

City Council Meeting Notice & Agenda



Tuesday, January 21, 2014
City Council Chamber
8401 West Monroe Street
Peoria, AZ 85345

Special Meeting & Study Session

5:00 P.M. Convene

Roll Call

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**

Discussion and possible action to authorize the holding of an Executive Session for the purpose of discussion with legal counsel for legal advice on contemplated litigation pertaining to the Asset Purchase Agreement between the City of Peoria and DLGC II, LLC et al., and related parties pursuant to A.R.S. § 38-431.03.A.4.

Study Session Agenda

Subject(s) for Discussion Only

2. Community Services Master Plan Update

Adjournment

Mayor
Bob Barrett

Palo Verde
District
Ron Aames,
Vice Mayor

Acacia
District
Tony Rivero

Ironwood
District
Bill Patena

Mesquite
District
Cathy Carlat

Pine
District
Carlo Leone

Willow
District
Jon Edwards

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. An Executive Session for the purpose of discussion with legal counsel for legal advice on contemplated litigation pertaining to the Asset Purchase Agreement between the City of Peoria and DLGC II, LLC et al., and related parties pursuant to A.R.S. § 38-431.03.A.4.

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.

Arizona Open Meeting Act:

Arizona law requires that persons who are present in an executive session receive instruction regarding the confidentiality requirements of the Arizona Open Meetings Act. Minutes and discussions made during executive sessions are confidential and may not be disclosed to any party, except:

- Members of the council,
- Appointees or employees who were subject of discussion under the personnel item subsection of the Open Meetings Act,
- County Attorney or Attorney General pursuant to an investigation of a violation of the Open Meetings Act, and
- Arizona Auditor General in connection with an audit authorized by law.

Any person who violates or who knowingly aids, agrees to aid, or attempts to aid another person in violating the Arizona Open Meetings Law may be punished by fine of up to \$500.00 per violation and/or by removal from public office.

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 7, 2014 City Council meeting:
 - Mike Heath to the Historic Preservation Commission, and
 - Lauren Allsopp to the Historic Preservation Commission.

Consent Agenda

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Consent

5C. Minutes

Discussion and possible action to approve the following:

December 3, 2013 Meeting Minutes

6C. Annexation, 75th Avenue and Pinnacle Peak Road

Discussion and possible action to adopt **ORD. 2014-06** approving the annexation of approximately 1.17 acres of privately owned property located south of the Pinnacle Peak Road alignment at the 75th Avenue alignment. (ANX13-0002)

7C. Initial Zoning, 75th Avenue and Pinnacle Peak Road

Discussion and possible action to concur with the Planning and Zoning Commission's recommendation and adopt **ORD. 2014-05** establishing initial zoning of Suburban Ranch (SR-43) on approximately 1.17 acres of privately-owned property recently annexed from Maricopa County, generally located south of the Pinnacle Peak Road alignment at the 75th Avenue alignment. (Z13-0009)

8C. **Intergovernmental Agreement, Peoria Unified School District, Zuni Hills Elementary School Privacy Wall**

Discussion and possible action to approve an Intergovernmental Agreement with the Peoria Unified School District (PUSD) granting a temporary construction easement for the City to construct a privacy wall along the Zuni Hills Elementary School western property line and for PUSD to maintain the privacy wall.

9C. **Budget Amendment, Water and Wastewater Division, Accessory Equipment**

Discussion and possible action to approve: (a) a budget amendment in the amount of \$23,465 from the Water Equipment Reserve Fund contingency account to the Water Equipment Reserve Fund Trucks and Vans account; and (b) a budget amendment in the amount of \$3,499 from the Wastewater Equipment Reserve Fund contingency account to Wastewater Equipment Reserve Fund Trucks and Vans account for accessory equipment needed for previously approved replacement vehicles.

10C. **Budget Amendment, Information Technology, Computer Replacements**

Discussion and possible action to approve the use of reserves and a budget amendment in the amount of \$125,000 from the General Fund contingency account to the IT Reserve Fund Computer Hardware account for additional computer replacements.

11C. **Maintenance Improvement District No. 1111, The Meadows Parcel 12A, 99th Avenue and Deer Valley Road**

Discussion and possible action to approve the Petition for Formation and adopt **RES. 2014-06** intention and ordering the formation of proposed Maintenance Improvement District No. 1111, The Meadows Parcel 12A, located at 99th Avenue and Deer Valley Road; and adopt **RES. 2014-07** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

12C. **Street Light Improvement District No. 1054, The Meadows Parcel 12A, 99th Avenue and Deer Valley Road**

Discussion and possible action to approve the Petition for Formation and adopt **RES. 2014-08** intention and ordering the formation of proposed Street Light Improvement District No. 1054, The Meadows Parcel 12A, located at 99th Avenue and Deer Valley Road; and adopt **RES. 2014-09** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

13C. **Deeds and Easements, Various Locations**

Discussion and possible action to adopt **RES. 2014-15** accepting Deeds and Easements for various Real Property interests acquired by the City.

14C. **Final Plat, Peoria Village, 67th Avenue and Cactus Road**

Discussion and possible action to approve the Final Plat of Peoria Village, located at 67th Avenue and Cactus Road, subject to stipulations.

15C. **Final Plat, Tierra Buena II, 75th Avenue and Greenway Road**

Discussion and possible action to approve the Final Plat of Tierra Buena II, located at 75th Avenue and Greenway Road, subject to stipulations.

Regular Agenda

New Business

16R. **Memorandum of Understanding, Chicanos Por La Causa, Old Town, Redevelopment Projects**

Discussion and possible action to authorize the City Manager to enter into a Memorandum of Understanding with Chicanos Por La Causa, to collaborate on redevelopment projects in the Old Town area.

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

17. **Council Calendar**

18. **Reports with Presentation**

A. 2014 State Legislative Update

B. Community Policing Update

19. **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. ParkFest! @ Paseo Verde Park

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 13, 2013

Study Session Meeting Date: January 21, 2014

TO: Carl Swenson, City Manager
FROM: John R. Sefton, Jr., Community Services Director
THROUGH: Jeff Tyne, Deputy City Manager
SUBJECT: Community Services Master Plan Update

Purpose:

To provide City Council a planning update of the Community Services Master Plan (an update of the 2006 PROST) and to seek comment, input, and direction on the master plan's findings, priorities, and recommendations.

Background/Summary:

The City contracted with Norris Design in December, 2012 to update the Parks, Recreation, Open Space, and Trails Master Plan (PROST). Norris Design's work plan elements include the following:

- ✓ Data and information gathering
- ✓ Inventory and asset conditional assessment
- ✓ Public input and community needs assessment
- ✓ Park and recreation facility standards and goals
- ✓ Service, management and operations planning
- ✓ Needs assessment report and presentation

➔ *Prioritized Action Plan and Recommendations*

Staff and Norris Design presented to Council a status report and update in July, 2013 that included the public engagement process along with the detail of the citizen survey. This planning update presentation will focus on the Prioritized Action Plan and Recommendations as well as emphasize the plan's relationship to the Open Space Preservation Plan, the General Plan, and the 24- Month Council Policy Goals. The attached Planning Update provides an introduction and summary of the recommendations. The full draft of the Community Services Master Plan is available for download from the project website at www.my.peoriaaz.gov.

Staff and the consultant team seek feedback from City Council specific to the plan's Areas of Focus, as detailed in the attachment.

A paramount goal for this master planning process was facilitating a successful public engagement with our Peoria residents. The team accomplished this through a series of public and stakeholder meetings, the community survey, public communication through the ***my.peoriaaz.gov*** website and master plan updates at the Parks and Recreation Board meetings. The team also conducted planning sessions with members of the Youth Advisory Board and with several key stakeholder groups including facility user groups, city staff, developers, and businesses.

Citizens are still encouraged to provide comment and feedback regarding the Community Services Master Plan via the www.my.peoriaaz.gov website.

The Community Services Master Plan document is planned to be completed in late January with a final version returned to City Council in the coming months.

Previous Actions:

City Council Study Session (July 2, 2013): Community Services staff along with consultant team provided an update of the process, accomplishments, and citizen survey results.

Exhibit(s): Mayor & Council Master Planning Update

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



City of Peoria, Arizona

Community Services Master Plan - Draft

Implementation Strategies for Parks, Recreation, Open Space, Trails, Sports Facilities, Public Art and Libraries
Mayor & Council Planning Update | Prioritized Action Plan & Recommendations
January 7, 2014





Community Services Master Plan Update

Community Services Master Plan Purpose and Vision

The purpose of the Community Service Master Plan is to evaluate the City's existing facilities, programs and services, assess the community's needs and desires and provide recommendations to improve the services provided to residents and visitors of the community. This community-driven plan is intended to assist the Community Services Department by identifying the existing level of service and establishing prioritized recommendations in regard to facility improvements and development, recreation and library programming, as well as the resources and funding associated with each action. This master plan will complement the current initiative to obtain national accreditation for the Community Services Department by the National Recreation and Parks

Association's (NRPA) Commission for Accreditation of Park and Recreation Agencies (CAPRA). Peoria is a growing community in the Valley and it is critical for the Community Services Department to have measurable goals for implementation to meet the needs of residents as its services expand. We look forward to your input on the following recommendations contained in this master planning update.

Prioritized Action Plan and Recommendations

The recommendations of the Community Services Master Plan are the result of the consultant team's analysis of the Peoria's Community Service Department managed facilities and programs. Information was gleaned through site visits, inventory and analysis, community and stakeholder input, the community survey, as well as regional and national standards and best practices identified in the Needs Assessment phase. The following recommendations and each priority within the action plan are formulated based on the key findings from the planning process. Priorities are established based on the greatest community need, such as those identified through the community survey, level of service analysis, national standards and spatial mapping, etc. The Community Services Department staff and the Parks and Recreation Board provided additional input and feedback to craft the recommendations for implementation. It is the goal of this Master Plan to provide recommendations and strategies that best meet the needs of the community through a well-organized department, strategic investments for improvements, renovations and additions to the system and appropriate facility and program development in order to advance Peoria as a leader in community services.

Areas of Focus

Park and Facility Development and Enhancement

The park, recreation and library facilities as well as the Sports Complexes receive high marks from residents, as proven in recent satisfaction surveys. The parks, especially the Community Parks such as Rio Vista are very popular and heavily used. Those parks with lighted diamond fields are very busy as well. The two libraries have very popular programs and many patrons using the space to read, work and study. The popularity of the facilities shows a need and desire for these types of facilities throughout the community. However, because the majority of growth will occur north of Bell

Road, specific attention to the distribution of park amenities and library facilities in the northern part of the City is important. Not only is there demand for new facilities, but there is a need to maintain and upgrade existing facilities and the amenities within them. Where possible, additional lights on fields would help alleviate programming demands. The Main Library is in need of an update that will make it more functional for users and staff.

Programs and Services Delivery

The strength of the programming offered by the City of Peoria's Community Services Department is that it is well-rounded and comprehensive in both the realms of recreation and library services. The programming and services provide resources for the youth of Peoria to get out and try new activities, coverage for care around the school schedule through the AM/PM program and summer programs as well as specific services for adults and older adults. There are opportunities to enhance the offerings of the programming provided by the department such as programs for youth and adults in art and crafts, active programs for both adults and older adults, including senior-only fitness classes and softball leagues. Also, despite the popularity of the library programs, there is a limit on physical space in which to expand the existing programming, especially computer classes. The technology evolution presents many opportunities to support the community in education, business resources and access to technology. The libraries are experiencing this trend and understand there is a demand for services that could become a revenue source for the department. Overall, the amount of physical space is often the primary hindrance in expansion of popular programs. Staff seems to be willing to accommodate the interests of the community if they can find the physical space as well as a space in the calendar to host an activity.

Partnerships and Collaborative Efforts

The City of Peoria's Community Services Department has worked to establish and maintain strong partnerships with other local agencies, sports organizations and support resources, including the school district, Maricopa County, the Peoria Diamond Club, Special Olympics and DHS/DES. The Department relies heavily on the resources of these other agencies to provide programming support and associated facilities to meet the recreation and leisure needs of the community. The Department also delegates responsibilities to

a few non-profit groups and relies on their expertise and passion to provide programs, volunteers and fundraising for sports programs. Therefore, continued open channels of communication and clear understanding of responsibilities between the partners will be important to long-term growth of the Department's facilities and programs. Additional partnerships and collaborative efforts with other agencies, local businesses, and non-profit organizations should be evaluated on a case by case basis in order to maximize resources of the Department and the City as they grow.

Internal Department Organization and Staffing Needs

The Community Services Department is divided into four divisions with a manager for each division; Parks, Recreation, Sports Facilities and Library Services. All four divisions have dedicated and passionate staff that work to achieve high customer satisfaction with the services being provided and have a high approval rating from the community. Despite tight budgets, the staff has managed to maintain a high level of quality in maintenance, programming and library collections because of these efforts.

The City of Peoria is a growing community, and despite the high approval ratings, the staff has identified areas of improvement that are needed in anticipation of service expansion. Continued monitoring and improvements to communications between the divisions as well as throughout City departments would benefit the entire department. This would include better coordination between recreation programming and maintenance staff, as well as implementing a plan that allows staff to access support services such as technology and facility repair outside of standard City hours. Staff could also benefit from efficiency improvements including defining specialized positions and evaluating maintenance operations.

Funding Resources and Budget Allocations

The Community Services Department funding has remained consistent over the past five years. In order to keep the City on pace with other progressive community service providers and provide recreation and leisure opportunities to the residents of the community, increases will need to be made to current funding levels. Potential long-term funding sources may include a dedicated property and/or sales tax, the creation of a special taxing district specifically dedicated for parks, recreation, trails and libraries

and/or revisiting impact fees. Based on our findings from the community survey complete in the Spring of 2013, respondents were supportive of allocating additional funding to existing and future services provided by the Community Services Department. With that said, there may be potential reluctance by the residents of Peoria to support the idea of new or additional fees and taxes. In order to sustain the Department's quality services, programs and facilities, as well as the development of needed new facilities, the City should be proactive in identifying, seeking out and supporting new funding mechanisms, matching funds for grants and alternative funding.

The Community Services Department should continue to explore opportunities to increase cost recovery through additional or increased fees to release funding for additional programs, services and facilities. Users are more likely to agree to fee increases when they themselves can see the net effect of the current fee versus the service level they would like. The stable financial position of the City of Peoria provides a solid foundation for Peoria to increase reinvestment in facilities, programs and services as the economy improves.

Community Services Master Plan Recommendations

The Community Service Master Plan recommendations are organized into following categories including goals, objectives and strategies, and each action strategy is assigned a number in an outline format.

- Park and Facility Development and Enhancement
- Programs and Services Delivery
- Partnerships and Collaborative Efforts
- Department Organization, Staffing and Resources
- Funding Resources and Opportunities

As part of the final deliverable, the list of recommendations and strategies will be packaged into the Prioritized Action Plan chart, which is divided into short-, mid- and long-term timeframes and within those timeframes, there are high, medium and low priorities.

The timeframes are divided into three to four year sections:

- Short-term is 2014-2016,
- Mid-term is 2017-2019,
- Long-term is 2020-2023

The Action Plan will serve as a "living document" providing staff a tool to assess the Department's accomplishments while planning for initiatives through an annual review. The Action Plan is formatted in this manner to assist the City in setting and implementing attainable goals for each of the next 10 years and providing a roadmap to establish funding sources for larger capital improvements and long-term maintenance.

Park and Facility Development and Enhancement

Goal 1: Meet Peoria's growing community needs through facility improvements and renovations.

Objective 1.1: Increase the level of service for the entire system through improvements to existing facilities.

System-Wide Strategies:

- 1.1.01 Consider adding a “mini” park classification to the Peoria system to meet the needs of neighborhoods for playgrounds and other small amenities and increase the total acres of public parkland within the City of Peoria.
 - These types of parks (under 8 acres) are typically built and maintained by the residential community they are within and serve residents within ¼ to ½ mile. The responsibility for development and maintenance by others can continue in this manner but additional parameters by the City for design and public access to these parks would increase the level of service for all residents of the City.
- 1.1.02 Per the 2013 Parks and Recreation Needs Assessment Survey prioritize the maintenance/improvements which were identified by households as being the ones they were most willing to fund:
 - maintain and improve existing neighborhood and community parks
 - maintain and improve existing libraries
 - fix-up/repair aging recreation facilities
 - and maintain and improve existing trail system
- 1.1.03 Facility On-Going Maintenance and Replacement - Prepare a plan for on-going maintenance and replacement needs at facilities such as the Pools, Rio Vista Community Center, Peoria Sports Complex, Sunrise Library, Main Library and the Peoria Community Center as well as the park facilities. The plan will provide guidance for budgeting annual, scheduled and unscheduled maintenance and replacements needs to enhance the operations and delivery of services to the community.
 - Maintenance and replacement may include equipment directly used by the public as well as infrastructure/facility improvements. This may include but is not limited to: water play features, bleachers, shade canopies, fitness equipment, fencing, security equipment, AC units, TV's, LCD players, PA systems, room divider curtains, furniture, and kitchen equipment, etc.
- 1.1.04 Implement a light improvement program to install additional lighting and/or new lighting in parks, paths and trails.
- 1.1.05 Where possible, work to add lights on existing diamond and rectangular fields, as it would help alleviate programming demands.
- 1.1.06 While the Level of Service analysis showed a shortage of tennis courts, the City should evaluate the demand at a neighborhood scale, as well as giving consideration to converting under-used tennis courts to pickleball courts. Consideration for adjacent property impacts should also be evaluated, as the use is changed.
- 1.1.07 Develop a list to track installed/existing site furnishings model and brand name and add to it as parks are added or updated with new equipment. This same list could also serve as a set of standards for equipment types or styles that should be used in future park development for ease of maintenance.
 - 1.1.07a As site furnishings such as tables, benches, and trash receptacles need to be replaced, consider replacing plastic coated items with powder-coated steel furnishings that can be refinished in the field if vandalized.
 - 1.1.07b Integrate recycling containers into the trash receptacles as they are replaced.

- 1.1.08 Enhance safety and security in parks and facilities. This may include additional lighting, patrols or fencing. Examples include Alta Vista and Paseo Verde Parks.
- 1.1.09 Prioritize and implement all recommendations from the ADA study being conducted concurrently with this Master Plan.
- 1.1.10 Provide on-street signage to direct people to all City parks.
- 1.1.11 Develop enclosures for trash dumpsters and recycling containers for use by parks maintenance crews so they don't have to haul debris to a designated site.
- 1.1.12 Dog Parks:
 - 1.1.12a Provide functional drinking fountains with pet bowls at all dog parks. For example, Parkridge Park.
 - 1.1.12b Evaluate existing dog park entry designs. Consider modifying dog park entry vestibules to provide separate entries into individual cells in order to provide a controlled, safe entry at the cell entrance.
 - 1.1.12c Increase natural and structural shade levels at existing dog parks and plan for dog owner shade needs in future park plans.
 - 1.1.12d Consider temporary fencing to allow for the turf areas to rest.
- 1.1.13 Playgrounds:
 - 1.1.13a As playground equipment needs to be replaced; the Department should evaluate the type and quantity appropriate for the park and the system as a whole. It is important to meet the needs of the neighborhood it serves first and then to also minimize duplication within the system to make each park a destination for playground users.
 - 1.1.13b Establish a play equipment and shade canopy replacement program.

See the Facility Specific Strategies at my.peoriaaz.gov (Page 179) for site-specific recommendations.

Objective 1.2: Implement sustainable practices into the maintenance, repairs, upgrades and design of facilities for cost savings, health and efficiency.

Strategies:

- 1.2.01 Evaluate energy/resource saving options as part of the planning for on-going maintenance and replacement needs at facilities such as the Pools, Rio Vista Community Center, Peoria Sports Complex, Sunrise Library, Main Library and the Peoria Community Center.
- 1.2.02 Establish a recycling program at the park sites with the inclusion of appropriate containers for the various materials. (Recycling containers were added at Pioneer Park).
- 1.2.03 Implement sustainability standards for parks and facilities including water conservation and materials by developing documents noting standards, parameters and guidelines.
- 1.2.04 Consider incorporating shrub and groundcover evaluation and replacement as part of the operations and maintenance practices

to keep parks looking fresh. Shrubs and groundcovers that have died have often been removed without replacement.

- 1.2.05 Designate vegetative zones within the parks and adjust plant types over time to correspond with the vegetative zones.
 - Active use areas (play areas, plazas, walks and trails) are planted with non-thorn varieties that are better suited to frequent pruning.
 - Park areas including buffer or perimeter areas that are not in active areas can be planted with varieties that receive infrequent pruning and allowed to develop a natural form, can include thorn or spikes and are typically more drought-tolerant.
- 1.2.06 Establish a tree inventory for the park system and corresponding maintenance program.
- 1.2.07 Evaluate the turf areas of all the parks to determine if there are non-functional turf areas (not used for recreational, aesthetic or erosion control functions) that could be reduced or eliminated and replaced with appropriate drought tolerant plantings. This includes but is not limited to areas in Alta Vista, Arrowhead Shores, Calbrisa, Country Meadows, Monroe and Sundance Parks.
- 1.2.08 Increase green practices and use of energy-efficient materials.
 - 1.2.08a Increase water conservation through upgrades or repairs to irrigation systems.
 - 1.2.08b When interior fixtures are replaced or repaired, install water-saving devices.
 - 1.2.08c Engage the use of solar energy for light fixtures and buildings, as upgrades or repairs are made to roofs, park lighting, etc.
 - 1.2.08d Integrate pest management IPM programs to reduce the overall environmental impact when fertilizing and maintaining sports fields and recreation amenities.
 - 1.2.08e Plant native grasses and shrubs in hard to mow areas.
 - 1.2.08f Utilize reclaimed water for irrigation in newly constructed parks (or retrofit a system in an existing park if not cost prohibitive when upgrading the irrigation system) when a park is located in proximity to a water treatment plant.
- 1.2.09 Implement a digital asset management tool to enhance management of replacement and maintenance needs while promoting opportunities to manage energy and water needs.

Goal 2: Meet Peoria's growing community needs through facility development.

Objective 2.1: Develop new park, recreation and library facilities which are complementary to the City's existing park, recreation and library system.

System-wide Strategies:

- 2.1.01 Develop priority areas for parks, trails and open space in the developing areas in Northern Peoria. Per the Level of Service analysis consider providing additional park facilities in areas with lower Levels of Service (LOS), including the following (which may be across multiple sites or a single site):
 - 2.1.01a A community park located north of Bell Road.
 - 2.1.01b Lighted rectangular and diamond fields north of Bell Road.
 - 2.1.01c A recreation or community center north of Bell Road.
 - 2.1.01d A pool north of Deer Valley
 - 2.1.01e Neighborhood parks in the Ventana Lakes area, Trilogy, and the area between Country Meadows Park and Westgreen Park

2.1.01f Dedicate open space as directed by the Peoria Sonoran Preservation Program

2.1.02 New park development North of Bell Road needs to include parks that can support the demand for lighted athletic fields as dictated by the park development criteria.

2.1.03 Consider the following the highest priority items for facility development according to the residents of Peoria:

2.1.03a Per the 2013 Parks and Recreation Needs Assessment Survey the following facilities which were identified by households as being the most needed and as having the greatest importance:

- Walking and biking trails
- Small neighborhood parks
- Libraries
- Large community parks
- Outdoor picnic shelters
- Playgrounds
- Indoor fitness and exercise facilities

2.1.03b Public meeting input included high priorities (especially north of Bell Road) for:

- A recreation center,
- Lighted field complex
- A dog park
- Pool facility

2.1.04 The Community Services Division should plan for opportunities with future facility construction and renovations to address cross-functional spaces, such as off leash dog parks, skate pads or parks, and pickle ball courts in the neighborhood parks.

2.1.05 Despite the large number of diamond fields, analysis indicates that within that category there is a shortage of youth-oriented baseball diamonds. A similar situation may also be true of regulation rectangular fields for soccer. Plan to include these types of fields with any future facility development.

2.1.06 Flexible facilities that can accommodate varying forms of activity such as traditional sports, unstructured programs, and arts and cultural activities will need to be incorporated into future facility development to accommodate the greatest number of users.

2.1.07 Plan to add additional facilities in the following categories, as they fall below a national average and comparable agencies per population in the benchmarking analysis:

- The number of indoor facilities
- Swimming pools
- Splash grounds

2.1.08 Refine the park and open space dedication requirements and coordination process for private development within Peoria. Refer to the Design Guidelines for acceptable lands, amenities and uses for each type of facility.

2.1.09 As part of the Department's long-range facility planning, the open space preservation outlined in the Open Space Preservation Program should be referenced and balanced with planning and development of park and recreation facilities for the community.

- 2.1.09a The Open Space Preservation Program shall be adopted as the implementation tool to assemble and manage open space in Peoria.
- 2.1.09b Consideration should also be given for preservation of key cultural and historic assets as part of the Sonoran Preservation Plan.
- 2.1.09c The Sonoran Preservation Plan shall be an on-going program to apply open space funds towards the preservation of key open space and preserves within Peoria.

Parks Division

- 2.1.10 Add a Maintenance Operation Center (MOC)-type facility in the northern area of the City (that also includes an area for aquatic maintenance supplies and tools).
 - Until that facility is constructed, establish a secondary level maintenance yard in the north as an interim solution.
 - This facility should provide a place where staff can access equipment, etc. during the day; even if they start and finish the day at the existing MOC for all-staff based meetings, etc.

Library and Recreation Divisions

- 2.1.11 Consider diversifying the outreach of library services, such as providing kiosk facilities where books can be checked out in areas of the community where walking to the branches is too far or inhibited by physical barriers.
- 2.1.12 At the time the next library branch is needed; consider a joint use facility, such as a library/community/recreation center. This type of facility shares spaces such as restrooms, lobbies and meeting rooms and be located at a community park to maximize the infrastructure such as parking.
 - A pool should also be considered for this location.
 - Incorporate recreation staff offices (in addition to library services), to assist residents, register in person, or receive other face to face services.

Objective 2.2: Expand the trail network by developing new trails, trailheads and connections to community amenities.

