budget
Business Assistance Program	Small Business Seminars	Currently hosting 2 seminars per month	Operating budget
	Meeting new Peoria businesses	Currently delivering 30 welcome packets per month	Operating budget
	Business Retention Program	Currently meeting with 10 businesses per month on average	Operating budget
	Business Attraction	Currently handling 25 potential prospects	Operating budget
Marketing Plan	Innovation Forum	Event to begin establishing Peoria as an innovation economy; held on Feb. 20 at the Arizona Broadway Theatre.	\$ 5,000
	Vistancia Mega Site Attraction Strategy	In market business attraction events in California, Site Selector and Prospect meetings	\$ 15,000
	EDS TV	EDS to produce quarterly TV shows for Channel 11 and the internet on economic development activities	\$ 2,500
Medical Device Incubator	Bioinspire	Currently 6 companies in the incubator; operations funded per operating grant agreement through year 3; <b>funding not provided for Years 4 and 5 totals \$3,250,000</b>	\$4,657,000 in operating agreement
		Lease with the Plaza Companies for years 1-2 (estimated lease, CAM and taxes)	\$922,000 in lease agreement
Strategic Land Assembly	Park West/Saxa	In discussions regarding a potential DA amendment and the acquisition of the 16-acre Saxa parcel as part of a planned mixed use development	0
Permitting Task Force	Self-certification	Consultant has been engaged to develop the program	\$ 30,000
	Over-the-Counter Permitting	Part of 3/5/13 study session	0
	Electronic Plan Submittal	This option is being explored as part of the required software update through Accela Automation	0
Workforce Development	Job Fair	2013 Job Fair is in planning stage; Goodwill has committed to being the lead sponsor again this year.	\$ 5,000
Business Attraction	Maxwell Technologies	Maxwell submitting TI plans for review; Foreign Trade Zone consultant contracted	\$1,500,000 in DA

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATION**

Agenda Item: #4

Date Prepared: January 2, 2013

Council Meeting Date: February 5, 2013

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**TO:** Carl Swenson, City Manager  
**FROM:** Rhonda Geriminsky, CMC, Interim City Clerk  
**THROUGH:** Susan K. Thorpe, Deputy City Manager  
**SUBJECT:** Board and Commission Appointments Presentation

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**Purpose:**

This is a request for City Council to present plaques and *Certificates of Appointment* to the Board and Commission members as follows:

Names	Boards and Commissions
Matthew Johnson	Personnel Board
Shawn Hutchinson	Planning and Zoning Commission

**Background/Summary:**

Newly appointed Board and Commission members are invited to attend a Regular City Council meeting to personally accept a plaque and *Certificate of Appointment* from the Mayor and City Council.

**Previous Actions:**

On December 13, 2012, the Council Subcommittee on Policy and Appointments met and made recommendations for Board and Commission member appointments and reappointments.

On December 17, 2012, a memorandum was submitted to Mayor and Council outlining the recommended member appointments and reappointments from the December 13, 2012 Subcommittee meetings asking for concerns to be submitted in writing to the Mayor. No comments were received.

On January 8, 2013 City Council adopted Resolutions making the following Board and Commission appointments:

Resolution Nos.	Names	Boards and Commissions	Term Expirations
2013-13	Matthew Johnson	Personnel Board	June 2014
2013-14	Shawn Hutchinson	Planning and Zoning Commission	June 2015

**Options:**

This is a presentation item only.

**Staff's Recommendation:**

That the Mayor and City Council present *Certificates of Appointment* to newly appointed Board and Commissions members who were appointed by Resolution at the January 22, 2013 City Council meeting.

**Fiscal Analysis:**

There is no fiscal impact regarding this item.

**Narrative:**

Newly appointed Board and Commission members have been invited to attend the February 5, 2013 City Council meeting to receive their respective Plaques and *Certificates of Appointment*.

**Exhibit(s):** There are no exhibits.

**Contact Name and Number:** Rhonda Geriminsky, Interim City Clerk, 623-773-7340

**MINUTES OF THE PEORIA CITY COUNCIL**  
CITY OF PEORIA, ARIZONA  
CITY COUNCIL CHAMBER  
January 15, 2013

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 Tony Rivero; Councilmembers Ron Aames, Cathy Carlat, Jon Edwards, Carlo Leone and Bill Patena.

**Members Absent:** None

**Other Municipal Officials Present:** Carl Swenson, City Manager; Susan Daluddung, Deputy City Manager; Susan Thorpe, Deputy City Manager; Steve Burg, Chief Assistant City Attorney; Rhonda Geriminsky, Interim City Clerk; Julie Ayers, Human Resources Director; Andy Granger, Engineering Director; John Imig, Information Technology Director; Bo Larsen, Public Information Manager; Bill Mattingly, Public Works Director; Brent Mattingly, Finance Director; Roy Minter, Police Chief; Bobby Ruiz, Fire Chief; John Sefton, Community Services Director; Jeff Tyne, Management and Budget Director; Scott Whyte, Economic Development Services Director and Claudia Luján, Assistant to the City Manager.

**Audience:** Approximately 2 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.

Motion was made by Councilmember Carlat, seconded by Councilmember Leone, to approve the Consent Agenda. Upon vote, the motion carried unanimously 7 to 0.

1. **Authorization to Hold an Executive Session**

Pursuant to A.R.S. § 38-431.03 Authorized the holding of an Executive Session for the purposes of discussion with staff in order to consider the City's position and instruct staff regarding negotiations with Peoria Sports Park, LLC for a lease of City property located south of Bell Road adjacent to 83rd Avenue and Mariners Way. (Pursuant to A.R.S. § 38-431.03(A)(7))

## Study Session Agenda

### Subject(s) for Discussion Only

#### 2. Fiscal Year 2014 Budget Update

Jeff Tyne, Management and Budget Director, provided an overview of the City's budget. Mr. Tyne providing information regarding:

- Economic perspective
- Financial outlook for operating funds
- Key budget issues
- Fiscal Year 2014 budget schedule

Brent Mattingly, Chief Financial Officer, provided an overview of Peoria's Principles of Sound Financial Management, which is Peoria's guiding document for financial issues.

Mr. Tyne provided information regarding:

- One-time funds
- Reserve balances
- Five-year financial forecasting
- Ten-year Capital Improvement Plan

Katie Gregory, Budget Coordinator, explained enterprise funds.

Mr. Tyne provided information regarding:

- Peoria in comparison to other cities
- Use of reserves – long-term impacts
- Operating Budget history
- Budget reductions by department
- Arizona economy in 2013
- Revenues and revenue composition
- Peoria sales tax
- Less workforce mobility

Discussion ensued regarding:

- Movement toward service-based economy
- Opportunities for change due to the economic downturn
- Automobile revenue
- Collection of sales tax on construction
- State Shared Revenue
- General Fund forecast Fiscal Year 2014 through Fiscal Year 2018
- Other operating funds
- Half-Cent Sales Tax

## City Council Meeting Minutes

January 15, 2013

Page 3 of 4

- Transportation Funds
- Self-Insurance/Internal Service Funds
- Water and Wastewater Enterprise
- Solid Waste Enterprise

Julie Ayers, Human Resources Director, addressed Council regarding the City's workforce. Ms. Ayers provided information regarding:

- Operating costs as it relates to the City's workforce
- Authorized full-time equivalent employees
- Employees by age group
- Average tenure of Peoria's employees
- Annual turnover rate
- Compensation factors
- Average annual salary of the workforce
- Arizona State Retirement System
- Public Safety Retirement System
- Elected Officials Retirement System
- Healthcare costs
- Labor negotiations
- Workforce priorities

Katie Gregory, Budget Coordinator, provided information regarding the water/wastewater and solid waste enterprise funds. Information included:

- Water and wastewater planning and operating budgets
- Customer accounts versus number of full-time equivalent employees
- Utility rate planning
- Solid Waste planning – residential and commercial
- Bond elections
- Potential revenue options for budget priorities

Jeff Tyne, Management and Budget Director, provided an overview of the City's Capital Improvement Program.

Discussion ensued regarding City services provided to citizens in the northern area of the City.

Scott Whyte, Economic Development Director, addressed economic development and the Economic Development Implementation Strategy as it relates to the City's budget.

Discussion ensued regarding:

- Revenue options
- State Shared revenues and forecasting

**ADJOURNMENT:**

Being no further business to come before the Council, the meeting was duly adjourned at 6:40 p.m.

(An Executive Session was convened immediately following the Special City Council Meeting and Study Session pursuant to A.R.S. 38-431.03.)

**Clerk's Note: In accordance with A.R.S. § 38-431.03(B), minutes of executive sessions must be kept confidential except as outlined in statute.**

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Bob Barrett, Mayor

ATTEST:

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Rhonda Geriminsky, Interim City Clerk

**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and correct summary of the proceedings of the City Council Meetings of the City Council of Peoria, Arizona held on the 15<sup>th</sup> day of January, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 5<sup>th</sup> day of February, 2013.

(Seal)

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Rhonda Geriminsky, Interim City Clerk

**MINUTES OF THE PEORIA CITY COUNCIL**  
CITY OF PEORIA, ARIZONA  
CITY COUNCIL CHAMBER  
January 22, 2013

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 Tony Rivero; Councilmembers Ron Aames, Cathy Carlat, Jon Edwards, Carlo Leone and Bill Patena.

**Members Absent:** None

**Other Municipal Officials Present:** Carl Swenson, City Manager; Susan Daluddung, Deputy City Manager; Susan Thorpe, Deputy City Manager; Steve Burg, Chief Assistant City Attorney; Rhonda Geriminsky, Interim City Clerk; Julie Ayers, Human Resources Director; Bo Larsen, Public Information Manager; Bill Mattingly, Public Works Director; Roy Minter, Police Chief; Bobby Ruiz, Fire Chief; John Sefton, Community Services Director; Jeff Tyne, Management and Budget Director; and Claudia Luján, Assistant to the City Manager.

**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.

## **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.

Motion was made by Councilmember Patena, seconded by Councilmember Aames, to approve the Consent Agenda. Upon vote, the motion carried unanimously 7 to 0.

1C. **Authorization to Hold an Executive Session**

Pursuant to A.R.S. § 38-431.03.A.5: Authorized the holding of an Executive Session for the purpose of: (a) Discussion and consultation with legal counsel and designated representatives of the public body pertaining to labor negotiations; and (b) Discussion of records exempt by law from public inspection regarding campus security.

## **STUDY SESSION AGENDA**

### **Subject(s) for Discussion Only**

#### 2. 2013 Labor Negotiations

Carl Swenson, City Manager, outlined the 2013 Labor Negotiations process.

Julie Ayers, Human Resources Director, provided an overview of the labor negotiations process. Ms. Ayers outlined the negotiating teams and timeline.

Steve Burg, Chief Assistant City Attorney, outlined the scope of bargaining and the negotiation items. Additional information included:

- Bargaining framework
- Union rights
- Management rights
- Permissive rights
- Negotiation items
- Roles of public employees

Discussion ensued regarding authorized representatives for the City and the union and equality in negotiation recommendations.

Mr. Swenson outlined the City's use of interest-based negotiations.

Discussion ensued regarding training provided to the management and employee association representatives.

Ms. Ayers provided a comparison between traditional bargaining and interest-based bargaining. Ms. Ayers supplied additional information regarding the Council's role in negotiations.

Jeff Tyne, Management and Budget Director, summarized the General Fund forecast for Fiscal Years 2014-2018.

Discussion ensued regarding the General Fund forecast and projections.

### **ADJOURNMENT:**

Being no further business to come before the Council, the meeting was duly adjourned at 5:55 p.m.

## EXECUTIVE SESSION AGENDA

3. An Executive Session was convened immediately following the Special City Council Meeting and Study Session pursuant to A.R.S. § for the purpose of discussion and consultation with legal counsel and designated representatives of the public body pertaining to labor negotiations. (Pursuant to A.R.S. § 38-431.03.A.5); and
4. Discussion of records exempt by law from public inspection regarding campus security. (Pursuant to A.R.S. § 38-431.03.A.2)

**Clerk's Note:** In accordance with A.R.S. § 38-431.03(B), minutes of executive sessions must be kept confidential except as outlined in statute.

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, Vice Mayor Rivero led the Pledge of Allegiance.

**Members Present:** Mayor Bob Barrett; Vice Mayor Tony Rivero; Councilmembers Ron Aames, Cathy Carlat, Jon Edwards, Carlo Leone and Bill Patena.

**Other Municipal Officials Present:** Carl Swenson, City Manager; Susan Daluddung, Deputy City Manager; Susan Thorpe, Deputy City Manager; Steve Burg, Chief Assistant City Attorney; Rhonda Geriminsky, Interim City Clerk; Julie Ayers, Human Resources Director; John Imig, Information Technology Director; Chris Jacques, Planning and Community Development Director; Bo Larsen, Public Information Manager; Bill Mattingly, Public Works Director; Brent Mattingly, Finance Director; Roy Minter, Police Chief; Dan Nissen, Assistant City Engineer; Bobby Ruiz, Fire Chief; John Schell, Intergovernmental Affairs Director; John Sefton, Community Services Director; Jeff Tyne, Management and Budget Director; Scott Whyte, Economic Development Services Director; Claudia Luján, Assistant to the City Manager; and Linda Blas, Deputy City Clerk.

**Audience:** Approximately 25 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.

**Presentation:**

5. Certificates of Appointment

Mayor Barrett presented Certificates of Appointment to the following Board and Commission members who were appointed by Resolution at the January 8, 2013 City Council meeting:

- George Johnson appointed to the Citizens Commission on Salaries for Elected City Officials,
- George Johnson appointed to the Public Safety Personnel Retirement System - Fire,
- George Johnson appointed to the Public Safety Personnel Retirement System - Police,
- William Schindler appointed to the Industrial Development Authority, and
- William Conner appointed to the Parks and Recreation Board.

**Note: William Schindler and William Conner were not present to receive their certificates.**

6. Bioinspire Update

Scott Whyte, Economic Development Services Director, introduced Tom Rainey, Executive Director of Bioinspire.

Mr. Rainey presented an update on the incubator's accomplishments to date including:

- Negotiated and launched a contract with BioAccel
- Completed renovation and opening of the facility
- Hired additional industry experts for the program
- Recruited Council of Advisors
- Selected first six companies
- Achieved 60 percent occupancy in the facility

Mr. Rainey described each of the companies currently residing at the Bioinspire facility.

**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.

Vice Mayor Rivero requested that Agenda Item 10C be removed for separate discussion.

Motion was made by Councilmember Leone, seconded by Councilmember Aames, to approve the Consent Agenda with the exception of Agenda Item 10C. Upon vote, the motion carried unanimously 7 to 0.

7C. **Minutes**

Approved the January 8, 2013 City Council meeting minutes.

8C. **Appointments, Boards and Commissions**

RESOLUTION NO. 2013-13

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, APPOINTING MATTHEW JOHNSON TO THE PERSONNEL BOARD AND ESTABLISHING THE TERM OF OFFICE.

RESOLUTION NO. 2013-14

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, APPOINTING SHAWN HUTCHINSON TO THE PLANNING AND ZONING COMMISSION AND ESTABLISHING THE TERM OF OFFICE.

Approved the recommendation from the Council Subcommittee on Policy and Appointments pertaining to the following appointments, and adopted the Resolutions as presented:

Adopted **RES. 2013-13** appointing Matthew Johnson, as a regular member, to the Personnel Board, and

Adopted **RES. 2013-14** appointing Shawn Hutchinson, as a regular member, to the Planning and Zoning Commission.

9C. **License Agreement, Housing Authority of Maricopa County, Parking, Municipal Operations Center**

Authorized entering into a License Agreement with the Housing Authority of Maricopa County to provide parking for six county-owned vehicles at the Municipal Operations Center.

10C. **Council Policy, Development Services User Fees Cost Recovery Policy**

**Clerk's Note: Agenda Item 10C was removed from the Consent Agenda for separate discussion.**

At the request of Councilmember Rivero, Katie Gregory, Development Agreement Coordinator, presented a brief overview of the proposed Development Services User Fees Cost Recovery Policy.

