

City Council Meeting Notice & Agenda



Tuesday, October 07, 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 and consultation with legal counsel and designated representatives of the public body pertaining to labor negotiations with the United Phoenix Fire Fighters Association Local 493 pursuant to A.R.S. § 38-431.03.A.5.

Study Session Agenda

Subject(s) for Discussion Only

2. Upcoming Negotiation Interests - Joint Labor/Management Presentation

Adjournment

Mayor
Bob Barrett

Palo Verde
District
Ron Aames,
Vice Mayor

Acadia
District
Tony Rivero

Ironwood
District
Bill Patena

Mesquite
District
Ben Toma

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 and consultation with legal counsel and designated representatives of the public body pertaining to labor negotiations with the United Phoenix Fire Fighters Association Local 493 pursuant to A.R.S. § 38-431.03.A.5.

Adjournment

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

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

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

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 September 16, 2014 City Council meeting:
 - Scott Campbell and Joshua Shafer to the Arts Commission, and
 - Jacky Hao to the Youth Advisory Board.
5. Christmas for the Troops

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

6C. Minutes

Discussion and possible action to approve the September 16, 2014 Meeting Minutes.

7C. Appointments, Boards and Commissions

Discussion and possible action to approve the recommendations from the Council Subcommittee on Policy and Appointments pertaining to the following appointments, and adopt the Resolutions as presented:

- Adopt **RES. 2014-131** appointing Mitchell Bolnick as a regular member to the Board of Adjustment,
- Adopt **RES. 2014-132** reappointing David Demmer and Lawrence Tysiac as regular members to the Building Board of Appeals,
- Adopt **RES. 2014-133** appointing Jeff Berggren as a regular member and David Pearson as an alternate member to the Economic Development Advisory Board,

- Adopt **RES. 2014-134** reappointing Frank Hinds as a public member to the Employee Benefits Trust Board,
- Adopt **RES. 2014-135** reappointing Karen Garbe and Mike Heath as regular members to the Historic Preservation Commission,
- Adopt **RES. 2014-136** reappointing Matthew Porter as a regular member to the Municipal Development Authority,
- Adopt **RES. 2014-137** reappointing Greg Loper as a regular member and appointing Jay Otlewski as an alternate member to the Planning and Zoning Commission,
- Adopt **RES. 2014-138** reappointing Benjamin Geigier as a regular member to the Veterans Memorial Board,
- Adopt **RES. 2014-139** appointing Megan Bromley as an alternate member to the Youth Advisory Board.

8C. **Rezoning, Harbor Vista, 91st Avenue and Thunderbird Road**

Discussion and possible action to concur with the Planning and Zoning Commission's recommendation and adopt **ORD. 2014-31A** rezoning approximately 8.6 acres located at the southeast corner of 91st Avenue and Thunderbird Road from a Planned Area Development for senior multi-family residential uses to the Harbor Vista Planned Area Development for office/medical office uses (Z14-0003).

9C. **Abandonment of City Interest, Public Water Line and Storm Water Drainage Easements, 84th Avenue and Continental Drive**

Discussion and possible action to adopt **RES. 2014-149** authorizing the abandonment of the City's interest in two Easements, a Public Water Line and Storm Water Drainage, located west of 84th Avenue and north of Continental Drive and declaring an emergency.

10C. **Intergovernmental Agreement, State of Arizona Department of Child Safety, Facilities Use**

Discussion and possible action to authorize the City Manager to execute an Intergovernmental Agreement with the Arizona Department of Child Safety for facilities use by the Office of Child Welfare and Investigations.

11C. **Grant-in-Aid Fiscal Agent Agreement, Tohono O'odham Nation on behalf of Arizona Broadway Theatre Performing Arts Association, Incorporated**

Discussion and possible action to approve the Grant-In-Aid Fiscal Agent Agreement in the amount of \$20,500 with the Tohono O'odham Nation on behalf of Arizona Broadway Theatre Performing Arts Association, Incorporated.

12C. **Grant-in-Aid Fiscal Agent Agreement, Tohono O’odham Nation on behalf of the Anthony Bates Foundation**

Discussion and possible action to approve the Grant-In-Aid Fiscal Agent Agreement in the amount of \$40,200 with the Tohono O’odham Nation on behalf of the Anthony Bates Foundation.