Strategies:

- 2.2.01 Per the Level of Service analysis, consider providing additional facilities in areas with lower Levels of Service (LOS), including the following:
 - 2.2.01a Complete connections of the New River trail between Williams Road and Jomax Roads
 - 2.2.01b Create routes for alternate modes of travel (trails or bike paths) that connect Apache Park, Fletcher Heights Park, Fletcher Heights North Park, Terramar Park, Palo Verde Park and the Sonoran Mountain Ranch Park to the New River Trail.
 - 2.2.01c Create connections to the Lake Pleasant Parkway and Beardsley Road trails from Park Ridge, Sunrise, Camino a Lago, and Deer Village Parks.
 - 2.2.01d Create routes for alternate modes of travel (bike paths or bike lanes) that connect areas east of Loop 101 to the New River Trail system.
 - 2.2.01e Establish trail connectors and trail head areas to provide the residents in south Peoria with access to the river trail routes.
 - 2.2.01f Connect the Lake Pleasant Parkway Trail to the Discovery Trail system.

2.2.02 System-wide Walking and Biking Trails

2.2.02a Look for ways to increase public trail and path service using existing facilities by identifying bicycle-safe routes between parks south of Bell Road that connect park loops.

2.2.02b Consider developing special signage that identifies routes and the mileage between facilities.

2.2.02c Conduct a special study to enhance citywide pedestrian opportunities to make Peoria more walkable.

2.2.03 Walking Loops: Consider formally identifying walking/running loops in as many existing and future facilities when possible and adding mileage markers to encourage active use of the walks and paths as part of resident's daily exercise routines.

2.2.04 Enhance the trail connectivity in Peoria by linking the trail connections from existing and future development to the core trail network.

2.2.04a For example, work with the Vistancia HOA to develop an access agreement in order to span the gap between the developed portions of the city south of Vistancia and the public open space north of Vistancia.

2.2.05 Coordinate with Maricopa County Parks and Recreation Department to implement sections of The Maricopa County Regional Trail System Plan, which establishes a framework to link approximately 242 miles of existing and proposed trails to create the Maricopa Trail loop around the Valley. Within the City of Peoria there are important links along the Agua Fria River.

- The Priority 1 trail sections in the Plan located in the City of Peoria include Segments Twelve and Thirteen, connecting McMicken Dam to Lake Pleasant along the Agua Fria River.

2.2.06 Verify that all trail connections and trailheads, large or small are on public land and/or agreements for access have been authorized with appropriate documentation.

2.2.07 Increase access to the trail system with dedicated developed trailheads, improved bike lanes, and connections to neighborhood parks.

Objective 2.3: Improve access to facilities through a variety of methods

Strategies:

2.3.01 Work with other Cities and jurisdictions to develop a public transportation system that could assist in providing access to facilities (this does not need to be an expansion of the Phoenix area bus system, but could be a shuttle or on-call service that focuses on access to City-based facilities in Peoria and surrounding communities).

2.3.02 Work with the Public Works department to expand the bike lane system throughout Peoria, especially in conjunction with street improvement projects.

2.3.03 Where possible, look to fill in gaps in on-street sidewalks in proximity to facilities in order to provide continuity in the pedestrian access to those facilities. Assistance from the Public Works department and other agencies (such as Maricopa County) may be necessary.

Programs and Services Delivery

Goal 3: Provide programs and services that promote health and wellness to serve the diverse needs of the Peoria community.

Objective 3.1: Maintain and expand the recreation and sports programming

Strategies:

- 3.1.01 The first priorities for program expansions should be within the top four most important programs noted in the survey:
- Adult fitness and wellness programs,
 - Community special events
 - Youth sports programs
 - Museums, arts and cultural programs
- 3.1.02 Expand arts and cultural program offerings.
- 3.1.03 As the demand for programming needs increases the physical space for programming will need to increase to accommodate the additional offerings; this may include multi-purpose spaces as well as specialized spaces.
- 3.1.04 The City's recreation programs and indoor and outdoor facilities should strive to be "universally" accessible.
- 3.1.05 Consider adding some fitness classes that are located outside in the neighborhood parks (yoga, tai chi, cross-fit in the park).
- 3.1.06 Maintain (and expand where appropriate) the class offerings that are open to both teens and adults. This is a great way to serve multiple generations and have them also learn from one another.
- 3.1.07 Expand adaptive sports programming with specific city leagues or teams for regional leagues for those with physical disabilities. If appropriate, and depending on interest and facility availability, integration into mainstream programming may also be appropriate.

Objective 3.2: Maintain and expand the library programming

Strategies:

- 3.2.01 The libraries need to continue to provide base services people have come to expect and also diversify their facilities to accommodate new programming and technology through the addition or renovation of additional classroom space or partnering with other locations. (schools, parks, private businesses, etc).
- 3.2.02 Work to expand the offerings for adult computer classes either through the library or through the recreation programming.
- 3.2.02a Potential solutions to this would be upon renovation of the Main Library, incorporate multiple computer lab rooms and additional classroom space. Another option would be to develop a mobile computer lab that could be driven between the branches and used for computer classes; this would reduce the need for physical space within the library buildings.
- 3.2.03 Consider expanding library story times, classes and cultural events into parks, bringing these popular programs closer to home. This would integrate a promotion of literacy, recreation and the outdoors into the same event.

3.2.04 Expand programs that highlight Peoria's cultural, historic and natural assets.

Objective 3.3: Promote the services provided by the Department through a variety of methods to maximize exposure and participation rates.

Strategies:

3.3.01 Promote outdoor activities as an alternative to traditional forms of exercise. All age groups should be targeted in an informational campaign explaining the current state of affairs of health, obesity and how outdoor activities provide a fun, enjoyable way for youth to stay fit and healthy.

- Focus on the largest segments of the population, youth and older adults
- Also focus on the “drop-off” age groups – teenagers, specifically girls.
- Despite the slight drop in the young adult population in Peoria, recreation programs should target this age group to encourage recreation to continue into adulthood.
- Multi-generational households should also be considered, as the demographics show an increase in household size, households with children and older adults.

3.3.02 Schools, social media and the internet should be the primary avenues for distributing information to the youth of the Peoria community, while flyers and word of mouth are additional methods to use with adults.

3.3.03 Integrate youth representation (such as the Youth Advisory Board) in programming selection to address youth's specific interests and needs.

3.3.04 Integrate the values of family, community and personalization into the promotion and development of programming and services.

3.3.05 Develop a marketing strategy for the department as a whole. Expand community outreach to increase public awareness of the department's offerings. This would include creating a comprehensive program that is unified in the message and style so that citizens can easily identify the marketing message as coming from the Community Services Department.

3.3.06 Develop a marketing strategy for parks, facilities and programs for visitors to Peoria. Facilities and programs should be accessible and easy to use for tourists visiting the area. It is important to recognize the draw that warm weather climates, such as Arizona, have to a variety of tourists, including enjoying the distinctive landscape of the region.

3.3.06a Offer a “snow-bird” recreation pass for part-time Peoria residents or non-residents.

3.3.06b Add additional drop-offs of the Get Active program guides at the community centers of the Active Adult communities.

3.3.06c Resolve the issue with part-time residents not receiving the Get Active guide at their physical Peoria address.

3.3.07 Promote public programs and services so as to win customers as well as retain their loyalty.

- Users hear about recreation opportunities on the internet, as well as through word of mouth, so the need to maintain quality facilities and customer service will be as important as an online presence.

3.3.08 In addition to traditional marketing and graphic design work, flyers and programs should also be evaluated for a need to be written in Spanish.

- 3.3.09 On the website, make the information on all public Department facilities more interactive, including parks, community facilities, libraries and trails (and trailheads).
 - 3.3.09a This could include more “clickable” points, photographs of facilities, videos, aerial and “street view” options to view the facility.
 - 3.3.09b Update the trails map on the website
 - 3.3.09c Highlight and profile a different park or indoor facility in each program guide and on the website quarterly, including details on its amenities, hours of operation, fees, classes typically held there, rentable options, history, with a map, etc.
 - 3.3.09d Maintain a presence on the title page of the City’s website by working with the Office of Communications and promoting special events, program guide releases or other note-worthy Department information.

- 3.3.10 Integrate a digital asset management tool to enhance the coordination and delivery of the events and tracking of programs.

Partnerships and Collaborative Efforts

Goal 4: Strengthen and develop partnerships to maximize the available resources within the community for recreation facilities and activities.

Objective 4.1: Maintain and foster cooperative and collaborative efforts with alternative providers, partners and adjacent jurisdictions to maximize resources in order to expand the recreational opportunities throughout Peoria.

Strategies:

- 4.1.01 The Department should seek out potential government and community agencies and organizations, both within and outside of Peoria that are providing similar or complementary services and/or have facilities that could be used to hold desired recreation or leisure activities.
- 4.1.02 Develop public/private partnerships and strategies with communities and neighborhoods to share facilities for organized programming and services.
- 4.1.03 Enhance relationships with other jurisdictions and government agencies to plan and construct trail extensions, fill in missing trail connections, and trailheads.
- 4.1.04 Maintain an open line of communication with the Peoria Unified School District in order to continue the successful youth programs, such as the AM/PM program, Sports Complex Program, and the joint-use facilities such as the pools and gymnasiums used for many Department programs.
- 4.1.05 Work in conjunction with Maricopa County on all master plans and construction activities planned at Lake Pleasant and for trail connections into the county.
- 4.1.06 Work in conjunction with Maricopa County via the IGA to expand recreational opportunities at Lake Pleasant.
- 4.1.07 Explore partnership opportunities for open space acquisition and programming. This includes exploring partnership opportunities with private land owners for open space use and programming.
- 4.1.08 Increase communications with alternative providers in order to avoid duplication of services or complement each other in the services offered and to better cross-market existing programs and community events.
- 4.1.09 Seek out additional local, regional and national organizations and companies to supplement resources including long-term sponsorships.
- 4.1.10 Partner with organizations that support youth activities and services that share the same values and goals as the Community Services Department to offer programs in unconventional locations or through unconventional methods. This may include organizations such as boys and girls club, YMCA, boy scouts and girl scouts and other similar organizations.
- 4.1.11 Some of the desired activities identified through the community input process will need the development of new facilities to support the programs. The City should continue to work with the School District, athletic leagues, local businesses, community and nonprofit organizations in order to make the development of new programs, facilities and recreation amenities a reality.

- 4.1.12 To provide for the changing recreation needs of the community, seek out and utilize formal partnerships, as well as increase the number of additional joint-use facilities to help to expand these services.
- 4.1.13 Evaluate on a case by case basis any additional partnerships and collaborative efforts with other agencies, local businesses, and non-profit organizations in order to maximize resources of the Department and the City as they grow.
- 4.1.14 Create a formalized volunteer program for the department, to be managed by the Special Events staff or human resources personnel. Also see Strategy 4.1.13 regarding a partnership with a non-profit organization.
- 4.1.15 Increase the role of the Parks and Recreation Board in promoting and advocating for the Department.

Department Organization, Staffing and Resources

Goal 5: Maintain and improve the Department's service to the public and increase the capacity of the Department to expand services and improve level of service to Peoria residents.

Objective 5.1: Improve organizational and administrative procedures in order to increase the effectiveness of management and operations.

Strategies:

- 5.1.01 Establish and maintain a protocol to track responses to complaints, inquiries and ADA-related questions or concerns.
- 5.1.02 Continue to conduct surveys to review customer satisfaction of programs and facilities. Also incorporate review mechanisms for other City Departments and staff to provide feedback.
- 5.1.03 Utilize the documents noted in the Planning Integration section as case studies and references for best practices and implementation strategies, whether for open space acquisition, trail design standards or marketing strategies.
- 5.1.04 Update and use implementation and processing tools developed based on the recommendations in the 2006 Master Plan, this is also applicable to the Planning Department and their review process. Make sure that consultants designing parks are using and aware of these checklists during their design. These tools consist of:
 - A development review checklist for tracking park and recreation elements,
 - Park planning worksheets with design criteria and recreation value checklist to evaluate level of service as part of the planning process.
 - Design guidelines developed as part of this master plan effort.
- 5.1.05 Task staff with tracking the number of staff and equipment hours required (either via software or a developed spreadsheet) for all tasks, in order to understand where efficiencies could be established, task realignment would be appropriate or volunteers could be beneficial, such as:
 - 5.1.05a Parks – administrative activities, inspection, fertilizing, mowing, pruning/tree maintenance, weed control, trail maintenance, field preparation, trash, etc.
 - 5.1.05b Recreation – program development, registration, program setup and operation, facility set-up/breakdown, coordination for special events, etc.
 - 5.1.05c Sports Facilities – maintenance activities (i.e. see parks above), administrative activities, sponsorship coordination, facility usage tracking, special event coordination, coordination with MLB teams, etc.
 - 5.1.05d Libraries – program development, program operation, administrative activities, assisting customers with technology versus research, set-up/break-down of programs, events, classes, etc.
- 5.1.06 Work to balance tasks throughout the department in order to minimize over-qualified staff doing assignments that could be covered by others.
 - Educate staff that the use/cost of overtime can be factored into programming or increase over-time budgets to allow non-exempt staff to do such assignments.
 - Consider using volunteers for some tasks.
- 5.1.07 Determine if additional positions or a reconfiguration of positions/titles in all divisions should be created for specialization of tasks. This is in addition to the Promotions & Community Relations Division positions recommended in Strategy 5.3.05.

5.1.08 In the short-term, add a Human Resources Coordinator position in administrative section of the department to manage all hiring/training and logistics associated with the employees of the Community Services Department. Also see Strategy 5.3.06 for the development of the Business Services Division in the mid to long-term.

5.1.09 Restart a merit step increase based on annual reviews for seasonal employees as an incentive program as soon as the budget can support it. In the interim, consider establishing other no-cost benefits for returning seasonal employees such as seniority choice on work schedule, location or task over new seasonal hires if possible or annual membership to the Rio Vista Recreation Center.

Parks Division –

5.1.10 Establish a minimum employee per acre ratio for maintenance and include it while budgeting for park development. This would apply to facilities that are the actively maintained by employees of the department.

- National averages from data compiled for the report are between 12.0 and 17.7 acres per employee, Peoria's current ratio is 12.7 per employee. See the Staffing Ratios portion of the Operations and Maintenance Analysis section of the report for more information on existing data.

5.1.11 Evaluate alternative methods for opening and closing of park sites and the large quantity of associated drive-time.

- Consider using contract labor (security firm) to lock and unlock the entry gates to the parks or reworking assignments where a worker stays on at a park to join the group arriving to complete other maintenance tasks.

5.1.12 Evaluate maintenance operations. The Parks Division would benefit from a detailed maintenance task tracking and analysis. In addition to Strategy 5.1.05, the following are specific to the Parks Division:

- This would not only track what staff does in one week but how long each task, as well as drive time between facilities takes.
- This would also incorporate PTO time.
- The data would be evaluated on a monthly and annual basis to determine the staffing needs annually as well as how many seasonal employees are necessary and when.
- This would allow managers to understand the staffing needs on a monthly basis as well as the average times it takes for each type of task (i.e. trash clean-up, mowing with a riding mower, edging, irrigation maintenance, blower, trail repair, weeding, chemical applications, etc.) as well as employee time off and how it affects the productivity.

5.1.12a Develop a site maintenance checklist and a review procedure. This may be a list that is reviewed prior to the rotation of the maintenance crews when they change the grouping of parks they are maintaining.

5.1.13 After the completion of an initial maintenance task tracking and analysis, Parks Division managers need to schedule specific tree/shrub trimming and forestry-based maintenance into the annual schedule.

- Once this schedule is set, dates and lists of trimmed trees should be maintained in order to understand history of the maintenance into the future.

5.1.14 Consider using contract crews for specific maintenance activities (i.e. mowing, forestry, etc.).

5.1.15 Designate a separate maintenance crew for the Old Town and City Hall Campus area.

Objective 5.2: Improve coordination between Divisions and all staff to make daily operations better and prevent service impacts to the public.

Strategies:

- 5.2.01 Continue to strengthen coordination for special events in the Community Services Department by placing key staff members that would be impacted by the event on the planning teams.
- 5.2.02 Develop a process to assist in keeping the customer service staff at all locations up to date on programs, registration deadlines and events as they are the first point of contact for the public. This could include automated reminders, automated notices when programs are altered in the database or weekly updates to assist with the information distribution gaps.
- 5.2.03 Develop a method for Recreation staff to evaluate field conditions with Parks staff on a quarterly basis using a fixed rating sheet. Evaluations would only address condition of park amenities as they relate to anticipated program use. This method would give staff in both departments a way to openly communicate observed areas of concern far in advance of leagues and events, and establish expectations and a maintenance or improvement schedule.
 - Coordinate with the Sports Facilities Division, they may have existing tools and methods that can streamline this process for the Recreation and Parks staff.
 - Rest and recovery times for turf should also be incorporated into schedules
- 5.2.04 Parks, Recreation, and Sports Facilities staff should all use the existing software system to book all reservations, events, games and rentals and reference it daily in order to be aware of various facility bookings and minimize programming and maintenance conflicts. This would assist in understanding individual events as well as large tournament events, special events and any activity that may result in a large influx of people to Peoria or to a specific facility. Depending on software capabilities, this may also assist with enhanced facility usage tracking.
- 5.2.05 Parks Division – Adhere to guidelines and standards set in the City of Peoria Parks Division Standard Operating Procedures and the Parks Division Turf Management Program.

Objective 5.3: Increase the capacity of the Department to expand services.

Strategies:

- 5.3.01 Staffing and resources per capita ratios should be maintained at current levels, at a minimum, as additional people move into the community and the number and types of facilities grows.
- 5.3.02 Refine the organization of the Community Services Department to streamline services and delineate clearer position responsibilities. This includes:
 - 5.3.02a Addition of a Promotions & Community Relations Division, also see Strategy 5.3.05
 - 5.3.02b Addition of HR-focused staff in the administration area of the Department in the short-term, also see Strategy 5.3.06
 - 5.3.02c Development of a Business Services Division in the mid to long-term, focused on human resources support. Also see Strategy 5.3.06.
 - 5.3.02d Write and/or update job descriptions for all positions, including evaluating the positions at a department-wide level to clarify responsibilities and overlapping needs.

- 5.2.02e In addition to job descriptions, department-wide guidelines should be developed for appropriate staffing levels at facilities, per acre maintenance staffing, etc. in order to appropriately staff existing facilities and plan for future staffing needs as new facilities are developed.
- 5.3.03 Improve internal upward mobility opportunities and lateral position change opportunities for existing employees. by establishing a cross-training program. Potential parts of the program could include:
- Cross-training opportunities on a quarterly basis which allows staff to sign-up for “shadowing” an employee in another division.
 - Quarterly, the department should have a team-building session and/or activity where one division gives a presentation about what they do in detail (while keeping it fun and interesting (i.e. how a park is mowed and maintained, developing recreation programs, tracking the life of a library book)). This may or may not replace the quarterly department meeting.
- 5.3.04 Work in conjunction with the Public Works – Facilities to add staffing (either within those departments or under the Community Services Department) that can cover facility and technology repair and service needs for Community Services facilities seven days a week including evenings and weekends.
- 5.3.04a Assess the process required to repair some park facilities and amenities such as drinking fountains, plumbing repairs and lights. The current process can significantly impact users of the park and the availability of the park facilities due to the extended time to process the repair.
- 5.3.05 Because of the multitude of programs and events hosted by the Department, the Department should create a Promotions & Community Relations Division specifically dedicated to the promotion of the programs and services of the entire department, and one that can work seamlessly across all of the divisions and on behalf of all divisions (see Figure X.X). This would include special event coordination, departmental marketing; event and facility sponsorship sales; graphic design of flyers and other materials; social media development and coordination; and website development and upkeep. This would include relocating or adding the following positions into this Division (additional positions may be appropriate based on workload after the division is established):
- 5.3.05a Adding a Promotions & Community Relations Manager
- 5.3.05b Relocating the Special Events (SPEV) Supervisor and Special Events (SPEV) Programmer from the Recreation Division
- 5.3.05c Adding a Special Events Coordinator position
- 5.3.05d Adding a Marketing Specialist to promote programs and facilities in the department.
- 5.3.05e Relocating the Part time Cultural Arts Coordinator from the Parks Division
- 5.3.05f Add one or two Sponsorship Associates that will work in addition to, and in coordination with the Sports Facilities Division’s Sales staff.
- 5.3.05g Adding a graphic designer.
- 5.3.05h Add a Programs Coordinator position (initially part-time, until the workload dictates a full-time position) to coordinate and promote library programs, including special children’s events, guest speakers, etc.
- 5.3.06 Because of the volume of work created by Human Resources functions (recruitment, fingerprinting, new hire paperwork, PAF’s, timesheets, payroll), daily business functions (contracts, vendor payments), multiple budgets (O&M, CIP) and cash management (software registration and reservations, financial accounting), the Department should create a Business Services Division in the mid to long-term, specifically dedicated to the services of the entire department, and one that can work seamlessly across all of the divisions and on behalf of all divisions (see Figure X.X). This would include relocating or adding the following positions into

this Division (additional positions may be appropriate based on workload after the division is established):

- 5.3.06a Move the Human Resources Coordinator position created as part of these recommendations from the Administration part of the Department.
- 5.3.06b Adding or Re-classifying an existing position to Business Services Manager
- 5.3.06c Relocating Sr. Management Analyst and Management Analyst
- 5.3.06d Relocating Customer Service Reps I and II who are housed at the Administration part of the department
- 5.3.06e Relocating Administrative Assistants II from the Administration Office
- 5.3.06f Relocating the Financial Systems Supervisor
- 5.3.06g Adding an Administrative Assistant for seasonal and full-time recruitments and HR functions (familiarity with NeoGov, Recruitment and hiring procedures and paperwork).
- 5.3.06h Adding seasonal or part time Customer Service Representatives positions (for work at the administration office customer counter) for the seven intensely busy months.
- 5.3.06i Add a grant coordinator position to complete regular grant funding searches for the department, write and submit grants and monitor and fulfill requirements for grant funds received. This position could also assist with the administration of the annual Arts Grants project.

Parks Division –

- 5.3.07 If any of the maintenance contracts for rights-of-way, etc. are returned to the responsibility of the Parks Division, additional staff would need to be hired to cover the additional acreage of maintenance responsibility in order to maintain the desired level of service.
- 5.3.08 If another solution isn't developed, hire at least one worker 1 or similar position for opening parks so that other staff can go straight to work.

Recreation Division -

- 5.3.09 Evaluate the need for additional staff or volunteers to assist during peak times, including but not limited to:
 - 5.3.09a Add a Recreation Programmer for Youth Services (AM/PM, Summer Camp, Summer Recreation, Little Learners) to focus on training and monitoring of seasonal staff at 22 program locations.
 - 5.3.09b Add Recreation Programmer for Teen Programs to assist with implementation of the Youth Master Plan and programs.
 - 5.3.09c Add a full-time maintenance technician for the pools and evaluate the need to reclassify the current maintenance position to a Maintenance Coordinator.
 - 5.3.09d Add more part-time staff to cover customer service at ball fields on the weekends.
 - 5.3.09e Add seasonal staff or volunteers to assist Sports staff during peak registration and league development periods for the four sports seasons.
 - 5.3.09f Add a Customer Service Representative to the Community Center to handle the increased volume of customers with the renovated facility.
 - 5.3.09g Add an Administrative Assistant to the Rio Vista Recreation Center.

Objective 5.4: Provide staff with the tools to appropriately and effectively maintain and operate all facilities in the system.

Strategies

- 5.4.01 Use the benchmarking data as part of this Master Plan annually as a review of best practices, needed improvements and resources.
 - 5.4.01a Also reference the most current PRORAGIS data in a customized report each year.
- 5.4.02 Use GIS data to understand areas lacking service and areas of saturation prior to additional facility and land acquisitions.
- 5.4.03 Parks Division –
 - 5.4.03a Purchase reel mowers for maintenance of ball fields (but plan on downtime for blade sharpening, etc.).
 - 5.4.03b Evaluate existing Hanson tracking software to determine if it meets the needs of the Division for tracking and reporting various tasks, equipment and costs, including PTO; or if a different type of software should be purchased.
- 5.4.04 Recreation Division -
 - 5.4.04a Evaluate the need for a formal training program or if there are adequate opportunities for additional education for staff.
 - 5.4.04b Develop a plan to purchase and migrate to a web-based software system for program registrations, facility booking and financial management. The existing CLASS software will no longer be supported by the vendor within the next 2 years. Manage periodic updates to the software to keep the Recreation Division current with technology needs.
- 5.4.05 Libraries Division –
 - 5.4.05a Evaluate and implement a security plan for both libraries. This includes protection of both people and materials. This may include additional cameras, staff or other methods to cover all areas of the building.
 - 5.4.05b Improve computer lab computers.
 - 5.4.05c Develop a solution to accommodate technology classes for patrons of both branches. Also see Strategy 3.2.02

Objective 5.5: Evaluate financial-based policies and pricing structures to maximize service to the public and provide financial stability to the Department operations.

Strategies:

- 5.5.01 Work to increase the funds available in the youth scholarship with Peoria Play, Inc., the department's 501c3 non-profit as well as funding from the Department of Economic Security (DES).
- 5.5.02 Evaluate the qualifications required to use the youth scholarship program. The reduced lunch program is more lenient than other assistance programs, resulting in a high volume of participants in the youth programs under the scholarship, therefore impacting the ability of the department to provide for those with a higher level of need as well as impacts to the revenues of the department.
- 5.5.03 Evaluate revenue streams and determine whether some of the revenue from a specific program should go back into the same type of programming instead of into the general funds for programs.
 - 5.5.03a Research/evaluate opportunities to create an enterprise fund or other separation for divisions. The fund would receive a regular subsidy every fiscal year from the General Fund but be allowed to work within the balance from the prior year for maintenance needs, replacement items, etc. This would help eliminate the competition for replacement/maintenance throughout the entire City and bring the focus of the fund earnings back to helping those funds directly.

5.5.03b Research an option of adding a surcharge to each registration and placing those funds in a separate area solely for maintenance/replacement of the areas affected by the registrants use (e.g., ramada rental surcharge could be used for park maintenance issues).

5.5.03c Work to establish an on-going maintenance fund within the budget for parks and facilities. With every new facility or park that is added, a certain monetary amount or % would go into this fund for future replacement/maintenance needs.