Motion was made by Councilmember Carlat, seconded by Vice Mayor Rivero, to adopt the Development Services User Fees Cost Recovery Policy which establishes a set procedure for reviewing and adjusting fees and identifies cost recovery targets and pricing policy considerations.

Upon vote, the motion carried unanimously 7 to 0.

## **REGULAR AGENDA**

### **New Business:**

11R. **PUBLIC HEARING - Liquor License, Young Brothers Pizza, Located at 8996 West Union Hills Drive Suite 105**

### **Staff Report:**

Brent Mattingly, Finance Director, reported on staff's recommendation to recommend approval to the State Liquor Board for a New Restaurant Liquor License (Series 12) for Young Brothers Pizza, located at 8996 West Union Hills Drive Suite 105, Abedin Ollomani, Applicant, LL#20007031.

Mr. Mattingly advised 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 a request for a New Restaurant Liquor License (Series 12) for Young Brothers Pizza, located at 8996 West Union Hills Drive Suite 105, Abedin Ollomani, Applicant, LL#20007031.

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

**Council Action:**

Motion was made by Councilmember Aames, seconded by Councilmember Leone, to recommend approval to the State Liquor Board for a New Restaurant Liquor License (Series 12) for Young Brothers Pizza, located at 8996 West Union Hills Drive Suite 105, Abedin Ollomani, Applicant, LL#20007031.

Upon vote, the motion carried unanimously 7 to 0.

12R. **PUBLIC HEARING - General Plan Amendment, Land Use Map, Cholla Hills, State Route 74 and Old Lake Pleasant Road**

**Clerk's Note: Agenda Items 12R and 13R were presented together.**

RESOLUTION NO. 2013-15

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA AMENDING THE LAND USE MAP OF THE PEORIA GENERAL PLAN FOR THE CITY OF PEORIA, ARIZONA; AND PROVIDING FOR SEPARABILITY AND AN EFFECTIVE DATE.

**Staff Report:**

Chris Jacques, Planning and Community Development Director, reported on a request for a minor amendment to the General Plan Land Use Map for approximately 23 acres and a request to amend the existing Estates at Lakeside Planned Area Development and rezoning of an additional 244 gross acres, located northwest of State Route 74 and Old Lake Pleasant Road.

The proposed amendment to the General Plan Land Use Map would change the current Residential Estate designation to Neighborhood Commercial allowing future development of a commercial center which would be integrated into the Cholla Hills Planned Area Development.

The proposed Major Planned Area Development amendment and rezoning would increase the overall project area and allow for development of a recreational vehicle resort.

Discussion ensued regarding City-imposed stipulations for the recreational vehicle resort.

Mike Curley, representing the applicant, addressed Council in support of the Cholla Hills General Plan and Planned Area Development amendment.

**Public Hearing:**

Mayor Barrett opened the Public Hearing and asked if any Councilmember or citizen wished to comment on a request to amend the General Plan Land Use Map by re-designating approximately 23 gross acres located northwest of State Route 74 and Old Lake Pleasant Road from Residential Estate 0-2 du/ac to Neighborhood Commercial.

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

**Council Action:**

Motion was made by Councilmember Aames, seconded by Councilmember Edwards, to concur with the Planning and Zoning Commission's recommendation and adopt **RES. 2013-15** approving an amendment to the General Plan Land Use Map by re-designating a site encompassing approximately 23 gross acres, located northwest of State Route 74 and Old Lake Pleasant Road from Residential Estate 0-2 du/ac to Neighborhood Commercial (GPA 11-0010).

Upon vote, the motion carried unanimously 7 to 0.

13R. **PUBLIC HEARING - Rezoning & Major Planned Area Development Amendment, Cholla Hills, State Route 74 and Old Lake Pleasant Road**

ORDINANCE NO. 2013-02

AN ORDINANCE OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA AMENDING THE EXSITING PLANNED AREA DEVELOPMENT (PAD) ZONING ON CERTAIN PROPERTY AND AMENDING THE ZONING MAP AND PROVIDING FOR AN EFFECTIVE DATE.

**Public Hearing:**

Mayor Barrett opened the Public Hearing and asked if any Councilmember or citizen wished to comment on a request to amend the existing Estates at Lakeside Planned Area Development and rezone an additional 244 gross acres located northwest of State Route 74 and Old Lake Pleasant Road increasing the overall project area and renaming it to Cholla Hills Planned Area Development.

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

**Council Action:**

Motion was made by Councilmember Carlat, seconded by Councilmember Aames, to concur with the Planning and Zoning Commission's recommendation and adopt **ORD. 2013-02** approving an amendment to the existing Estates at Lakeside Planned Area Development and rezone an additional 244 gross acres located northwest of State Route 74 and Old Lake Pleasant Road increasing the overall project area and renaming it Cholla Hills Planned Area Development. (Z 98-03A.1).

Upon vote, the motion carried unanimously 7 to 0.

14R. **Ground Lease, Peoria Sports Park, LLC**

Scott Whyte, Economic Development Services Director, summarized a request for consideration of a ground lease with Peoria Sports Park, LLC to redevelop the existing 17-acre parking lot west of the Peoria Sports Complex into an entertainment destination.

Motion was made by Councilmember Edwards, seconded by Councilmember Patena, to authorize the City Manager to enter into a Ground Lease with Peoria Sports Park, LLC for development of the mixed-use redevelopment project.

Upon vote, the motion carried unanimously 7 to 0.

15R. **Electronic Digital Billboard Civic Engagement Results**

Chris Jacques, Planning and Community Development Director, provided background on the civic engagement and community policy discussion regarding electronic digital billboards.

Mr. Jacques provided a summary of the results of an on-line survey, as well as the public opinion expressed during a series of community meetings.

Discussion ensued regarding the formation of an ad hoc citizens committee to study and explore the use of digital billboards within the City and further engage Peoria residents.

It was the consensus of Council to bring the item forward to a future Study Session for further consideration prior to forming a citizens committee.

**Call To The Public (Non-Agenda Items)**

None.

## Reports from City Manager

16. **Council Calendar**

17. **Reports with Presentation**

A. Pioneer Community Park Public Art

John Sefton, Community Services Director, presented information on the Pioneer Park Public Art project. Mr. Sefton reviewed the process for selecting an artist. Mr. Sefton reported that the Peoria Arts Commission had approved an 18-20 foot wheel-shaped structure of weathered steel designed by Mr. Thomas Sayre of North Carolina.

Discussion ensued regarding safety concerns if individuals were to utilize the art structure as a climbing apparatus.

Council requested additional information regarding the process for commissioning public art.

B. School Safety Procedures

Roy Minter, Police Chief, provided a brief presentation on the Police Department's strategies to provide safety on school campuses.

Chief Minter discussed the following programs:

- Tabletop exercises
- Lunch with Blue
- Security measures
- School Resource Office programs
- Patrol liaisons
- Campus presence
- Daily Watch Patrol Plans
- Partnerships with Peoria Unified School District

C. Legislative Briefing - Arizona 51st Legislature – 1st Regular Session

John Schell, Intergovernmental Affairs Director, provided an overview of the 2013 Legislative Session and highlighted bills that would affect the City. Mr. Schell recapped the core principals that guide the City of Peoria's activities at the Legislature. Mr. Schell reported there are no projected impacts to state-shared revenues as a result of the Governor's proposed budget for Fiscal Year 2014.

18. **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, provided information to Council related to the following items:

- A. Parks, Recreation, Open Space and Trails Master Plan Update (PROST)
- B. 2013 PACE Conference
- C. Credentialed Manager Designation - Julie Ayers, Human Resources Director

**Reports from City Council:**

Councilmember Leone reported on the various City of Peoria activities and events he attended. Councilmember Leone encouraged citizens to visit newly renovated Peoria Community Center.

Councilmember Edwards extended his appreciation to staff for their assistance during his transition as a new Councilmember. Councilmember Edwards reminded the public to purchase tickets to the upcoming P83 event to be held on February 23, 2013.

Vice Mayor Rivero reported on his participation in an essay contest for students in Grades 5-8 at Peoria Elementary School. Vice Mayor Rivero recognized members of the Police Department who also participated in the event.

**Reports from the Mayor:**

None.

**ADJOURNMENT:**

Being no further business to come before the Council, the meeting was duly adjourned at 8:40 p.m.

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Bob Barrett, Mayor

ATTEST:

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Rhonda Geriminsky, Interim City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct summary of the proceedings of the City Council Meetings of the City Council of Peoria, Arizona held on the 22<sup>nd</sup> day of January, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 5<sup>th</sup> day of February, 2013.

(Seal)

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Rhonda Geriminsky, Interim City Clerk

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATION**

Agenda Item: 6C

**Date Prepared: January 22, 2013**

**Council Meeting Date: February 5, 2013**

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TO: Carl Swenson, City Manager

FROM: William Mattingly, Public Works – Utilities Director

THROUGH: Susan K. Thorpe, Deputy City Manager

SUBJECT: Bureau of Reclamation – FY 2013 WaterSMART: Water and Energy Efficiency Grant

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**Purpose:**

Discussion and possible action to authorize the following item:

Resolution No. 13-20: to approve a City of Peoria application to the U.S. Department of Interior, Bureau of Reclamation for “WaterSMART”: Water and Energy Efficiency Grants for 2013

**Background/Summary:**

The Bureau of Reclamation is funding the “WaterSMART”: Water and Energy Efficiency Grants for 2013. The Public Works-Utilities Department has identified a project titled, *Implementation of System Optimization Review and WaterSMART Basin Study Adaptation Strategies in Peoria, Arizona (“Peoria Implementation Project”)*, which consists of design and construction of three new wells to recharge reclaimed water from the Butler Water Reclamation Facility. This will enhance the sustainability of water resources and enhance drought protection.

The potential total of federal grant funding that may be received for this project is \$798,053. As a condition of receiving the grant, the resolution also commits the City’s funding portion of \$829,454. The Department of the Interior is scheduled to announce grant recipients as early as March 2013.

The attached Resolution is required to be submitted to the Department of the Interior no later than February 15, 2013. While the proposed recharge wells are included in the city’s draft Capital Improvement Program for FY 2014 and FY 2015 (UT00309 Butler Recharge Wells), the City Council has not adopted a budget for fiscal year 2014. If the City is selected for this grant, its share of funding is contingent on approval of this project in the adopted Capital Improvement Program. Staff sees this as an opportunity to use federal dollars instead of our local dollars for half of this project.

Ultimately, staff will bring the formal grant agreements for the project back to Council for approval should the City be selected to receive all or part of the grant request.

The total project funding is listed below.

City Funding	<b>\$829,454</b>	51 %
BOR Grant	<b><u>\$798,053</u></b>	<u>49 %</u>
Total project cost	<b>\$1,627,507</b>	100%

**Previous Actions:**

None.

**Options:**

**A:** The Council could act to approve the resolution which identifies the City's matching funds, if the City is awarded the grant from the Bureau of Reclamation to design and construct three new wells to recharge reclaimed water from the Butler Water Reclamation Facility.

**B:** The Council could decline to approve the resolution for the grant application.

**Staff's Recommendation:**

Staff recommends that the Mayor and Council approve the resolution to finalize the City's grant application to obtain \$829,454 in grant funds from the United States Department of Interior, Bureau of Reclamation.

**Fiscal Analysis:**

This project is included in the proposed Capital Improvement Program for FY 2014 and FY 2015 (UT00309 Butler Recharge Wells).

	FY 2014	FY 2015	
UT00309	\$ 183,700	\$ 1,443,807	
<b>Total</b>	<b>\$ 183,700</b>	<b>\$ 1,443,807</b>	<b>\$1,627,507</b>

BOR Funding requested in this grant application: **\$ 798,053**

City of Peoria Matching Funding: **\$ 829,454**

**Narrative:**

Approval of the resolution No. 13-20 allows the City to formally complete its grant application for \$798,053.

**Attachment:**

Resolution to authorize the applicant for a U.S. Department of Interior, Bureau of Reclamation WaterSMART: Water and Energy Efficiency Grants.

**Contact Name and Number:**

Robin Bain, Environmental Resources Manager, 623-773-7213

Council Communication

Page **2** of **2**

REV. 08/2011

## RESOLUTION 2013-20

### RESOLUTION OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, APPROVING THE APPLICATION FOR THE WATERSMART: WATER AND ENERGY EFFICIENCY GRANT FOR FY 2013.

WHEREAS, the United States Department of Interior, Bureau of Reclamation under the authority of Section 9504(a) of the Secure Water Act, Subtitle F of Title IX of the Omnibus Public Land Management Act of 2009, Public Law. 111-11(42 USC 10364) has authorized the establishment of the WaterSMART: Water and Energy Efficiency Grants for FY 2013 and

WHEREAS, United States Department of Interior, Bureau of Reclamation (Bureau) is responsible for the administration of the program within the Federal Government, setting up necessary rules and procedures governing application by local agencies under the program; and

WHEREAS, said adopted procedures established by the Bureau require the applicant to certify by resolution the approval of applications, signature authorization, the availability of local matching funds, and authorization to sign a Participant Agreement with the Bureau of Reclamation prior to submission of said applications to the BOARD; and

NOW, THEREFORE, BE IT RESOLVED THAT Peoria City Council hereby:

1. Approves the filing of an application for the WaterSMART: Water and Energy Efficiency Grants FY 2013 and
2. Certifies that the application is consistent and compatible with all adopted plans and programs of City of Peoria for water marketing and efficiency; and
3. Agrees to comply with all appropriate procedures, guidelines, and requirements established by the Bureau as a part of the application process; and
4. Certifies that the City of Peoria will comply with all appropriate state and federal regulations, policies, guidelines, and requirements as they relate to the application; and
5. Certifies that the City of Peoria has matching funds in the amount of \$829,454 from the Capital Improvement Program.
6. Appoints Carl Swenson, City Manager as an agent of the City of Peoria, Arizona to execute and submit all documents including, but not limited to, applications, agreements and amendments.

Resolution 2013-20  
February 5, 2013

PASSED, ADOPTED AND APPROVED by the Mayor and Council of  
the City of Peoria, Arizona this 5<sup>th</sup> day of February, 2013.

City of Peoria

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Bob Barrett, Mayor

ATTEST:

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Rhonda Geriminsky, Interim City Clerk

APPROVED AS TO FORM:

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Stephen M. Kemp, City Attorney

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATION**

Agenda Item: 7C

**Date Prepared:** January 14, 2013

**Council Meeting Date:** February 5, 2013

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**TO:** Carl Swenson, City Manager

**FROM:** John R. Sefton Jr., Community Services Director

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

**SUBJECT:** Budget Transfer, West Wing Park, Lighting Design/Improvements

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**Purpose:**

This is a request for City Council to award a contract to Sellers & Sons, Inc. in an amount not to exceed \$200,000 to design and install improvements to the tennis and skate court lighting at WestWing Park. Staff requests that City Council authorizes the use of general fund reserves and approve a budget transfer for the design.

**Background/Summary:**

The WestWing Park lighting was installed with the original construction of the park in 2009. A solar-powered option was chosen as a potential cost-savings and method of sustainable development. Over the past years, staff and the solar contractor have attempted to adapt the emerging solar technology to meet lighting expectations. Unfortunately, the lighting levels are not adequate for the active-use of the tennis and skate park amenities and citizen dissatisfaction has increased over time. In consultation with the solar contractor, we have determined that the technology and lighting levels will not meet the citizen/staff expectations. Preliminary cost estimates for assessment, design and installation of a standard electrical lighting system is \$200,000. The existing solar lighting will be relocated and utilized in appropriate park locations that do not require active-use lighting levels.

Staff is proposing to utilize an existing cooperative contract with the City of Tucson to use Sellers & Sons, Inc. to conduct the work.

Sellers & Sons, Inc. has a very good reputation of installing lighting systems in a safe, professional and efficient manner following building code and permit requirements. Furthermore, the installation period will be succinct so it does not negatively impact scheduled and planned activities.