13C. **Grant-in-Aid Fiscal Agent Agreement, Tohono O’odham Nation on behalf of the West Valley Child Crisis Center**

Discussion and possible action to approve the Grant-In-Aid Fiscal Agent Agreement in the amount of \$20,000 with the Tohono O’odham Nation on behalf of the West Valley Child Crisis Center.

14C. **Grant, State of Arizona Department of Homeland Security, Various Police Department Programs**

Discussion and possible action to: (a) authorize the Police Department to accept two grant awards in the amount of \$122,725 from the Arizona Department of Homeland Security to be used to strengthen chemical, biological, radiological, nuclear or explosive weapon detection and decontamination capabilities; and sustain and enhance the Terrorism Liaison Officer program; and (b) approve a budget amendment in the amount of \$122,725 from the Proposed Grants Contingency account to the Homeland Security Fund.

15C. **Grant, State of Arizona Department of Homeland Security, Various Fire Department Programs**

Discussion and possible action to: (a) authorize the Fire Department to accept two grant awards in the amount of \$61,890 from the Arizona Department of Homeland Security; and (b) approve a budget amendment in the amount of \$61,890 from the Proposed Grants Contingency account to the Homeland Security Fund.

16C. **Budget Authorization, P83 District Sign Overlay**

Discussion and possible action to authorize the rescoping of an existing \$60,000 in one-time operational funds to supplement the development of a P83 District Sign Overlay.

17C. **Maintenance Improvement District No. 1172, Tierra Del Rio Parcel 2, 107th Avenue and Happy Valley Parkway**

Discussion and possible action to approve the Petition for Formation and adopt **RES. 2014-140** intention and ordering the formation of proposed Maintenance Improvement District No. 1172, Tierra Del Rio Parcel 2, located at 107th Avenue and Happy Valley Parkway; and adopt **RES. 2014-141** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

18C. **Maintenance Improvement District No. 1173, Tierra Del Rio Parcel 3, 107th Avenue and Happy Valley Parkway**

Discussion and possible action to approve the Petition for Formation and adopt **RES. 2014-142** intention and ordering the formation of proposed Maintenance Improvement District No. 1173, Tierra Del Rio Parcel 3, located at 107th Avenue and Happy Valley Parkway; and adopt **RES. 2014-143** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

19C. **Street Light Improvement District No. 1101, Tierra Del Rio Parcel 2, 107th Avenue and Happy Valley Parkway**

Discussion and possible action to approve the Petition for Formation and adopt **RES. 2014-144** intention and ordering the formation of proposed Street Light Improvement District No. 1101, Tierra Del Rio Parcel 2, located at 107th Avenue and Happy Valley Parkway; and adopt **RES. 2014-145** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

20C. **Street Light Improvement District No. 1102, Tierra Del Rio Parcel 3, 107th Avenue and Happy Valley Parkway**

Discussion and possible action to approve the Petition for Formation and adopt **RES. 2014-146** intention and ordering the formation of proposed Street Light Improvement District No. 1102, Tierra Del Rio Parcel 3, located at 107th Avenue and Happy Valley Parkway; and adopt **RES. 2014-147** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

21C. **Master Final Plat, Aloravita Phase 1, 75th Avenue and Jomax Road**

Discussion and possible action to approve the Master Final Plat for Aloravita Phase 1, located on 75th Avenue and Jomax Road, subject to stipulations.

22C. **Final Plat, Aloravita Phase 1 - Parcel 1, 75th and Jomax Road**

Discussion and possible action to approve the Final Plat, Aloravita Phase 1, located at 75th Avenue and Jomax Road, subject to stipulations.

23C. **Final Plat, Aloravita Phase 1 Parcel 2, 75th Avenue and Jomax Road**

Discussion and possible action to approve the Final Plat for Aloravita Phase 1 Parcel 2 located at 75th Avenue and Jomax Road, subject to stipulations.

24C. **Final Plat, Aloravita Phase 1 Parcel 3, 75th Avenue and Jomax Road**

Discussion and possible action to approve the Final Plat, Aloravita Phase 1 Parcel 3, located at 75th Avenue and Jomax Road, subject to stipulations.

25C. **Final Plat, Aloravita Phase 1 Parcel 5, 75th Avenue and Jomax Road**

Discussion and possible action to approve the Final Plat of Aloravita Phase 1 Parcel 5 located at 75th Avenue and Jomax Road, subject to stipulations.