5.5.04 Work with the Budget Office to develop a flexible budget line item to accommodate changes in programming opportunities and address needs as they arise. This could be established by dedicating a percentage of registration fees (i.e. 0.5% to 1.0%) and/or establishing an enterprise fund. This is especially a concern when staff needs to spend money to initiate a program but the income from the program will ultimately cover the expense after commencement.

5.5.04a Implement a policy for presenting, authorizing and implementing these types of programs.

5.5.05 Continue to evaluate pricing for each program and its benefit the community. When considering fee increases or additional programs or facilities, it will be important to evaluate those programs and facilities for community vs. individual benefit as well as evaluating market studies and the percentage of approved cost recovery. The recreation revenue policy, approved by City Council, should be reviewed annually to ensure adherence to the policy.

5.5.06 Evaluate the rental opportunities and restrictions for groups. A recent trend is for private exercise organizations to have “boot camps” or regularly occurring classes in public parks. The Department should work to partner with these groups and/or offer rental of atypical park amenities while also minimizing the City’s liability for their activities on City property.

Funding Resources and Opportunities

Goal 6: Create long-term financial stability while also planning for a growing system of park and open space facilities.

Objective 6.1: Improve the capital equipment and resource management methods for short and long-range budgeting objectives.

Strategies

- 6.1.01 Maintain a dependable capital improvement budget to construct new facilities and replace aging amenities.
- 6.1.02 Establish a steady funding source in order to increase the Community Services Department's budget for operations and maintenance as existing facilities age and additional parks expand the system.
- 6.1.03 All Divisions - Establish a lifecycle assessment program (inventory equipment annually, assess the condition of each piece of equipment, and estimate anticipated number of years to major renovation or replacement) to understand equipment needs and budget implications. This applies to internal office, operational and maintenance equipment as well as amenities and infrastructure within the parks, recreation facilities and libraries.

Libraries Division –

- 6.1.04 The current e-book market is a very heavy expense for libraries across the country. Consider an alternative method of providing e-book titles. This may include purchasing e-books only from publishers and independent authors that support library distribution system and the library budget.
 - See Douglas County, Colorado's solution for more information. http://www.cpr.org/article/Matter_of_Survival_Douglas_County_Libraries_Become_Publishers: <http://douglascountylibraries.org/content/ebooks-and-DCL>
 - Bilbary (a private for-profit system that sells books and contributes part of the proceeds to the library)

Goal 7: Identify potential funding sources.

Objective 7.1: Investigate potential traditional funding sources in conformance with SB1525.

Strategies

- 7.1.01 The Department should evaluate their mission and how it relates to the bottom line of cost recovery, including evaluating the fee structure for all programs, rentals and facility use.
 - 7.1.01a These policies and goals should keep the Department competitive in the marketplace and incorporate the community's values as well as the mission of the Department and Divisions. The current cost recovery number may be acceptable based on the policy and mission set forth by the Department.
 - 7.1.01b Each program area should track direct and indirect costs, establish a philosophy on a program's benefit to the community, determine cost recovery goals, and set pricing based on the community's values and Department's goals and council approved Revenue Pricing Policy.
 - 7.1.01c The department should monitor the fees annually for rentals and programs and consider fee increases if cost recovery is not attained per the Revenue Pricing Policy.
 - 7.1.01d The department should evaluate pricing ramadas at different parks differently, with those being in higher demand being a higher cost.
- 7.1.02 For long-term funding, the City should consider a dedicated property and/or sales tax, the creation of a special taxing district for parks, recreation, open space, trails and libraries and/or revisit impact fees and taxes.

- According to the survey, seventy-five percent (75%) of respondents are willing to pay some amount of additional tax support per month to develop and operate the types of parks, trails, library, and recreation facilities that are most important to their household. This includes 38% that would pay \$1-\$4 per month, 22% that would pay \$5-\$9 per month, and 15% that would pay \$10+ per month.

7.1.02a Explore this tax support as a way to establish a fund for maintenance and /or replacement of amenities either generally or specifically (especially those which may require a specialized or more intense level of maintenance (i.e. Rio Vista fishing lakes, Rio Vista Recreation Center, the Sports Complex, Library resources, etc.))

7.1.03 Review the impact fee structure and requirements for fees dedicated to parks and recreation to supplement the funding sources for capital projects and operations and integrate SB 1525 criteria.

7.1.04 Align the impact fee levels with the funding required for recommended parkland acquisition and facility development for future park development.

7.1.05 Consider a bond referendum to implement capital improvements. However, the current economic recovery may influence residents' willingness to support a funding mechanism such as a bond for facility development.

7.1.06 Maintain a conservative approach to the department budget in the recovering economy in order to not over-extend spending associated with tax revenue.

Objective 7.2: Pursue alternative funding sources

Strategies:

7.2.01 Be proactive in identifying, seeking out and supporting matching funds for grants and alternative funding.

7.2.02 Identify non-traditional opportunities for development of facilities to augment the capital and operational funding. This may include monetary or property donations, use/promotion of conservation easements, using volunteer resources for smaller improvement or construction projects, sponsorships and other methods.

7.2.03 The Board should work to establish a Friends of Peoria Parks that can assist with fundraising, promotion and improvements to the park and trail facilities in addition to (or within) Peoria Play Inc. and the Diamond Club, both of which provide scholarships to youth.

7.2.03a Another option is to partner with an existing non-profit to fundraise, promote and support operations of the City's services and facilities.

7.2.04 Support and grow the Friends of Peoria Public Libraries group in order to grow the library programming and fundraising.

7.2.05 Enhance the sponsorship opportunities for local organizations and businesses through a tiered sponsorship packages for facilities, programs and special events.

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 4

Date Prepared: December 17, 2013

Council Meeting Date: January 21, 2014

TO: Carl Swenson, City Manager
FROM: Rhonda Geriminsky, CMC, City Clerk
THROUGH: Susan Daluddung, Deputy City Manager
SUBJECT: Board and Commission Appointments Presentation

Purpose:

This is a request for City Council to present *Certificates of Appointment* to the newly appointed board/commission members as follows:

Member Name	Board/Commission
Mike Heath	Historic Preservation Commission
Lauren Allsopp	

Background/Summary:

Newly appointed board and commission members are invited to attend a Regular City Council meeting to personally accept *Certificates of Appointment* from the Mayor and City Council.

Previous Actions:

On December 9, 2013, the Council Subcommittee on Policy and Appointments recommended appointments for various boards and commissions.

On December 11, 2013, a memorandum was submitted to Mayor and Council, outlining the recommended appointments from the December 9, 2013 Subcommittee meeting, asking for concerns to be submitted in writing to the Mayor. No comments were received.

On January 7, 2014, City Council adopted Resolutions making the following new board/commission appointments:

Resolution No.	Member Name	Board/Commission	Member Status	Term Expiration
2014-10	Mike Heath	Historic Preservation Commission	Regular	12/2014
	Lauren Allsopp		Regular	12/2017

Options:

This is a presentation item only.

Staff's Recommendation:

That the Mayor and City Council present *Certificates of Appointment* to newly appointed board/commission members who were appointed by Resolution at the January 7, 2014 City Council meeting.

Fiscal Analysis:

There is no fiscal impact regarding this item.

Narrative:

The newly appointed board/commission members have been invited to attend the January 21, 2014 City Council meeting to receive *Certificates of Appointment*.

Exhibit(s): There are no exhibits.

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

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
CITY COUNCIL CHAMBER
December 3, 2013

A **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 5:03 p.m.

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

Council Youth Liaisons: Jacob Jelinek and Thomas Prior.

Members Absent: None

Other Municipal Officials Present: Carl Swenson, City Manager; Susan Daluddung, Deputy City Manager; Jeff Tyne, Deputy City Manager; Steve Kemp, City Attorney; Rhonda Geriminsky, City Clerk; Julie Ayers, Human Resources Director; Andy Granger, Engineering Director; Chris Jacques, Planning and Community Development Director; Bo Larsen, Public Information Director; Bill Mattingly, Public Works Director; Brent Mattingly, Finance and Budget Director; Roy Minter, Police Chief; John Sefton, Community Services Director and Corina Russo, Assistant to the City Manager,

Audience: Approximately 10 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.

STUDY SESSION AGENDA

Subject(s) for Discussion Only

1. Impact Fee Update

Carl Swenson, City Manager, provided a brief introduction of impact fees. Mr. Swenson outlined that tonight's discussion will be to talk about how legislative changes regarding impact fees will affect the City of Peoria.

Brent Mattingly, Finance and Budget Director, provided an overview of the agenda for the topic.

Mr. Mattingly outlined the following:

- The desired outcomes
 - Capital investments
 - Growth paying for growth
 - Growth related financing options

- Understanding impact fees in Peoria
- Potential tools for financing growth, including:
 - General Obligation Bonds
 - Community Facilities Districts
 - Impact Fees
 - Utility Revenue Bonds
 - Repayment Agreements
 - Developer Contributions
 - Developer Exactions
 - Intergovernmental Agreement Funding

Discussion ensued regarding whether the impact fee legislation affects other methods of financing growth.

Mr. Mattingly explained impact fees and the process used to calculate development impact fees.

Steve Kemp, City Attorney, provided background regarding impact fees and the recently adopted legislation that changes the implementation of impact fees in 2013.

Mr. Kemp presented regarding the new impact fee legislation including:

- Necessary public services
- Project timing (10-15 year planning horizon)
- Levels of service
- Land use assumptions
- Service areas directly related to the burden the new development will cost
- Infrastructure improvement plans
- Administrative changes

Discussion ensued regarding:

- Who defines the need in service areas?
- Revenue offsets
- Amending land use assumptions
- Necessary public facilities and whether vehicles will be included in impact fees for Fire and Police facilities
- Retroactivity of impact fees

Mr. Kemp outlined how impact fees will affect the future City of Peoria, including:

- Repayment agreements and zones
- Land use assumptions
- Service areas

Discussion ensued regarding:

- How the law changes affect already existing development agreements
- Impact on development incentives in the future
- Impact on developer when the City over-sizes infrastructure for growth
- Service areas and zones

Mr. Kemp outlined Proposition 117, approved by the voters in 2012, which limits the assessed value on property to a 5 percent increase per year.

Discussion ensued regarding decreases in property values.

Katie Gregory, Finance and Budget Deputy Director, presented regarding impact fees including:

- Growth projections
- Capital needs
- Service areas
- Service levels

Ms. Gregory identified the key stakeholders related to the impact fees and discussed:

- Growth projections
- Infrastructure plans
- Service areas
- Fee methodologies

Discussion ensued regarding whether the State Land Department is exempt from impact fees and repayment plans.

Ms. Gregory outlined 10-year growth projections and major developments within the City as agreed upon in the stakeholder discussions.

Discussion ensued regarding:

- Multi-family assumptions
- City's ability to sustain growth due to the limitation in impact fees and general obligation bond capacity.

Ms. Gregory outlined the types of growth-related projections. Approved impact fee categories include:

- Streets
- Water
- Wastewater
- Parks

- Library
- Law enforcement
- Fire

Discussion ensued regarding drainage as an impact fee category.

Ms. Gregory presented regarding:

- The differences between regional and local infrastructure
- Transportation service areas
- Zones
- Water service areas
- Wastewater service areas
- Strategy for providing water/wastewater for new growth
- Parks service areas
- Public safety service areas

Discussion ensued regarding:

- North Peoria water treatment plant needs
- Constructing a park that is less than 30 acres
- The Capital Improvement Program and the funding sources
- Use of impact fees for Pioneer Park
- Average neighborhood park size

Discussion ensued regarding public safety service areas and the need for facilities in the southern part of the City.

Ms. Gregory outlined the impact fee study and the next steps which include adopting growth projections and a fee ordinance.

Ms. Gregory outlined the implementation timeline requirements and effective dates.

Discussion ensued regarding:

- How the impact fees will be determined
- Implementation timeline for growth projections and associated fees
- Process for making amendments
- Whether there is a rate set for impact fees
- The need for another study session regarding the fee ordinance
- When to discuss other funding sources for development

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 7:24 p.m.

Bob Barrett, Mayor

ATTEST:

Rhonda Geriminsky, 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 3rd day of December, 2013. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 21st day of January, 2013.

(Seal)

Rhonda Geriminsky, City Clerk

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 6C

Date Prepared: December 16, 2013

Council Meeting Date: January 21, 2014

TO: Carl Swenson, City Manager
FROM: Chris Jacques, AICP, Planning & Community Development Director
THROUGH: Susan J. Daluddung, AICP, Deputy City Manager
SUBJECT: ANX 13-0002 – Riverwalk Remnant Annexation

Purpose:

This is a request for the City Council to adopt an Ordinance approving the annexation of approximately 1.17 acres of privately owned property located south of the Pinnacle Peak Road alignment at the 75th Avenue alignment.

Background/Summary:

The City of Peoria is initiating a request on behalf of the property owner, Melcor Developments Arizona Inc., for annexation of one parcel of privately owned property, totaling approximately 1.17 acres, located south of the Pinnacle Peak Road alignment at the 75th Avenue alignment. The subject property is more specifically depicted in the legal description and map attached to this report (Exhibit 1). The property is contiguous to the City's jurisdictional boundaries, lies within the City's Planning Area (General Plan) and is in conformance with the adopted annexation policy. The parcel is part of a rezoning application for the Riverwalk single family residential Planned Area Development (PAD) (case Z12-0001) and a request to amend the General Plan Land Use designation from Residential Estate (0-2 du/ac) to Residential Low (2-5 du/ac) (case GPA12-0001), in conjunction with the proposed Riverwalk development.

The annexation process pursuant to A.R.S. §9-471 is briefly described below:

- (a) Filing of blank petition with County Recorder by the City opens up a thirty (30) day waiting period to discuss the proposal – **COMPLETED**
- (b) The City must then hold a public hearing (no action) to discuss the proposal within the waiting period – **COMPLETED; Public Hearing held September 17, 2013.**
- (c) At the conclusion of the 30-day waiting period, the municipality has up to 1-year to collect signatures satisfying the annexation “test.” – **COMPLETED**
- (d) The City holds a final meeting to consider and take action on the annexation request – **CITY COUNCIL (1/21/2014)**
- (e) The annexation is effective 30 days upon adoption of the ordinance.

Under State Statute, a successful annexation requires the completion of a petition with (a) signatures of owners of one-half or more in value of the real and personal property; and (b) more than one-half of the persons owning real and personal property that would be subject to taxation by the City in the event of annexation. This annexation case involves one (1) parcel. The owner has completed a signed petition, thereby satisfying the above requirements, covering 100% of the property that would be subject to taxation, which is also 100% of the assessed value of the property subject to taxation.

Previous Actions:

The initial public hearing was held by the City Council on September 17, 2013. Pursuant to A.R.S. §9-471, no action was taken. There were no speakers or council discussion on the item.

Options:

- A:** Adopt the Annexation Ordinance through the second of two City Council meetings.
- B:** Do not adopt the Annexation Ordinance and allow the subject property to remain in the County.

Staff's Recommendation:

Adopt the Annexation Ordinance approving the annexation of approximately 1.17 acres located south of the Pinnacle Peak Road alignment at the 75th Avenue alignment.

Fiscal Analysis:

This request will not generate any direct budgetary impacts. However, as newly annexed territory, the City would assume operational costs associated with the provision and maintenance of services for public safety, transportation, recreation, and general governance and would be the beneficiary of new property tax revenues.

Narrative:

The property is vacant and undeveloped. It is currently zoned Rural-43 in the County, which retains a suburban/rural, one-acre lot minimum character. The Peoria General Plan Land Use designation is Residential Estate (0-2 du/ac, target of 1 du/ac). It is anticipated that should the property be annexed into the City, the comparable City zoning designation of SR-43 (Suburban Ranch) would be applied to the property at the time of initial zoning.

In addition to this annexation request, applications requesting a change to the General Plan designation and zoning for a larger area that includes this parcel have been submitted to the

Planning Division. These applications received a favorable recommendation from the Planning and Zoning Commission on December 5, 2013, and are scheduled to come before City Council for action on January 21, 2014. In the proposed Riverwalk development, the parcel would be used as landscaped open space and continuation of a planned regional trail.

Exhibit(s):

Exhibit 1: Legal Description

Exhibit 2: Location Map

Exhibit 3: Signed Petition

Exhibit 4: Draft Ordinance

Contact Name and Number: Melissa Sigmund, Senior Planner, x 7603

ANNEXATION PARCEL RIVERWALK

A strip of land 40 feet in width situated in the Northeast quarter of the Northeast quarter of Section 14, Township 4 North, Range 1 East of the Gila and Salt River Meridian, being more particularly described as follows;

COMMENCING at a found Aluminum Cap marking the Northeast corner of the Northeast quarter of Section 14, from which the Southeast corner being a found Brass Cap, bears South 00 degrees 02 minutes 08 seconds West, 2654.62 feet;
THENCE South 00 degrees 02 minutes 08 seconds West, along the East line of said Northeast quarter, 55.00 feet to the POINT OF BEGINNING;
THENCE continuing South 00 degrees 02 minutes 08 Seconds West, along said East line of the Northeast quarter, 1272.31 feet to a point marking the Southeast corner of the Northeast quarter of the Northeast quarter of Section 14;
THENCE South 89 degrees 53 minutes 25 seconds West, along the South line of said Northeast quarter of the Northeast quarter, a distance of 40.00 feet;
THENCE North 00 degrees 02 minutes 08 seconds East parallel with and 40.00 feet West of the East line of said Northeast quarter, a distance of 1272.31 feet to a point lying 55.00 feet south of the North line of said Northeast quarter of Section 14;
THENCE North 89 degrees 55 minutes 28 seconds East parallel with and 55.00 feet south of the North line of said Northeast quarter of Section 14, a distance of 40.00 feet to the POINT OF BEGINNING, as shown on Exhibit "A" attached herewith as page 2 of 2. Subject parcel comprising 1.16 Acres, more or less, and subject to all easements of record.





SCALE 1" = 200'

P.O.B.

S00°02'08"W 55.00'
N.E. COR., SEC. 14,
T-4-N, R-1-E
FD. ALUMN. CAP

PINNACLE PEAK ROAD (ALIGNMENT)

55' DEDICATION OF PUBLIC ROADWAY
PER DOC. NO. 2008-0393102, M.C.R.

N89°55'28"E 40.00'

NE. 1/4, NE. 1/4

N00°02'08"E 1272.34'

S00°02'08"W 1272.31'

AVENUE (ALIGNMENT)

75TH

S89°53'25"W 40.00'

S00°02'08"W 2654.62'

EXHIBIT "A"

PAGE 2 OF 2

FD. M.C. B.C.
E.1/4 COR., SEC. 14,
T-4-N, R-1-E

Location Map



Z13-0009 Riverwalk Remnant Annexation

Request: Annexation of a 1.17 acre parcel pursuant to state annexation statutes.

Location: South of Pinnacle Peak Road alignment at the 75th Avenue alignment.

N



Not to Scale

Exhibit 2

EXHIBIT 3

Copy of Signed Petition

BEFORE THE PEORIA CITY COUNCIL

PETITION FOR ANNEXATION
ANX 13-0002

TO THE HONORABLE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA:

We the undersigned are the owner(s) of one-half (1/2) or more in value of the real and personal property and more than one-half (1/2) of the person(s) owning real and personal property that would be subject to taxation by the City of Peoria in the event of annexation within the territory proposed to be annexed. The exterior boundaries of the territory to be annexed, being contiguous to the corporate limits of the City of Peoria, are identified in the legal description and map attached hereto and marked as Exhibit "1" and made a part hereof. We, the undersigned, request that the City of Peoria annex the following described territory, provided that the requirements of ARS Section 9-471, Arizona Revised Statutes, and amendments thereto, are fully observed.

The description of the territory proposed to be annexed that is not already within the present limits of the City of Peoria and is located in Maricopa County, Arizona is as follow:

See Exhibit "1"

200-07-008N

PARCEL NUMBER: _____

(Please provide us with your parcel number, it is the same number as the Tax Parcel ID)

MAILING ADDRESS: MELCOR DEVEL. AZ INC.
8800 N. GAINES CENTER DR.,
SUITE 160, SCOTTSDALE, AZ 85258

PHONE NUMBER: _____

JAMES E. SHELLY
YOUR NAME (PLEASE PRINT)

YOUR SIGNATURE

YOUR NAME (PLEASE PRINT)

[Signature]
YOUR SIGNATURE

10/17/13
DATE

ANNEXATION PARCEL RIVERWALK

A strip of land 40 feet in width situated in the Northeast quarter of the Northeast quarter of Section 14, Township 4 North, Range 1 East of the Gila and Salt River Meridian, being more particularly described as follows;

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THENCE North 89 degrees 55 minutes 28 seconds East parallel with and 55.00 feet south of the North line of said Northeast quarter of Section 14, a distance of 40.00 feet to the POINT OF BEGINNING, as shown on Exhibit "A" attached herewith as page 2 of 2. Subject parcel comprising 1.16 Acres, more or less, and subject to all easements of record.





SCALE 1" = 200'

P.O.B.

S00°02'08"W 55.00'

N.E. COR., SEC. 14,
T-4-N, R-1-E
FD. ALUMN. CAP

PINNACLE PEAK ROAD (ALIGNMENT)

55' DEDICATION OF PUBLIC ROADWAY
PER DOC. NO. 2008-0393102, M.C.R.

N89°55'28"E 40.00'

NE. 1/4, NE. 1/4

(ALIGNMENT)

AVENUE

75TH

N00°02'08"E 1272.34'

S00°02'08"W 1272.31'

S00°02'08"W 2654.62'

S89°53'25"W 40.00'

EXHIBIT "A"
PAGE 2 OF 2

FD. M.C. B.C.
E.1/4 COR., SEC. 14,
T-4-N, R-1-E

ORDINANCE NO. 2014-06

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF PEORIA OF MARICOPA COUNTY, STATE OF ARIZONA, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARTICLE 7, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO, BY ANNEXING THERETO CERTAIN TERRITORY CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF PEORIA, AND PROVIDING FOR SEVERABILITY.

WHEREAS, a petition in writing, accompanied by a map or plot of said real property, having been filed and presented to the Mayor and Council of the City of Peoria, Arizona, signed by the owners of more than one-half in value of the real and personal property and more than one-half of the persons owning real and personal property as would be subject to taxation by the City of Peoria in the event of annexation within the territory and land hereinafter described as shown by the last assessment of said property, which said territory is contiguous to the City of Peoria, and not now embraced within its limits, asking that the property more particularly hereinafter described be annexed to the City of Peoria, and to extend and increase the corporate limits of the City of Peoria so as to embrace the same; and

WHEREAS, the Mayor and Council of the City of Peoria, Arizona, are desirous of complying with said petition and extending and increasing the corporate limits of the City of Peoria to include said territory; and

WHEREAS, the said petition sets forth a true and correct description of all the exterior boundaries of the entire area proposed to be annexed to the City of Peoria, and had attached thereto at all times an accurate map to the territory desired to be annexed; and

WHEREAS, no alterations increasing or reducing the territory sought to be annexed have been made after the said petition had been signed by any owner of real and personal property in such territory; and

WHEREAS, none of the land in the area proposed to be annexed consists of Arizona State Trust Land and therefore no approval of the State Land Commissioner and State Selection Board is required; and

WHEREAS, the provisions of Sections 9-471, Arizona Revised Statutes, and amendments thereto, have been fully observed; and

WHEREAS, proper and sufficient certification and proof of the foregoing facts are now on file in the office of the City Clerk of the City of Peoria, Arizona, together with a true and correct copy of the original petition referred to herein, which is on file in the office of the county recorder; and

WHEREAS, the City of Peoria may elect to provide regular fire department services to a newly annexed area under A.R.S. § 48.813(A).

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

SECTION 1. That the following described territory be, and the same hereby is, annexed to the City of Peoria, and that the present corporate limits be, and the same hereby are, extended and increased to include the following described territory contiguous to the present City limits, to wit:

See EXHIBIT "A" to this Ordinance

SECTION 2. Upon Annexation, the property shall be placed in the Willow District for purposes of Council Elections.

SECTION 3. Pursuant to A.R.S. § 48.813(A), the property described in Exhibit A is hereby placed under the City's fire, emergency medical, and police protection generally provided to other residents within the city. The services shall take effect on the date on which this annexation becomes final as set forth in Section 5 below, without further action by the City Council.

SECTION 4. That a copy of this ordinance, together with an accurate maps of the territory hereby annexed to the City of Peoria, certified by the Mayor of said city and attached as EXHIBIT "A, Page 2" to this Ordinance, be forthwith filed and recorded in the office of the County Recorder of Maricopa County, Arizona.

SECTION 5. This ordinance shall become effective in the manner provided by law.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 21st day of January, 2014.