**Previous Actions:**

There have been no previous actions by City Council regarding this matter.

**Options:**

**A:** Award a contract to Sellers & Sons, Inc. and authorize the associated budget amendment to design sports field lighting at WestWing Park.

**B:** Council can choose to take no action at this time and defer these lighting system modifications.

**Staff's Recommendation:**

Staff requests that Council approve the budget transfer and contract for services.

**Fiscal Analysis:**

Request authorization to use General Fund Contingency reserves and approval of a budget transfer in an amount not to exceed \$200,000 from the General Fund Contingency Account 1000-0300-570000 to the Parks North Division, Recreation Equipment Account 1000-1560-542003

**Exhibit(s):** *None*

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

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATION****Date Prepared:** January 14, 2013**Council Meeting Date:** February 5, 2013

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**TO:** Carl Swenson, City Manager

**FROM:** John R. Sefton Jr., Community Services Director

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

**SUBJECT:** Budget Transfer, Murphy Park Field Lighting

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**Purpose:**

This is a request for City Council to award a contract to Sellers & Sons, Inc. in the amount of \$124,195 and authorize an owner's contingency of \$10,805 to replace the light poles and fixtures at Murphy Park. To fund this request, staff requests that City Council authorize the use of general fund reserves and approve a budget transfer in the amount of \$135,000.

**Background/Summary:**

Last summer, a light pole collapsed at the Murphy Park ball field during a monsoon storm. Fortunately during this incident, the ball fields were not in use and no one was injured. However, the fallen light pole caused some damage to the outfield fence of the ball field and prohibited evening use of the field. After careful evaluation, it was determined that this light pole had deteriorated over time and the support system had rusted, causing a weakened connection and the pole to fail. All of the other light poles were inspected and a second light pole was in a similar condition. Staff responded immediately by removing the second light pole and salvaging the light fixtures.

Because this incident occurred during the Mountain View Little League season, there was a necessity to restore the lighting system as quickly as possible with minimal impact to scheduled games. Staff worked with the City's on-call electrical contractor to install two poles and light fixtures within five days of the actual incident. While this provided adequate light for the program to continue, it was a temporary repair that requires the City's involvement to bring the lighting level up to a safe and operable system that meets Little League standards.

Staff is proposing to utilize an existing contract that was created by the City of Tucson that has followed the appropriate procurement requirements to use Sellers & Sons, Inc. Building Contractors to install the Musco Control Link lighting system at Murphy Park. The work includes removal of the existing 10 light poles, and installation of four new metal poles and fixtures to meet the lighting standards established by the Little League association. This new

system is designed to produce more light to the game area while reducing the amount of electrical service needed to operate the system. This lighting technology is much more energy efficient than the current system, and it carries a 25-year life cycle cost through their warranty program.

Sellers & Sons, Inc. have a very good reputation of installing this type of lighting system in a safe, professional and efficient manner following building code and permit requirements. Furthermore, the installation period will be succinct so it does not negatively impact scheduled and planned activities. The work will likely be completed in late March or April and it will be coordinated with scheduled uses at the park.

**Previous Actions:**

There have been no previous actions by City Council regarding this matter.

**Options:**

**A:** Award a contract to Sellers & Sons, Inc. and authorize the associated budget amendment to install sports field lighting at Ira Murphy Park.

**B:** Council can choose to take no action at this time and defer this lighting system modification. However, there is some risk of liability since we do not currently meet the minimum lighting standards for Little League play.

**Staff's Recommendation:**

Staff requests that Council approve budget transfer and contract for services.

**Fiscal Analysis:**

Request authorization to use General Fund Contingency reserves and approval of a budget amendment in the amount of \$135,000 from the General Fund Contingency Account 1000-0300-570000 to the Parks South Division, Recreation Equipment Account 1000-1570-542003.

**Exhibit(s):** *None*

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

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATION**

Agenda Item: 9C

**Date Prepared:** January 22, 2013

**Council Meeting Date:** February 5, 2013

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**TO:** Carl Swenson, City Manager  
**FROM:** William Mattingly, Public Works - Utilities Director  
**THROUGH:** Susan K. Thorpe, Deputy City Manager  
**SUBJECT:** White Mountain Apache Tribe Water Rights Lease Agreement

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**Purpose:**

This is a request for Mayor and Council to approve the Amended White Mountain Apache Water Rights Lease Agreement between the City of Peoria, the White Mountain Apache Tribe, and the United States for a 100-year lease of Central Arizona Project water from the White Mountain Apache Tribe.

**Background/Summary:**

On April 7, 2009, the City Council approved City participation in the White Mountain Apache Tribe Water Rights Agreement. In addition to the City, the parties to the Agreement included the United States of America; the State of Arizona; the Salt River Project; the Central Arizona Water Conservation District; multiple other cities, and multiple irrigation districts. The Agreement resolved the Tribe's water rights claims, assisted in the development of the Tribe's water resources, and made available for lease Central Arizona Project ("CAP") water that is allocated to the Tribe. Following the execution of the Agreement, Senator Jon Kyl introduced a Quantification Act in the U.S. Congress that was passed in 2010 as the White Mountain Apache Tribe Water Rights Quantification Act of 2010, P.L. 111-291, Title III, 124 Stat. 3064, 3073 (Act"). This Act authorized the WMAT to lease CAP water to the cities, and confirmed the amounts.

The Lease Agreement was an attachment to the Quantification Agreement and was authorized by the Act. Over the past two years, the parties have updated the terms of the Lease Agreement to reflect current conditions, while not changing the substance of the commitments made in the Quantification Agreement and Act. Under the Lease Agreement, Peoria gets back almost as much water as the City could potentially lose from the SRP system, and the water can be used anywhere, not just on-Project. Peoria gets waivers against future costly litigation over water rights. SRP deliveries are more secure.

In the Lease Agreement Peoria gets two blocks of water in different priorities from the CAP canal. The first is 354 acre-feet per year of Municipal and Industrial priority water. This is the highest priority water available for Peoria from the CAP canal, and can be added to Peoria's Designation of Assured Water Supply in a future modification. The rate for this water is \$2,550 per acre-foot, with a total cost of \$902,700, but is subject to Consumer Price Index (CPI) adjustment depending on final settlement enforceability date (expected to be October 2014 but no later than October 31, 2015). The second category is 935 acre-feet of non-Indian agricultural priority water. The rate for this lower priority water is \$2,074 per acre-foot for a total cost of \$1,939,190, also subject to CPI adjustment. This category is estimated to be available only 67% of the time over the next 100 years, and thus is leased at a lower cost. These amounts are due and payable on the enforceability date specified in the Act. Peoria can opt out of this lease prior to enforceability date with no fiscal impact.

**Previous Actions:**

The City Council approved the Quantification Agreement to settle the water rights claims of the White Mountain Apache Tribe on April 7, 2009.

**Options:**

**A:** The City Council can act to approve the Lease Agreement and acquire the additional CAP water for the City.

**B:** The City Council can decline to approve the Lease Agreement, in which case these CAP water rights would be acquired by another agency and lost to Peoria.

**Staff's Recommendation:**

Staff recommends approval of the Lease Agreement.

**Fiscal Note:**

The total cost of the Lease Agreement will be \$2,841,911. This amount has been included in the Capital Improvement Program budget beginning in FY2015. The project is UT00234 entitled White Mountain Apache Tribe Water Rights Purchase.

The Lease Agreement has two methods of payment: pay in-full with no interest, or half down with four annual payments (\$355,239) with interest on unpaid balance. There is no penalty for pre-payment of the entire amount at any time. The second option is currently budgeted in the Capital Improvement Program.

**Narrative:**

Negotiations on the White Mountain Apache Tribe settlement have been long in the making. Major milestones have been the passage of the Arizona Water Rights Settlement in 2004, quantification negotiations leading to the execution of the Agreement, passage of the White Mountain Apache Tribe Quantification Act by Senator Kyl in 2010, and finally the Lease Agreement. The final step is the enforceability date. This is the last large Indian water rights settlement from which the City can expect to obtain additional supplies.

**Contact Name and Number:** Alan R. Dulaney, 623-773-7357

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATION**

Agenda Item: 10C

Date Prepared: December 17, 2012

Council Meeting Date: February 5, 2013

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**TO:** Carl Swenson, City Manager

**FROM:** Scott Whyte, Economic Development Services Director

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

**SUBJECT:** Final Plat, Santana Village, Peoria Avenue and 77<sup>th</sup> Avenue (Project No. R120028)

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**Purpose:**

This is a request for City Council to approve a Final Plat of Santana Village, located on Peoria Avenue and 77<sup>th</sup> Avenue, 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 combine parcels into a single lot for a multifamily development. This development is within the City's water\sewer service area.

**Previous Actions:**

The site plan was reviewed by the City and completed in January 2012 and no changes were made to the proposed Final Plat.

**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 as currently proposed.

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

**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 as a multifamily development.

**Exhibit(s):**

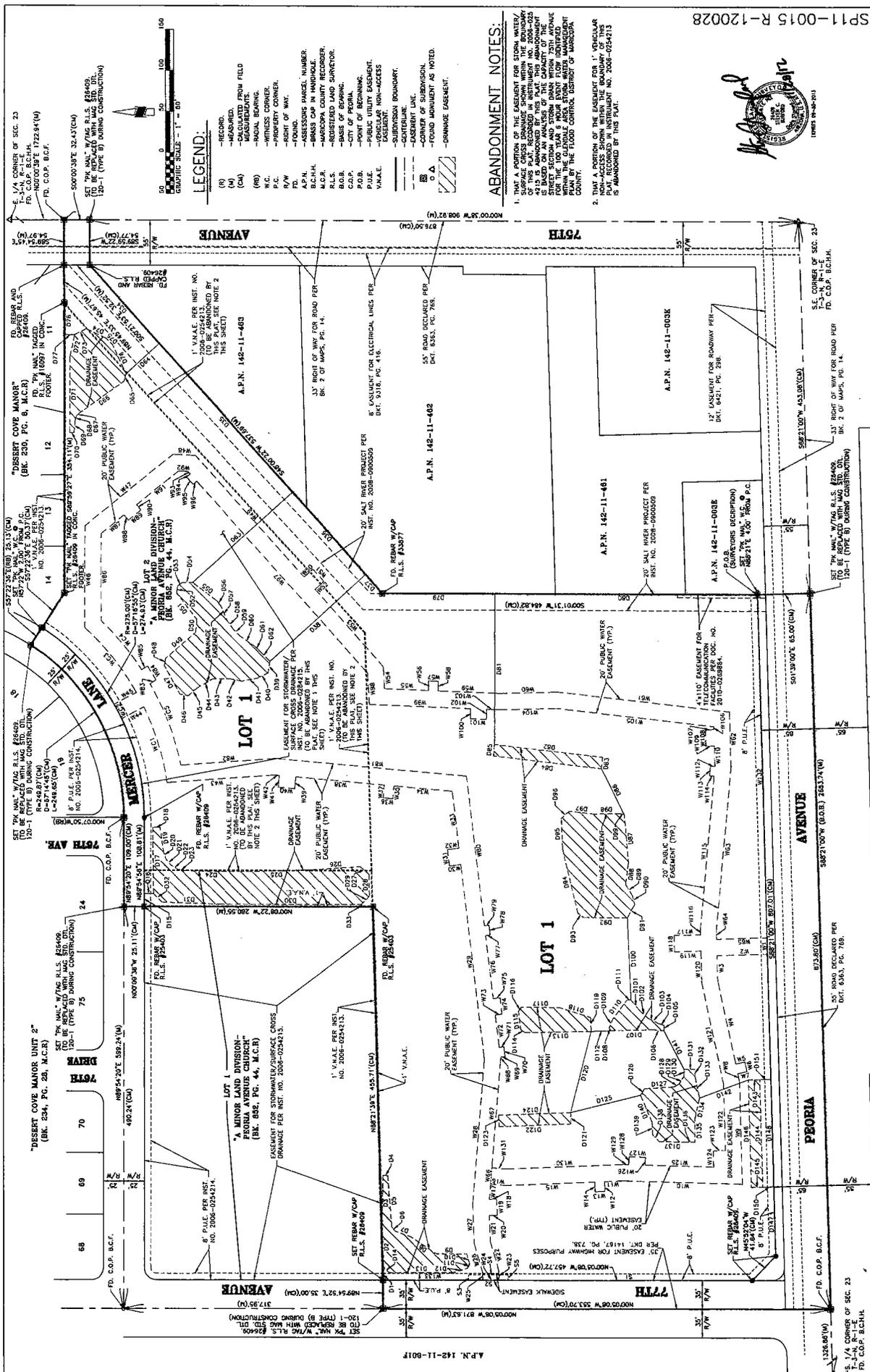
**Exhibit 1:** Final Plat

**Exhibit 2:** Vicinity Map

**Contact Name and Number:**

Jesse Gonzales: 623-773-7548





**LEGEND:**

- (R) - RECORD.
- (M) - METERS.
- (C) - CURVED.
- (R) - RADIAL BEARING.
- (W.C.) - WITNESS CORNER.
- (C.C.) - PROPERTY CORNER.
- (W) - OF WIT.
- (F) - FOUND.
- (A.P.N.) - ASSESSOR'S PARCEL NUMBER.
- (B.C.H.A.) - BRASS CAP IN HANDHOLE.
- (M.C.R.) - MARICOPA COUNTY RECORDER.
- (S) - SECTION.
- (C.D.P.) - CITY OF PEORIA.
- (P.O.B.) - POINT OF BEGINNING.
- (P.U.E.) - PUBLIC UTILITY EASEMENT.
- (V.A.E.) - VEHICULAR EASEMENT.
- (N.A.C.) - NON-ACCESS EASEMENT.
- (S.B.) - SUBDIVISION BOUNDARY.
- (C.L.) - CONTIGUOUS LINE.
- (C.A.) - CORNER OF SUBDIVISION.
- (F.A.) - FOUND MONUMENT AS NOTED.
- (S.E.) - STRIP EASEMENT.

**ABANDONMENT NOTES:**

- THAT A PORTION OF THE EASEMENT FOR STORM WATER SURFACE CROSS DRAINAGE SHOWN WITHIN THE BOUNDARY OF THE PLAT IS ABANDONED BY THE PLAT. THIS ABANDONMENT IS BASED ON AN ANALYSIS OF THE CAPACITY OF THE EXISTING DRAINAGE SYSTEM AND THE DRAINAGE PLAN FOR THE 100 YEAR FLOOD EVENT FLOW IDENTIFIED BY THE PLAT. THE FLOOD CONTROL DISTRICT OF MARICOPA COUNTY.
- THAT A PORTION OF THE EASEMENT FOR VEHICULAR NON-ACCESS SHOWN WITHIN THE BOUNDARY OF THIS PLAT IS ABANDONED BY THIS PLAT.

**DESERT COVE MANOR**  
(BK. 230, PG. 6, M.C.R.)

**"A MINOR LAND DIVISION"**  
PEORIA AVENUE CHURCH  
(BK. 882, PG. 44, M.C.R.)

**WESTFIELD GARDENS UNIT II**  
(BK. 395, PG. 25, M.C.R.)

**WESTFIELD GARDENS UNIT II**  
(BK. 457, PG. 21, M.C.R.)

**SANTANA VILLAGE**  
SHEET 2 OF 3

SP11-0015 R-120028

NOV 2012



**SANTANA VILLAGE**  
SHEET 3 OF 3

DATE PLOTTED: NOV 2012  
SCALE: AS SHOWN  
PROJECT NO.: 37859  
JOB NO.: P.J.H.