26C. **Final Plat, Aloravita Phase 1 Parcel 6, 75th Avenue and Jomax Road**

Discussion and possible action to approve the Final Plat of Aloravita Phase 1, Parcel 6 located at 75th Avenue and Jomax Road, subject to stipulations.

27C. **Final Plat, Amended Map of Private Tract Dedication, Blackstone Drive and Sunrise Point**

Discussion and possible action to approve the Final Plat of Amended Map of Private Tract Dedication, located at Blackstone Drive and Sunrise Point, subject to stipulations.

28C. **Final Plat, Trilogy West Phase 1 Parcel C40, Upcountry Way and Vistancia Boulevard**

Discussion and possible action to approve the Final Plat of Trilogy West Phase 1 Parcel C40, located at Upcountry Way and Vistancia Boulevard, subject to stipulations.

29C. **Replat, Lot 4 DV 83 Subdivision, 83rd Avenue and Deer Valley Road**

Discussion and possible action to approve the Replat of Lot 4 DV 83 Subdivision, located at Deer Valley Road, west of 83rd Avenue, subject to stipulations.

30C. **Replat, Trilogy at Vistancia - Parcel C3 - Tract K Amended, Trilogy Boulevard and Vistancia Boulevard**

Discussion and possible action to approve the Replat of Trilogy at Vistancia - Parcel C3 - Tract K Amended, located at Trilogy Boulevard and Vistancia Boulevard, subject to stipulations.

Regular Agenda

New Business

31R. **PUBLIC HEARING - Liquor License, Spanky's Smoke Shop, located at 8868 West Bell Road #103**

PUBLIC HEARING: RE: A New Wine and Beer Liquor License (Series 10) located at 8868 West Bell Road #103, Jamal G. Sarkis, Applicant, LL#20010581.

Staff Report:

Open Public Hearing:

Public Comment:

Close Public Hearing:

COUNCIL ACTION: Discussion and possible action to recommend denial to the State Liquor Board for a New Wine and Beer Liquor License (Series 10) located at 8868 West Bell Road #103, Jamal G. Sarkis, Applicant, LL#20010581.

32R. **PUBLIC HEARING - Park West Planned Area Development Amendment, 99th Avenue and Northern Avenue**

PUBLIC HEARING: RE: A request for a major amendment to the Park West Planned Area Development zoning pertaining to allowable uses on Parcels 1 and 3; modification to Loop 101 freeway sign standards; and integration of a development option that enables 369 multi-family units on Parcel 1 and a secondary education facility on Parcel 3.

Staff Report:

Open Public Hearing:

Public Comment:

Close Public Hearing:

COUNCIL ACTION: Discussion and possible action to concur with the Planning and Zoning Commission's recommendation to adopt **ORD. 2014-35**, approving a major amendment to the Park West Planned Area Development zoning pertaining to allowable uses on Parcels 1 and 3; modification to Loop 101 freeway sign standards; and integration of a development option that enables 369 multi-family units on Parcel 1 and a secondary education facility on Parcel 3.

33R. **Second Amendment, Amended and Restated Park West Development Agreement**

Discussion and possible action to authorize the City Manager to: (a) execute the Second Amendment to the Amended and Restated Development Agreement with Parke West, LLC, for future development; and (b) approve the use of reserves and a budget amendment in the amount of \$100,000 from the Economic Development Opportunity Fund Contingency account to the Economic Development Opportunity Fund Other Professional Services account.

34R. **Minor General Plan Amendment, Land Use Map, BCC Automobile Storage, 87th Avenue and Bell Road**

Discussion and possible action to concur with the Planning and Zoning Commission's recommendation and adopt **RES. 2014-150** approving an amendment to the General Plan Land Use Map for approximately 4.57 acres located north of the northwest corner of 87th Avenue and Bell Road from Medium High-Density Residential (8-15 du/ac, target of 12 du/ac) to Neighborhood Commercial (GPA14-0001).

35R. **Rezoning, BCC Automobile Storage, 87th Avenue and Bell Road**

Discussion and possible action to concur with the Planning and Zoning Commission's recommendation and adopt **ORD. 2014-37**, rezoning approximately 4.57 acres located north of the northwest corner of 87th Avenue and Bell Road from Multi-Family Residential (RM-1) to the BCC Automobile Storage Planned Area Development (PAD) for an off-site automobile storage and staging lot with vehicle-related uses (Z14-0004).