Bob Barrett, Mayor

Date Signed

ATTEST:

Rhonda Germinsky, City Clerk

APPROVED AS TO FORM:

Stephen M. Kemp, City Attorney

Published in: Peoria Times

Publication Dates: January 31 and February 7, 2014

Effective Date: _____

EXHIBIT A
LEGAL DESCRIPTION

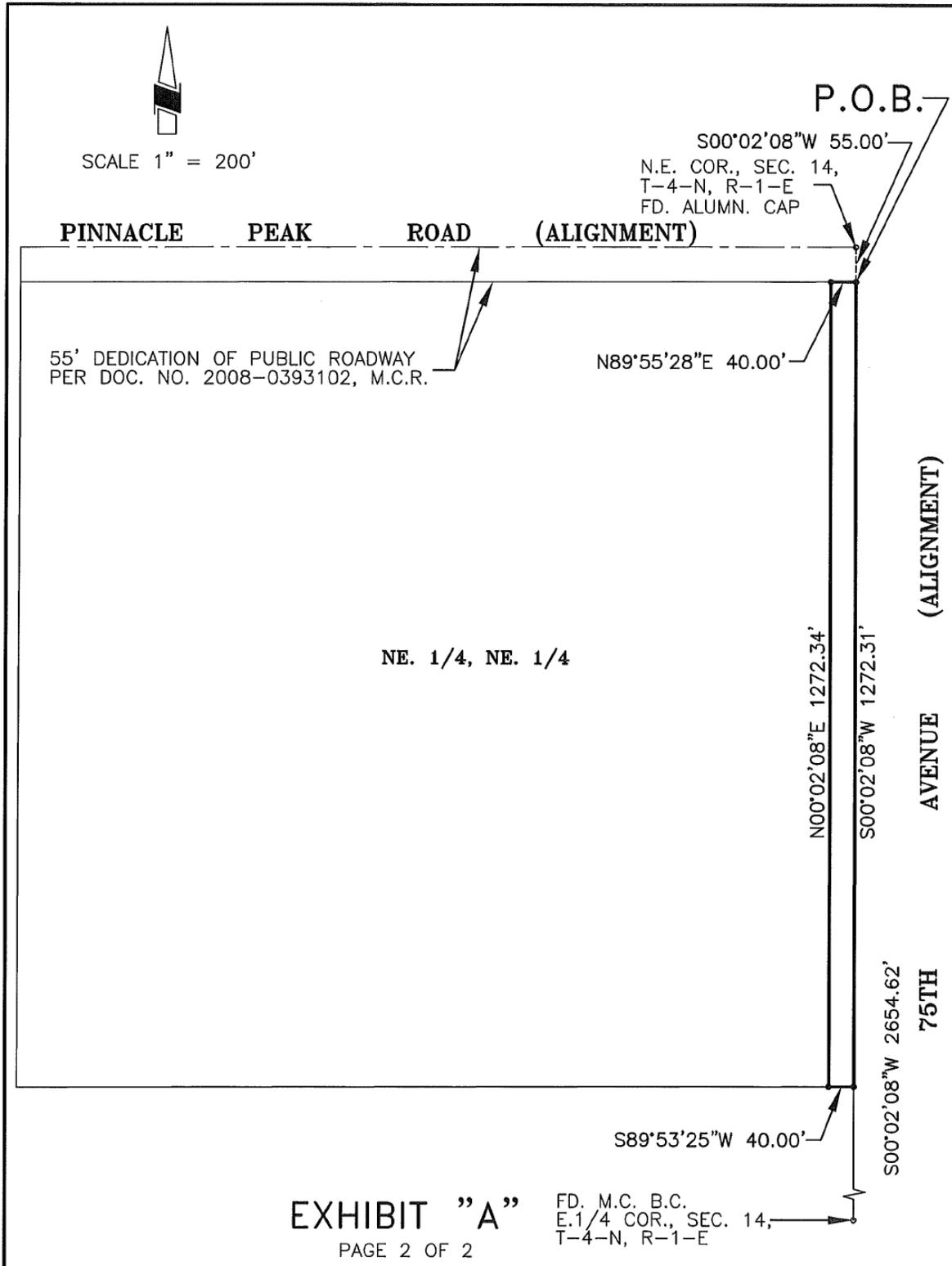
ANNEXATION PARCEL RIVERWALK

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EXHIBIT A, Page 2



CERTIFICATION OF MAP

SEE ATTACHED EXHIBIT "A", Page 2

I, Bob Barrett, Mayor of the City of Peoria, Arizona, do hereby certify that the foregoing map is a true and correct map of the territory annexed under any by virtue of the petition of the real and personal property owners in the said territory and by Ordinance No. 2014-XX, annexing the territory described in Ordinance No. 2014-XX and as shown on said map as a part of the territory to be included within the corporate limits of the City of Peoria, Arizona.

Bob Barrett, Mayor

ATTEST:

Rhonda Germinsky, City Clerk

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 7C

Date Prepared: December 16, 2013

Council Meeting Date: January 21, 2014

TO: Carl Swenson, City Manager

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

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

SUBJECT: Z13-0009 – Initial Zoning, Riverwalk Remnant

Purpose:

This is a request for City Council to consider a request to establish initial zoning of Suburban Ranch, SR-43 on approximately 1.17 acres of recently annexed and privately-owned land generally located south of the Pinnacle Peak Road alignment at the 75th Avenue alignment, pursuant to state annexation statutes.

Background/Summary:

The subject site is a 40 foot-wide, 1.17 acre parcel located south of the Pinnacle Peak Road alignment at the 75th Avenue alignment. This Annexation request has the support of the property owner and is also on the January 21, 2014 City Council Agenda for action.

Pursuant to A.R.S. §9-471.D and Section 14-4-3 of the Peoria City Code, the City must begin the process of assigning City zoning to the annexed property within six (6) months following the official adoption of the annexation.

Per State Statute, the initial corresponding zoning shall not permit densities and uses more intense than those permitted by the County prior to the annexation. The property is currently zoned Maricopa County Rural-43, which retains a suburban/rural, one-acre lot minimum character. The closest City of Peoria zoning category to the Maricopa County Rural-43 zoning district is City of Peoria Suburban Ranch, SR-43. This request is consistent with the State Statute.

The property is vacant and undeveloped. It is part of a larger 40 acre site that is the subject of a request for a General Plan Amendment (Case GPA12-0001) to change the land use designation on the property from Residential/Estate (0-2 du/ac, Target 1 du/ac) and Water to Residential/Low (2-5 du/ac, Target 3 du/ac). A privately initiated Rezoning application (Z12-0001) has also been submitted to rezone a larger 68.5 acre property spanning north and south of Pinnacle Peak to the Riverwalk Planned Area Development (PAD). The

Riverwalk PAD would support the development of approximately 122 single family residences with minimum lot sizes varying between 8,000 square feet to 18,000 square feet. Both cases are scheduled for action on the January 21, 2014 City Council Agenda.

Previous Actions:

A public hearing was held for this item at the December 5, 2013 Planning and Zoning Commission Meeting.

Options:

- A:** Approve as recommended by Staff and the Planning & Zoning Commission; or
- B:** Approve with modifications; or
- C:** Deny; or
- D:** Continue action to a date certain or indefinitely; or
- E:** Remand to the Planning & Zoning Commission for further consideration.

Staff's Recommendation:

Staff recommends the City Council concur with the Planning & Zoning Commission's December 5, 2013 recommendation to approve Case Z13-0009.

Fiscal Analysis:

This request is not expected to have immediate budgetary impacts to the City.

Narrative:

If the City Council takes action to approve this case, the Council may take action on the pending Riverwalk PAD rezoning case (Z12-0001) associated with this property.

Exhibit(s):

Exhibit 1: Location Map

Exhibit 2: December 5, 2013 Planning and Zoning Commission Staff Report with Exhibits

Exhibit 3: Draft Ordinance

Contact Name and Number: Melissa Sigmund, Senior Planner, x 7603

Location Map



Z13-0009 Riverwalk Remnant Initial Zoning

Request: City-initiated request to establish initial zoning for a 1.17 acre parcel proposed for annexation from Maricopa County Rural-43 District to City of Peoria Suburban Ranch (SR-43) District pursuant to state annexation statutes.

Location: South of Pinnacle Peak Road alignment at the 75th Avenue alignment



Not to Scale



Exhibit 1

EXHIBIT 2

Planning and Zoning Commission Staff Report with Exhibits

December 5, 2013



INITIAL ZONING

REPORT TO THE PLANNING AND ZONING COMMISSION

CASE NUMBER: Z13-0009
DATE: December 5, 2013
AGENDA ITEM: 5R

Applicant: City of Peoria

Request: Establish initial zoning for approximately 1.17 gross acres of property proposed for annexation from Maricopa County Rural-43 District to City of Peoria Suburban Ranch (SR-43) District pursuant to state annexation statutes.

Existing Development: Vacant, undeveloped.

Location: The site is generally located south of the Pinnacle Peak Road alignment at the 75th Avenue alignment.

Site Acreage: 1.17 gross acres

Support / Opposition: As of the date of this printing, staff has not received any public comment in support or opposition to this proposal.

Recommendation: Recommend **approval** of case Z13-0009 to the City Council

AREA CONTEXT

Table 1: Existing Land Use, Future Land Use, Current Zoning. (Exhibits A-C)

	LAND USE	GENERAL PLAN	ZONING
Subject Property	Vacant, undeveloped	Estate Residential (0-2 du/ac, target 1 du/ac)	Rural-43, Maricopa County
North	Pinnacle Peak Road alignment	Residential/Estate (0-2 du/ac), Park/Open Space	R1-35, Single Family Residential
South	Vacant, undeveloped	Residential/Estate (0-2 du/ac), Water	R1-35, Single Family Residential
East	New River	City of Glendale Park/Open Space	Rural-43, Maricopa County
West	Vacant, undeveloped	Estate Residential (0-2 du/ac, target 1 du/ac)	R1-35, Single Family Residential

Annexation and Case History

1. The site is currently undergoing annexation into the City with support of the property owner (Case ANX13-0002). The City Council held its initial Public Hearing for ANX13-0002 on September 17, 2013. The case is scheduled to come before City Council for approval on January 21, 2014.

PROJECT DESCRIPTION

Site and Project Details

2. The subject area is a 40 foot-wide, 1.17 gross acre parcel located south of the Pinnacle Peak Road alignment at the 75th Avenue alignment.
3. The property is vacant and undeveloped. It is part of a larger 40 acre site that is the subject of a request for a General Plan Amendment (Case GPA12-0001) to change the land use designation on the property from Residential/Estate (0-2 du/ac, Target: 1 du/ac) and Water to Residential/Low (2-5 du/ac, Target 3 du/ac). A privately initiated Rezoning application (Z12-0001) has also been submitted to rezone a larger 68.5 acre property spanning north and south of Pinnacle Peak to the Riverwalk Planned Area Development (PAD). The Riverwalk PAD would support the development of approximately 122 single family residences with minimum lot sizes varying between 8,000 square feet to 18,000 square feet. Both cases are scheduled for hearing by the Planning and Zoning Commission on December 5, 2013.

DISCUSSION AND ANALYSIS

4. Pursuant to A.R.S. §9-462.04E and §9-471.L Section 14-39-9 of the Peoria City Code, the City must begin the process of assigning City zoning to the annexed property within six (6) months following the official adoption of the annexation.
5. Per State Statute, the initial corresponding zoning shall not permit densities and uses more intense than those permitted by the County prior to the annexation. The closest City of Peoria zoning category to the Maricopa County Rural-43 zoning district is City of Peoria Suburban Ranch, SR-43. This request is consistent with the State Statute.

Public Notice

6. Public notice was provided in the manner prescribed under Section 14-39-6. Additionally, the site was posted with a sign at least 15 days prior to the Public Hearing by the Planning Division. As of the printing of this report, no support or opposition to this case has been received from the public.

FINDINGS AND RECOMMENDATION

7. Based on the following findings:
- The initial zoning request is mandated by the State Laws on annexation of properties into a municipal jurisdiction.
 - The proposed initial zoning of Peoria's SR-43 district is similar in density and uses as permitted by Maricopa County's Rural-43 District.
 - The proposed zoning district is in conformance with the goals and objectives set forth in the Peoria General Plan.

It is recommended that the Planning and Zoning Commission take the following action:

Recommend to the City Council approval of Z13-0009, establishing the initial zoning of the property as City of Peoria Suburban Ranch, SR-43.

Attachments:

Exhibit A	Vicinity Map
Exhibit B	Zoning Map
Exhibit C	Land Use Map

Prepared by: Melissa Sigmund, AICP
Senior Planner

Vicinity Map



Z13-0009 Riverwalk Remnant Initial Zoning

Request: City-initiated request to establish initial zoning for a 1.17 acre parcel proposed for annexation from Maricopa County Rural-43 District to City of Peoria Suburban Ranch (SR-43) District pursuant to state annexation statutes.

Location: South of Pinnacle Peak Road alignment at the 75th Avenue alignment

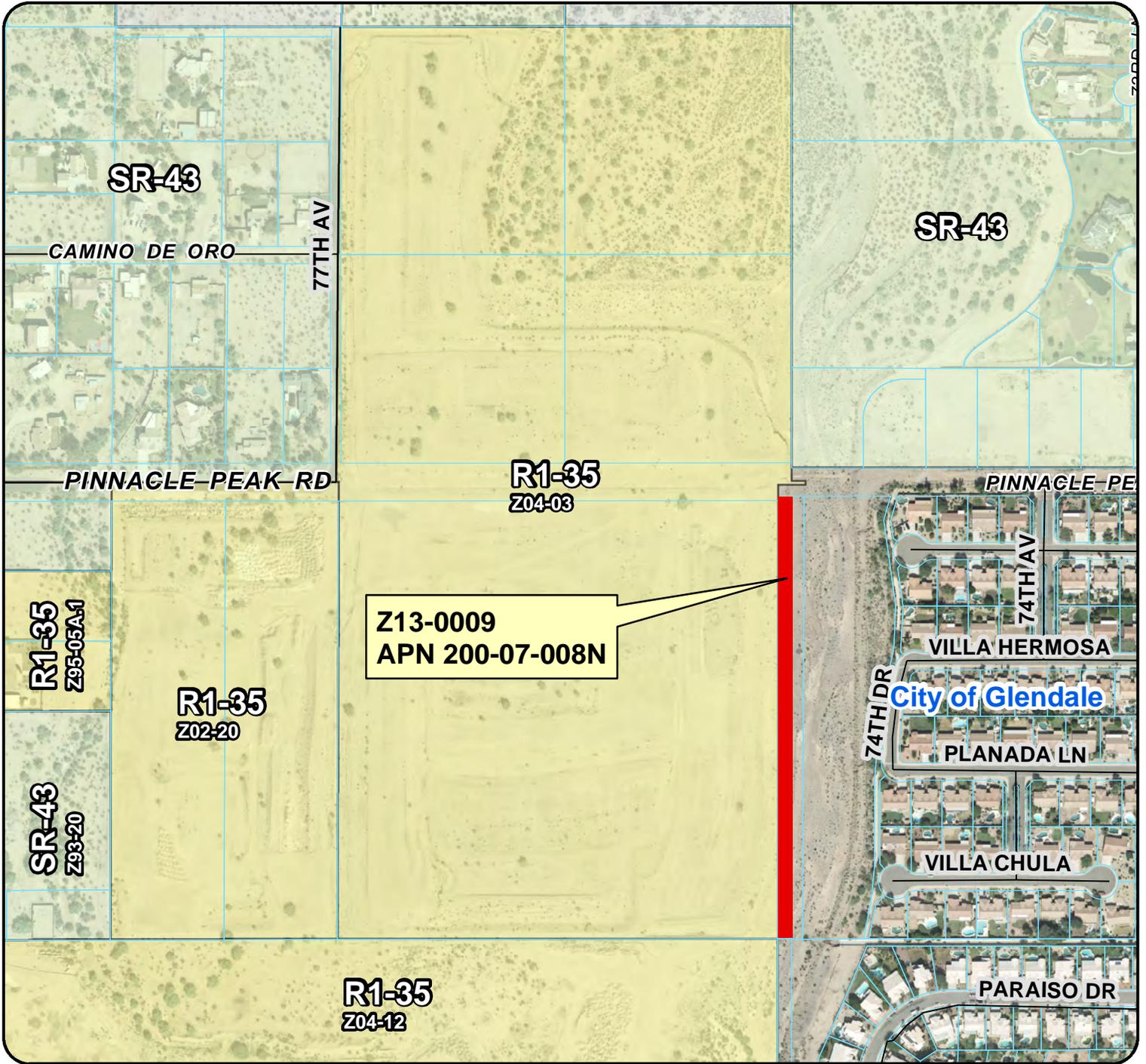


Not to Scale



Exhibit A

Zoning Map



Z13-0009 Riverwalk Remnant Initial Zoning

Request: City-initiated request to establish initial zoning for a 1.17 acre parcel proposed for annexation from Maricopa County Rural-43 District to City of Peoria Suburban Ranch (SR-43) District pursuant to state annexation statutes.

Location: South of Pinnacle Peak Road alignment at the 75th Avenue alignment.



Not to Scale

Exhibit B

General Plan Land Use Map



Z13-0009 Riverwalk Remnant Initial Zoning

Request: City-initiated request to establish initial zoning for a 1.17 acre parcel proposed for annexation from Maricopa County Rural-43 District to City of Peoria Suburban Ranch (SR-43) District pursuant to state annexation statutes.

Location: South of Pinnacle Peak Road alignment at the 75th Avenue alignment.



Not to Scale



Exhibit C

ORDINANCE NO 2014-05

AN ORDINANCE OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA ESTABLISHING INITIAL ZONING ON PROPERTY FROM MARICOPA COUNTY RURAL-43 ZONING DISTRICT TO CITY OF PEORIA SR-43 ZONING DISTRICT; AMENDING THE ZONING MAP AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Peoria Planning and Zoning Commission held a public hearing on December 5, 2013 in zoning case Z13-0009 in the manner prescribed by law for the purpose of considering an amendment to the district boundaries of property within the City of Peoria, Arizona to provide for initial city zoning of the subject parcel as described below from Maricopa County Rural-43 zoning district to City of Peoria SR-43 zoning district as provided in Section 14-19A of Chapter 14 of the Peoria City Code (1977 edition);

WHEREAS, due and proper notice of such Public Hearing was given in the time, form, substance and manner provided by law including publication of such notice in the Peoria Times Newspaper on November 8, 2013; and

WHEREAS, the City of Peoria Planning and Zoning Commission has recommended to the Mayor and the Council of the City of Peoria, Arizona, the initial zoning of property as aforesaid and the Mayor and the Council of the City of Peoria, Arizona desires to accept such recommendation and rezone the property as described below as aforesaid.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the City of Peoria, Arizona that:

SECTION 1. A parcel of land in Peoria, Maricopa County, Arizona, which is more accurately described in Exhibit A to this Ordinance, is hereby initially zoned from Maricopa County Rural-43 zoning district to City of Peoria SR-43 zoning district.

SECTION 2. Amendment of Zoning Map. The City of Peoria zoning map is herewith amended to reflect the change in districts referred to in Section 1 above.

SECTION 3: Effective Date. This Ordinance shall become effective at the time and in the manner prescribed by law.

PASSED AND ADOPTED by the Mayor and Council for the City of Peoria, Arizona this 21st day of January, 2014.

Bob Barrett, Mayor

Date Signed

ATTEST:

Rhonda Geriminsky, City Clerk

APPROVED AS TO FORM:

Stephen M. Kemp, City Attorney

Published in: Peoria Times
Pub. Dates: January 31 and February 7, 2014

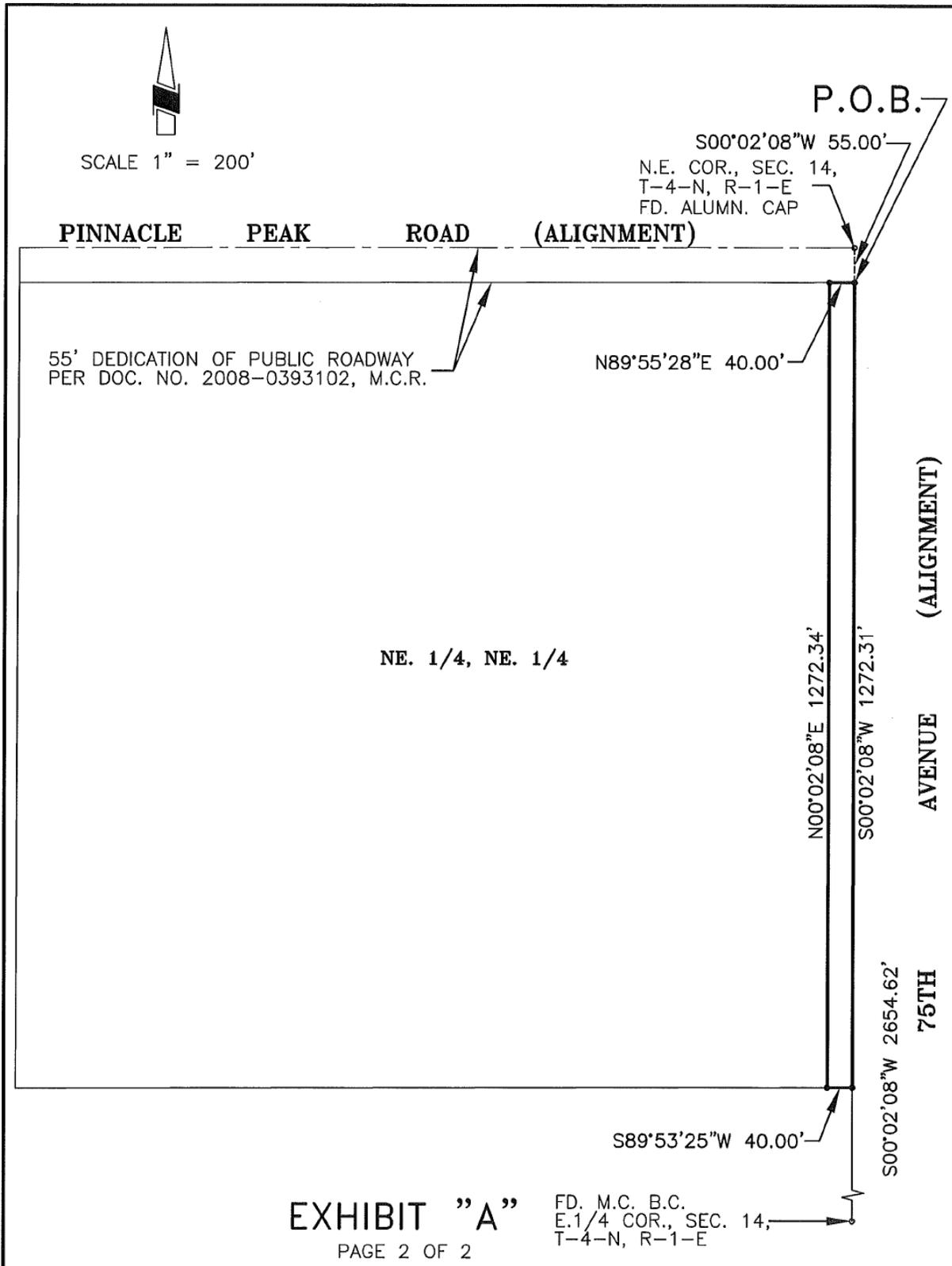
Effective Date:

EXHIBIT A

LEGAL DESCRIPTION

A strip of land 40 feet in width situated in the Northeast quarter of the Northeast quarter of Section 14, Township 4 North, Range 1 East of the Gila and Salt River Meridian, being more particularly described as follows;

COMMENCING at a found Aluminum Cap marking the Northeast corner of the Northeast quarter of Section 14, from which the Southeast corner being a found Brass Cap, bears South 00 degrees 02 minutes 08 seconds West, 2654.62 feet;
THENCE South 00 degrees 02 minutes 08 seconds West, along the East line of said Northeast quarter, 55.00 feet to the POINT OF BEGINNING;
THENCE continuing South 00 degrees 02 minutes 08 Seconds West, along said East line of the Northeast quarter, 1272.31 feet to a point marking the Southeast corner of the Northeast quarter of the Northeast quarter of Section 14;
THENCE South 89 degrees 53 minutes 25 seconds West, along the South line of said Northeast quarter of the Northeast quarter, a distance of 40.00 feet;
THENCE North 00 degrees 02 minutes 08 seconds East parallel with and 40.00 feet West of the East line of said Northeast quarter, a distance of 1272.31 feet to a point lying 55.00 feet south of the North line of said Northeast quarter of Section 14;
THENCE North 89 degrees 55 minutes 28 seconds East parallel with and 55.00 feet south of the North line of said Northeast quarter of Section 14, a distance of 40.00 feet to the POINT OF BEGINNING, as shown on Exhibit "A" attached herewith as page 2 of 2. Subject parcel comprising 1.16 Acres, more or less, and subject to all easements of record.



**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 8C

Date Prepared: December 4, 2013

Council Meeting Date: January 21, 2014

TO: Carl Swenson, City Manager

FROM: Andrew Granger, P. E., Engineering Director

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Intergovernmental Agreement, Peoria Unified School District, Zuni Hills Elementary School Privacy Wall

Purpose:

This is a request for City Council to approve an Intergovernmental Agreement (IGA) with the Peoria Unified School District (PUSD) for the granting of a temporary construction easement (TCE) for the City to construct a privacy wall along the Zuni Hills Elementary School western property line and for PUSD to maintain the privacy wall.

Background/Summary:

As part of the Agua Fria Truck Road Reliever project, the City has scope to build a six (6) foot high privacy wall along the west side of the Zuni Hills Elementary School property line from Williams Road to the south boundary as shown on Exhibit A of the IGA. In order for the City to obtain access to the school property and construct the privacy wall, an IGA is required. The purpose of this IGA is for the PUSD and the City to work together in the planning, design, and construction of the Zuni Hills Elementary School privacy wall and identify and define the responsibilities of the PUSD and the City for the project.

Under the terms of the agreement, each party is responsible for the following:

PUSD

1. Donate (at no cost to the City) a fifteen (15) foot TCE along the west side of Zuni Hills Elementary School property and a temporary construction storage yard at the south end of the school property.
2. Review and choose the design and color of the privacy wall within City determined financial reason. The District will respond to the City with such choices in a timely manner.

3. Review in a timely manner all construction drawings developed for this project (which will be submitted to PUSD's Administrator for Support Services or their designee) for review and approval prior to the construction permits being issued.
4. Assume ownership of the privacy wall and be responsible for all maintenance of the wall after construction is completed.

City

1. At no cost to the City accept the PUSD's donation of the TCE and the storage yard on the west side of the Zuni Hills Elementary School.
2. Construct (or have constructed) with the creation of the TCE a six (6) foot privacy wall extending from the south boundary of the school/ north boundary of the Deer Valley Ranch subdivision to the existing entrance gate. During construction a temporary safety fence will be installed on the school side of the property, to prevent access to school property by construction workers or other unauthorized personnel.
3. Design and construct the privacy wall
4. Prepare all necessary legal documents for obtaining a 15' wide TCE and construction yard on the Zuni Hills Elementary School property.

This privacy wall will be constructed simultaneously with the Agua Fria Truck Road Reliever.

Previous Actions:

- January 2010 - Council awarded the design contract.
- July 2012 - Council approved the IGA with Maricopa County for the design, right-of-way acquisition, utility relocation, construction, construction management, operation and maintenance of the proposed truck road reliever.
- July 2, 2013 - Council awarded the Agua Fria Truck Road Reliever construction contract.