**RICK**  
SURVEYING & ENGINEERING  
1400 W. UNIVERSITY BLVD.  
SUITE 100  
FORT LAUDERDALE, FL 33304  
TEL: 954-450-1111  
WWW.RICKSURVEYING.COM

**WATERLINE EASEMENT LINE TABLE**

Course	Bearing	Distance
W109	S 01°53'00" E	10.831
W110	S 88°11'00" W	24.822
W111	N 00°00'00" E	17.700
W112	N 00°11'34" E	3.711
W113	N 84°49'50" W	12.000
W114	S 25°11'34" W	5.750
W115	S 77°21'31" W	10.160
W116	S 88°11'00" W	5.550
W117	N 01°18'00" W	32.856
W118	S 88°11'00" W	30.300
W119	S 88°11'00" W	38.850
W120	S 88°11'00" W	30.300
W121	S 77°21'31" W	17.700
W122	S 01°53'00" E	10.831
W123	N 01°18'00" W	12.211
W124	S 88°11'00" W	18.557
W125	N 01°18'00" W	20.500
W126	S 88°11'00" W	9.500
W127	S 88°11'00" W	9.500
W128	S 88°11'00" W	9.500
W129	S 88°11'00" W	9.500
W130	N 02°18'00" W	145.258
W131	N 04°35'12" E	17.700
W132	N 02°18'00" W	145.258
W133	N 00°00'00" W	124.331

**WATERLINE EASEMENT CURVE TABLE**

Curve	Radius	Length	Degree
WC1	213.000	95.000	26.7205
WC2	313.177	101.884	16.1743
WC3	333.177	78.289	17.1149
WC4	333.177	138.431	17.1149

**SIDEWALK EASEMENT LINE TABLE**

Course	Bearing	Distance
S1	N 00°00'00" W	30.300
S2	N 00°00'00" W	4.000
S3	N 00°00'00" W	4.000
S4	S 88°11'00" W	4.000

**WATERLINE EASEMENT LINE TABLE**

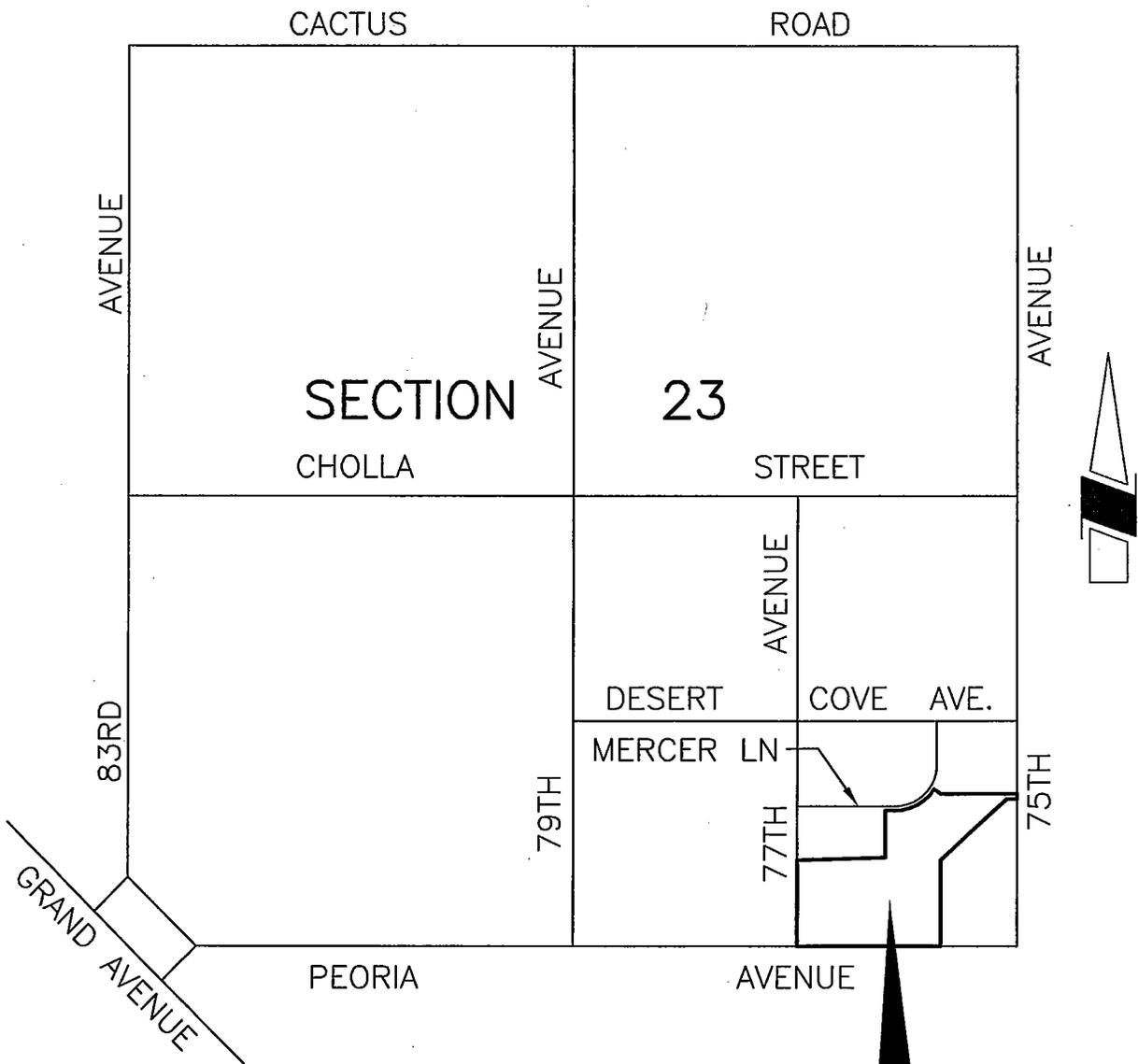
Course	Bearing	Distance
W1	S 88°11'00" W	20.000
W2	N 01°29'00" W	62.890
W3	S 88°11'00" W	10.000
W4	S 77°21'31" W	10.117
W5	S 12°32'29" E	11.725
W6	S 01°18'00" W	12.000
W7	S 77°21'31" W	12.000
W8	S 77°21'31" W	10.160
W9	S 88°20'42" W	125.000
W10	N 02°28'10" W	24.238
W11	N 02°28'10" W	24.238
W12	S 87°33'00" W	11.725
W13	N 02°28'10" W	12.000
W14	N 02°28'10" W	12.000
W15	N 02°28'10" W	11.043
W16	N 02°28'10" W	11.043
W17	S 02°28'10" E	18.466
W18	S 02°28'10" E	18.466
W19	S 02°28'10" E	18.466
W20	S 02°28'10" E	18.466
W21	S 02°28'10" E	18.466
W22	S 02°28'10" E	18.466
W23	S 02°28'10" E	18.466
W24	S 02°28'10" E	18.466
W25	S 02°28'10" E	18.466
W26	S 02°28'10" E	18.466
W27	S 02°28'10" E	18.466
W28	S 02°28'10" E	18.466
W29	S 02°28'10" E	18.466
W30	S 02°28'10" E	18.466
W31	S 02°28'10" E	18.466
W32	S 02°28'10" E	18.466
W33	S 02°28'10" E	18.466
W34	S 02°28'10" E	18.466
W35	S 02°28'10" E	18.466
W36	S 02°28'10" E	18.466
W37	S 02°28'10" E	18.466
W38	S 02°28'10" E	18.466
W39	S 02°28'10" E	18.466
W40	S 02°28'10" E	18.466
W41	S 02°28'10" E	18.466
W42	S 02°28'10" E	18.466
W43	S 02°28'10" E	18.466
W44	S 02°28'10" E	18.466
W45	S 02°28'10" E	18.466
W46	S 02°28'10" E	18.466
W47	S 02°28'10" E	18.466
W48	S 02°28'10" E	18.466
W49	S 02°28'10" E	18.466
W50	S 02°28'10" E	18.466
W51	S 02°28'10" E	18.466
W52	S 02°28'10" E	18.466
W53	S 02°28'10" E	18.466
W54	S 02°28'10" E	18.466
W55	S 02°28'10" E	18.466
W56	S 02°28'10" E	18.466
W57	S 02°28'10" E	18.466
W58	S 02°28'10" E	18.466
W59	S 02°28'10" E	18.466
W60	S 02°28'10" E	18.466
W61	S 02°28'10" E	18.466
W62	S 02°28'10" E	18.466
W63	S 02°28'10" E	18.466
W64	S 02°28'10" E	18.466
W65	S 02°28'10" E	18.466
W66	S 02°28'10" E	18.466
W67	S 02°28'10" E	18.466
W68	S 02°28'10" E	18.466
W69	S 02°28'10" E	18.466
W70	S 02°28'10" E	18.466
W71	S 02°28'10" E	18.466
W72	S 02°28'10" E	18.466
W73	S 02°28'10" E	18.466
W74	S 02°28'10" E	18.466
W75	S 02°28'10" E	18.466
W76	S 02°28'10" E	18.466
W77	S 02°28'10" E	18.466
W78	S 02°28'10" E	18.466
W79	S 02°28'10" E	18.466
W80	S 02°28'10" E	18.466
W81	S 02°28'10" E	18.466
W82	S 02°28'10" E	18.466
W83	S 02°28'10" E	18.466
W84	S 02°28'10" E	18.466
W85	S 02°28'10" E	18.466
W86	S 02°28'10" E	18.466
W87	S 02°28'10" E	18.466
W88	S 02°28'10" E	18.466
W89	S 02°28'10" E	18.466
W90	S 02°28'10" E	18.466
W91	S 02°28'10" E	18.466
W92	S 02°28'10" E	18.466
W93	S 02°28'10" E	18.466
W94	S 02°28'10" E	18.466
W95	S 02°28'10" E	18.466
W96	S 02°28'10" E	18.466
W97	S 02°28'10" E	18.466
W98	S 02°28'10" E	18.466
W99	S 02°28'10" E	18.466
W100	S 02°28'10" E	18.466
W101	S 02°28'10" E	18.466
W102	S 02°28'10" E	18.466
W103	S 02°28'10" E	18.466
W104	S 02°28'10" E	18.466
W105	S 02°28'10" E	18.466
W106	S 02°28'10" E	18.466
W107	S 02°28'10" E	18.466
W108	S 02°28'10" E	18.466

**DRAINAGE EASEMENT LINE TABLE**

Course	Bearing	Distance
D1	N 88°11'00" E	17.700
D2	N 88°11'00" E	7.700
D3	S 88°11'00" W	3.000
D4	S 88°11'00" W	3.000
D5	S 88°11'00" W	3.000
D6	S 88°11'00" W	3.000
D7	S 88°11'00" W	3.000
D8	S 88°11'00" W	3.000
D9	S 88°11'00" W	3.000
D10	S 88°11'00" W	3.000
D11	S 88°11'00" W	3.000
D12	S 88°11'00" W	3.000
D13	S 88°11'00" W	3.000
D14	S 88°11'00" W	3.000
D15	S 88°11'00" W	3.000
D16	S 88°11'00" W	3.000
D17	S 88°11'00" W	3.000
D18	S 88°11'00" W	3.000
D19	S 88°11'00" W	3.000
D20	S 88°11'00" W	3.000
D21	S 88°11'00" W	3.000
D22	S 88°11'00" W	3.000
D23	S 88°11'00" W	3.000
D24	S 88°11'00" W	3.000
D25	S 88°11'00" W	3.000
D26	S 88°11'00" W	3.000
D27	S 88°11'00" W	3.000
D28	S 88°11'00" W	3.000
D29	S 88°11'00" W	3.000
D30	S 88°11'00" W	3.000
D31	S 88°11'00" W	3.000
D32	S 88°11'00" W	3.000
D33	S 88°11'00" W	3.000
D34	S 88°11'00" W	3.000
D35	S 88°11'00" W	3.000
D36	S 88°11'00" W	3.000
D37	S 88°11'00" W	3.000
D38	S 88°11'00" W	3.000
D39	S 88°11'00" W	3.000
D40	S 88°11'00" W	3.000
D41	S 88°11'00" W	3.000
D42	S 88°11'00" W	3.000
D43	S 88°11'00" W	3.000
D44	S 88°11'00" W	3.000
D45	S 88°11'00" W	3.000
D46	S 88°11'00" W	3.000
D47	S 88°11'00" W	3.000
D48	S 88°11'00" W	3.000
D49	S 88°11'00" W	3.000
D50	S 88°11'00" W	3.000
D51	S 88°11'00" W	3.000
D52	S 88°11'00" W	3.000
D53	S 88°11'00" W	3.000
D54	S 88°11'00" W	3.000
D55	S 88°11'00" W	3.000
D56	S 88°11'00" W	3.000
D57	S 88°11'00" W	3.000
D58	S 88°11'00" W	3.000
D59	S 88°11'00" W	3.000
D60	S 88°11'00" W	3.000
D61	S 88°11'00" W	3.000
D62	S 88°11'00" W	3.000
D63	S 88°11'00" W	3.000
D64	S 88°11'00" W	3.000
D65	S 88°11'00" W	3.000
D66	S 88°11'00" W	3.000
D67	S 88°11'00" W	3.000
D68	S 88°11'00" W	3.000
D69	S 88°11'00" W	3.000
D70	S 88°11'00" W	3.000
D71	S 88°11'00" W	3.000
D72	S 88°11'00" W	3.000
D73	S 88°11'00" W	3.000
D74	S 88°11'00" W	3.000
D75	S 88°11'00" W	3.000
D76	S 88°11'00" W	3.000
D77	S 88°11'00" W	3.000
D78	S 88°11'00" W	3.000
D79	S 88°11'00" W	3.000
D80	S 88°11'00" W	3.000
D81	S 88°11'00" W	3.000
D82	S 88°11'00" W	3.000
D83	S 88°11'00" W	3.000
D84	S 88°11'00" W	3.000
D85	S 88°11'00" W	3.000
D86	S 88°11'00" W	3.000
D87	S 88°11'00" W	3.000
D88	S 88°11'00" W	3.000
D89	S 88°11'00" W	3.000
D90	S 88°11'00" W	3.000
D91	S 88°11'00" W	3.000
D92	S 88°11'00" W	3.000
D93	S 88°11'00" W	3.000
D94	S 88°11'00" W	3.000
D95	S 88°11'00" W	3.000
D96	S 88°11'00" W	3.000
D97	S 88°11'00" W	3.000
D98	S 88°11'00" W	3.000
D99	S 88°11'00" W	3.000
D100	S 88°11'00" W	3.000

**DRAINAGE EASEMENT LINE TABLE**

Course	Bearing	Distance
D101	S 88°11'00" W	3.000
D102	S 88°11'00" W	3.000
D103	S 88°11'00" W	3.000
D104	S 88°11'00" W	3.000
D105	S 88°11'00" W	3.000
D106	S 88°11'00" W	3.000
D107	S 88°11'00" W	3.000
D108	S 88°11'00" W	3.000
D109	S 88°11'00" W	3.000
D110	S 88°11'00" W	3.000
D111	S 88°11'00" W	3.000
D112	S 88°11'00" W	3.000
D113	S 88°11'00" W	3.000
D114	S 88°11'00" W	3.000
D115	S 88°11'00" W	3.000
D116	S 88°11'00" W	3.000
D117	S 88°11'00" W	3.000
D118	S 88°11'00" W	3.000
D119	S 88°11'00" W	3.000
D120	S 88°11'00" W	3.000
D121	S 88°11'00" W	3.000
D122	S 88°11'00" W	3.000
D123	S 88°11'00" W	3.000
D124	S 88°11'00" W	3.000
D125	S 88°11'00" W	3.000
D126	S 88°11'00" W	3.000
D127	S 88°11'00" W	3.000
D128	S 88°11'00" W	3.000
D129	S 88°11'00" W	3.000
D130	S 88°11'00" W	3.000
D131	S 88°11'00" W	3.000
D132	S 88°11'00" W	3.000
D133	S 88°11'00" W	3.000
D134	S 88°11'00" W	3.000
D135	S 88°11'00" W	3.000
D136	S 88°11'00" W	3.000
D137	S 88°11'00" W	3.000
D138	S 88°11'00" W	3.000
D139	S 88°11'00" W	3.000
D140	S 88°11'00" W	3.000
D141	S 88°11'00" W	3.000
D142	S 88°11'00" W	3.000
D143	S 88°11'00" W	3.000
D144	S 88°11'00" W	3.000
D145	S 88°11'00" W	3.000
D146	S 88°11'00" W	3.000
D147	S 88°11'00" W	3.000
D148	S 88°11'00" W	3.000
D149	S 88°11'00" W	3.000
D150	S 88°11'00" W	3.000



THIS SITE 

SANTANA VILLAGE  
VICINITY MAP

N.T.S.