36R. **Adoption of the 2014 Community Services Master Plan**

Discussion and possible action to approve **RES. 2014-148** adopting the 2014 Community Services Master Plan as an update of the 2006 Parks, Recreation, Open Space and Trails Master Plan (PROST.)

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

37. **Council Calendar**

38. **Reports**

A. Keep it Safe: A Family Affair

Reports from City Council
Reports from the Mayor

Adjournment

Vistancia West Community Facilities District Board Meeting

Convene immediately following Regular City Council Meeting

Roll Call

Final Call To Submit Speaker Request Forms

VWCFD Regular Agenda

39R. Organizational Matters Relating to the Formation of the Vistancia West Community Facilities District

Discussion and possible action to consider and adopt **RES. VWCFD 2014-01** taking certain actions with regard to organization of the district; approving the general plan for the district; approving and authorizing the execution and delivery of a district development, financing participation and intergovernmental agreement; approving the preparation of, and authorizing the giving of notice of hearing with respect to approving, a feasibility report and ordering and calling an election with respect to issuance of bonds and the levy of an ad valorem property tax therefore and to the levy of a separate ad valorem property tax attributable to the operation and maintenance expenses.

Call To The Public (Non-Agenda Items)

If you wish to address the Board, please complete a Speaker Request Form and return it to the clerk before the call to order for this meeting. The Board is not authorized by state law to discuss or take action on any issue raised by public comment until a later meeting.

Adjournment

NOTE: Documentation (if any) for items listed on the Agenda is available for public inspection, a minimum of 24 hours prior to the Council Meeting, at any time during regular business hours in the Office of the City Clerk, 8401 W. Monroe Street, Room 150, Peoria, AZ 85345.

Accommodations for Individuals with Disabilities. *Alternative format materials, sign language interpretation 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: September 18, 2014

Council Meeting Date: October, 7, 2014

TO: Carl Swenson, City Manager

FROM: Julie Ayers, Human Resources Director

SUBJECT: Upcoming Negotiation Interests - Joint Labor/Management Presentation

Purpose:

This study session is being held pursuant to City Code Chapter 19 Personnel, to provide an opportunity for the City and Labor Groups to present bargaining interests in preparation for upcoming labor negotiations.

Background/Summary:

The Memorandum of Understanding (MOU) dated October 28, 2013 between the City of Peoria and United Phoenix Fire Fighters Association Local 493 representing Peoria Fire Fighters (PFFA) expires on June 30, 2015. City of Peoria Resolution No. 2013-131 established rules governing hours and working conditions and enacted wage adjustments through June 30, 2015 for employee positions covered by the American Federation of State and County Municipal Employees (AFSCME).

Pursuant to the newly updated Chapter 19 Personnel of the City Code, both the City and Labor Groups are able to present their interests in study session at the first Council meeting in October prior to the start of negotiations.

Staff's Recommendation:

For information purposes only.

Fiscal Analysis:

n/a

Exhibit(s): n/a

Contact Name and Number: Julie Ayers, Human Resources Director, x7580

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 4

Date Prepared: September 17, 2014

Council Meeting Date: October 7, 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
Scott Campbell	Arts Commission
Joshua Shafer	
Jacky Hao	Youth Advisory Board

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 August 18, 2014, the Council Subcommittee on Policy and Appointments recommended appointments for various boards and commissions.

On August 19, 2014, a memorandum was submitted to Mayor and Council, outlining the recommended appointments from the August 18, 2014 Subcommittee meeting, asking for concerns to be submitted in writing to the Mayor. No comments were received.

On September 16, 2014, City Council adopted Resolutions making the following new board/commission appointments:

Resolution No.	Member Name	Board/Commission	Member Status	Term Expiration
2014-127	Scott Campbell	Arts Commission	Regular	6/2018
	Joshua Shafer		Regular	6/2016
2014-128	Jacky Hao	Youth Advisory Board	Alternate	6/2015

Options:

This is a presentation item only.

Staff's Recommendation:

That the Mayor and City Council present *Certificates of Appointment* to newly appointed board/commission members who were appointed by Resolution at the September 16, 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 October 7, 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

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 5

Date Prepared: 09/25/14

Council Meeting Date: 10/07/14

TO: Council Members

FROM: Mayor Bob Barrett

SUBJECT: Christmas for the Troops Presentation

Purpose:

Rachelle Barrett will speak to the Council about participating in Christmas for the Troops.