Options:

A: Approve IGA with PUSD. This will allow the City to construct the privacy wall.

B: Deny approval of IGA with the PUSD.

Staff's Recommendation:

Staff recommends approval of the IGA with the PUSD for the construction administration of the privacy wall improvements to be turned over to PUSD for maintenance.

Fiscal Analysis:

There are no funding transactions between the City and PUSD under this agreement.

Narrative:

This IGA has been reviewed by the City Attorney's Office and PUSD.

Exhibits:

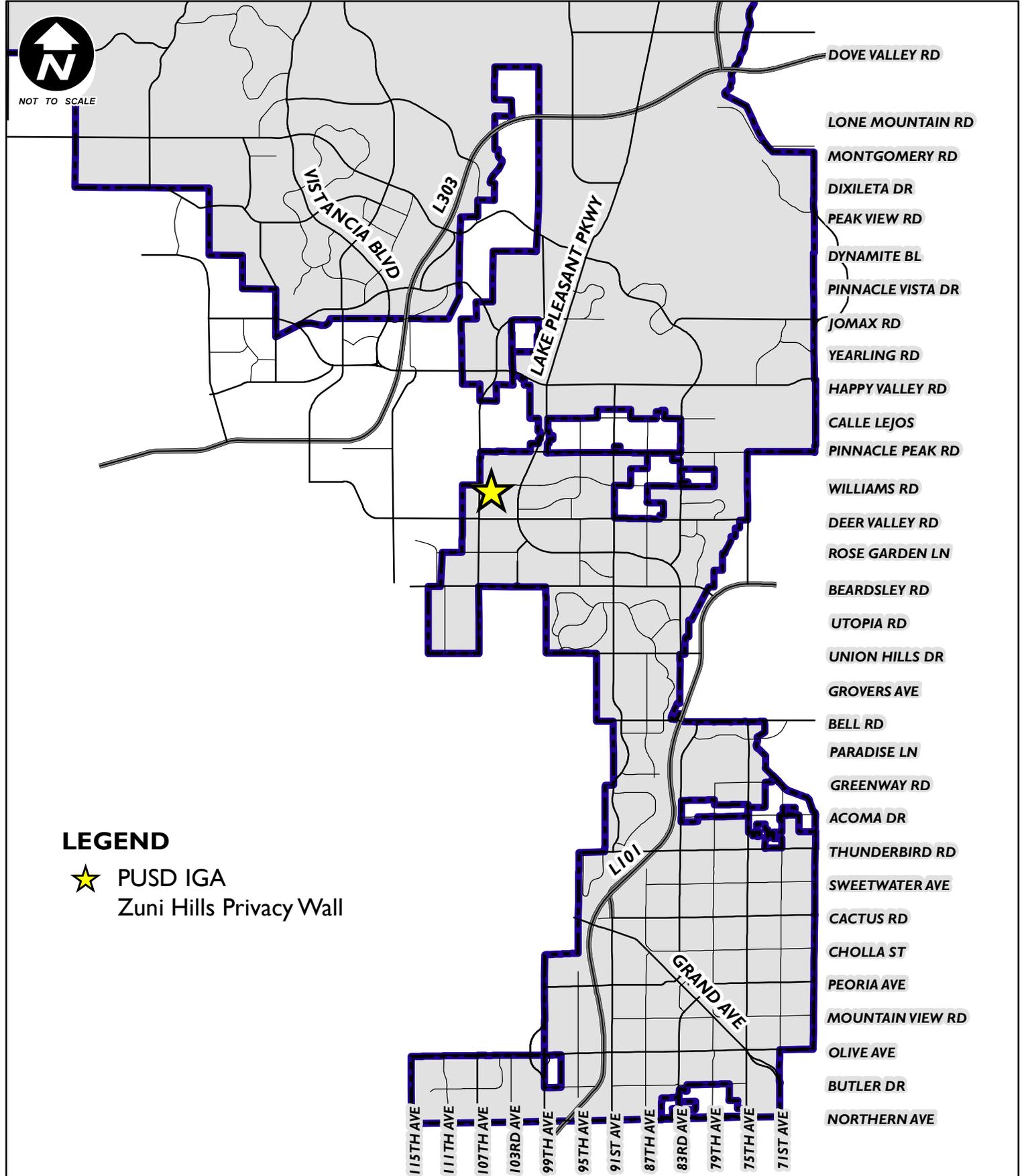
Exhibit 1: Vicinity Map

Exhibit 2: Intergovernmental Agreement

Contact Name and Number: Adina Lund, P. E., Engineering Supervisor, X7249



NOT TO SCALE



LEGEND

- PUSD IGA
- Zuni Hills Privacy Wall

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

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

INTERGOVERNMENTAL AGREEMENT
BETWEEN
PEORIA UNIFIED SCHOOL DISTRICT NO. 11
AND
THE CITY OF PEORIA

This INTERGOVERNMENTAL AGREEMENT (“Agreement”) is entered into on _____, 2013, pursuant to Arizona Revised Statutes § 11-951 *et seq.*, between the PEORIA UNIFIED SCHOOL DISTRICT NO. 11 (the “District”) and the CITY OF PEORIA, an Arizona municipal corporation acting by and through its Mayor and City Council (the “City”). The District and the City are collectively referred to as “Parties” and individually as District, City and “Party.” The word “School” and the term “Zuni Hills Elementary School” are used interchangeably throughout the Agreement.

RECITALS

1. The District is empowered by the Arizona Revised Statutes §§ 11-952 *et seq.*, 11-341 *et seq.* and 15-342 *et seq.* to enter into this Agreement and has delegated to the undersigned the authority to execute the Agreement on behalf of the District.
2. The City is empowered by Arizona Revised Statutes § 11-952 *et seq.* and Peoria City Charter Article 1, Section 3(15) to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of the City.
3. Arizona Revised Statute, § 11-951, *et seq.*, provides that public agencies may enter into intergovernmental agreements for the provision of services or for joint or cooperative action.
4. As part of the Agua Fria Truck Route Reliever project the City has agreed to build a 6 foot high privacy wall along the west side of Zuni Hills Elementary School property from Williams Rd to the south boundary as shown on Exhibit A.

PURPOSE

The purpose of this IGA is for the District and the City to work together in the planning, design, construction, etc. of the Zuni Hills Elementary School privacy wall (i.e., the “Project”) and identify and define the responsibilities of the District and the City for the Project.

THEREFORE, in consideration of the mutual agreements expressed herein, the Parties agree as follows:

PARTIES RESPONSIBILITIES

1. The District shall:

1.1 Donate (at no cost to the City) a fifteen (15) temporary construction easement (TCE) along the west side of Zuni Hills Elementary School property and a 162' x 160' storage yard at the south end of the school property and within close proximity of the wall construction. The TCE and the storage yard is shown on *Exhibit B*, attached and incorporated hereto by this reference.

1.2 Review and choose the design and color of the privacy wall within City determined financial reason. The District will respond to the City with such choices in a timely manner.

1.3 Review in a timely manner all construction drawings developed for this Project (which will be submitted to the District's Administrator for Support Services or their designee) for review and approval prior to the construction permits being issued.

1.4 Assume ownership of the privacy wall and be responsible for all maintenance of the wall after construction is completed.

2. The City shall:

2.1 At no cost to the City accept the District's donation of the TCE and the storage yard the west side of the Zuni Hills Elementary School as shown on *Exhibit A*.

2.2 Construct (or have constructed) with the creation of the TCE a six (6) foot privacy wall extending from the south boundary of the school/ north boundary of the Deer Valley Ranch subdivision to the existing entrance gate as shown on Exhibit B. During construction a temporary safety fence will be installed on the School side of the property, to prevent access to school property by construction workers or other unauthorized personnel.

2.3 Design and construct the privacy wall to be integral color with split face CMU and with a CAP.

2.4 Prepare all necessary legal documents for obtaining a 15' wide Temporary Construction Easement (TCE) and construction yard on the Zuni Hills Elementary School property.

3. Both Parties Agree:

That they will coordinate with one another and exercise good faith when providing, responding to and addressing any matters, and documents required for this Agreement and the Project.

GENERAL TERMS AND CONDITIONS

1. This Agreement may be cancelled at any time prior to the award of the Project construction contract, upon thirty (30) calendar day's written notice to either Party. Any amendments to this Agreement must be in writing and signed by each of the Parties hereto.

2. This Agreement shall be filed with the Maricopa County Recorder pursuant to Arizona Revised Statutes § 11-952 by the City upon execution of the Parties.

3. The term of this Agreement shall commence on the date first written above and continue for a period of one (1) year or until all of the requirements under this Agreement have been adhered to (satisfied) which ever occurs first.

4. The Parties hereby agree that to the extent permitted by law, each Party will indemnify and save and hold the other Party harmless, including any of the Party's departments, agencies, officers, employees, elected officials or agents, from and against all loss, expense, damage or claim of any nature whatsoever, which is caused by any activity, condition or event arising out of the performance or nonperformance by the indemnifying Party of any of the provisions of this Agreement. Each Party hereby indemnifies the other against all liability, losses and damages of any nature for or on account of any injuries or death of persons or damages to or destruction of property arising out of or in any way connected with the performance or nonperformance of this Agreement, except such injury or damage as shall have been occasioned by the negligence of that other Party. The damages, which are the subject of this indemnity, shall include, but not be limited to, the damages incurred by either Party, its departments, agencies, officer's, employees, elected officials or agents. In the event of an action, the damages, which are the subject of this indemnity, shall include costs, expenses of litigation and reasonable attorney's fees.

5. This Agreement may be cancelled in accordance with Arizona Revised Statute § 38-511.

6. Any funding provided for in this Agreement, other than in the current fiscal year, is contingent upon being budgeted and appropriated by the District (School Board) and the Peoria City Council in such fiscal year.

7. In the event of any controversy, which may arise out of this Agreement, upon agreement by the Parties, the Parties will abide by arbitration as is set forth for public works contracts in Arizona Revised Statute § 12-1518.

8. Notices required or permitted hereunder shall be given in writing and personally delivered or sent by registered or certified mail, return receipt requested, postage prepaid, or by a nationally recognized overnight courier service (e.g., Federal Express, DHL) or by mutually acknowledged facsimile transmission addressed as follows:

To District: Peoria Unified School District No. 11
Attn: Ed Gilliam
P.O. Box 39
Peoria, Arizona 85380-0039

To City: City of Peoria
City Engineering Department
Attn: Andy Granger, Engineering Director
8401 West Monroe, Room 210
Peoria, Arizona 85345

9. Pursuant to Arizona Revised Statutes § 11-952, attached hereto and incorporated herein, is the written determination of each Party's legal counsel that the Parties are authorized under the laws of this State to enter into this Agreement and that the Agreement is in proper form.

10. This Agreement has been arrived at by negotiation and shall not be construed against either Party or against the Party who prepared the last draft of this Agreement.

11. This Agreement shall be construed in accordance with the laws of the State of Arizona.

12. This Agreement does not grant the District the authority to control the subject rights-of-way, except to the extent necessary to perform the tasks expressly undertaken pursuant to this Agreement.

13. This Agreement shall be strictly constructed against the creation of a duty or responsibility unless the intention to do so is clearly and unambiguously set forth herein.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement.

[SIGNATURES APPEAR ON THE FOLLOWING PAGES]

INTERGOVERNMENTAL AGREEMENT
BETWEEN
PEORIA UNIFIED SCHOOL DISTRICT No. 11
AND
THE CITY OF PEORIA

[Peoria Unified School District Signature Page 1]

PEORIA UNIFIED SCHOOL DISTRICT
NO. 11

By: _____
Its: Superintendent (Signature)

Printed Name

ACKNOWLEDGEMENT

STATE OF ARIZONA)
)ss.
COUNTY OF MARICOPA)

On this date, before me, a Notary Public, personally appeared _____, known to me or satisfactorily proven to be the person whose name is subscribed to this instrument and acknowledged that they executed the same. If this person's name is subscribed in a representative capacity, it is for the principal named and in the capacity indicated.

The foregoing instrument was acknowledged before me this ____ day of _____, 2013, by _____.

Notary Public

My Commission Expires:

INTERGOVERNMENTAL AGREEMENT
BETWEEN
PEORIA UNIFIED SCHOOL DISTRICT NO. 11
AND
THE CITY OF PEORIA

[Peoria Unified School District Signature Page 2]

INTERGOVERNMENTAL AGREEMENT DETERMINATION

This Agreement has been reviewed by the attorney for the Peoria Unified School District and it is determined that the Agreement is in the proper form and within the powers and authority granted under the laws of the State of Arizona to the Peoria Unified School District.

PEORIA UNIFIED SCHOOL DISTRICT
NO. 11

INTERGOVERNMENTAL AGREEMENT
BETWEEN
PEORIA UNIFIED SCHOOL DISTRICT NO. 11
AND
THE CITY OF PEORIA

[City of Peoria Signature Page]

CITY OF PEORIA, an Arizona municipal
corporation

Bob Barrett, Mayor

Date

ATTEST:

Rhonda Germinski, City Clerk

INTERGOVERNMENTAL AGREEMENT DETERMINATION

This Agreement has been reviewed by the Office of the City Attorney as legal counsel for the City of Peoria, who has determined that the Agreement is in the proper form and within the powers and authority granted under the laws of the State of Arizona to the City of Peoria.

OFFICE OF THE CITY ATTORNEY

Stephen M. Kemp, City Attorney

Exhibit A

A MAP OF THE 6' HIGH PRIVACY WALL ALONG THE EAST SIDE OF THE ZUNI HILLS
ELEMENTARY SCHOOL

Exhibit B

A MAP OF THE 15' WIDE TEMPORARY CONSTRUCTION EASEMENT (TCE) AND 162' x 160'
CONSTRUCTION YARD OF THE ZUNI HILLS ELEMENTARY SCHOOL



LEGEND

 15' Temporary Construction Easement (TCE)

 162' x 160' Construction Yard



NOTE:
This Map is based on imprecise
source data, subject to change and
FOR GENERAL REFERENCE ONLY.

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 9C

Date Prepared: December 31, 2013

Council Meeting Date: January 21, 2014

TO: Carl Swenson, City Manager

FROM: William Mattingly, Public Works – Utilities Director

THROUGH: Jeff Tyne, Deputy City Manager

SUBJECT: Water and Wastewater Division Budget Adjustment to fund Accessory Equipment on Six Replacement Vehicles

Purpose:

Discussion and possible action to approve a budget adjustment in the amount of \$23,465 from the Water Equipment Reserve Fund contingency (2130-2190-570000) to the Water Equipment Reserve Fund Trucks and Vans account (2130-2190-542502) and an additional budget adjustment in the amount of \$3,499 from the Wastewater Equipment Reserve Fund contingency (2430-2560-570000) to Wastewater Equipment Reserve Fund Trucks and Vans account (2430-2560-542502) for accessory equipment needed for previously approved replacement vehicles. The additional funds will equip the replacement vehicles with new equipment that cannot be retrofitted from the six existing vehicles and will provide for professional installation of reusable equipment from the existing vehicles.

Background/Summary:

Six light and medium duty pick-up trucks were approved for replacement in FY 2014; however the budgeted replacement amount did not include specialized accessory equipment which is necessary for the intended use in Water and Wastewater Divisions. This equipment includes such items as docking brackets for mobile computers, arrow light bars, tool box (service) bodies and lift gates. Where possible, existing equipment can be re-used on the new trucks. This equipment will be rehabilitated and retrofitted for installation on the new trucks. Equipment that is determined not to be in reusable condition will be replaced.

Previous Actions:

The replacement of the six vehicles was approved as part of the Fiscal Year 2014 Budget.

Options:

- A. The City Council could act to approve a budget adjustment in the amount of \$23,465 from the Water Equipment Reserve Fund contingency (2130-2190-570000) to the Water Equipment Reserve Fund Trucks and Vans account (2130-2190-542502) and an additional budget adjustment in the amount of \$3,499 from the Wastewater Equipment Reserve Fund contingency (2430-2560-570000) to the Wastewater Equipment Reserve Fund Trucks and Vans account (2430-2560-542502) for accessory equipment needed for previously approved replacement vehicles.
- B. The City Council could decline to approve the budget adjustment.

Staff's Recommendation:

Staff recommends the approval of a budget adjustment in the amount of \$26,964 comprised of \$23,465 from the Water Equipment Reserve Fund contingency (2130-2190-570000) to the Water Equipment Reserve Fund Trucks and Vans account (2130-2190-542502) and an additional budget adjustment in the amount of \$3,499 from the Wastewater Equipment Reserve Fund contingency (2430-2560-570000) to the Wastewater Equipment Reserve Fund Trucks and Vans account (2430-2560-542502) for accessory equipment needed for previously approved replacement vehicles.

Fiscal Analysis:

Upon approval prepare a budget adjustment from the Water Equipment Reserve Fund contingency (2130-2190-570000) in the amount of \$23,465 to the Water Equipment Reserve Fund Trucks and Vans account (2130-2190-542502) and \$3,499 from the Wastewater Equipment Reserve Fund contingency (2430-2560-570000) to the Wastewater Equipment Reserve Fund Trucks and Vans account (2430-2560-542502) for new vehicle equipment and accessories and/or retrofitted equipment installation. The vehicle replacement is funded through the Vehicle Replacement fund.

Narrative:

With approval of this purchase, the Utilities and Fleet Divisions will work together to ensure that necessary equipment is installed on the six new replacement vehicles and will meet all Utilities Divisions' needs within budget and in accordance with all applicable procurement procedures.

Contact Name and Number: William Mattingly, Public Works-Utilities Director, 623-773-5151

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 10C

Date Prepared: January 6, 2014

Council Meeting Date: January 21, 2014

TO: Carl Swenson, City Manager

FROM: John Imig, Information Technology Director

THROUGH: Susan Daluddung, Deputy City Manager

SUBJECT: Information Technology Budget Transfer for \$125,000 for Additional Computer (PC) Replacements

Purpose:

Discussion and possible action to authorize use of reserves and a budget transfer of \$125,000 to accelerate computer replacements.

Background/Summary:

The IT Department receives funding each fiscal year to replace aging computers citywide. The FY14 replacement funding of \$190,000 has been expended and most of the new computers have been deployed to date. Due to Microsoft discontinuing support for Windows XP in April, 2014, there is a need to accelerate the replacement of computers running Windows XP that are unable to be upgraded to Windows 7 due to the age and specifications of the existing hardware.

Previous Actions:

No previous actions.

Options: *(include as many as reasonable)*

A: The Council could act to approve the use of reserves and a budget transfer of \$125,000 from the General Fund Contingency (1000-0300-570000) to the IT Reserve Fund Computer Hardware account (3400-3820-530003).

B: The Council could decline to approve these actions.

Staff's Recommendation:

Staff recommends that the Council approve the use of reserves and a budget transfer of \$125,000 from the General Fund Contingency (1000-0300-570000) to the IT Reserve Fund Computer Hardware account (3400-3820-530003).

Fiscal Analysis:

The funds are available in the IT Reserve Fund and the FY15 budget for computer (PC) replacements will be reduced by the amount being advanced.

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

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 11C

Date Prepared: December 12, 2013

Council Meeting Date: January 21, 2014

TO: Carl Swenson, City Manager

FROM: Scott Whyte, Economic Development Services Director

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Maintenance Improvement District No. 1111, The Meadows Parcel 12A, 99th Avenue and Deer Valley Road

Purpose:

This is a request for City Council to approve a Petition for Formation, adopt the Resolution of Intention, and Resolution Ordering the Improvements for a proposed Maintenance Improvement District No. 1111, The Meadows Parcel 12A, located at 99th Avenue and Deer Valley Road, as well as authorize the City Clerk to record the Maintenance Improvement District 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 Maintenance Improvement District;
2. The final plat for the subdivision must be approved by City Council and recorded with the Maricopa County Recorder's Office prior to recordation of the Maintenance Improvement District; and
3. The developer must provide a fully executed Petition, Waiver and Consent to Formation of a Municipal Improvement District.

Background/Summary:

The purpose of the Maintenance Improvement District is for the operation, maintenance, repair and improvements to landscaping adjacent to designated public roadways and parkways within the proposed district, as well as drainage and retention within each proposed district. Until such time as the Homeowner's Association fails, and the Council directs City staff to assume maintenance responsibility, the additional charge to the residents will show as \$0.00 on their property tax bills.

Pursuant to the provision of A.R.S. 48-574, et. seq., the Mayor and Council are empowered to adopt a Resolution ordering the formation of a Maintenance Improvement District. A Petition

and Resolution of Intention are attached for formation of City of Peoria Maintenance Improvement District No. 1111, The Meadows Parcel 12A, located at 99th Avenue and Deer Valley Road. In this special situation, in which all of the property owners have presented a petition for formation, the ordinary publication and protest period are not required by law, and the Council may then adopt a Resolution ordering the improvements when necessary once the Resolution of Intention is first adopted. The Resolution Ordering the improvements finalizes the formation of the Maintenance Improvement District process.

Under Arizona State law, commencing in October 2015, the residents will receive an additional charge on their property tax bill for maintenance of the landscape, irrigation and drainage improvements, located adjacent to and within the public rights-of-way and tracts. However, until such time as the Homeowner's Association fails, and the Council directs City staff to assume maintenance responsibility, the additional charge to the residents will be \$0.00. In accordance with State statute, an assessment diagram and map, listing each parcel of property within the district has been prepared.

Previous Actions:

The final plat for The Meadows Parcel 12A was approved by the City on July 2, 2013 and recorded with the County.

Options:

A: The Maintenance Improvement District has been approved through the Economic Development Services Department. An option would be to not accept the proposed Maintenance Improvement District; although it should be noted that not approving the Maintenance Improvement District will prevent any additional charges from being assessed on the property tax bills for those properties located within the District, and any and all fees incurred by the City of Peoria as a result of assuming the maintenance responsibility would be paid using City of Peoria funds.

B: The other option would be to formally approve the Maintenance Improvement District to allow for the taxing district to be recorded and in place in the event the Homeowner's Association fails.

Staff's Recommendation:

Staff recommends the approval and subsequent recordation of the attached Petition for Formation, Resolution of Intention to Create, and Resolution Declaring Intention to Order.

Fiscal Analysis:

There is no direct budgetary impact to the City to approve the Maintenance Improvement District. However, the City would incur the additional charges associated with the maintenance responsibilities should the taxing district not be approved and recorded, and the Homeowner's Association fail.

Narrative:

The acceptance of this Maintenance Improvement District will allow any additional charges associated with the maintenance responsibilities should the Homeowner's Association fail, to be assessed on the property tax bill for the properties located within the District.

Exhibit(s):

Exhibit 1: Petition for Formation

Exhibit 2: Proposed Resolution of Intention to Create

Exhibit 3: Proposed Resolution Declaring Intention to Order

Contact Name and Number: Traci Varland, Associate Engineer, x7612

**PETITION, WAIVER AND CONSENT TO FORMATION
OF A MUNICIPAL IMPROVEMENT DISTRICT
BY THE CITY OF PEORIA**

**[1111]
MID#**

**[The Meadows – Parcel 12A]
Subdivision Name**

To: Honorable Mayor and Council
City of Peoria, Arizona

Pursuant to Arizona Revised Statutes, Section 48-574, the undersigned property owner respectfully petitions the City Council of the City of Peoria, Arizona (City Council) to order the formation of a Municipal Parkway Improvement District under Arizona Revised Statutes, Title 48, Chapter 4, Article 2. In support of this petition, the undersigned agrees to waive certain rights under the Arizona Improvement District Law and to consent to the formation and completion of the District.

1. Area of District. The proposed district is described by a map and by a legal description on Exhibit "A" that is attached hereto and incorporated herein by reference. The proposed district consists of 46.03 acres and is entirely within the corporate boundaries of the City of Peoria.
2. Ownership. The undersigned (is)(are) the sole owner(s) of the real property within the proposed district.
3. Purpose. The district is proposed to be formed for the purpose of the operation, maintenance, repair and improvements for landscape maintenance adjacent to designated public roadways and parkways within the proposed district and drainage and retention within each proposed district.
4. Public Convenience and Necessity. The necessity for the proposed district is for the operation, maintenance, repair and improvements for landscape maintenance adjacent to designated streets and parkways within the proposed district by the levying of special assessments in the proposed district.
5. Waiver and Consent. The petitioners with full knowledge of their rights being waived hereunder, hereby expressly waive:
 - (a) Any and all irregularities, illegalities or deficiencies which may exist in the acts or proceedings resulting in the adoption of the Resolution of Intention and the Resolution Ordering the Work;
 - (b) Any necessity for publication and posting of the Resolution of Intention and the Notice of Proposed Improvements pursuant to A.R.S. §48-578;
 - (c) All protest rights whatsoever under A.R.S. §48-579(A) and (B), which provide for protests against the work; and
 - (d) All objections to the filing of and adoption by the City of the plans and specifications, the Engineer's estimate and the Assessment Diagram, all of which provide for the completion of the District.

Further, the improvements described above are of more than local or ordinary public benefit.

In Witness whereof the parties have executed this Petition and Waiver Agreement as of the 26th day of September 2013.