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATION**

Agenda Item: 11C

Date Prepared: January 8, 2013

Council Meeting Date: February 5, 2013

---

**TO:** Carl Swenson, City Manager

**FROM:** Scott Whyte, Economic Development Services Director

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

**SUBJECT:** Final Plat, Sunset Ranch II Parcel F, 100<sup>th</sup> Avenue and Patrick Lane  
(Project No. R120050)

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**Purpose:**

This is a request for City Council to approve a Final Plat of Sunset Ranch II Parcel F, located at 100<sup>th</sup> Avenue and Patrick Lane, 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 subdivision for residential use. This development is within the City's water\sewer service area. This final plat creates a total of 16 new lots. All internal roadways are public and are being dedicated with this Final Plat.

**Previous Actions:**

None.

**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:**

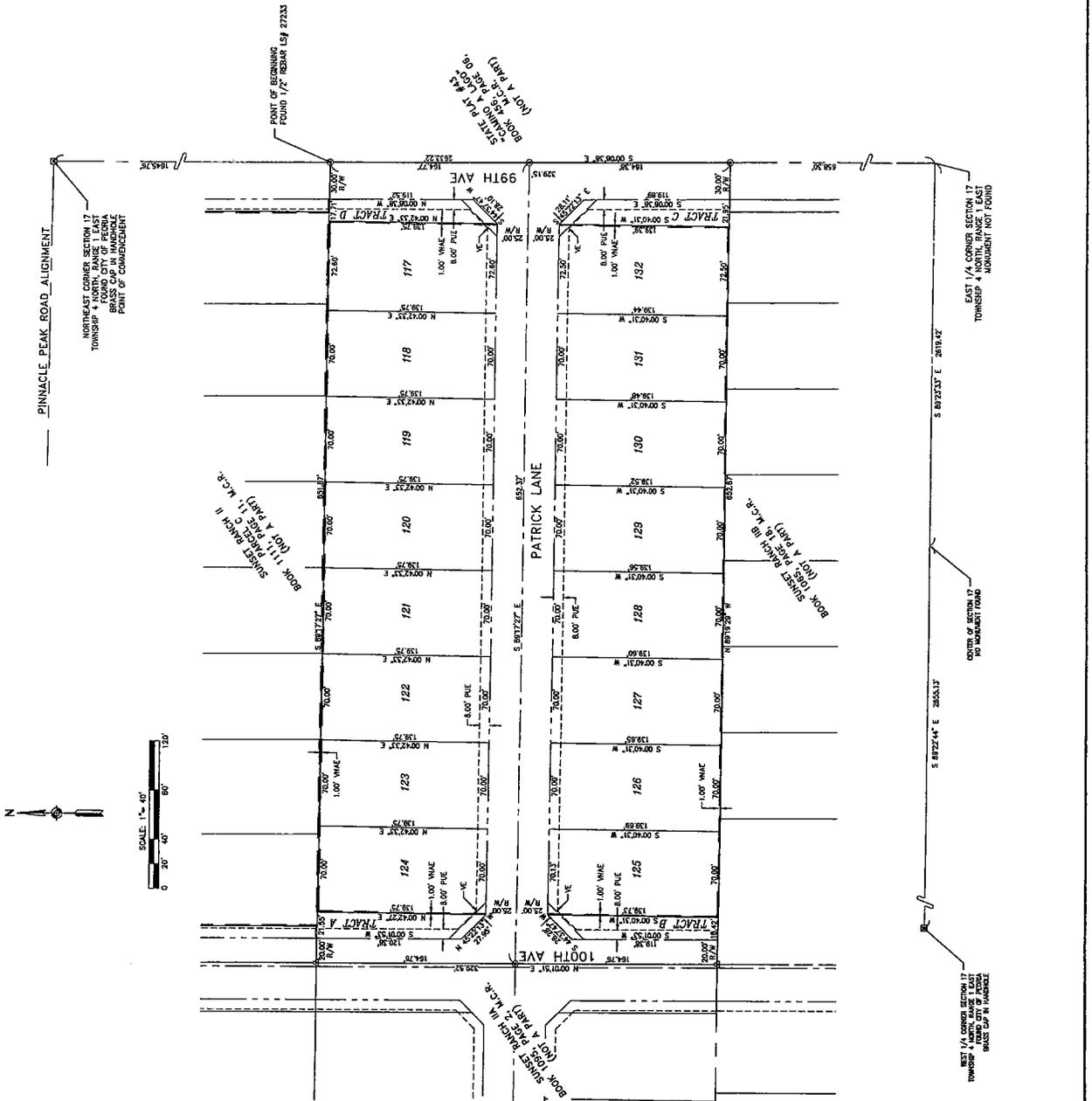
Jesse Gonzales, 623-773-7548





**"SUNSET RANCH II - PARCEL F"**  
FINAL PLAT  
PEORIA, ARIZONA

DATE	12-18-12
PROJECT NO.	1002-20
TITLE	1002-20
DRAWN BY	JD
CHECKED BY	JD
SCALE	1"=40'
SHEET NO.	1
TOTAL SHEETS	2



**LOTS AND TRACTS**

LOT	SPLIT	ACRES	ACRES	USAGE
A	2.7051	0.2651	0.2651	LS OS PUE
B	2.7051	0.2651	0.2651	LS OS PUE
C	2.7051	0.2651	0.2651	LS OS PUE
D	2.7051	0.2651	0.2651	LS OS PUE
S - HANSCOWING				
OS = OPEN SPACE				
PUE = PUBLIC UTILITY EASEMENT				
WMC = WETLAND MONITORING CORNER				
100TH AVENUE 6.900' 0.1513				
SOUTH AVENUE 9.875' 0.2267				
PATRICK LANE 30.000' 0.7095				
117	9.783	0.2245		
118	9.783	0.2245		
119	9.783	0.2245		
120	9.783	0.2245		
121	9.783	0.2245		
122	9.783	0.2245		
123	9.783	0.2245		
124	9.783	0.2245		
125	9.783	0.2245		
126	9.771	0.2244		
127	9.771	0.2244		
128	9.771	0.2243		
129	9.768	0.2242		
130	9.765	0.2242		
131	9.762	0.2241		
132	10.108	0.2320		

**LEGAL DESCRIPTION**

**PARCEL F**  
A PORTION OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 1 EAST, RANGE 1 EAST OF THE G&A AND S&T, RIVERBASE AND HERBIBAN MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:  
THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 14;  
MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION, BEING A BRASS CAP IN A HAND HOLE FROM WHICH THE EAST 1/4 CORNER OF SAID SECTION IS 188.70 FEET NORTH 89 DEGREES 08 MINUTES 38 SECONDS EAST A DISTANCE OF 263.22 FEET;  
THENCE SOUTH 88 DEGREES 08 MINUTES 38 SECONDS EAST, ALONG THE EAST LINE OF SAID NORTHEAST 1/4 OF SECTION 14, A DISTANCE OF 188.70 FEET TO THE POINT OF BEGINNING;  
THENCE SOUTH 00 DEGREES 00 MINUTES 38 SECONDS EAST, CONTINUING ALONG THE SAID EAST LINE, A DISTANCE OF 328.16 FEET;  
THENCE NORTH 89 DEGREES 19 MINUTES 20 SECONDS WEST, A DISTANCE OF 682.81 FEET;  
THENCE NORTH 00 DEGREES 01 MINUTES 51 SECONDS EAST, A DISTANCE OF 330.62 FEET;  
THENCE SOUTH 88 DEGREES 17 MINUTES 27 SECONDS EAST, A DISTANCE OF 601.97 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 14 AND THE POINT OF BEGINNING.

**LEGEND**

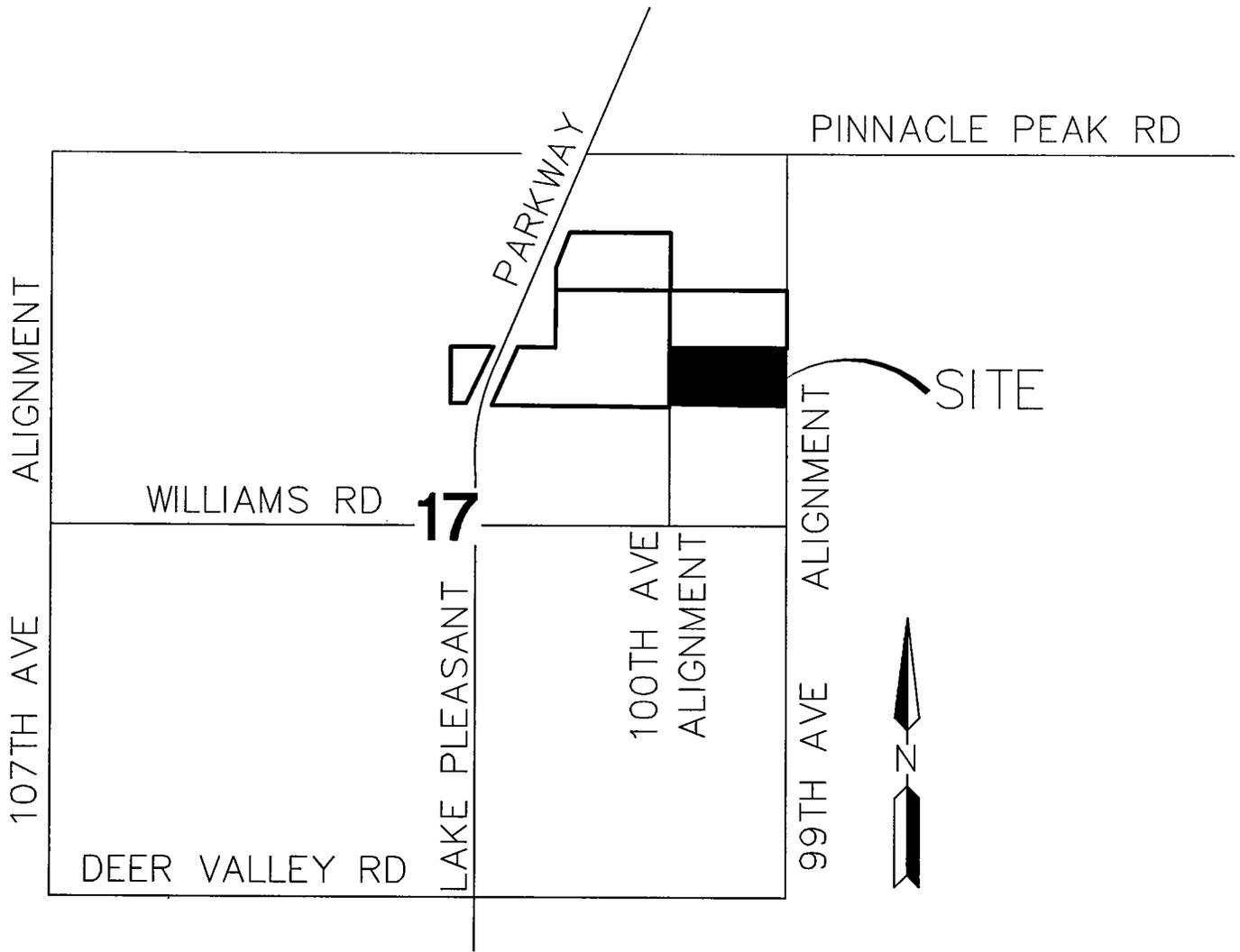
- PARCEL BOUNDARY
- ROADWAY CENTER LINE
- VEHICULAR EASEMENT
- VEHICULAR MO-ACCESS EASEMENT
- HOUSING UNIT
- SET SURVEY MONUMENT PER IAGLR DETAIL NO. 1, TYPE B
- ▲ SUBJECT PARCEL CORNER, SET BY REBAR WITH
- BRASS CAP W/HAND HOLE

EAST 1/4 CORNER SECTION 14  
TOWNSHIP 4 NORTH, RANGE 1 EAST  
BRASS CAP IN HAND HOLE

CENTER OF SECTION 14  
NO MONUMENT FOUND

S 89°12'30" E 3019.42'

S 89°24'4" E 2866.17'



# VICINITY MAP

NOT TO SCALE

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATION**

Agenda Item: 12C

Date Prepared: January 8, 2013

Council Meeting Date: February 5, 2013

---

**TO: Carl Swenson, City Manager**

**FROM: Scott Whyte, Economic Development Services Director**

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

**SUBJECT: Final Plat, Sunset Ranch II- Parcel E, 100<sup>th</sup> Avenue and Villa Chula  
(Project No. R120049)**

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**Purpose:**

This is a request for City Council to approve a Final Plat of Sunset Ranch II – IIE, located at 100<sup>th</sup> Avenue and Chula Vista, 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 subdivision for residential use. This development is within the City's water\sewer service area. This final plat creates a total of 29 new lots. All internal roadways are public and are being dedicated with this Final Plat.

**Previous Actions:**

None.

**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

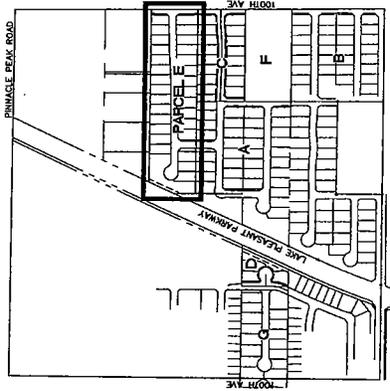
**Contact Name and Number:**

Jesse Gonzales, 623-773-7548

# SUNSET RANCH II - PARCEL E FINAL PLAT

PEORIA, ARIZONA

A PORTION OF THE NORTHEAST QUARTER OF SECTION 17,  
TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER  
BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA



**SHEET INDEX**  
OF FINAL PLAT - PARCEL E

**DEDICATION**  
STATE OF ARIZONA } SS  
COUNTY OF MARICOPA }  
NOW ALL MEN BY THESE PRESENTS, THAT WOODSIDE ENCORE AT SUNSET RANCH, LLC, AN ARIZONA CORPORATION, DOES HEREBY DEDICATE TO THE PUBLIC THE SUNSET RANCH II - PARCEL E, A PORTION OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN ON THE ATTACHED FINAL PLAT, AND HEREBY AGREES TO MAINTAIN THE PLAT OF SAID SUNSET RANCH II - PARCEL E, AND HEREBY AGREES THAT SAID PLAT SETS FORTH THE CONDITIONS AND GIVES THE DIMENSIONS OF THE LOTS, TRACTS, STREETS, AND EASEMENTS THEREON, AND THAT THE DIMENSIONS OF THE LOTS, TRACTS, STREETS, AND EASEMENTS SET FORTH IN THIS FINAL PLAT SHALL BE DEEMED TO BE THE DIMENSIONS OF THE LOTS, TRACTS, STREETS, AND EASEMENTS SET FORTH IN THIS FINAL PLAT. WOODSIDE ENCORE AT SUNSET RANCH, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HEREBY DEDICATES TO THE PUBLIC THE SUNSET RANCH II - PARCEL E, A PORTION OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN ON SAID PLAT AND INCLUDED IN THE ABOVE DESCRIBED PHASE. EASEMENTS ARE DESIGNATED FOR THE USE AND ENJOYMENT OF THE PUBLIC AND ARE TO BE MAINTAINED AND KEPT OPEN FOR THE USE AS SUCH. THE MAINTENANCE OF LANDSCAPING WITHIN THE RIGHT OF WAY SHALL BE THE RESPONSIBILITY OF THE FRONTING PROPERTY OWNER.