Background/Summary:

In previous years the City of Peoria has assisted the Lions Club in collecting items to ship to US Troops who are stationed overseas for the holidays.

Previous Actions:

Options:

Contact Name and Number: Bob Barrett, 623-773-7368

MINUTES OF THE PEORIA CITY COUNCIL
CITY OF PEORIA, ARIZONA
CITY COUNCIL CHAMBER
September 16, 2014

A **Special Meeting** of the City Council of the City of Peoria, Arizona was convened at 8401 West Monroe Street in open and public session at 5:00 p.m.

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

Council Youth Liaison: Ian Mullane.

Members Absent: None.

Other Municipal Officials Present: Carl Swenson, City Manager; Jeff Tyne, Deputy City Manager; Melinda Bird, Assistant City Attorney; Rhonda Geriminsky, City Clerk; Julie Ayers, Human Resources Director; Chris Jacques, Planning and Community Development Director; Bo Larsen, Public Information Director; John Schell, Intergovernmental Affairs Director; and Corina Russo, Assistant to the City Manager.

Audience: Approximately three members of the public were present.

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

CONSENT AGENDA

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

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

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

Authorized the holding of an Executive Session for the purpose of discussion and consultation with legal counsel and designated representatives of the public body pertaining to labor negotiations with the American Federation of State, County and Municipal Employees Local 3282 and United Phoenix Fire Fighters Association Local 493 pursuant to A.R.S. § 38-431.03.A.5.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 5:01 p.m.

A **Study Session Meeting** of the City Council of the City of Peoria, Arizona was convened at 8401 West Monroe Street in open and public session at 6:30 p.m.

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

Council Youth Liaison: Ian Mullane.

Members Absent: None.

Other Municipal Officials Present: Carl Swenson, City Manager; Jeff Tyne, Deputy City Manager; Melinda Bird, Assistant City Attorney; Rhonda Geriminsky, City Clerk; Julie Ayers, Human Resources Director; Chris Jacques, Planning and Community Development Director; Bo Larsen, Public Information Director; John Schell, Intergovernmental Affairs Director; Corina Russo, Assistant to the City Manager; and Linda Blas, Deputy City Clerk.

Audience: Approximately six members of the public were present.

STUDY SESSION AGENDA

Subject(s) for Discussion Only

2. Sun City West Fire District (SCWFD) Annexation Update

Carl Swenson, City Manager, introduced the Sun City West Fire District Annexation discussion.

Bobby Ruiz, Fire Chief, outlined the following:

- Annexation area
- SCWFD collecting money for services provided by the City of Peoria
- History of the Automatic Aid System
- Current status of fire and emergency medical services
- Next steps

Discussion ensued regarding:

- Whether the SCWFD will continue to annex land in the area in question
- Automatic aid exclusion
- Emergency Service subscriptions offered to current residents

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 6:46 p.m.

EXECUTIVE SESSION AGENDA

3. An Executive Session was convened immediately following the 5:00 p.m. Special City Council Meeting pursuant to A.R.S. § 38-431.03 for the purpose of discussion and consultation with legal counsel and designated representatives of the public body pertaining to labor negotiations with the American Federation of State, County and Municipal Employees Local 3282 and United Phoenix Fire Fighters Association Local 493 pursuant to A.R.S. § 38-431.03.A.5.

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

A **Regular Meeting** of the City Council of the City of Peoria, Arizona was convened at 8401 West Monroe Street in open and public session at 7:00 p.m.

Following a moment of silent reflection, Boy Scout Troop 684 led the Pledge of Allegiance.

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

Council Youth Liaison: Ian Mullane.

Members Absent: None.

Other Municipal Officials Present: Carl Swenson, City Manager; Jeff Tyne, Deputy City Manager; Melinda Bird, Assistant City Attorney; Rhonda Geriminsky, City Clerk; Julie Ayers, Human Resources Director; Andy Granger, Engineering Director; Katie Gregory, Deputy Finance and Budget Director; John Imig, Information Technology Director; Chris Jacques, Planning and Community Development Director; Bo Larsen, Public Information Director; Bill Mattingly, Public Works Director; Roy Minter, Police Chief; Bobby Ruiz, Fire Chief; John Sefton, Community Services Director; Scott Whyte, Economic Development Services Director; Corina Russo, Assistant to the City Manager; and Linda Blas, Deputy City Clerk.