<p><u>K. Hovnanian Homes, Inc</u> Print Property Owner Name <u>Mark Weber</u> Print Name <u>20830 N. Tatum Blvd., Suite 250</u> <u>Phoenix, AZ 85050</u> Address <u>[REDACTED]</u> Signature</p>	<p>Date: <u>9/26/13</u></p>	<p>Property (Tax Parcel Numbers) <u>200-09-012-A</u></p>
<p>_____ Print Property Owner Name _____ Print Name _____ Address _____ Signature</p>	<p>Date: _____</p>	<p>Property (Tax Parcel Numbers) _____</p>

Accepted and approved by:

CITY OF PEORIA, ARIZONA, an
ARIZONA MUNICIPAL CORPORATION

ATTEST:

By _____
Mayor

City Clerk

APPROVED AS TO FORM:

Stephen M. Kemp, City Attorney

RESOLUTION NO. 2014-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEORIA, ARIZONA, DECLARING ITS INTENTION TO CREATE AN IMPROVEMENT DISTRICT TO MAINTAIN LANDSCAPING INCLUDED WITHIN, NEAR AND ADJACENT TO A PARKWAY AND RELATED FACILITIES TOGETHER WITH APPURTENANT STRUCTURES AS SHOWN ON THE PLANS, FOR MAINTENANCE WITHIN AN AREA IN THE CITY OF PEORIA AS DESCRIBED HEREIN; ADOPTING PLANS FOR CITY OF PEORIA MAINTENANCE IMPROVEMENT DISTRICT NO. 1111, THE MEADOWS PARCEL 12A, AS MORE PARTICULARLY DESCRIBED HEREIN, AND DECLARING THE WORK OR IMPROVEMENT TO BE OF MORE THAN LOCAL OR ORDINARY PUBLIC BENEFIT, AND THAT THE COST OF SAID WORK OR IMPROVEMENT SHALL BE ASSESSED UPON A CERTAIN DISTRICT, AND PROVIDING THAT THE PROPOSED WORK OR IMPROVEMENT SHALL BE PERFORMED UNDER ARIZONA REVISED STATUTES TITLE 48, CHAPTER 4, ARTICLE 2, AND AMENDMENTS THERETO AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and Council of the City of Peoria, Arizona, declare that the Maintenance of the landscaping included within, near and adjacent to a parkway and related facilities in the District to be of more than local or ordinary public benefit, and further that the cost of said maintenance shall be assessed on a certain District; and

WHEREAS, the Mayor and Council of the City of Peoria, Arizona, declare that the maintenance of landscaping included within, near, and adjacent to a parkway and related facilities in the District is incidental to the maintenance and preservation of the parkway and related facilities, has aesthetic value, and maintains and increases the value of property within the District; and

WHEREAS, the City Council declares that the maintenance of landscaping included within and adjacent to a parkway and related facilities preserves and promotes the health, safety, and welfare of those citizens of the City of Peoria living within the District as well as preservation of the streets and parkways which may be adversely impacted by drainage and other water formations; and

WHEREAS, the City of Peoria declares that the maintenance of a landscaped buffer between a parkway and the adjacent developments reduces the visual and other impact of light, air and noise pollution and tends to increase personal and vehicular safety on the parkway and decreases the likelihood vehicular accidents will harm adjacent developments in furtherance of the health, safety and welfare of those citizens of the City living within the District; and

WHEREAS, the City Council declares that maintenance of landscaped drainage and other water control facilities and features within, near or adjacent to a parkway and related facilities tends to preserve the structural integrity of the parkway and mitigates flooding of adjacent areas and the structural integrity of the parkway and mitigates flooding of adjacent areas and the parkway by draining water to and from the parkway in furtherance of the health, safety and welfare of those citizens of the City of Peoria living within the District:

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF PEORIA AS FOLLOWS:

Section 1. Definitions.

In this Resolution, the following terms shall have the following meanings:

"Assessment Diagrams" shall mean those duplicate diagrams of the property contained in the Assessment District is to be filed with the Clerk and approved by the Mayor and Council.

"Assessment District" shall mean the lots, pieces or parcels of land lying within the boundaries described on Exhibit B attached hereto and as shown on the map on file with the City Engineer.

"City" shall mean the City of Peoria, Arizona.

"City Council" or "Council" shall mean the Mayor and Council of the City.

"Clerk" shall mean the City Clerk.

"Engineer" shall mean City Engineer.

"Lots" shall mean all lots, pieces or parcels of land lying within the Assessment District.

"Parkways" shall mean those streets and rights-of-way which are designated in Exhibit B as "Parkways," and specifically those portions of Pedestrian Facilities, Parks, Retention, Detention and Storm Water Management Facilities included within or adjacent to the Assessment District.

"Plans and Specifications" shall mean the engineer's estimate for the Maintenance Improvement District No. 1111 filed with the Clerk prior to the adoption of this Resolution.

"Superintendent of Streets" shall mean the City Engineer.

Section 2. Declaration of Intention to Order an Improvement.

The public interest or convenience requires, and it is the intention of the Mayor and Council of the City of Peoria, Arizona, to order the following work, hereinafter "Work," to be performed, to wit:

The maintenance of all landscaping, including replacement of landscape materials, in the area generally described as follows:

SEE EXHIBIT "A", LEGAL DESCRIPTION OF CITY OF PEORIA MAINTENANCE IMPROVEMENT DISTRICT NO. 1111

The Mayor and Council of the City of Peoria, Arizona designate as parkways, those areas set forth on Exhibit "B" Assessment Diagram in accordance with Title 48, Chapter 4, Article 2, Arizona Revised Statutes. The public interest and convenience require, and it is the intention of the City Council to order the Work adjacent to the designated parkways to be performed as stated herein. All items of the Work shall be performed as prescribed by the Plans and Specifications hereby

approved and adopted by the Council and on file in the Office of the City Engineer and no assessment for any lot shall exceed its proportion of the Estimate. The estimate of the cost and expenses of the work or improvements on file in the offices of the Superintendent of Streets and the Clerk of the City are hereby approved and adopted by the Mayor and Council of the City. In addition to the requirements of law, the procedures set forth in the City Code will be followed regarding acceptance of bids and setting tax levies. For purposes of this Resolution and of all resolutions, ordinances and notices pertaining to this Resolution, the improvement as herein described is hereby designated City of Peoria Maintenance Improvement District No. 1111.

Section 3. Determination of Need.

In the opinion of the City Council, the Work is of more than local or ordinary public benefit. The City Council hereby orders that all amounts due or to become due with respect to the Work shall be chargeable upon the respective lots, pieces and parcels of land within the Assessment District.

Section 4. Preparation of Assessment Diagrams.

The City Engineer is hereby authorized and directed to prepare duplicate diagrams (Assessment Diagrams) of the property contained within the Assessment District. The diagrams shall show each separate lot, numbered consecutively, the approximate area in square feet of each lot, and the location of the lot in relation to the work proposed to be done.

Section 5. Exclusion of Certain Property.

Any public street or alley within the boundaries of the Assessment District is hereby omitted from the assessment hereafter to be made. Any lot belonging to the United States, the State, a county, city, school district or any political subdivision or institution of the State or county, which is included within the Assessment District shall be omitted from the assessment hereafter made.

Section 6. Officers Not Liable.

In no event will the City of Peoria or any officer thereof be liable for any portion of the cost of said Improvement District nor for any delinquency of persons or property assessed.

Section 7. Annual Statement.

The City Council shall make annual statements and estimates of the expenses of the District which shall be provided for by the levy and collection of ad valorem taxes upon the assessed value of all real and personal property in the District as provided in A.R.S. § 48-574 and amendments thereto.

Section 8. Statutory Authority.

The Work and all proceedings pertaining thereto shall be performed under the provisions of Title 48, Article 2, specifically Section 48-574, and all amendments thereto and pursuant to Article I, Section 3, (8) of the Peoria City Charter.

Section 9. Delegation of Authority.

The City Engineer is hereby authorized to fill in any blanks and to make any minor corrections necessary to complete the Plans and Specifications and the Contract Documents.

Resolution No. 2014-06
MID 1111 – The Meadows Parcel 12A
January 21, 2014
Page 5 of 11 Pages

PASSED AND ADOPTED by the Mayor and Council of the City of
Peoria, Arizona, this 21st day of January, 2014.

Bob Barrett, Mayor

ATTEST:

Rhonda Geriminsky, City Clerk

APPROVED AS TO FORM:

Stephen M. Kemp, City Attorney

CERTIFICATION OF CITY ENGINEER

I hereby certify that I have read the description set out under the definition "Assessment District" and approve the same. I further certify that I have read the description set out under the definition "Work" and approve the same.

Andrew Granger, Engineering Director

CERTIFICATION OF CITY CLERK

I hereby certify that the above and foregoing Resolution No. 2014-06 duly passed by the Mayor and Council of the City of Peoria, Arizona at a regular meeting held on January 21, 2014 and that a quorum was present there and that the vote thereon was _____ ayes and _____ nays. _____ were no vote or absent.

City Clerk, City of Peoria

Legal Description for Parcel 12a MID

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 16 AND THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 4 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST $\frac{1}{4}$ CORNER OF SAID SECTION 16, SAID POINT BEARING S00°08'03"E, 2632.32 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 16; THENCE S00°16'35"W, 40.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF WILLIAMS ROAD; THENCE CONTINUING ALONG THE SOUTH RIGHT-OF-WAY LINE OF WILLIAMS ROAD, N89°55'59"E, 115.64 FEET TO A POINT; THENCE LEAVING THE SOUTH RIGHT-OF-WAY OF WILLIAMS ROAD, S51°50'25"W, 114.70 FEET TO THE POINT OF BEGINNING;

THENCE S00°08'03"E, 884.94 FEET TO A POINT;

THENCE S00°08'03"E, 25.00' FEET TO A POINT;

THENCE N89°51'54"E, 110.02 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT, CONCAVE NORTHERLY AND HAVING A RADIUS OF 317.06 FEET;

THENCE CONTINUING ALONG THE CURVE A DISTANCE OF 78.18 FEET, THROUGH A CENTRAL ANGLE OF 14°07'42" TO A POINT OF TANGENCY;

THENCE N75°44'11"E, 85.31 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 500.00 FEET;

THENCE CONTINUING ALONG THE CURVE A DISTANCE OF 149.84 FEET THROUGH A CENTRAL ANGLE OF 17°10'13" TO A POINT OF TANGENCY;

THENCE S31°26'02"E, 114.85 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 1659.64 FEET;

THENCE CONTINUING ALONG THE CURVE A DISTANCE OF 461.14 FEET THROUGH A CENTRAL ANGLE OF 15°55'12" TO THE BEGINNING OF A REVERSE CURVE TO THE RIGHT, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 1112.74 FEET;

THENCE CONTINUING ALONG THE CURVE A DISTANCE OF 926.65 FEET THROUGH A CENTRAL ANGLE OF 47°42'51" TO A POINT OF TANGENCY;

THENCE N89°38'24"W, 1380.13 FEET TO A POINT;

Legal Description for Parcel 12a MID

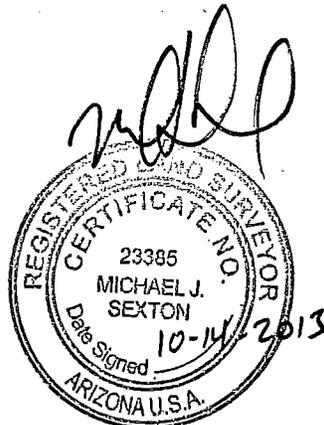
THENCE N0°34'28"W, 40.00 FEET TO A POINT;

THENCE S89°38'34"E, 7.85 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF A PIPELINE RIGHT-OF-WAY AS DISCLOSED IN ARIZONA STATE LAND DEPARTMENT FILE NO. 16-001838;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, N51°33'34"E, 2752.68 FEET TO A POINT OF DEFLECTION IN SAID RIGHT-OF-WAY LINE;

THENCE CONTINUING ALONG THE SAID RIGHT-OF-WAY LINE, N51°50'25"E, 8.20 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,005,148 SQUARE FEET OR 46.0319 ACRES MORE OR LESS.



Expires 6-30-2016

EXHIBIT “B”

IS ON FILE IN THE

**CITY OF PEORIA
CITY CLERK’S OFFICE
8401 W. MONROE STREET
PEORIA, AZ 85345**

**CITY OF PEORIA, ARIZONA
NOTICE**

OF THE PASSAGE OF A RESOLUTION ORDERING THE IMPROVEMENT CONSISTING OF AUTHORIZING THE MAINTENANCE OF LANDSCAPING INCLUDED WITHIN, NEAR, AND ADJACENT TO A PARKWAY AND RELATED FACILITIES TOGETHER WITHIN APPURTENANT STRUCTURES AS SHOWN ON THE PLANS FOR THE IMPROVEMENT DISTRICT KNOWN AS CITY OF PEORIA MAINTENANCE IMPROVEMENT DISTRICT NO. 1111, THE MEADOWS PARCEL 12A.

This notice is given pursuant to the provisions of Title 48, Chapter 4, Article 2, Sections 48-571 to 48-619, both inclusive, Arizona Revised Statutes, as amended.

On the 21st day of January, 2014 the Mayor and Council of the City of Peoria adopted Resolution No. 2014-06; ordering the improvements of maintaining landscaping included within, near, and adjacent to a parkway and related facilities together within appurtenant structures shown on the plans, within the corporate limits of the City and creating an Improvement District known as the City of Peoria Maintenance Improvement District No. 1111, pursuant to Title 48, Chapter 4, Arizona Revised Statutes; and amendments thereto for the purpose of maintaining landscaping included within, near, and adjacent to a parkway and related facilities together within appurtenant structures, which includes a charge for the maintenance of landscaping and other related items, together with all appurtenant structures as shown on the plans; and directing that this notice been given.

Any owner, or any other person having an interest in any lot, piece or parcel of land situated within the above-described assessment district, who claims that any of the provisions, acts or proceedings relative to the above described improvements are irregular, defective, illegal, erroneous or faulty, may file with the City Clerk, Room 150, 8401 West Monroe Street, Peoria, Arizona 85345, within 15 days from the date of the first publication of this notice, a written notice specifying in what way said acts or proceedings are irregular, defective, illegal, erroneous or faulty.

Further information concerning City of Peoria Maintenance Improvement District No. 1111 may be obtained by contacting Mr. Andrew Granger, Engineering Director, City of Peoria, Arizona, 8401 West Monroe, Peoria, Arizona 85345, (623) 773-7367.

DATED AND SIGNED this _____ day of _____, 2014.

Andrew Granger, P.E.
Superintendent of Streets
City of Peoria, Arizona

RESOLUTION NO. 2014-07

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA DECLARING ITS INTENTION TO ORDER THE IMPROVEMENTS OF A CERTAIN AREA WITHIN THE CORPORATE LIMITS OF THE CITY AND CREATING AN IMPROVEMENT DISTRICT KNOWN AS THE CITY OF PEORIA MAINTENANCE IMPROVEMENT DISTRICT NO. 1111, THE MEADOWS PARCEL 12A; PROVIDING THAT THE COST OF THE MAINTENANCE OF THE LANDSCAPING INCLUDED WITHIN, NEAR, AND ADJACENT TO A PARKWAY AND RELATED FACILITIES TOGETHER WITH APPURTENANT STRUCTURES AS SHOWN ON THE PLANS, SHALL BE ASSESSED UNDER THE PROVISIONS OF TITLE 48, CHAPTER 4, ARTICLE 2, ARIZONA REVISED STATUTES, AS AMENDED; AND DECLARING AN EMERGENCY.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, THAT:

SECTION 1. The public interest or convenience require and it is the intention of the Mayor and Council of the City of Peoria, Arizona to order the maintenance of landscaping within the proposed district and that the cost of maintaining landscaping included within, near, and adjacent to a parkway and related facilities together with appurtenant structures be assessed upon a certain improvement district to be known as Peoria Maintenance Improvement District No. 1111.

The estimate of the cost and expenses for the maintenance of the landscaping on file with the Superintendent of Streets and the City Clerk is approved and adopted by the Mayor and Council of the City.

SECTION 2. The maintenance of the landscaping, therefore, in the opinion of the Mayor and Council of the City, are of more than local or ordinary public benefit, and are of special benefit to the respective lots, pieces and parcels

of land within the real property described herein. The Mayor and Council of the City make and order that the cost and expense for the maintenance of the landscaping included within, near, and adjacent to a parkway and related facilities together with appurtenant structures be chargeable upon a district to be known and designated as the City of Peoria Maintenance Improvement District No. 1111 and as described and bounded as set forth on Exhibits A and B attached, and declare that the district in the City benefited by the maintenance of landscaping included within, near, and adjacent to a parkway and related facilities together with appurtenant structures to be assessed, to pay the costs and expenses thereof in proportion to the benefits derived therefrom.

The City shall not assess the costs and expenses for the maintenance of landscaping included within, near, and adjacent to a parkway and related facilities together with appurtenant structures, which are for the general public benefit against the respective lots, pieces and parcels of land located within the boundaries of the City of Peoria Maintenance Improvement District No. 1111 and if a portion of the costs and expenses for the maintenance of landscaping is for the general public benefit, the City shall assess the boundaries of the City of Peoria Maintenance Improvement District No. 1111 only that portion of such costs and expenses which benefits the lots, pieces and parcels of land located within the boundaries of the City of Peoria Maintenance Improvement District No. 1111.

SECTION 3. The costs and expense for the maintenance of landscaping shall be made and all proceedings therein taken; that the Superintendent of Streets of the City shall post or cause to be posted notices thereof; that the City Clerk shall certify to the passage of this Resolution of Intention; that the Engineer shall prepare duplicate diagrams of the City of Peoria Maintenance Improvement District No. 1111 described in Section 2 of this Resolution to be assessed to pay the costs and expenses thereof, under and in accordance with the provisions of Title 48, Chapter 4, Article 2, Arizona Revised Statutes, as amended.

SECTION 4. The majority of owners of all of the real property within the proposed district have executed a Petition for formation of a Maintenance Improvement District and the City Council has verified the ownership of the property. Publication and posting of the notice of the passage of the Resolution of Intention will be completed as prescribed by the State Statues.

SECTION 5. Any Resolutions or parts of Resolutions in conflict with the provisions of this Resolution are hereby repealed.

SECTION 6. The immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety and an emergency is declared to exist, and this Resolution will be in full force and effect from and after its passage and approval by the Mayor and Council of the

Resolution No. 2014-07
MID 1111 – The Meadows Parcel 12A
January 21, 2014
Page 3 of 7 Pages

City of Peoria, Arizona as required by law and is exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 21st day of January, 2014.

Bob Barrett, Mayor

ATTEST:

Rhonda Geriminsky, City Clerk

APPROVED AS TO FORM:

Stephen M. Kemp, City Attorney

Legal Description for Parcel 12a MID

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 16 AND THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 4 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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Legal Description for Parcel 12a MID

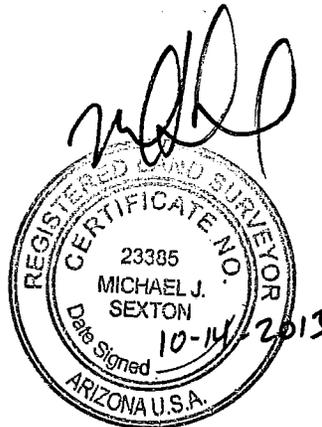
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CONTAINING 2,005,148 SQUARE FEET OR 46.0319 ACRES MORE OR LESS.



Expires 6-30-2016

EXHIBIT "B"

IS ON FILE IN THE

CITY OF PEORIA
CITY CLERK'S OFFICE
8401 W. MONROE STREET
PEORIA, AZ 85345

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 12C

Date Prepared: December 12, 2013

Council Meeting Date: January 21, 2014

TO: Carl Swenson, City Manager

FROM: Scott Whyte, Economic Development Services Director

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Street Light Improvement District No. 1054, The Meadows Parcel 12A, 99th Avenue and Deer Valley Road

Purpose:

This is a request for City Council to approve the Petition for Formation and adopt the Resolution of Intention and Resolution Ordering the Improvements for the proposed Street Light Improvement District No. 1054, The Meadows Parcel 12A, located at 99th Avenue and Deer Valley Road, and authorize the City Clerk to record the Street Light Improvement District with the Maricopa County Recorder's Office subject to the following stipulations:

1. All civil and street light plans must be approved by the City of Peoria (City) prior to recordation of the Street Light Improvement District.
2. The final plat for the subdivision must be approved by City Council and recorded with the Maricopa County Recorder's Office prior to recordation of the Street Light Improvement District.
3. The developer must provide a fully executed Petition, Waiver and Consent to Formation of a Municipal Improvement District.

Background/Summary:

The purpose of the Streetlight Improvement District is for the purchase of electricity for lighting the streets and public parks within the proposed district.

Pursuant to the provisions of A.R.S. §48-616, et seq., Mayor and Council are empowered to adopt a resolution ordering the formation of a Street Light Improvement District. A Petition, Resolution of Intention and Resolution Ordering the Improvements are attached for formation of City of Peoria Street Light Improvement District No. 1054, The Meadows Parcel 12A, located at 99th Avenue and Deer Valley Road. In this special situation, in which all of the property owners have presented a petition for formation, the ordinary publication and protest period

are not required by law, and the Council may then immediately adopt a Resolution Ordering the improvements once the Resolution of Intention is first adopted. The Resolution ordering the improvements finalizes the formation of the Street Light Improvement District process.

Under Arizona State law, commencing in October 2015, the residents will receive, on their property tax bill, an additional charge for operation of the street light system. In accordance with state statute, an assessment diagram and map listing each parcel of property within the district has been prepared.

Previous Actions:

The final plat for The Meadows Parcel 12A approved by the City on July 2, 2013 and recorded.

Options:

A: The Street Light Improvement District has been approved through the Economic Development Services Department. An option would be to not accept the proposed Street Light Improvement District; although it should be noted that not approving the Street Light Improvement District will prevent the purchase of electricity for lighting the streets and public parks within the proposed district from being assessed on the property tax bill.

B: The other option would be to formally approve the Street Light Improvement District to allow for the taxing district to be recorded and fees assessed to the property tax bills.

Staff's Recommendation:

Staff recommends the approval and subsequent recordation of the attached Petition for Formation, Resolution of Intention, and Resolution Ordering the Improvements.

Fiscal Analysis:

There is no direct budgetary impact to the City to approve the Street Light Improvement District. However, the City would incur the cost associated with the purchase of electricity for lighting the streets and public parks within the proposed district should the taxing district not be approved and recorded.

Narrative:

The acceptance of this Street Light Improvement District will allow the purchase of electricity for lighting the streets and public parks within the proposed district to be assessed on the property tax bill for the properties located within the District.

Exhibit(s):

Exhibit 1: Petition for Formation

Exhibit 2: Proposed Resolution of Intention

Exhibit 3: Proposed Resolution Ordering the Improvements

Contact Name and Number: Traci Varland, Associate Engineer, x7612

**PETITION, WAIVER AND CONSENT TO FORMATION
OF A MUNICIPAL IMPROVEMENT DISTRICT
BY THE CITY OF PEORIA**

[1054]
SLID#

[The Meadows – Parcel 12A]
Subdivision Name

To: Honorable Mayor and Council
City of Peoria, Arizona

Pursuant to Arizona Revised Statutes, Section 48-574, the undersigned property owner respectfully petitions the City Council of the City of Peoria, Arizona (City Council) to order the formation of a Municipal Parkway Improvement District under Arizona Revised Statutes, Title 48, Chapter 4, Article 2. In support of this petition, the undersigned agrees to waive certain rights under the Arizona Improvement District Law and to consent to the formation and completion of the District.

1. Area of District. The proposed district is described by a map and by a legal description on Exhibit "A" that is attached hereto and incorporated herein by reference. The proposed district consists of 46.03 acres and is entirely within the corporate boundaries of the City of Peoria.
2. Ownership. The undersigned (is)(are) the sole owner(s) of the real property within the proposed district.
3. Purpose. The district is proposed to be formed for the purpose of the operation, maintenance, repair and improvements for landscape maintenance adjacent to designated public roadways and parkways within the proposed district and drainage and retention within each proposed district.
4. Public Convenience and Necessity. The necessity for the proposed district is for the operation, maintenance, repair and improvements for landscape maintenance adjacent to designated streets and parkways within the proposed district by the levying of special assessments in the proposed district.
5. Waiver and Consent. The petitioners with full knowledge of their rights being waived hereunder, hereby expressly waive:
 - (a) Any and all irregularities, illegalities or deficiencies which may exist in the acts or proceedings resulting in the adoption of the Resolution of Intention and the Resolution Ordering the Work;
 - (b) Any necessity for publication and posting of the Resolution of Intention and the Notice of Proposed Improvements pursuant to A.R.S. §48-578;
 - (c) All protest rights whatsoever under A.R.S. §48-579(A) and (B), which provide for protests against the work; and
 - (d) All objections to the filing of and adoption by the City of the plans and specifications, the Engineer's estimate and the Assessment Diagram, all of which provide for the completion of the District.

RESOLUTION NO. 2014-08

RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA DECLARING ITS INTENTION TO ORDER THE PURCHASE OF ELECTRICITY FOR LIGHTING THE STREETS AND PUBLIC PARKS WITHIN THE PROPOSED DISTRICT AND THAT THE COST OF THE PURCHASE OF ELECTRICITY FOR LIGHTING THE STREETS AND PUBLIC PARKS, BE ASSESSED UPON A CERTAIN IMPROVEMENT DISTRICT TO BE KNOWN AS CITY OF PEORIA STREETLIGHT IMPROVEMENT DISTRICT NO. 1054, THE MEADOWS PARCEL 12A; PROVIDING THAT THE COST OF THE ELECTRICITY REQUIRED TO OPERATE THE SYSTEM BE ASSESSED UNDER THE PROVISIONS OF TITLE 48, CHAPTER 4, ARTICLE 2, ARIZONA REVISED STATUTES, AS AMENDED; AND DECLARING AN EMERGENCY.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, THAT:

SECTION 1. The public interest or convenience require and it is the intention of the Mayor and Council of the City of Peoria, Arizona to order the purchase of electricity for lighting the streets and public parks within the proposed district.

The estimate of the cost and expenses for the purchase of electricity for the operation of the streetlights on file with the Superintendent of Streets and the City Clerk is approved and adopted by the Mayor and Council of the City.

SECTION 2. The streetlights and the electricity, therefore, in the opinion of the Mayor and Council of the City, are of more than local or ordinary public benefit, and are of special benefit to the respective lots, pieces and parcels of land within the real property described herein. The Mayor and Council of the City make and order that the cost and expense for the purchase of electricity be

chargeable upon a district to be known and designated as the City of Peoria Streetlight Improvement District No. 1054 and as described and bounded as set forth on Exhibits A and B attached, and declare that the district in the City benefited by the purchase of electricity for streetlights to be assessed, to pay the costs and expenses thereof in proportion to the benefits derived therefrom.

The City shall not assess the costs and expenses for the purchase of electricity for streetlights which are for the general public benefit against the respective lots, pieces and parcels of land located within the boundaries of the City of Peoria Streetlight Improvement District No. 1054 and if a portion of the costs and expenses for the purchase of electricity for streetlights is for the general public benefit, the City shall assess the boundaries of the City of Peoria Streetlight Improvement District No. 1054 only that portion of such costs and expenses which benefits the lots, pieces and parcels of land located within the boundaries of the City of Peoria Streetlight Improvement District No. 1054.