TRACTS A, B, C, D, E AND F ARE HEREBY DECLARED AS COMMON AREA FOR THE USE AND ENJOYMENT OF THE FRONTING PROPERTY OWNERS AND FOR DRAINAGE FROM WATER RETENTION BASINS LOCATED WITHIN THE SUBDIVISION. THE CITY OF PEORIA, ARIZONA, IS REQUESTING A DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS TO BE HEREAFTER RECORDED. THE SUNSET RANCH II HOMEOWNERS ASSOCIATION WILL MAINTAIN ALL TRACTS, DWELLING UNITS AND COMMON AREAS WITHIN THE SUBDIVISION. THE CITY OF PEORIA, ARIZONA, REQUESTS THAT TRACTS A, B, C, D, E AND F, THIS EASEMENT MAY BE EXERCISED BY THE CITY OF PEORIA AT SUCH TIME THAT THE HOMEOWNERS ASSOCIATION FAILS TO EXIST OR PROVIDE THE REQUIRED MAINTENANCE. THE CITY OF PEORIA, ARIZONA, REQUESTS THAT THE CITY OF PEORIA, ARIZONA, AS LONG AS THE HOMEOWNERS ASSOCIATION IS IN EXISTENCE, IT WILL BE RESPONSIBLE FOR PROVIDING ALL MAINTENANCE OF LANDSCAPING, RETENTION AND DRAINAGE FACILITIES, REGARDLESS OF THE DESIGNATION OF THE easement.

**OWNERS AGENCY**  
IT IS AGREED THAT BY THE COMPLETION OF CONSTRUCTION ALL LOTS WILL BE ACCURATELY STAKED AND MARKED WITH PERMANENT MARKERS, AS DESIGNATED ON THIS PLAT, AND A CERTIFICATION FILED WITH THE MARICOPA COUNTY RECORDS OFFICE. THE CITY OF PEORIA, ARIZONA, REQUESTS THAT THIS PLAT BE ACCURATELY STAKED AND MARKED WITH THE LAND SURVEYORS REGISTRATION NUMBER, AND DESCRIBING THE TYPE OF MARKERS USED.

**IN WITNESS WHEREOF**  
THE UNDERSIGNED, WOODSIDE ENCORE AT SUNSET RANCH, LLC, AN ARIZONA CORPORATION, AS OWNER, HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND SEALED BY ME, THE SECRETARY, AND THE SIGNATURE OF THE UNDERSIGNED SHALL BE HELD TO DULY AUTHORIZED TO BE FILED ON THE DAY OF \_\_\_\_\_, 2012.

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

**ACKNOWLEDGMENT**

COUNTY OF MARICOPA } S.S.  
STATE OF ARIZONA }  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012, BEFORE ME THE UNDERSIGNED, PERSONALLY KNOWN TO ME, \_\_\_\_\_, THE PUBLIC NOTARY PUBLIC, THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED,  
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL.

**NOTARY PUBLIC:** \_\_\_\_\_ DATE: \_\_\_\_\_  
MY COMMISSION EXPIRES: \_\_\_\_\_, 20\_\_\_\_

**NOTES**

1. THE SUBDIVISION IS SUBJECT TO A MAINTENANCE IMPROVEMENT DISTRICT (MID 1130) AND STREET LIGHT IMPROVEMENT DISTRICT (SLID 1070), 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 ANY PLANTING EXCEPT GRASS. IT SHALL BE FURTHER AGREED THAT THE CITY OF PEORIA, ARIZONA, SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF PLANTINGS THAT MUST BE REMOVED DURING THE COURSE OF MAINTENANCE, CONSTRUCTION OR RECONSTRUCTION.
3. ALL NEW AND EXISTING UTILITY ELECTRICAL FACILITIES SHALL BE AT LEAST 6 INCHES FROM ALL STRUCTURES AND SHALL BE INSTALLED UNDERGROUND AS PART OF THE STREET IMPROVEMENTS. CELLULAR, GAS, ETC. SHALL BE INSTALLED UNDERGROUND AS PART OF THE STREET IMPROVEMENTS. TELEPHONE AND CABLE TV FACILITIES SHALL BE INSTALLED AS PART OF THE STREET IMPROVEMENTS.
4. MAINTENANCE OF GUTTER 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 IRON BARS AND CHIPPED OR TAGGED BEARING THE REGISTRATION NUMBER OF THE SURVEYOR RESPONSIBLE FOR THEIR PLACEMENT.
6. SIGNS, FENCES, WALLS, UTILITY BOXES, STRUCTURES, BARRIERS, BARRICADES OR PLANTS, BUT EXCEPT TREES, SHALL BE PLANTED IN HEIGHT SHALL NOT BE PERMITTED WITHIN VIEW EASEMENTS ON THE SOUTH END OF THE TRACTS. NO LIMBS, LEAVES, NEEDLES OR FRUIT SHALL BE PERMITTED TO FALL INTO THE TRACTS OR INTO THE RIGHT-OF-WAY. TREES ARE TO BE PLANTED SO AS NOT TO OBSTRUCT 20% OF THE VISIBILITY WHEN COMBINED WITH OTHER OBSTRUCTIONS.
7. THIS SUBDIVISION IS LOCATED WITHIN THE CITY OF PEORIA WATER SERVICE AREA AND HAS BEEN DESIGNATED AS HAVING A 10-YEAR ASSIGNED WATER SUPPLY.
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 LANE PLEASANT PARKWAY IS DESIGNATED AS A TRUCK ROUTE BY THE CITY OF PEORIA.
11. NO STRUCTURE OF ANY KIND (AND NOT BE CONSTRUCTED OR ANY VEGETATION BE PLANTED) OR BE ALLOWED TO GROW WITHIN THE DRAINAGE EASEMENT OR TRACT WHICH WOULD IMPROVE THE FLOW OF WATER OVER, UNDER, OR THROUGH THE EASEMENT OR TRACT.
12. THIS SUBDIVISION IS LOCATED WITHIN THE CITY OF PEORIA WATER SERVICE AREA AND HAS BEEN DESIGNATED AS HAVING A 10-YEAR ASSIGNED WATER SUPPLY.

**RATIFICATION AND APPROVAL**  
THE UNDERSIGNED, DAILY APPOINTED PRESIDENT, ON BEHALF OF THE BOARD OF DIRECTORS OF THE ENCORE AT SUNSET RANCH COMMUNITY ASSOCIATION, AS DESIGNATED ON THE ATTACHED FINAL PLAT, HEREBY RATIFIES AND APPROVES ALL DESIGNATIONS OF AREA OF COMMON RESPONSIBILITY SET FORTH HEREIN.

PULL KRUFF, DIRECTOR  
DATE: \_\_\_\_\_

**ACKNOWLEDGEMENT FOR RATIFICATION AND APPROVAL**

COUNTY OF MARICOPA } SS  
STATE OF ARIZONA }  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012, BY PULL KRUFF, 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 \_\_\_\_\_, 2013

ATTEST: MAYOR \_\_\_\_\_ DATE: \_\_\_\_\_  
CITY CLERK \_\_\_\_\_ DATE: \_\_\_\_\_  
CITY ENGINEER \_\_\_\_\_ DATE: \_\_\_\_\_



**CIVIL ENGINEER**  
3010 SOUTH PINE FOR, SUITE 103  
TEMPE, ARIZONA 85282  
PHONE: 480.944.8801  
CONTACT: SHELLEY CUPLESS

**DEVELOPER**  
C/O WOODSIDE ENCORE OF ARIZONA, LLC  
WOODSIDE ENCORE AT SUNSET RANCH, LLC  
181 SOUTH ALMA SCHOOL ROAD, # 180  
PEORIA, ARIZONA 85601  
PHONE: 928.433.8801  
CONTACT: PAUL KRUFF

**FLOOD ZONE INFORMATION**  
THE SUBJECT PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON THE FLOOD HAZARD MAP OF MARICOPA COUNTY, ARIZONA, COMMUNITY PANEL NO. 040100160N, DATED SEPTEMBER 30, 2008. THE SUBJECT PROPERTY IS WITHIN ZONE SHADDED X, DEFINED AS AREAS OF 0.5% WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH ORANGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

**BASIS OF BEARING**

BASED UPON THE SURVEY OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DATED 10/20/09 BY SURVEYOR REGISTRATION NO. 33315, AZ.

**CERTIFICATION**

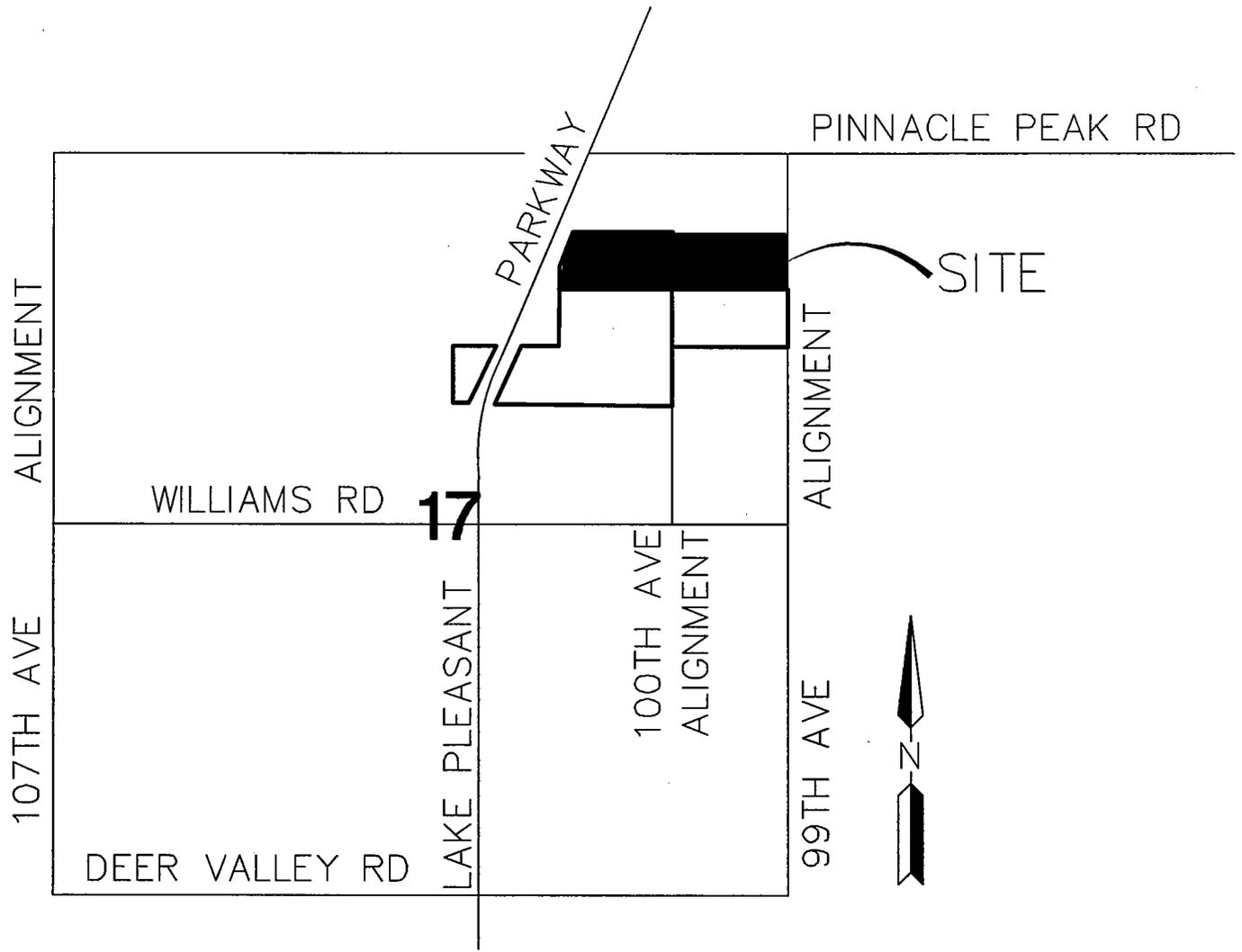
THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THE SUNSET RANCH II - PARCEL E, A PORTION OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE ARIZONA SURVEYING ACT AND THE RULES AND REGULATIONS OF THE ARIZONA SURVEYING BOARD, AND THAT THE SURVEY AND SUBDIVISION WAS MADE BY ME, A LICENSED SURVEYOR, AND THAT THE SURVEY AND SUBDIVISION WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE ARIZONA SURVEYING ACT AND THE RULES AND REGULATIONS OF THE ARIZONA SURVEYING BOARD.

BY: \_\_\_\_\_ DATE: 12/28/2012  
REGISTRATION NO. 33315, AZ

**COUNTY RECORDER**

FILE NO.	13-01-0172
TRACER NO.	003
DATE	12/28/2012
CLIENT NO.	003
SCALE	---





# VICINITY MAP

NOT TO SCALE

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATION**

Agenda Item: 13C

Date Prepared: December 8, 2012

Council Meeting Date: February 5, 2013

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**TO:** Carl Swenson, City Manager

**FROM:** Scott Whyte, Economic Development Services Director

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

**SUBJECT:** Condominium Replat, Amendment to Building F of the Condominium Plat for Union Hills Office Park, Union Hills Drive and West of 91<sup>st</sup> Avenue (Project No. R120061)

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**Purpose:**

This is a request for City Council to approve a Condominium Replat of Amendment to Building F of the Condominium Plat for Union Hills Office Park, and authorize the Mayor and City Clerk to sign and record the Condominium Replat with the Maricopa County Recorder's Office subject to the following stipulations:

1. In the event that the Condominium Replat is not recorded within 60 days of Council approval, the Condominium Replat 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 Amendment to the Condominium Replat is needed to facilitate the sale of a condo unit to a business entity by the owner. The Union Hills Office Park condo plat was originally set up with individual units identified within buildings throughout the site (July, 2006). As sales have taken place in the condominium subdivision over the past few years, reconfigurations of the units have been necessary (for example, shifting of unit lines or combining of units). This is similar to a residential subdivision when individual lot lines require shifting. As the owner continues to sell condominium units, additional plat amendments may be required.

**Previous Actions:**

The condominium plat was reviewed by the City and completed in July of 2006.

**Options:**

A: The Condominium Replat has been approved through the Economic Development Services Department. An option would be to not accept the proposed Condominium Replat; although it should be noted that not approving the Condominium Replat will hinder the Developer from selling these units as intended.

B: The other option would be to formally approve the Condominium Replat and allow these units to be sold and 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):**

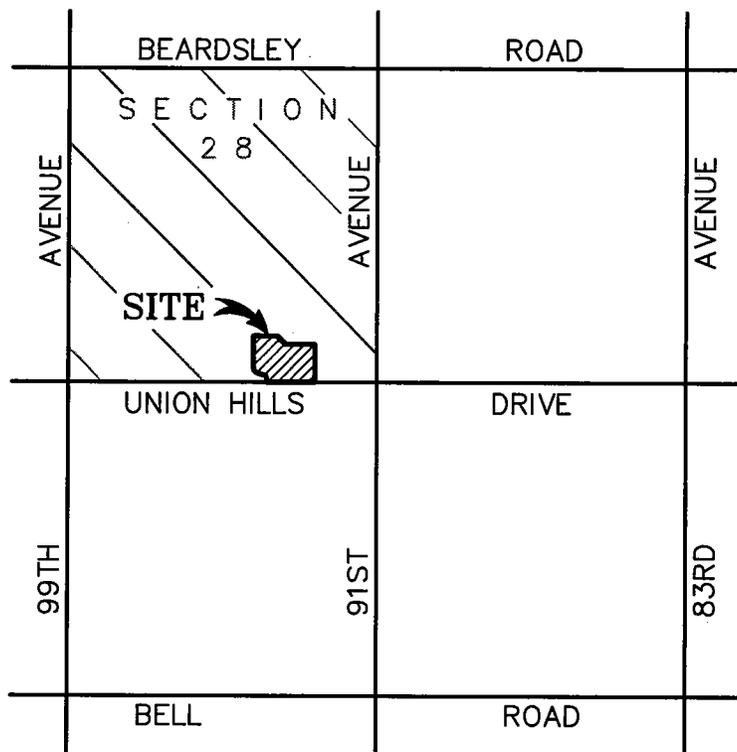
**Exhibit 1:** Final Plat

**Exhibit 2:** Vicinity Map

**Contact Name and Number:**

Jesse Gonzales, 623-773-7548





SE QUARTER, SECTION 28, T.4N., R.1E.