Audience: Approximately 25 members of the public were present.

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

REGULAR AGENDA

New Business:

4R. **Appointment, Council Youth Liaison Alternate**

Motion was made by Councilmember Edwards, seconded by Vice Mayor Aames, to approve the recommendation from the Council Subcommittee on Policy and Appointments pertaining to the following appointment and adopt the Resolution as presented:

Adopted **RES. 2014-121** appointing Michael Helt as the Council Youth Liaison Alternate.

Upon vote, the motion carried unanimously 7 to 0.

SWEARING IN BY PRESIDING MUNICIPAL JUDGE GEORGE ANAGNOST AND SEATING OF NEW COUNCIL YOUTH LIAISON MULLANE

Presiding Municipal Judge George Anagnost administered the Oath of Office to Michael Helt as the Council Youth Liaison Alternate.

A short recess was called at 7:05 p.m. to allow for the seating of the Council Youth Liaison Alternate. Council reconvened at 7:10 p.m.

Presentation:

5. Certificates of Appointment

Mayor Barrett and Councilmember Patena presented Certificates of Appointment to the following Board and Commission members who were appointed by Resolution at the August 27, 2014 City Council meeting:

- Ryan Payne, Hwee Lee, Julie Blunck and Aleesa Sells to the Youth Advisory Board.

Clerk's Note: Hwee Lee, Julie Blunck and Aleesa Sells were not present to accept their certificates.

5a. Mayor Barrett read aloud a proclamation declaring September 22 through September 26, 2014 as Hispanic Heritage Week.

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Mayor Barrett asked if any Councilmember wished to have an item removed from the Consent Agenda. Having no requests from Council, motion was made by Vice Mayor Aames, seconded by Councilmember Leone, to approve the Consent Agenda. Upon vote, the motion carried unanimously 7 to 0.

6C. **Disposition of Absence**

Approved the absence of Mayor Bob Barrett, Vice Mayor Ron Aames, Councilmember Tony Rivero and Council Youth Liaison Ian Mullane from the Special Meeting held at 5:00 p.m. on September 8, 2014.

7C. **Minutes**

Approved the following minutes:

- August 27, 2014 Special Meeting Minutes
- September 8, 2014 Special Meeting Minutes

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

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

Adopted **RES. 2014-127** appointing Scott Campbell and Joshua Shafer, to the Arts Commission, as regular members; and

Adopted **RES. 2014-128** appointing Jacky Hao to the Youth Advisory Board, as an alternate member.

9C. **Grant, Attorney General's Office of Victim Services, Victims' Rights Program**

- (a) Accepted \$10,100 from the Arizona Attorney General's Office of Victim Services for Peoria's participation in the Fiscal Year 2015 Victims' Rights Program; and
- (b) Approved a budget transfer in the amount of \$10,100 from the Proposed Grants Contingency account to the Victims' Rights Program Grant account.

10C. **Grants, Governor's Office of Highway Safety, Highway Safety Projects**

- (a) Authorized the City Manager to accept \$145,646 from the Governor's Office of Highway Safety for participation in six highway safety projects; and
- (b) Approved a budget amendment in the amount of \$145,646 from the Proposed Grants Contingency account to the Governor's Office of Highway Safety Grant account to provide expenditure authority.

11C. **Grant, State Historic Preservation Office, Weedville Historic Survey**

- (a) Accepted \$2,800 in grant funds from the Arizona State Historic Preservation Office to partially fund the Weedville Area Historic Resources Study; and
- (b) Approved a budget amendment in the amount of \$2,800 from the Proposed Grants Contingency account to the Planning Division Other Professional Services account.

12C. **Grant, Bureau of Reclamation WaterSMART**

- (a) Accepted the Bureau of Reclamation (BOR) WaterSMART: Water and Energy Efficiency Grant; and
- (b) Authorized a budget amendment in the amount of \$295,000 from the Proposed Grant Contingency account to the BOR Recharge Wells Grant Fund Wastewater System account.

13C. **Contract, J. Banicki Construction, P83 Entertainment District Improvements**

- (a) Approved an individual job order contract with J. Banicki Construction in an amount not to exceed \$1,600,000 for construction services for a portion of Phase 1 of the P83 Entertainment District Improvements; and
- (b) Authorized the City Manager to execute any applicable agreement documents.