SECTION 3. The costs and expense for the purchase of electricity for streetlights shall be made and all proceedings therein taken; that the Superintendent of Streets of the City shall post or cause to be posted notices thereof; that the City Clerk shall certify to the passage of this Resolution of Intention; that the Engineer shall prepare duplicate diagrams of the City of Peoria Streetlight Improvement District No. 1054 described in Section 2 of this Resolution to be assessed to pay the costs and expenses thereof, under and in accordance with the provisions of Title 48, Chapter 4, Article 2, Arizona Revised Statutes, as amended.

SECTION 4. The majority of owners of all of the real property within the proposed district have executed a Petition for formation of a Streetlight Improvement District and the City Council has verified the ownership of the property. Publication and posting of the notice of the passage of the Resolution of Intention will be completed as prescribed by the State Statutes.

SECTION 5. Any Resolutions or parts of Resolutions in conflict with the provisions of this Resolution are hereby repealed.

SECTION 6. The immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety and an emergency is declared to exist, and this Resolution will be in full force and effect from and after its passage and approval by the Mayor and Council of the City of Peoria, Arizona as required by law and is exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

Resolution No. 2014-08
SLID 1054, The Meadows Parcel 12A
January 21, 2014
Page 3 of 7 Pages

PASSED AND ADOPTED by the Mayor and Council of the City of
Peoria, Arizona, this 21st day of January, 2014.

Bob Barrett, Mayor

ATTEST:

Rhonda Geriminsky, City Clerk

APPROVED AS TO FORM:

Stephen M. Kemp, City Attorney

Legal Description for Parcel 12a SLID

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 16 AND THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 4 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST $\frac{1}{4}$ CORNER OF SAID SECTION 16, SAID POINT BEARING $S00^{\circ}08'03''E$, 2632.32 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 16; THENCE $S00^{\circ}16'35''W$, 40.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF WILLIAMS ROAD; THENCE CONTINUING ALONG THE SOUTH RIGHT-OF-WAY LINE OF WILLIAMS ROAD, $N89^{\circ}55'59''E$, 115.64 FEET TO A POINT; THENCE LEAVING THE SOUTH RIGHT-OF-WAY OF WILLIAMS ROAD, $S51^{\circ}50'25''W$, 114.70 FEET TO THE POINT OF BEGINNING;

THENCE $S00^{\circ}08'03''E$, 884.94 FEET TO A POINT;

THENCE $S00^{\circ}08'03''E$, 25.00' FEET TO A POINT;

THENCE $N89^{\circ}51'54''E$, 110.02 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT, CONCAVE NORTHERLY AND HAVING A RADIUS OF 317.06 FEET;

THENCE CONTINUING ALONG THE CURVE A DISTANCE OF 78.18 FEET, THROUGH A CENTRAL ANGLE OF $14^{\circ}07'42''$ TO A POINT OF TANGENCY;

THENCE $N75^{\circ}44'11''E$, 85.31 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 500.00 FEET;

THENCE CONTINUING ALONG THE CURVE A DISTANCE OF 149.84 FEET THROUGH A CENTRAL ANGLE OF $17^{\circ}10'13''$ TO A POINT OF TANGENCY;

THENCE $S31^{\circ}26'02''E$, 114.85 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 1659.64 FEET;

THENCE CONTINUING ALONG THE CURVE A DISTANCE OF 461.14 FEET THROUGH A CENTRAL ANGLE OF $15^{\circ}55'12''$ TO THE BEGINNING OF A REVERSE CURVE TO THE RIGHT, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 1112.74 FEET;

THENCE CONTINUING ALONG THE CURVE A DISTANCE OF 926.65 FEET THROUGH A CENTRAL ANGLE OF $47^{\circ}42'51''$ TO A POINT OF TANGENCY;

THENCE $N89^{\circ}38'24''W$, 1380.13 FEET TO A POINT;

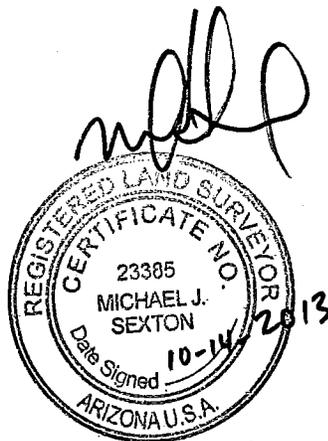
Legal Description for Parcel 12a SLID

THENCE S89°38'34"E, 7.85 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF A PIPELINE RIGHT-OF-WAY AS DISCLOSED IN ARIZONA STATE LAND DEPARTMENT FILE NO. 16-001838;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, N51°33'34"E, 2752.68 FEET TO A POINT OF DEFLECTION IN SAID RIGHT-OF-WAY LINE;

THENCE CONTINUING ALONG THE SAID RIGHT-OF-WAY LINE, N51°50'25"E, 8.20 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,005,148 SQUARE FEET OR 46.0319 ACRES MORE OR LESS.



Expires 6-30-2016

EXHIBIT "B"

IS ON FILE IN THE

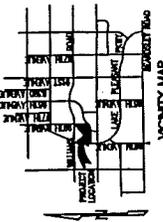
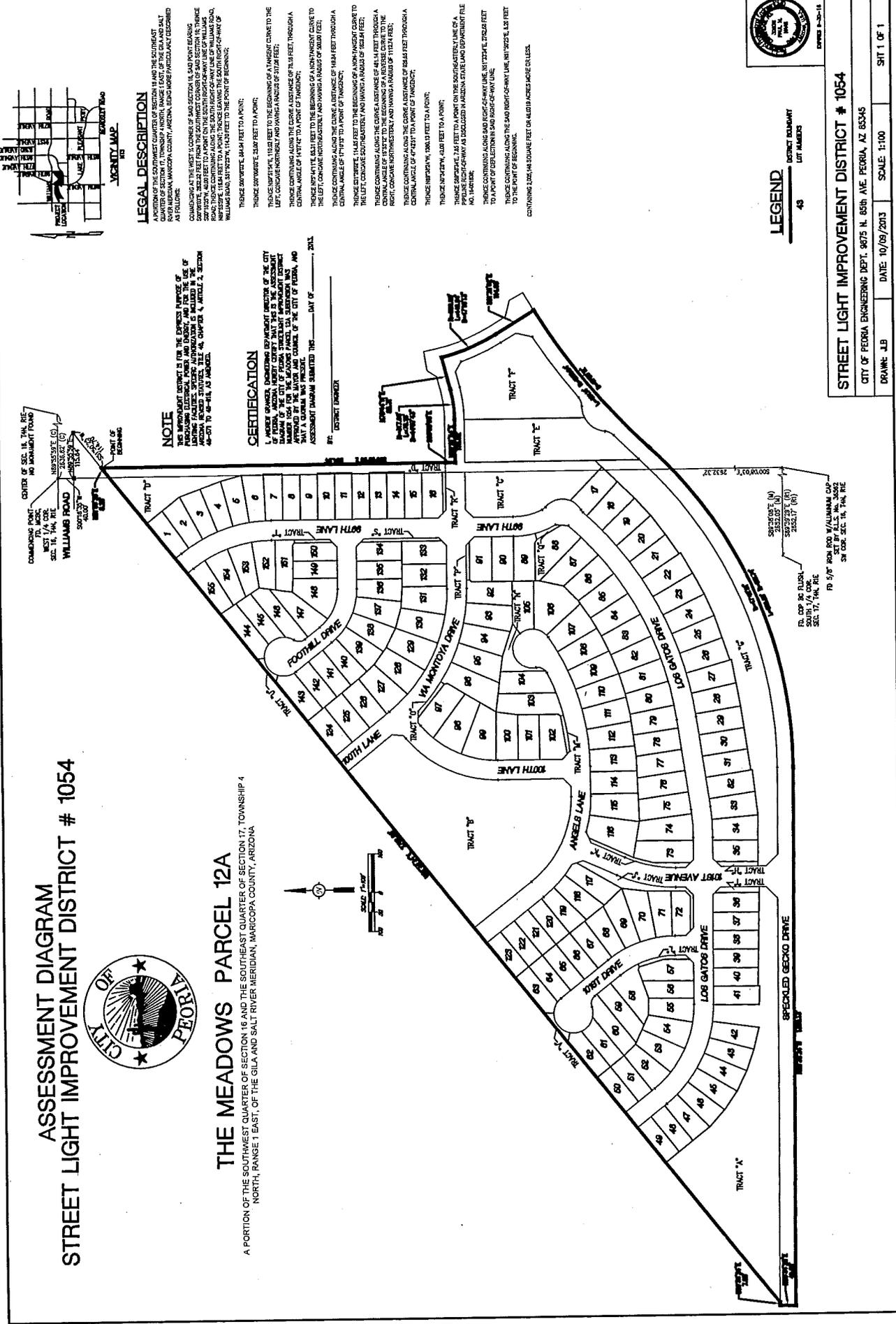
**CITY OF PEORIA
CITY CLERK'S OFFICE
8401 W. MONROE STREET
PEORIA, AZ 85345**

ASSESSMENT DIAGRAM
 STREET LIGHT IMPROVEMENT DISTRICT # 1054



THE MEADOWS PARCEL 12A

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 16 AND THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 4 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA



LEGAL DESCRIPTION
 A PORTION OF THE SOUTHWEST QUARTER OF SECTION 16 AND THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 4 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WESTLY CORNER OF SAID SECTION 16, SAID POINT BEARING S07°55'00" E 322.32 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 16; THENCE S07°55'00" E 161.16 FEET TO A POINT ON THE SOUTHWEST CORNER OF SAID SECTION 16; THENCE N89°55'00" E 161.16 FEET TO A POINT; THENCE LEAVING THE SOUTH RIGHT-OF-WAY OF WILLIAMS ROAD, S1°22'00" E 104.00 FEET TO THE POINT OF BEGINNING;

THENCE S07°55'00" E 324.32 FEET TO A POINT;
 THENCE S07°55'00" E 161.16 FEET TO THE BEGINNING OF A 75-FOOT CURVE TO THE LEFT, CONCAVE NORTHWEST, AND HAVING A RADIUS OF 171.24 FEET;
 THENCE CONTINUING ALONG THE CURVE A DISTANCE OF 75 FEET, THROUGH A CENTRAL ANGLE OF 147°14' TO A POINT OF TANGENCY;
 THENCE N89°55'00" E 63.17 FEET TO THE BEGINNING OF A 100-FOOT TANGENT CURVE TO THE LEFT, CONCAVE NORTHWEST, AND HAVING A RADIUS OF 50.00 FEET;
 THENCE CONTINUING ALONG THE CURVE A DISTANCE OF 100 FEET THROUGH A CENTRAL ANGLE OF 17°49' TO A POINT OF TANGENCY;
 THENCE S17°55'00" E 145.17 FEET TO THE BEGINNING OF A 100-FOOT TANGENT CURVE TO THE LEFT, CONCAVE SOUTHWEST, AND HAVING A RADIUS OF 50.00 FEET;
 THENCE CONTINUING ALONG THE CURVE A DISTANCE OF 100 FEET THROUGH A CENTRAL ANGLE OF 17°49' TO THE BEGINNING OF A 75-FOOT CURVE TO THE RIGHT, CONCAVE SOUTHWEST, AND HAVING A RADIUS OF 171.24 FEET;
 THENCE CONTINUING ALONG THE CURVE A DISTANCE OF 75 FEET THROUGH A CENTRAL ANGLE OF 147°14' TO A POINT OF TANGENCY;
 THENCE N89°55'00" E 63.17 FEET TO A POINT ON THE SOUTHWEST CORNER OF A 100-FOOT RIGHT-OF-WAY AS DISCLOSED IN ARIZONA STATE LAND DEPARTMENT FILE NO. 100886;

NOTE
 THE MICROGRAPH DISTRICT IS FOR THE EXPRESS PURPOSE OF PROVIDING ELECTRICAL POWER AND DISTRICT, AND FOR THE USE OF LIGHTING PURPOSES. THE DISTRICT IS NOT TO BE CONSIDERED AS A PART OF THE CITY OF PEORIA, AND SHALL BE SUBJECT TO THE CITY OF PEORIA, ARIZONA, AS AMENDED.

CERTIFICATION
 I, HENRY GARCIA, ENGINEERING DEPARTMENT DIRECTOR OF THE CITY OF PEORIA, ARIZONA, HEREBY CERTIFY THAT THIS IS THE ASSESSMENT DIAGRAM FOR THE STREET LIGHT IMPROVEMENT DISTRICT NUMBER 1054 FOR THE SAID PARCEL 12A, SECTION 16, AS APPROVED BY THE MAYOR AND COMMISSIONERS OF THE CITY OF PEORIA, AND ASSESSMENT DIAGRAM SUBMITTED THIS _____ DAY OF _____, 2014.



LEGEND
 48 DISTRICT BOUNDARY
 LOT NUMBERS

RESOLUTION NO. 2014-09

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA ORDERING THE IMPROVEMENTS OF CERTAIN STREETS AND RIGHTS-OF-WAY WITHIN THE CORPORATE LIMITS OF THE TOWN AND CREATING AN IMPROVEMENT DISTRICT KNOWN AS THE CITY OF PEORIA STREETLIGHT IMPROVEMENT DISTRICT NO. 1054, THE MEADOWS PARCEL 12A, PURSUANT TO TITLE 48, CHAPTER 4, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO FOR THE PURPOSE OF PURCHASING ELECTRICITY, WHICH INCLUDES A CHARGE FOR THE USE OF LIGHTING FACILITIES AND OTHER RELATED ITEMS TOGETHER WITH ALL APPURTENANT STRUCTURES AS SHOWN ON THE PLANS, AND DECLARING AN EMERGENCY.

WHEREAS on the 21st day of January, 2014, the Mayor and Council of the City of Peoria, Arizona, passed and adopted Resolution No. 2014-08, declaring its intention to order the purchase of electricity for lighting the streets and public parks within the proposed district and that the cost of the purchase of electricity for lighting the streets and public parks be assessed upon a certain improvement district, to be known as City of Peoria Streetlight Improvement District No. 1054; providing that the cost of the electricity required to operate the system be assessed under the provisions of Title 48, Chapter 4, Article 2, Arizona Revised Statutes, as amended; and declaring an emergency; and

WHEREAS, a copy of Resolution No. 2014-08 has been published in the Peoria Times, a newspaper published and generally circulated in the City, as required by law or alternatively a petition has been filed with the City Clerk having been signed by all the owners of the real property; and

WHEREAS, the Superintendent of Streets of the City caused to be posted along the streets of the District, no more than three hundred (300) feet apart, notices of the passage of Resolution No. 2014-08, said notices being headed "Notice of Proposed Improvement", each heading in letters at least one (1)

inch in height. Said notices stated the fact of the passage of said Resolution of Intention No. 2014-08 or alternatively a petition has been filed with the City Clerk having been signed by all the owners of the real property; and

WHEREAS, more than fifteen (15) days have elapsed since the date of the last publication of said Resolution of Intention No. 2014-08 and since the completion of the posting of said notices or alternatively a petition has been filed with the City Clerk having been signed by all the owners of the real property; and

WHEREAS, no protests against the proposed improvement and no objections to the extent of the District were filed with the Clerk of the City during the time prescribed by law; and

WHEREAS, the Mayor and Council of the City having acquired jurisdiction to order the improvements as described in Resolution No. 2014-08; and

WHEREAS, the City Engineer acting as District Engineer has prepared and presented to the Mayor and Council of the City duplicate diagrams of the property contained within the District ("the Diagram") and legal description copies of which are attached and incorporated as Exhibits A and B.

NOW THEREFORE IT IS RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA, as follows:

Section 1. By virtue of the authority vested in the Mayor and Council of the City by Title 48, Chapter 4, Article 2, Arizona Revised Statutes and all amendments thereto, the Mayor and Council of the City orders the work or improvement done as described in Resolution No. 2014-08 and in accordance with the Plans and Specifications approved and adopted by the Mayor and Council of the City of Peoria, Arizona.

Section 2. The Superintendent of Streets of the City is authorized and directed to prepare and execute the notice of the passage of this Resolution, which is attached as Exhibit B. Such notice shall be posted and published as provided by law.

Section 3. That the Diagram, as prepared and presented to the Mayor and Council of the City is approved by the Mayor and Council of the City.

Section 4. That the Clerk of the City is authorized and directed to certify that the Diagram was approved by the Mayor and Council of the City on the 21st day of January, 2014, and after such certification, the Clerk of the City is authorized and directed to deliver the Diagram to the Superintendent of Streets of the City.

Resolution No. 2014-09
SLID 1054, The Meadows Parcel 12A
January 21, 2014
Page 3 of 8 Pages

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 21st day of January, 2014.

Bob Barrett, Mayor

ATTEST:

Rhonda Geriminsky, City Clerk

APPROVED AS TO FORM:

Stephen M. Kemp, City Attorney

EXHIBIT "B"

IS ON FILE IN THE

**CITY OF PEORIA
CITY CLERK'S OFFICE
8401 W. MONROE STREET
PEORIA, AZ 85345**

Legal Description for Parcel 12a SLID

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 16 AND THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 4 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE S00°08'03"E, 884.94 FEET TO A POINT;

THENCE S00°08'03"E, 25.00' FEET TO A POINT;

THENCE N89°51'54"E, 110.02 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT, CONCAVE NORTHERLY AND HAVING A RADIUS OF 317.06 FEET;

THENCE CONTINUING ALONG THE CURVE A DISTANCE OF 78.18 FEET, THROUGH A CENTRAL ANGLE OF 14°07'42" TO A POINT OF TANGENCY;

THENCE N75°44'11"E, 85.31 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 500.00 FEET;

THENCE CONTINUING ALONG THE CURVE A DISTANCE OF 149.84 FEET THROUGH A CENTRAL ANGLE OF 17°10'13" TO A POINT OF TANGENCY;

THENCE S31°26'02"E, 114.85 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT, CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 1659.64 FEET;

THENCE CONTINUING ALONG THE CURVE A DISTANCE OF 461.14 FEET THROUGH A CENTRAL ANGLE OF 15°55'12" TO THE BEGINNING OF A REVERSE CURVE TO THE RIGHT, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 1112.74 FEET;

THENCE CONTINUING ALONG THE CURVE A DISTANCE OF 926.65 FEET THROUGH A CENTRAL ANGLE OF 47°42'51" TO A POINT OF TANGENCY;

THENCE N89°38'24"W, 1380.13 FEET TO A POINT;

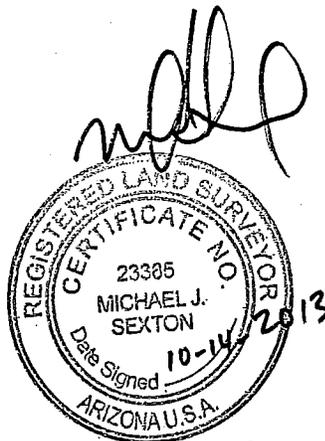
Legal Description for Parcel 12a SLID

THENCE S89°38'34"E, 7.85 FEET TO A POINT ON THE SOUTHEASTERLY
LINE OF A PIPELINE RIGHT-OF-WAY AS DISCLOSED IN ARIZONA STATE
LAND DEPARTMENT FILE NO. 16-001838;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, N51°33'34"E,
2752.68 FEET TO A POINT OF DEFLECTION IN SAID RIGHT-OF-WAY LINE;

THENCE CONTINUING ALONG THE SAID RIGHT-OF-WAY LINE,
N51°50'25"E, 8.20 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,005,148 SQUARE FEET OR 46.0319 ACRES MORE OR LESS.



Expires 6-30-2016

**CITY OF PEORIA, ARIZONA
NOTICE**

**OF THE PASSAGE OF A RESOLUTION ORDERING
THE IMPROVEMENT CONSISTING OF
AUTHORIZING THE PURCHASE OF ELECTRICITY
FOR LIGHTING THE STREETS AND PUBLIC PARKS
FOR THE IMPROVEMENT DISTRICT KNOWN AS
CITY OF PEORIA STREETLIGHT IMPROVEMENT
DISTRICT NO. 1054, THE MEADOWS PARCEL 12A**

This notice is given pursuant to the provisions of Title 48, Chapter 4, Article 2, Sections 48-571 to 48-619, both inclusive, Arizona Revised Statutes, as amended.

On the 21st day of January, 2014, the Mayor and Council of the City of Peoria adopted Resolution No. 2014-09; ordering the improvements of certain streets and rights-of-way within the corporate limits of the town and creating an Improvement District known as the City of Peoria Streetlight Improvement District No. 1054, pursuant to Title 48, Chapter 4, Arizona Revised Statutes; and amendments thereto for the purpose of purchasing electricity, which includes a charge for the use of lighting facilities and other related items, together with all appurtenant structures as shown on the plans; and directing that this notice been given.

Any owner, or any other person having an interest in any lot, piece or parcel of land situated within the above-described assessment district, who claims that any of the provisions, acts or proceedings relative to the above described improvements are irregular, defective, illegal, erroneous or faulty, may file with the City Clerk, Room 150, 8401 West Monroe Street, Peoria, Arizona 85345, within 15 days from the date of the first publication of this notice, a written notice specifying in what way said acts or proceedings are irregular, defective, illegal, erroneous or faulty.

Further information concerning City of Peoria Streetlight Improvement District No. 1054 may be obtained by contacting Mr. Andrew Granger, Engineering Director, City of Peoria, Arizona, 8401 West Monroe, Peoria, Arizona 85345, (623) 773-7367.

DATED AND SIGNED this _____ day of _____, 2014.

Andrew Granger, P.E.
Superintendent of Streets
City of Peoria, Arizona

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 13C

Date Prepared: January 7, 2014

Council Meeting Date: January 21, 2014

TO: Carl Swenson, City Manager
FROM: Scott Whyte, Economic Development Services Director
THROUGH: Susan J. Daluddung, Deputy City Manager
SUBJECT: Deeds and Easements, Various Locations

Purpose:

This is a request for City Council to adopt a Resolution accepting Deeds and Easements for various Real Property interests acquired by the City. The deeds and easements have been recorded by the Maricopa County Recorder's Office and this process will formally accept them into the system.

Background/Summary:

The City of Peoria periodically acquires a number of property interests including deeds, roadway dedications and various types of easements. All documents are reviewed for accuracy and recorded. A Resolution to accept these documents has been prepared, which lists each document by recording number and provides information related to each so the property interest to be accepted can be identified.

Previous Actions:

This is an ongoing process which occurs when we have acquired a number of real property interests.

Options:

- A: Approve the adoption of the Resolution accepting Deeds and Easements into our system.
- B: Deny adoption of the Resolution that formally accepts the Deeds and Easements into our system, resulting in the City not having an official record of what has been transferred to the City through recordation in the Maricopa County Recorder's office.

Staff's Recommendation:

Staff recommends the adoption of a Resolution accepting Deeds and Easements for various Real Property interests acquired by the City and previously recorded by the Maricopa County Recorder's Office to ensure completeness of the process.

Fiscal Analysis:

There is no fiscal impact to the City.

Narrative:

This Resolution includes Real Property interests acquired since the adoption of the previous acceptance resolution. The acceptance of the Resolution by City Council would bring the deeds and easements into our system and is the final step in the process.

Exhibit(s):

Exhibit 1: Resolution

Contact Name and Number: Rebecca Zook, Deputy Director, EDS, (623) 773-7589

RESOLUTION NO. 2014-15

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA ADOPTING A RESOLUTION FORMALLY ACCEPTING DEEDS AND EASEMENTS FOR PROPERTY RIGHTS CONVEYED TO THE CITY OF PEORIA.

WHEREAS, the real estate interests hereinafter referenced have been conveyed to the City of Peoria;

WHEREAS, it is to the advantage of the City of Peoria to accept said real property interests; and

WHEREAS, the City has determined that acquisition of these property interests is in the interest of the public health, safety and welfare.

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

SECTION 1. That the following real property interests are hereby accepted by the City of Peoria and referenced by the recording number issued by the Maricopa County Recorder's Office.

SH Rentals
SH Rentals III, LLC
DEDICATION OF PUBLIC ROADWAY
Maricopa County Recording No. 2014-0009959
(Project No. ML13-04 / Deed 14-001)

SEC 70th Avenue/ Mariposa Grande

SH Rentals
SH Rentals III, LLC
PUBLIC UTILITY EASEMENT
Maricopa County Recording No. 2014-0009960
(Project No. ML13-04 / Deed 14-002)

SEC 70th Avenue/ Mariposa Grande

Resolution No. 2014-15
Acceptance of Deeds and Easements
January 21, 2014
Page: 2

SECTION 2. Public Easement and Land Rights

That the Mayor and Council accept the deeds and public easements transferred to the City of Peoria as described herein.

SECTION 3. Recording Authorized

That the City Clerk shall record the original of this Resolution with the Maricopa County Recorder's Office.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 21st day of January 2014.

Bob Barrett, Mayor

ATTEST:

Rhonda Geriminsky, City Clerk

APPROVED AS TO FORM:

Stephen M. Kemp, City Attorney

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 14C

Date Prepared: December 4, 2013

Council Meeting Date: January 21, 2014

TO: Carl Swenson, City Manager

FROM: Scott Whyte, Economic Development Services Director

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Final Plat, Peoria Village, 67th Avenue & Cactus Road (Project No. R130030)

Purpose:

This is a request for City Council to approve a Final Plat of Peoria Village, located on 67th Avenue and Cactus Road, and authorize the Mayor and City Clerk to sign and record the Final Plat with the Maricopa County Recorder's Office subject to the following stipulations:

1. All civil 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 83 new lots. All internal roadways are public and all necessary right-of-way is being dedicated.

Previous Actions:

The preliminary plat was reviewed by the City and completed in July 2013 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.