## VICINITY MAP

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# Union Hills Office Park R120061

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATION**

Agenda Item: 14R

Date Prepared: January 21, 2013

Council Meeting Date: February 5, 2013

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**TO:** Carl Swenson, City Manager

**FROM:** Scott Whyte, Economic Development Services Director

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

**SUBJECT:** City Council authorization to enter into an Exclusive Negotiating Agreement (ENA) with Blue Ocean Biomanufacturing

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**Purpose:**

This is a request for the City Council to approve an Exclusive Negotiating Agreement (ENA) with Blue Ocean Biomanufacturing for the development of a Blue Ocean facility in Peoria.

**Background/Summary:**

The city contracted with First Strategic to develop a Building Re-Use Implementation Strategy for vacant and underutilized large format buildings in Peoria. During this process, First Strategic identified Blue Ocean as a manufacturing partner that could both help them assess the viability of older vacant buildings in Peoria, as well as locate in one of them.

Blue Ocean is a biomanufacturing firm that produces contract molecules using high-tech modular systems that are an adaptation of a "single use platform." New single use technologies and process automation have been given positive reviews by regulatory agencies because of standardization, reduced complexity, reduced risk of cross-contamination, and improved overall quality of product.

The purpose of the ENA is to provide all parties with freedom to explore the opportunity in depth, including such elements as:

- Conceptual site plan or floor plan development and timing
- Financial obligations and ability to operate
- City investment and return on investment determination as to the ultimate financial feasibility

**Previous Actions:**

There have been no previous Council actions.

**Options:**

A: **Approve the request to enter into an ENA with Blue Ocean Biomanufacturing.** This action will continue the endeavor to locate Blue Ocean in Peoria.

B: **Reject the request to enter into an ENA with Blue Ocean Biomanufacturing.** This action will terminate the project.

**Staff's Recommendation:**

Authorize the City Manager to enter into an Exclusive Negotiating Agreement with Blue Ocean Biomanufacturing for the development of biomanufacturing facility in Peoria.

**Fiscal Analysis:**

This ENA represents no fiscal impact to the city.

**Exhibits:**

Exhibit A: Exclusive Negotiating Agreement

## **EXCLUSIVE NEGOTIATION AGREEMENT FOR DEVELOPMENT OF A BIOMANUFACTURING FACILITY**

This Exclusive Negotiation Agreement for the Development of a biomanufacturing facility in Peoria (this "Agreement") is entered into this    day of January, 2013 (the "Effective Date"), by and between the CITY OF PEORIA, ARIZONA, an Arizona charter municipal corporation (the "City"), and Blue Ocean Biomanufacturing, a Delaware corporation ("Blue Ocean"), on the terms and conditions set forth below. The City and Blue Ocean may sometimes be referred to herein individually as a "Party" and collectively as the "Parties."

### **RECITALS**

WHEREAS, Blue Ocean is interested in developing a biomanufacturing facility in the City for the production of contract molecules.

WHEREAS, the Parties are interested in exclusively negotiating with each other for the purpose of locating a biomanufacturing facility or facilities ("the Project") for the production of contract molecules within the City.

WHEREAS the Project is anticipated to use re-purposed vacant and underutilized big box properties in the City which vacant and underutilized properties have been identified in the City's Building Reuse Implementation Strategy dated September 7, 2012.

WHEREAS, the Parties desire to establish a period of time during which they will exclusively negotiate with each other in good faith to establish the Project structure, site planning, operating pro formas, development pro formas, and any other related and necessary documents to finalize the Project development concept and determine feasibility (financial and otherwise).

NOW THEREFORE, in consideration of the mutual promises contained herein, and for other good and valuable consideration, the Parties agree as follows:

### **AGREEMENT**

#### **1. Good Faith Negotiation**

The Parties agree, during the Term (as defined in Section 3 below), to negotiate diligently and in good faith to analyze, assess, and determine the feasibility of developing the Project.

#### **2. Confidentiality**

In this Agreement, "Confidential Information" means information relating to the services, ideas, business, personnel, trademarks, copyrights, intellectual property or commercial activities of Blue Ocean, which information is not generally known to the public and either derives economic value, actual or potential, from not being generally known, or has a character such that the possessor or owner has a legitimate interest in maintaining its secrecy.

"Confidential Information" also includes information provided by the City to Blue Ocean, such as City information that is not otherwise a public record.

The City agrees that all documents given to it by Blue Ocean related to implementation of the Project will be considered Confidential Information, whether or not so marked with any proprietary notice or legend when the disclosure takes place. Such documents shall not be disclosed by the City or any of its officers, employees, or agents to any third party, absent prior written consent by Blue Ocean, unless such disclosure is or would be required pursuant to the Arizona Public Records Law (see Arizona Revised Statutes, Title 39, Chapter 1, Article 2) or by a court order. In such event, the City will promptly notify Blue Ocean that disclosure is required by the Public Records Law or a court order.

Blue Ocean agrees that it will not disclose any Confidential Information it receives from the City to any third party and shall not use any such information to further development of a biomanufacturing facility in any other Arizona city or county.

The Parties acknowledge and agree that the Confidential information that is disclosed to them, or that they acquire, see, or learn of as a direct or indirect consequence of the matters contemplated herein, and all dealings and transactions that follow or result from such matters, are the exclusive property of the other Party, and agree that they will keep that information strictly confidential, as required by this Agreement.

### **3. Term**

This Agreement shall commence upon the date the City approves and both Parties have executed this Agreement (the "Effective Date") and shall automatically terminate one hundred and eighty days (180 days) thereafter (the "Term"). The Parties agree to negotiate diligently and in good faith and conduct due diligence activities during the Term and any extension(s) thereof mutually agreed upon in writing by the Parties. The Parties also agree to provide progress reports to each other and to otherwise regularly communicate with each other as they undertake and perform their respective obligations under this Agreement. The Parties further agree to provide any and all reasonably requested information pursuant to a request by one Party to the other. Any information provided shall be true, correct, and complete and shall not state, or omit, any information that would render the remaining information untrue or misleading.

### **4. Breach, Cure, Remedies, and Termination**

(a) In the event that a Party fails to perform any obligation imposed by this Agreement, including failing to negotiate diligently and in good faith, the non-breaching Party shall provide written notice of such breach to the other Party. The Party receiving the written notice shall have ten (10) business days after receipt of such written notice within which to remedy such breach unless additional time is reasonably required to remedy the breach, in which event the Party shall commence the cure of the breach within the ten (10) business day time period and thereafter diligently pursue the cure to completion.

(b) If the Party in breach fails to remedy the breach in a timely and reasonable manner as provided in Section 4(a) above, the Parties agree that the Party who provided written notice of such breach may cancel and terminate this Agreement by providing written notice of termination to the other Party. In the event of such termination, the Parties shall be fully and completely released from all of their respective rights, duties, obligations, and liabilities under this Agreement.

(c) In addition to the termination rights under Section 4(a) and (b) above, (i) each Party shall also have the right to terminate this Agreement in the event that any or both of the Parties determine that an impasse has been reached in negotiations under this Agreement, in the determining Party's sole and unreviewable discretion; (ii) the City shall have the right to terminate this Agreement for conflict of interest pursuant to A.R.S. §38-511; and (iii) this Agreement may be terminated at any time upon the mutual written agreement of the Parties. In the event of any termination under the preceding sentence, the Party exercising the termination right shall provide written notice of termination and the applicable basis above to the other Party, and, upon the delivery of a valid notice of termination in compliance with this Agreement, the Parties shall be fully and completely released from all of their respective rights, duties, obligations, and liabilities under this Agreement.

## **5. Joint Project Feasibility and Development Issues**

During the Term of this Agreement and any extensions thereof, the Parties shall use their collective good faith efforts to cooperatively achieve, determine or identify the following:

(a) Assessment of existing properties that could be re-purposed into a facility for the biomanufacturing of contract molecules.

(b) Identification of the site requirements an existing structure would need in order to function for the intended purpose.

(c) The necessary land use, zoning considerations and permitting needed or required to support the proposed Project, as well as the necessary or required infrastructure, including but not limited to water, sewer, grading, drainage, and utilities.

(d) A construction and financing plan and pro forma analysis for the Project that describes the construction period and also includes, but is not limited to, a detailed project financing plan that clearly shows how the Project will be financed through every phase of development and that specifies the expectations for the Parties regarding roles, conditions, and timing related to financing.

## **6. Joint Cooperative Efforts**

(a) The City will provide to Blue Ocean any existing studies or reports in the City's possession regarding this Project.

(d) The City and Blue Ocean shall work closely and cooperatively to address the issues raised during the Term of this Agreement to quickly assess the Project's feasibility including but not limited to analyzing land use, zoning and permitting issues as

well as other reasonable building, engineering and utility issues that might be relevant to a future Development Agreement.

## **7. Costs and Expenses**

(a) Blue Ocean shall pay all costs actually incurred by it or by its consultants and/or agents or successors in interest in performing its obligations under this Agreement.

(b) City shall bear all costs and expenses related to its title, environmental, physical, engineering, financial, and feasibility investigations, reports and analyses, and other analyses or activities performed by it in fulfilling its obligations under this Agreement.

## **8. City Retention of Legislative Authority and Discretion**

(a) The Parties understand and agree that by entering into this Agreement, the City is not thereby contractually obligating the Peoria City Council to take any legislative action(s) in furtherance of the Project; rather, the City is obligated only to proceed in good faith and with due diligence to work cooperatively with Blue Ocean to, if deemed feasible by the Parties, timely present any necessary legislative approvals for the Project to the Peoria City Council for its consideration and possible approval.

(b) The Parties further understand and agree that the City reserves its right to exercise its discretion as to all matters to which it is, by law, entitled or required to exercise its discretion, including, but not limited to, legislative matters, final approval of a development plan for the Project, approval of any and all plans and/or permits, and/or any other acts or activities requiring the subsequent independent exercise of discretion by the City or any Department thereof.

(c) The Parties also understand and agree that by its execution of this Agreement, the City is not committing itself, or agreeing to undertake any activity requiring the subsequent exercise of discretion by the City or any Department thereof, including, but not limited to, the approval and execution of a Development Agreement, approval of any land use regulation governing the Project property, the provision of financial assistance for the development of the Project, the authorization or obligation to use the City's eminent domain authority, or any other action. The City's execution of this Agreement is merely an agreement to enter into a period of exclusive negotiations according to the terms hereof.

## **9. Assignment**

No Party may assign this Agreement without first obtaining the advance written approval of the other Party, which approval may be granted or withheld in the sole and unfettered discretion of such other Party. The City agrees that, notwithstanding the foregoing, Blue Ocean may assign without the prior written approval of the City, but with thirty (30) days prior written notice to the City, its respective rights, duties, obligations, and liabilities under this Agreement to a limited liability company, corporation, trust, or partnership of which Blue Ocean owns the majority beneficial interest and has operational control.

## 10. Representations and Warranties

(a) Blue Ocean represents and warrants that it is a Delaware corporation authorized to do and doing business in the State of Arizona duly formed and validly existing under the laws of the State of Massachusetts and Delaware and is in good standing in the State of Massachusetts and Delaware.

(b) Blue Ocean represents and warrants that the person(s) executing this Agreement on its behalf has full right, power, and authority to execute this Agreement and bind Blue Ocean hereunder.

## 11. General Provisions

(a) **Applicable Law and Venue.** The laws of the State of Arizona shall govern the interpretation and enforcement of this Agreement, without regard to conflicts of laws principles. Any mediation, arbitration, or legal proceedings initiated to enforce the terms and conditions of this Agreement shall be conducted in Peoria, Arizona, or in the Maricopa County, Arizona, Superior Court or the United States District Court for the District of Arizona, as appropriate.

(b) **Rights and Remedies are Cumulative.** Except as otherwise expressly stated in this Agreement, the rights and remedies of the Parties are cumulative, and the exercise by any Party of one or more of its rights or remedies shall not preclude the exercise by it, at the same or different times, of any other rights or remedies for the same default or any other default by the other Party.

(c) **Specific Performance as Exclusive Remedy.** Subject to the Parties right to terminate this Agreement in accordance with Section 4 above, the Parties exclusive remedy for an uncured breach of this Agreement is to institute an action for specific performance of the terms of this Agreement, and in no event shall the Parties have the right, and the Parties expressly waive the right to, seek monetary damages of any kind (including but not limited to actual damages, economic damages, consequential damages, or lost profits) in the event of a default by the Parties under this Agreement or any action related to this Agreement.

(d) **Indemnity.** Each Party hereto (an "Indemnifying Party") shall indemnify, protect, defend, and hold harmless the other Party to this Agreement and its officials, officers, directors, employees, representatives, and agents (collectively, "Indemnified Parties") from and against any and all challenges to this Agreement by the Indemnifying Party or by any third party claiming through the actions of the Indemnifying Party, and any and all losses, liabilities, damages, claims or costs (including reasonable attorneys' fees) (collectively, the "Losses") arising from the negligent acts, errors, or omissions and willful misconduct with respect of the obligations of the Indemnifying Party, its officers, employees, representatives, members, and agents hereunder or the Project, excluding any such Losses arising from the negligent acts, errors, or omissions and willful misconduct of the Indemnified Party. This indemnity obligation in connection with events occurring prior to the termination of this Agreement shall survive the termination of this Agreement.

(e) **Notices, Demands, and Communications between the Parties.** All notices, demands, and communications between the Parties under this Agreement shall

be given either by (i) personal service, (ii) delivery by a reputable document delivery service such as Federal Express that provides a receipt showing date and time of delivery, (iii) facsimile or email with a hard copy sent by United States mail; or (iv) by mailing in the United States mail, certified mail, postage prepaid, return receipt requested, addressed to:

**To City:**

Carl Swenson, City Manager  
City of Peoria  
8401 W. Monroe Street  
Peoria, Arizona 85345

**With copy to:**

Scott Whyte, Economic Development Services Director  
City of Peoria  
9875 N. 85th Avenue  
Peoria, Arizona 85345  
scott.whyte@peoriaaz.gov

**With copy to:**

Stephen M. Kemp, City Attorney  
City of Peoria  
8401 W. Monroe Street  
Peoria, Arizona 85345  
steve.kemp@peoriaaz.gov

**Blue Ocean Biomanufacturing, Inc.:**

55 Union Street  
Worcester, MA 01608

Notices personally delivered, sent by fax or email with a confirmation by United States mail or delivered by document delivery service shall be deemed effective on the second business day following deposit in the United States mail. Such written notices, demands, and communications shall be sent in the same manner to such other addresses as any Party may from time to time designate by mail.

(f) **Nonliability of Officials and Employees.** No elected official, director, officer, or employee of the City or Blue Ocean shall be personally liable under this Agreement in the event of any default or breach by a defaulting Party or for any amount, which may become due to the non-defaulting Party or on any obligations under the terms of this Agreement.

(g) **Interpretation.** The terms of this Agreement shall be construed in accordance with the meaning of the language used and shall not be construed for or against any Party by reason of the authorship of this Agreement or any other rule of construction which might otherwise apply. The part and paragraph headings used in this Agreement are for purposes of convenience only, and shall not be construed to limit or extend the meaning of this Agreement.

(h) **Entire Agreement, Waivers, and Amendments.** This Agreement integrates all of the terms and conditions mentioned herein, or incidental hereto, and supersedes all negotiations or previous agreements between the Parties with respect to all or any part of the subject matter hereof. All waivers of the provisions of this Agreement must be in writing and signed by the appropriate authorities of the Party to be charged, and all amendments and modifications hereto must be in writing and signed by the appropriate authorities of the City and Blue Ocean.