14C. **Contract, Valley Rain Construction, P83 Entertainment District Improvements**

- (a) Approved an individual job order contract with Valley Rain Construction in an amount not to exceed \$2,393,447 for construction services for a portion of Phase 1 of the P83 Entertainment District Improvements;
- (b) Authorized the City Manager to execute any applicable agreement documents; and
- (c) Approved a budget amendment in the amount of \$97,887 from General Fund, Other Professional Services account to General Fund, Street System account.

15C. **Contract, Wadley-Donovan Group, Economic Development Implementation Strategy**

Authorized the City Manager to execute a professional services contract with Wadley-Donovan Group in an amount not to exceed \$98,554 for the completion of the Economic Development Implementation Strategy Part 2.

16C. **Assignment of Ground Lease Agreement, NBS Arrowhead I and II, LLC**

- (a) Approved two Assignments of Ground Lease Agreements with NBS Arrowhead I and II, LLC (The Alter Group), and Peoria Center Venture, LLC.;
- (b) Approved two Assignments of Ground Lease Agreements between Peoria Center Venture, LLC and 83rd Avenue Property, LLC.; and
- (c) Authorized the City Manager to execute the Final Form of Assignment of Ground Lease Agreements.

17C. **Amended Lease Agreement, NBS Arrowhead II, L.L.C.**

Authorized the City Manager to execute the First Amendment to the Ground Lease with NBS Arrowhead II, L.L.C. (The Alter Group).

18C. **Single-Source Request, Environmental Systems Research Institute Inc., Enterprise License Agreement**

Approved a single-source procurement request to enter into a contract with Environmental Systems Research Institute Inc., for an Enterprise License Agreement.

19C. **Budget Amendments and Carryovers, Fiscal Year 2014**

Approved Fiscal Year 2014 final budget amendments and carryovers to the Fiscal Year 2015 budget.

20C. **Budget Appropriation, Self-Insured Workers' Compensation Fund**

- (a) Approved a Fiscal Year 2014 budget appropriation in the amount of \$133,220 to cover the required year-end accounting entries to properly record fund liabilities; and
- (b) Approved a budget amendment in the amount of \$133,220 from the Insurance Reserve Contingency account to the Self-Insured Workers' Compensation account.

21C. **Budget Amendment, Commercial Solid Waste Collection**

Approved a budget amendment in the amount of \$36,000 from the Commercial Solid Waste Fund Commercial Collection Division Contingency account to the Commercial Solid Waste Fund Commercial Collection Division Landfill Services account for additional expenditures related to landfill fee costs incurred in Fiscal Year 2014.

22C. **Deeds and Easements, Various Locations**

Adopted **RES. 2014-130** accepting Deeds and Easements for Various Real Property interests acquired by the City.

23C. Designate Roadways, Establish Rights-of-Way, Various Locations

Adopted **RES. 2014-126** designating various Real Properties to be used as City roadways and authorize the establishment of Public Rights-of-Way to be opened and maintained by the City as a Public Street.

24C. Master Final Plat, Trilogy West Phase 1, Vistancia Boulevard and Lone Mountain Road

Approved the Master Final Plat of Trilogy West Phase 1, located at Vistancia Boulevard and Lone Mountain Road, subject to stipulations.

25C. Replat, Westwing Mountain Parcel 2 Lots 1-7, El Cortez Place and Edge Wild Drive

Approved the Replat of Westwing Mountain Parcel 2 Lots 1-7, located at El Cortez Place and Edge Wild Drive, subject to stipulations.

REGULAR AGENDA

New Business:

26R. PUBLIC HEARING - Liquor Licenses, Various Locations

Staff Report:

Katie Gregory, Deputy Finance and Budget Director, reported on staff's recommendation to recommend approval to the State Liquor Board for:

- (a) A New Restaurant Liquor License (Series 12) for Dash Grill, located at 7557 West Greenway Road Suite #103, Jesse D. Wood, Applicant, LL#20010522; and
- (b) A New Restaurant Liquor License (Series 12) for Red Lobster #0867, located at 7921 West Bell Road, Richard S. Teel, Applicant, LL#20010975.

Ms. Gregory advised that the properties were posted in accordance with Arizona law, all fees were paid, all reviewing Departments recommended approval and no comments were received from the public.