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

Staff's Recommendation:

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

Fiscal Analysis:

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

Narrative:

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

Exhibit(s):

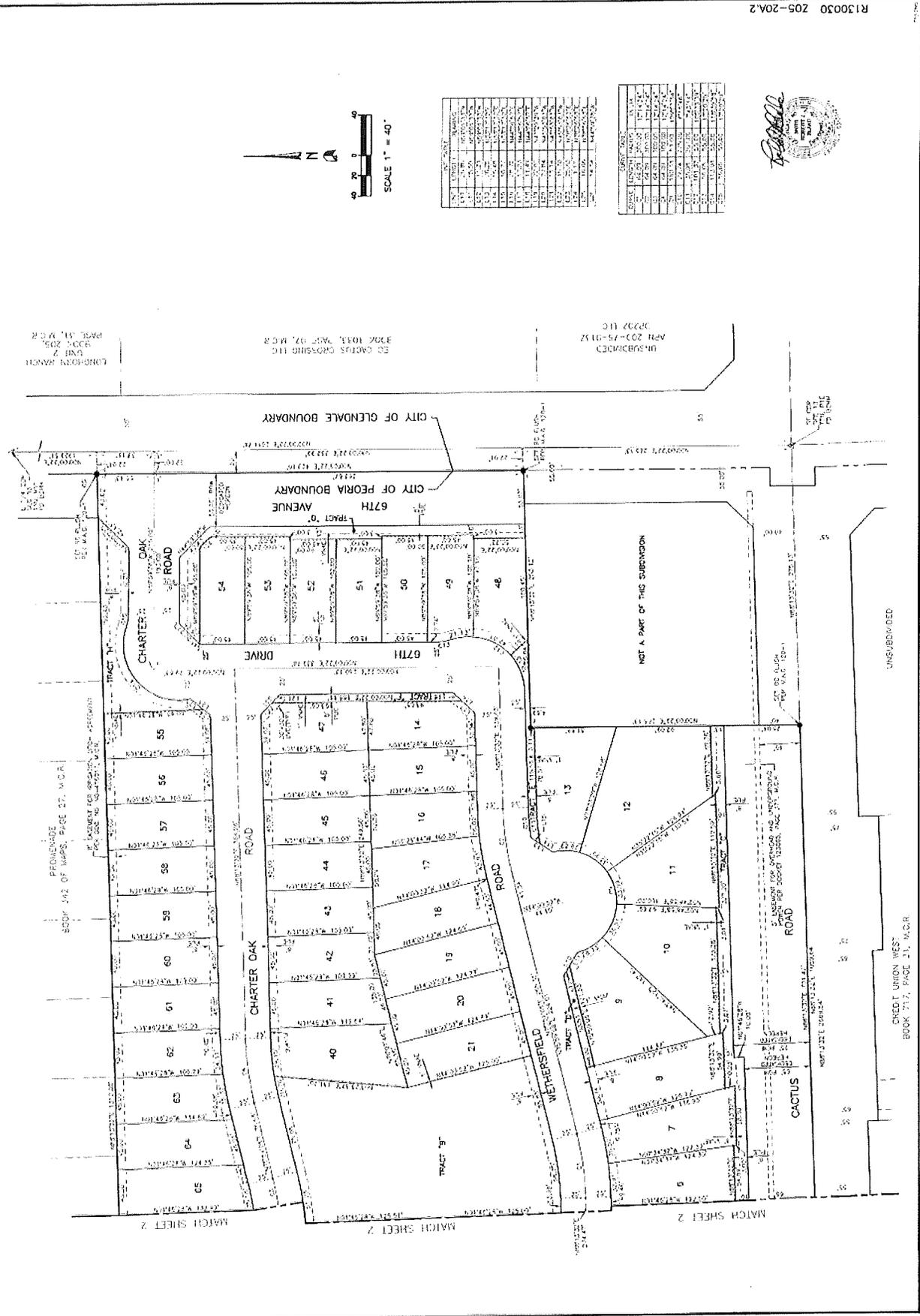
Exhibit 1: Final Plat

Exhibit 2: Vicinity Map

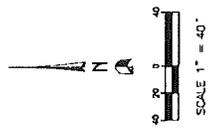
Contact Name and Number:

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

FINAL PLAT PEORIA VILLAGE



Lot No.	Area (sq. ft.)	Area (sq. ft.)	Area (sq. ft.)
8	10,000	10,000	10,000
9	10,000	10,000	10,000
10	10,000	10,000	10,000
11	10,000	10,000	10,000
12	10,000	10,000	10,000
13	10,000	10,000	10,000
14	10,000	10,000	10,000
15	10,000	10,000	10,000
16	10,000	10,000	10,000
17	10,000	10,000	10,000
18	10,000	10,000	10,000
19	10,000	10,000	10,000
20	10,000	10,000	10,000
21	10,000	10,000	10,000
22	10,000	10,000	10,000
23	10,000	10,000	10,000
24	10,000	10,000	10,000
25	10,000	10,000	10,000
26	10,000	10,000	10,000
27	10,000	10,000	10,000
28	10,000	10,000	10,000
29	10,000	10,000	10,000
30	10,000	10,000	10,000
31	10,000	10,000	10,000

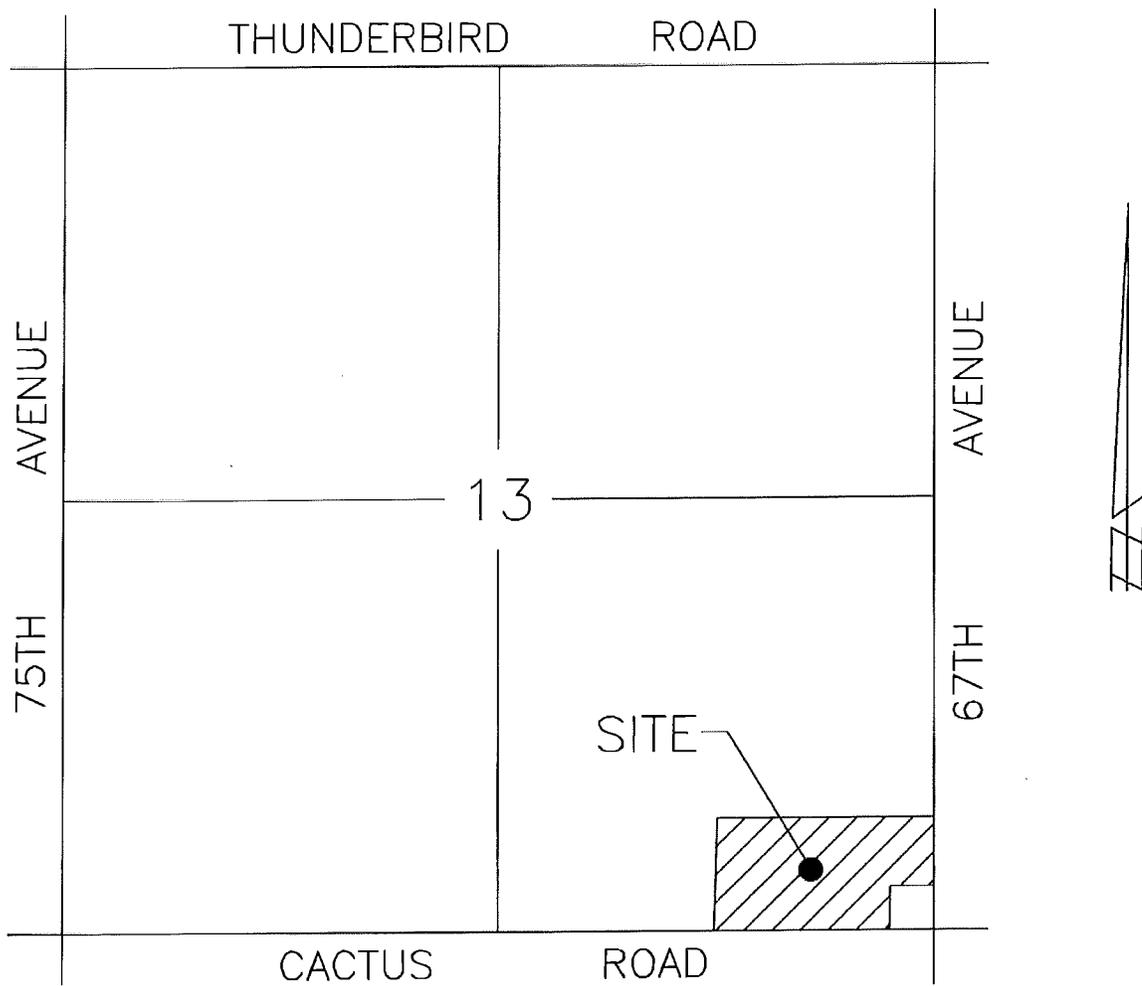


LINDSEY HANCOCK
 CIVIL ENGINEER
 3005 205
 PAGE 31, M.C.R.

SC CARLOS GROSSING LLC
 3005 108A, 205 BY M.C.R.
 20202 LLC

UNSUBDIVIDED
 PER 203-75-0112
 20202 LLC

UNSUBDIVIDED
 CREDIT UNION WEST
 BOOK 717, PAGE 211, M.C.R.



V I C I N I T Y M A P

SE 1/4 SECTION 13, T.3N., R.1E.

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 15C

Date Prepared: December 3, 2013

Council Meeting Date: January 21, 2014

TO: Carl Swenson, City Manager

FROM: Scott Whyte, Economic Development Services Director

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Final Plat, Tierra Buena II, 75th Avenue & Greenway Road (Project No. R130032)

Purpose:

This is a request for City Council to approve a Final Plat of Tierra Buena II, located on 75th Avenue & Greenway Road, and authorize the Mayor and City Clerk to sign and record the Final Plat with the Maricopa County Recorder's Office subject to the following stipulations:

1. All civil 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 12 new lots. All internal roadways are public and all necessary right-of-way is being dedicated.

Previous Actions:

The preliminary plat was reviewed by the City and completed in January 2013 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.

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

Staff's Recommendation:

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

Fiscal Analysis:

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

Narrative:

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

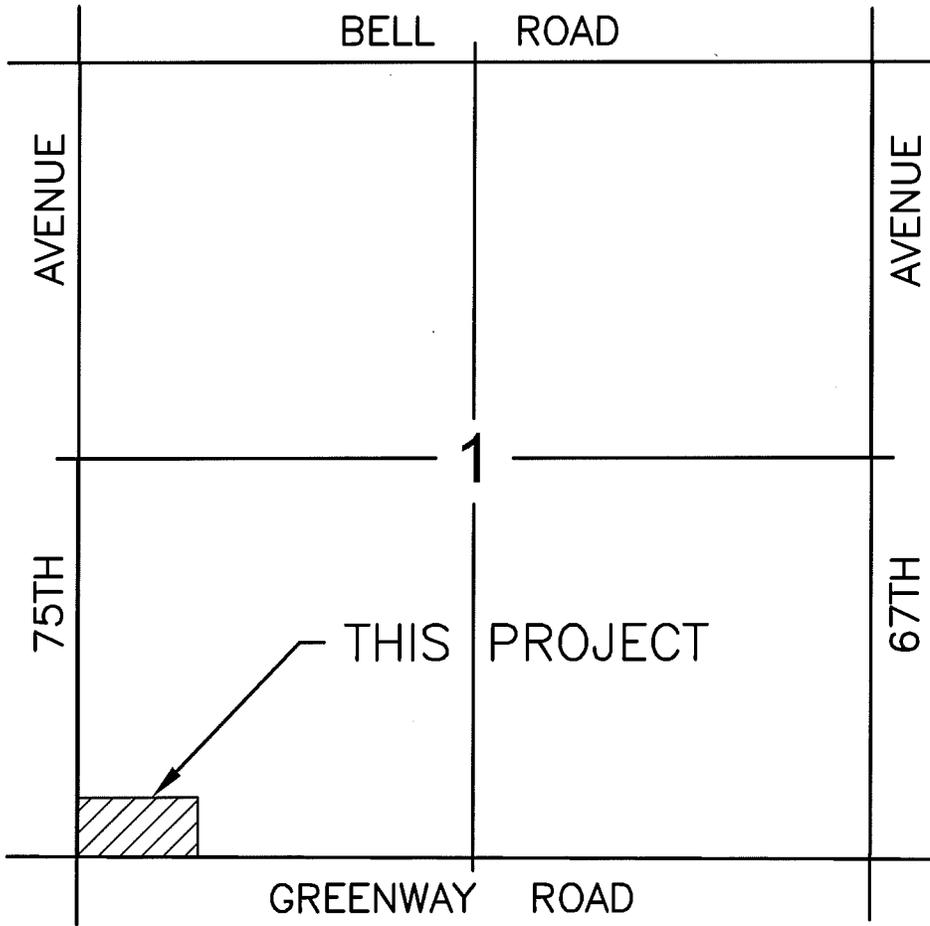
Exhibit(s):

Exhibit 1: Final Plat

Exhibit 2: Vicinity Map

Contact Name and Number:

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



VICINITY MAP
(NOT TO SCALE)



**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 16R

Date Prepared: December 16, 2013

Council Meeting Date: January 21, 2014

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 a Memorandum of Understanding (MOU) with Chicanos Por La Causa (CPLC)

Purpose:

This is a request for the City Council to authorize the City Manager to enter into a Memorandum of Understanding (MOU) with Chicanos Por La Causa (CPLC), to establish a collaboration towards working jointly on redevelopment projects in the City's Old Town area.

Background/Summary:

The purpose of the MOU is to set forth the general understanding of the basic terms and conditions for proposed redevelopment projects in the Old Town area that the parties would mutually pursue. In addition, the MOU provides guiding principles for more detailed negotiations that may lead to future Development Agreements.

Chicanos Por La Causa and the City of Peoria will investigate redevelopment opportunities in the Old Town area by negotiating a public/private partnership for the financing, acquisition, development and operation of proposed projects. The parties will investigate options for land acquisition, onsite and offsite improvements, infrastructure, as well as demolition and new construction opportunities in an effort to identify specific development projects.

The City and CPLC agree to commit time and resources towards project evaluation and preparation, including, but not limited to, design and construction details, technical studies and economic analysis on the viability of the projects under consideration. CPLC will be responsible for evaluating Old Town commercial properties to determine their highest and best re-use potential, and identifying likely funding sources to finance the projects. The City will be responsible to assess a proposed project's feasibility, including analyzing land use, zoning and permitting issues, as well as building, engineering and utility conditions that might be relevant to a future Development Agreement.

Joint pre-development cost responsibilities of CPLC and the City include services to potentially redevelop the Smitty's property and Peoria Town Center, working with existing property owners towards a viable re-use project. A pre-development budget for both Smitty and Peoria Town Center shall not exceed \$54,000, and neither party will be responsible for payment of more than \$27,000 in predevelopment costs each, as follows:

- Architectural/engineering costs of \$24,000, with a maximum contribution of \$12,000 each
- Marketing studies of \$20,000 with a maximum contribution of \$10,000 each
- Property appraisal services of \$10,000 each with a maximum contribution of \$5,000 each

Previous Actions:

There have been no previous actions on this item.

Options:

A: Approve the request to enter into an MOU with CPLC. This action will continue progress on pursuing redevelopment opportunities in Old Town Peoria with CPLC.

B: Reject the request to enter into an MOU with CPLC. This action will terminate the project.

Staff's Recommendation:

Authorize the City Manager to enter into a Memorandum of Understanding with Chicanos Por La Causa, Inc. to pursue revitalization projects in Old Town Peoria.

Fiscal Analysis:

This MOU has a proposed 50/50 cost share with Chicanos Por La Causa for pre-development services (which would encompass architectural/engineering, marketing studies and property appraisals). The City's proposed contribution for this project is not to exceed \$27,000. Funding for this project will be from the Economic Development Services, Business and Real Estate Division, Other Professional Services account 1000-0352-520099.

Exhibits:

Exhibit A: Memorandum of Understanding

Contact Name and Number: Dina Green, 623-773-7781

Council Communication

Page 2 of 2

REV. 08/2011

**MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN THE CITY OF PEORIA, ARIZONA AND
CHICANOS POR LA CAUSA, INC.**

This **Memorandum of Understanding ("MOU" or "Agreement")** is dated as of the _____ day of _____, 2013, and is made by and between The City of Peoria, Arizona, an Arizona municipal corporation ("City") and Chicanos Por La Causa ("CPLC"), an Arizona Non- Profit Corporation.

WHEREAS the City of Peoria ("City") and CPLC wish to explore redevelopment of portions of the City's Old Town; and

WHEREAS CPLC is the recipient of certain U.S. Department of Housing and Urban Development (HUD) grant funds, as well as federal New Market Tax Credits (NMTC) to be used toward revitalization projects, subject to eligibility pursuant to federal regulations; and

WHEREAS the City and CPLC have an interest in working jointly on a project or projects that will revitalize the Peoria Old Town area as identified in the City's adopted Economic Development Implementation Strategy and its Old Town Revitalization Plan; and

WHEREAS the City and CPLC wish to set forth more fully their responsibilities related to potential redevelopment project(s) in the City's Old Town;

NOW THEREFORE, in consideration of the on-going discussions related to certain redevelopment opportunities in the City's Old Town, the City and CPLC agree to cooperate in exploratory efforts related to said redevelopment, as follows:

AGREEMENT

1. The Recitals set forth herein are incorporated within this Agreement by reference.
2. The parties will investigate options for land acquisition, onsite and offsite improvements, infrastructure, as well as demolition and new construction opportunities in an effort to identify a specific development project or projects. Initially, the parties will focus on the Smitty's property, the Peoria Town Center property, and city-owned buildings on Washington Street.
3. Should the parties agree on any specific development project(s), the parties will negotiate in an effort to reach agreement regarding the redevelopment opportunity, including but not limited to determining the parameters of any and all development duties and responsibilities, including each party's role in project execution, the project description,

development program with financing sources and structures, job creation goals, fiscal and economic impact of the project(s), and any other considerations which, if agreement is reached, will be memorialized in a separate Development Agreement specific to the project(s).

4. This MOU evidences the parties' good faith effort to commence working together on specific project(s) as said project(s) are identified by a dedicated project team that includes representatives from both the City and CPLC.
5. The City and CPLC agree to commit time and resources to project evaluation and preparation, including but not limited to, design and construction details, technical studies and economic analysis of the viability of the project(s) under consideration. Towards this end, CPLC shall assume the role of the developer under this MOU.

A. CPLC's responsibilities in this role include:

1. Evaluating Old Town commercial properties suitable for revitalization and redevelopment, with appropriate market, appraisal, technical and other studies to determine the highest and best re-use of the property(ies), identification of likely funding sources available to implement the project(s), potential tenants likely to be attracted to the re-use property, as well as a specific development program with draft site plan and associated development pro forma; and
2. Interface, negotiate, and otherwise communicate with the owner(s) of land and/or buildings for any potential redevelopment project(s) whether for the purpose of acquiring land only or land with buildings and improvements in order to, if deemed feasible, secure site control.

B. The City's responsibilities pursuant to this Agreement include:

1. At the request of CPLC, the City shall quickly assess a proposed 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.

C. Joint Pre-development Cost Responsibilities of CPLC and the City are as follows:

1. Regarding two identified potential redevelopment projects referenced herein (Smitty's and Peoria Town Center) the

parties acknowledge and agree that in order to assess viability for development, certain costs for services will necessarily be incurred. These costs for services are referred to herein as Predevelopment Costs and are itemized below. A total expenditure for both potential development projects combined shall not exceed \$54,000 and neither party will be responsible for payment of more than \$27,000 in Predevelopment Costs, allocated as follows:

- a) Architectural/Engineering costs of \$24,000 with a maximum contribution of \$12,000 each;
- b) Marketing studies of \$20,000 with a maximum contribution of \$10,000 each;
- c) Property Appraisal services of \$10,000 with a maximum contribution of \$5,000 each.

D. As Developer, CPLC will pay all invoices/bills related to the Predevelopment Costs set forth above and will thereafter bill the City for its proportional share (one-half the actual cost) of any such services actually rendered. In no event, will a request for reimbursement exceed the City's total agreed upon share of Predevelopment Costs of \$27,000. To the extent CPLC authorizes Predevelopment Costs which exceed the maximum contribution amounts set forth herein ("Additional Services"), then CPLC is solely responsible for any amounts exceeding the City's agreed upon cost share and CPLC will hold harmless, defend and indemnify the City and its officers and employees from any claims or demands related to such "Additional Services".

6. Either party may terminate this Agreement, without penalty, by providing the other party twenty (20) days written notice. Notice shall be provided by email, facsimile or via United States Mail, and notice shall be deemed effective following two business days of its delivery, or of its postmark if the notice is sent by mail. Notice shall be addressed to the following persons:

To the City of Peoria: Economic Development Services Director
 City of Peoria
 P.O. Box 4038
 Peoria, Arizona 85380-4038

With copy to: City Manager
 City of Peoria
 P.O. Box 4038
 Peoria, Arizona 85380-4038

With copy to: City Attorney
City of Peoria
P.O. Box 4038
Peoria, Arizona 85380-4038

To Chicanos
Por La Causa: Edmundo Hidalgo, President and CEO
1016 East Buckeye Road, Suite 150
Phoenix, AZ 85034

The City shall also have the right to terminate this Agreement for conflict of interest pursuant to A.R.S. § 38-511.

7. This MOU is made and entered into solely for the benefit of the City and CPLC. No other person or entity shall have any right of action or claim under or by reason of this agreement.
8. Nothing in this MOU is intended to or does establish the parties as partners, joint venturers, or principal and agent with each other.
9. Each party shall bear all costs and expenses related to its respective role under the terms of this Memorandum of Understanding.
10. By entering into this MOU the City is not contractually obligating the Peoria City Council to take any legislative actions(s) in furtherance of any project(s). Moreover, 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, or the provision of any financial assistance.
11. This agreement is not assignable without the written consent of the other party.
12. Unless otherwise terminated at the discretion of a party to this MOU as set forth above, this agreement will terminate when the parties enter into a Development Agreement for a project or eighteen months from the date of execution of this MOU, whichever is earlier.
13. This agreement shall be construed pursuant to Arizona law and venue is in Maricopa County, Arizona.

IN WITNESS WHEREOF, the City of Peoria and Chicanos Por La Causa have executed this Agreement through their representatives on the date first written above.

[Signatures follow]

Chicanos Por La Causa:

By: 

Its: Chief Development

THE CITY OF PEORIA:

Carl Swenson, City Manager

ATTEST:

Rhonda Geriminsky, City Clerk

APPROVED AS TO FORM:

Stephen M. Kemp, City Attorney



City Council Calendar

Color Key:
City Council

< December	January 2014					February >
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 New Year's Day- City Hall Closed	2	3	4
5	6	7 Regular City Council Meeting Special Meeting & Study Session	8	9	10	11
12	13	14	15	16	17	18
19	20 Martin Luther King Day Holiday - City Hall Closed	21 Regular City Council Meeting Special Meeting and Study Session	22 Council Subcommittee on Policy and Appointments Meeting	23	24	25
26	27 City Council Subcommittee on Community Culture & Public Safety	28 Special Study Session	29	30	31	



City Council Calendar

Color Key:
City Council

< January	February 2014					March >
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4 Regular City Council Meeting Special Meeting & Study Session	5	6	7	8
9	10	11 Council Subcommittee on Policy and Appointments Meeting	12	13	14	15
16	17 Presidents' Day Holiday - City Hall Closed	18 Regular City Council Meeting Special Meeting & Study Session	19	20	21	22
23	24 City Council Subcommittee on Community Culture & Public Safety	25	26	27	28	

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: RCM 18A

Date Prepared: January 2, 2014

Council Meeting Date: January 21, 2014

TO: Carl Swenson

FROM: John Schell

SUBJECT: 2014 State Legislative Update

Purpose:

To brief Council on the upcoming session of the Arizona State Legislature.

Background/Summary:

The 51st Legislature, 2nd Regular Session convenes on January 13, 2014. A staff presentation will preview priorities of the Governor and Legislature at the Capitol this coming year. Staff will also discuss City of Peoria priorities and draft legislative bills for possible introduction during this session.

Previous Actions:

N/A

Staff's Recommendation:

Information only

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

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

Agenda Item: RCM 18B

Date Prepared: January 14, 2014

Council Meeting Date: January 21, 2014

TO: Carl Swenson, City Manager
FROM: Roy W. Minter, Chief of Police
THROUGH: Jeff Tyne, Deputy City Manager
SUBJECT: Community Policing Update

Summary:

The Police Department currently operates based on a Community Oriented Policing Initiative in order to become more effective in identifying and addressing crime and to promote proactive and positive partnerships within the Community.

Our three focus goals are:

- Reduce crime and the fear of crime
- To partner with the community to identify and solve problems
- To operate the Department with maximum efficiency

The Police Department will give a Community Oriented Policing recap for the last year to discuss crime prevention efforts and community partnerships.

Contact Name and Number: Roy W. Minter, Chief of Police, 623-773-7059

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

Agenda Item: RCM 19A

Date Prepared: December 11, 2013

Council Meeting Date: January 21, 2014

TO: Carl Swenson, City Manager
FROM: John R. Sefton, Jr., Community Services Director
THROUGH: Jeff Tyne, Deputy City Manager
SUBJECT: ParkFest! @ Paseo Verde Park

Summary:

Community Services, Neighborhood Resources and Public Safety are set to engage Peoria neighborhoods with free, fun, entertaining, and informative activities. **Peoria's Neighborhood ParkFest! events** are designed to connect the community by introducing neighbors and providing information about city services through unique and creative festival atmospheres. Activities will vary between select park locations and are geared to enhance the neighborhood experience within a special event theme.

ParkFest! @ Paseo Verde Park, 7665 W. Greenway Rd. will be the third in the series of four events. On Saturday, January 25 from 2-5pm, this event will feature live music, interactive inflatables, sports activities, face painting, free food, and more.

The fourth **ParkFest!** event is being planned for May. The Neighborhood Park events were inspired by Mayor and Council through the City's annual budget process and City Special Events programming.

Exhibit(s): ParkFest! flyer

Contact Name and Number: Matt Kalcevich (623)773-7133



ParkFest!

Fun in the Park

Saturday

January 25th, 2-5 p.m.

Paseo Verde Park, 7665 West Greenway Road, Peoria

Live Music, Kids Activities, Food, Interactive Inflatables, and MORE!

For more information, 623.773.7137 or visit www.peoriaaz.gov/specialevents