(i) **Counterparts; Signatures.** This Agreement may be executed in counterparts, each of which, after both Parties hereto have signed this Agreement, shall be deemed to be an original, and such counterparts shall constitute one and the same instrument. Facsimile or electronically scanned signatures shall have the same force and effect as original signatures.

(j) **Successors.** This Agreement shall be binding upon and shall inure to the benefit of the permitted successors of each of the Parties hereto.

(k) **Severability.** In the event any section or portion of this Agreement shall be held, found, or determined to be unenforceable or invalid for any reason whatsoever, the remaining provisions shall remain in effect, and the Parties hereto shall take further actions as may be reasonably necessary and available to them to effectuate the intent of the Parties as to all provisions set forth in this Agreement.

(l) **Time is of the Essence.** Time is of the essence for each of the Parties' obligations under this Agreement.

(m) **Recitals.** The recitals set forth above are incorporated herein by this reference.

(n) **Attorneys' Fees.** The prevailing Party in any action to enforce this Agreement shall be entitled to recover reasonable attorneys' fees and costs from the

other Party (including fees and costs in any subsequent action or proceeding to enforce any judgment entered pursuant to an action on this Agreement).

(o) **No Third Party Beneficiaries.** This Agreement is made and entered into solely for the benefit of the City and Blue Ocean. No other person shall have any right of action or claim under or by reason of this Agreement.

(p) **No Partnership or Joint Venture.** Nothing in this Agreement is intended to or does establish the Parties as partners, joint venturers, or principal and agent with each other.

**IN WITNESS WHEREOF**, the City and Blue Ocean have signed this Agreement on the respective date set forth above.

**CITY OF PEORIA, ARIZONA**, an Arizona charter municipal corporation

\_\_\_\_\_  
Carl Swenson, City Manager

**ATTEST:**

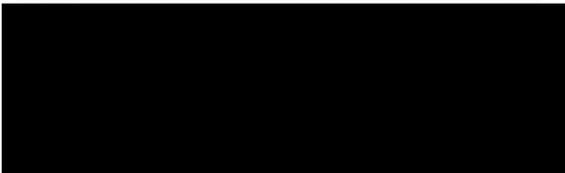
\_\_\_\_\_  
Rhonda Geriminsky, Acting City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Stephen M. Kemp, City Attorney

**BLUE OCEAN BIOMANUFACTURING, INC.**, a Delaware corporation

By:



\_\_\_\_\_  
Timothy P. Coleman

Its CEO \_\_\_\_\_



# City Council Calendar

Color Key:  
City Council

<a href="#">&lt; January</a>	February 2013					<a href="#">March &gt;</a>
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4	<b>5</b>  <a href="#">Regular City Council Meeting</a>  <a href="#">Special Meeting &amp; Study Session</a>	6	7	8	9
10	11	12	13	14	15	16
17	<b>18</b> Presidents' Day Holiday - City Hall Closed	<b>19</b>  <a href="#">Regular City Council Meeting</a>  <a href="#">Special Meeting &amp; Study Session</a>	20	21	22	23
24	25	26	27	28		



# City Council Calendar

Color Key:  
City Council

< February	March 2013					April >
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1  <a href="#">City Council Workshop</a>	2
3	4	5  <a href="#">Special Meeting &amp; Study Session</a>	6	7	8	9
10	11	12	13	14	15	16
17	18	19  <a href="#">Regular City Council Meeting</a>  <a href="#">Special Meeting &amp; Study Session</a>	20	21	22	23
24	25	26	27	28	29	30
31						

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

**Date Prepared: January 8, 2013**

**Council Meeting Date: January 22, 2013**

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**TO: Carl Swenson, City Manager**

**FROM: Susan K. Thorpe, Deputy City Manager**

**SUBJECT: Civic Reporter Mobile App for Citizen Issues**

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**Summary:**

The city of Peoria launched a new Smartphone application which allows Peoria residents and employees to identify and report non-emergency issues, such as potholes, graffiti, street light out, water leak and other quality of life and environmental issues. This mobile reporting platform will improve how Peoria delivers services to its neighborhoods.

The app, called "PeoriaAz Civic Reporter," allows a user to capture a photo, video, or audio of the problem. The user then uploads the information and submits a report on the app. The photo or video automatically includes the GPS location. Once a report is submitted, it goes to the department responsible for that particular issue. For instance, graffiti reports go directly to the Police Department, while pothole reports go directly to the Public Works Department. After action is taken, feedback is provided to the person reporting the issue.

This app is one of the recent initiatives from the City's Neighborhood Livability Team. Neighborhood Livability's purpose is to ensure healthy neighborhoods through community partnerships, empowerment and mutual accountability. To accomplish this purpose, the Team's goals are:

- (1) To improve the quality of life in each neighborhood by reducing crime, blight and nuisances that serve to create or attract disorder, and
- (2) To prevent neighborhood deterioration and to improve neighborhoods that have fallen into disrepair.

John Imig, CIO/Information Technology Director, will make a presentation demonstrating how the PeoriaAZ Civic Reporter mobile app works and how residents can download and use this app on their smartphone to report a variety of issues to the City for action.

This app was initially introduced in July 2012, but this is an opportunity to inform our newest Council members and re-introduce the app to our citizens to expand its use.

**Background:**

The City established the Neighborhood Livability Team in October 2009 consisting of City staff members from across various departments including Police, Community Services, Public Works

and Utilities, Code Enforcement, Planning and Community Development and Neighborhood Traffic Management.

The Neighborhood Livability Team helps to achieve two Council policy goals: (1) Community Building and (2) Enhancing Our Current Services.

Numerous existing programs and new initiatives are encompassed under the Neighborhood Livability umbrella, including:

- Community policing
- Data driven deployment strategies
- Increased community outreach
- Integration of code enforcement and park rangers into Police Department
- Patrol cars using mobile data computers to proactively report livability and code issues
- Neighborhood Traffic Management, including traffic calming
- Neighborhood Grants
- Neighborhood Livability Webpage on city website
- CrimeReports.com
- Neighborhood Pride Program
- Street Light Infill Program
- Crime Prevention through Environmental Design (CPTED)
- Crime Prevention and Individual Safety advisories, such as Vehicle Report Cards
- Community Resource Quick Reference Guide
- MyPD.com Peoria Police mobile app
- CrimeShield Program

The mobile phone app, PeoriaAz Civic Reporter, can be used to report the following issues:

- Dead Animal
- Flooding
- Graffiti
- Homeless Nuisance
- Illegal Dumping
- Illegal Signage
- Manhole
- Parking Illegally
- Pothole
- Sewer problem
- Shopping Carts
- Sidewalk Cracked/Obstructed
- Street Light
- Street Signage
- Traffic Signal
- Trash Can/Recycle Bin
- Water Leak
- Weeds/Plants/Trees
- Other (Not Listed, Please Describe)

**Exhibit(s):** none

**Contact Name and Number:** John Imig, CIO/Information Technology Director, 623-773-7253

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

Agenda Item: 16B

**Date Prepared:** January 14, 2013

**Council Meeting Date:** February 5, 2012

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**TO:** Carl Swenson, City Manager  
**FROM:** Roy W. Minter, Chief of Police  
**SUBJECT:** **Police Department Phone App**

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**Summary:**

This is a brief presentation explaining the police department's mobile phone app and how it fits with the overall social media communication plan. Additionally, the phone app is designed to assist with the prevention of crime and increase the overall performance of the department by providing the public with another means of communication.

The topics to be discussed will be as follows:

- Social Media
- Public Engagement
- Citizen Surveys
- Crime Tips
- Timely-Instantaneous Information
- Most Wanted
- Public Outreach
- Commend an Officer
- Department Contacts
- Traffic Conditions

**Contact Name and Number:**

Police Chief Roy Minter, 623-773-7059

Deputy Police Chief Bob Sanders, 623-773-7046

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

Agenda Item: 17A

**Date Prepared: January 24, 2013**

**Council Meeting Date: February 5, 2013**

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**TO:** Mayor and City Council  
**FROM:** Carl Swenson, City Manager  
**SUBJECT:** Distinguished Budget Presentation Award

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**Summary:**

I am pleased to announce that the City of Peoria has received the Distinguished Budget Presentation Award for the current budget from the Government Finance Officers Association (GFOA). This award is the highest form of recognition in governmental budgeting and represents a significant achievement by our organization.

This is the 20<sup>th</sup> time that the city has received this award; however, it is important to note that grading criteria has become increasingly more stringent over time. In order to receive the budget award, we had to satisfy nationally recognized guidelines for effective budget presentation. These guidelines are designed to assess how well an entity's budget serves as:

- a policy document
- a financial plan
- an operations guide, and
- a communications device

Budget documents must be rated "proficient" in all four categories, as well as the fourteen mandatory criteria within those categories, to receive the award.

It is important to note the collaborative spirit in which this was accomplished. The leadership of the Mayor and Council throughout the budget process, as well as the direction provided by Katie Gregory, Interim Management and Budget Director, made this possible. Our budget process allowed for an engaging, thought provoking, and well reasoned budget strategy; all of which resulted in this distinguished honor for the City of Peoria. This national recognition further exemplifies the high caliber of our elected officials and staff. I want to thank everyone who worked on the budget and congratulate all of you for a job well done.

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

Agenda Item: 17B

**Date Prepared: 17 January 2013**

**Council Meeting Date: 5 February 2013**

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**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**

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**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 assigned to each Council 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

**City of Peoria  
Council Subcommittees**

**Community Culture  
and Public Safety  
Subcommittee**

<b>Submitter</b>	<b>Subject</b>	<b>Sub- committee agenda date</b>	<b>Action</b>	<b>Study Session</b>
Jeff Tyne / Susan D	Trail System Lighting	1/30/2012	Forward item to study session. Completed	7/3/2012
Jeff Tyne / Susan D	Field Rental Policy	1/30/2012	Forward item to study session. Completed	7/3/2012
Jeff Tyne / Susan D	Recreation Fees Policy	11/14/2011	Forward item to study session. Completed	3/20/2012
Jeff Tyne / Susan D	Veterans Discount Program	2/27/2012	Discussed item. Taken directly to Regular Council meeting. Completed	Regular Council Meeting 5/15/12
Jeff Tyne / Susan D	Establish "Peoria Friends of the Arts"	2/27/2012	Forward item to study session. Completed	12/4/2012
Jeff Tyne / Susan D	Youth Master Plan	4/9/2012	Forward item to study session. Completed	9/4/2012
Jeff Tyne / Susan D	Veterans Memorial Board Sponsorship	1/30/2012	Discussed item. Taken directly to Regular Council meeting. Completed	Regular Council Meeting 5/15/12
Claudia Lujan	Structure of the Sister Cities Board	6/25/2012	Item was discussed. Forward item to Council Study Session (6/25/12). Completed	
Roy Minter	False Alarm Ordinance	11/7/2011	Forward to study session (11/7/2011). Completed	4/17/2012
Dave Pearson	Recreational Vehicle Ordinance	1/11/2012	Forward to study session with full recommendation (1/11/12). Completed	6/5/2012
Tony Rivero	Recreational Vehicles City Code Section 14-110	1/11/2012	Forward to study session with full recommendation (1/11/12). Completed	6/5/2012

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Carlo Leone	Traffic calming agenda item	4/11/2012	Forward to study session. Completed	Regular Council Meeting 6/19/12
Carlo Leone	Traffic management agenda item	4/11/2012	Item discussed. Infomational only.	NA
Roy Minter	Park Ranger Staffing Study	12/14/2011	Informational item.	NA
Carlo Leone	Feral Cat Control	9/10/2012	Discussion only. Complete.	NA
Carlo Leone	Residential Parking	11/15/2012	Item discussed. Forward to Council Study Session.	
Carlo Leone	Dirt Ordinance	11/15/2012	Discussion only. Complete.	NA
Jamal Rahimi/Andy Grainger	Neighborhood Traffic Management Program (NTMP) Policy Change	4/11/2012	Item discussed. Infomational only. Completed	NA
Tamara Shreeve/Susan Thorpe	Community/Outside Agency Funding & Assistance Policy	6/25/2012	Item was discussed. Forward item to Council Study Session (6/25/12). Completed	11/13/2012
Ron Aames	Roadside Memorials	11/15/2012	Discussion only. Complete.	NA
Carlo Leone	Feeding Nuisance Animals	9/10/2012	Item was discussed. Staff will bring draft ordinance back to Subcommittee. (9/10/12)	
Ron Aames	Permissible Number of Animals per Residence	9/10/2012	Discussion only. Complete.	NA

**City of Peoria  
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**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. Completed	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.	7/3/2012 10/23/2012
Dave Pearson	Itemizing Utility Bill	12/19/2011	Forward the item for full Council Study Session discussion of solid waste service options and rates. Completed	2/7/2012
Steve Kemp	Adoption of Resolution supporting designating certain areas of the City with Peoria addresses and zip codes	2/13/2012	Will be placed as a regular agenda item.	Regular Agenda 7/3/12
Katie Gregory	Development Service User Fees	2/13/2012	Forward to Council Study Session. Completed.	7/3/2012

**City of Peoria  
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<b>Policy and Appointments Subcommittee</b>				
<b>Submitter</b>	<b>Subject</b>	<b>Sub-committee agenda date</b>	<b>Action</b>	<b>Study Session</b>
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 on 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) Completed	2/21/2012

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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). Completed	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). Completed	5/15/2012
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. Completed	Regular Council Meeting 1/3/2012

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Susan Thorpe	Council Code of Ethics	2/14/2012 3/15/2012 4/10/12 5/8/12 9/11/12	Discussed item - continue discussion at the next meeting (2/14/2012). Discussed Item - continue discussion at the next meeting (3/15/2012). Discussed item - will continue discussion at the next meeting (4/10/12). Discussed item-continue discussion at the next meeting (5/8/12). Consensus to forward draft policy to Study Session (9/11/2012). Completed.	
Dave Pearson	Code of Ethics for Elected Officials and Citizen Advisory Committees	2/14/2012 3/15/2012 4/10/12 5/8/12 9/11/12	Discussed item - continue discussion at the next meeting (2/14/2012). Discussed Item - continue discussion at the next meeting (3/15/2012). Discussed item - will continue discussion at the next meeting (4/10/12). Discussed item-continue discussion at the next meeting (5/8/12). Consensus to forward draft policy to Study Session (9/11/2012). Completed.	

**City of Peoria  
Council Subcommittees**

**Sustainable  
Development and  
Public Services  
Subcommittee**

<b>Submitter</b>	<b>Subject</b>	<b>Sub- committee agenda date</b>	<b>Action</b>	<b>Study Session</b>
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 Preservation Program and Decision Support Model	2/1/2012	Start community outreach activities and forward item to Council Study Session. Completed	8/21/2012
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 6/6/12	Bring back to subcommittee for further discussion upon completion of research and alternative identification (11/8/11). Item was discussed. Forward item to study session (6/6/12). Completed	
Cathy Carlat	Not for Profit Committee	11/8/2011 6/6/12	Bring back to subcommittee for further discussion upon completion of research and alternative identification (11/8/11). Item was discussed. Forward Item to study session (6/6/12). Completed	
Scott Whyte/ Chris Jacques/ Susan D.	Old Town Entertainment District Designation	12/7/2011 1/4/2012	Bring back to subcommittee for further discussion (12/7/11). Forward to Regular Council Meeting (1/14/2012). Completed	Regular Council Meeting 1/17/2012
Bill Mattingly	Dial-a-Ride rates	11/17/2011	Forward item to Council Study Session. Completed	4/17/2012

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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. Completed	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
Scott Whyte	Old Town Indicators	6/6/2012	Item was discussed. Forward item to Study Session (6/6/2012). Completed.	8/21/2012
Chris Jacques	Senate Bill 1598-Aggregate Mining	6/6/2012	Item was discussed. Forward item to Study Session (6/6/2012). Completed.	8/21/2012
Carlo Leone	Street Maintenance	11/7/2012	Item was discussed. No further action needed.	NA