Public Hearing:

Mayor Barrett opened the Public Hearing and asked if any Councilmember or citizen wished to comment on the requests for:

- (a) A New Restaurant Liquor License (Series 12) for Dash Grill, located at 7557 West Greenway Road Suite #103, Jesse D. Wood, Applicant, LL#20010522; and
- (b) A New Restaurant Liquor License (Series 12) for Red Lobster #0867, located at 7921 West Bell Road, Richard S. Teel, Applicant, LL#20010975.

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

Council Action:

Motion was made by Vice Mayor Aames, seconded by Councilmember Leone, to recommend approval to the State Liquor Board for:

- (a) A New Restaurant Liquor License (Series 12) for Dash Grill, located at 7557 West Greenway Road Suite #103, Jesse D. Wood, Applicant, LL#20010522; and
- (b) A New Restaurant Liquor License (Series 12) for Red Lobster #0867, located at 7921 West Bell Road, Richard S. Teel, Applicant, LL#20010975.

Upon vote, the motion carried unanimously 7 to 0.

27R. **PUBLIC HEARING - Off-Track Wagering License, Turf Paradise, 8411 North 107th Avenue**

Staff Report:

Katie Gregory, Deputy Finance and Budget Director, reported on staff's recommendation to recommend approval to the Arizona Racing Commission for a new Off-Track Wagering License for Turf Paradise to telecast at Peoria Pines Golf and Restaurant, 8411 North 107th Avenue.

Public Hearing:

Mayor Barrett opened the Public Hearing and asked if any Councilmember or citizen wished to comment on the requests for a new Off-Track Wagering License for Turf Paradise to telecast at Peoria Pines Golf and Restaurant, 8411 North 107th Avenue.

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

Council Action:

Motion was made by Councilmember Leone, seconded by Vice Mayor Aames, to recommend approval to the Arizona Racing Commission for a new Off-Track Wagering License for Turf Paradise to telecast at Peoria Pines Golf and Restaurant, 8411 North 107th Avenue.

Upon vote, the motion carried unanimously 7 to 0.

28R. PUBLIC HEARING - Rezoning, Elliott Residence, 81st Avenue and Country Gables Drive

Staff Report:

Chris Jacques, Planning and Community Development Director, presented a brief overview of the request to rezone approximately 1.03 gross acres located on the northeast corner of 81st Avenue and Country Gables Drive from General Agricultural (AG) District to Suburban Ranch (SR-43) District to bring an existing undersized single-family residential lot into conformance with current development standards (Z14-0005).

Public Hearing:

Mayor Barrett opened the Public Hearing and asked if any Councilmember or citizen wished to comment on the proposed rezoning of approximately 1.03 gross acres from General Agricultural (AG) District to Suburban Ranch (SR-43) District.

John Lanzerotta addressed Council to voice his concerns regarding a proposed home occupation use at the site, which is the subject of a separate conditional use permit application under review by staff.

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

Council Action:

Motion was made by Councilmember Toma, seconded by Vice Mayor Aames, to concur with the Planning and Zoning Commission's recommendation to adopt **ORD. 2014-36**, rezoning approximately 1.03 gross acres from General Agricultural (AG) District to Suburban Ranch (SR-43) District to bring an existing undersized single-family residential lot into conformance with current development standards.

Upon vote, the motion carried unanimously 7 to 0.

29R. Amendment, Ground Lease Agreement, Cell Tower, Fire Station 194, 9800 West Olive Avenue

Katie Gregory, Deputy Finance and Budget Director, summarized the request for approval of an amendment to the Ground Lease Agreement with NCWPCS MPL 31-Year Sites Tower Holdings LLC to expand the site and extend the contract.

Ms. Gregory reported that the amendment to the ground lease will increase lease payments to the City on an annual basis.

In response to questions from Council, Ms. Gregory confirmed the site will be expanded approximately 13 feet to accommodate new equipment and will not impact operations at Fire Station 194.

Motion was made by Councilmember Patena, seconded by Councilmember Leone, to approve a Second Amendment to the Ground Lease Agreement with NCWPCS MPL 31-Year Sites Tower Holdings LLC, to extend the ground lease until July 17, 2025 with three additional five-year extensions for the cell tower at Fire Station 194 located at 9800 West Olive Avenue.

Upon vote, the motion carried unanimously 7 to 0.

30R. **Contract Extension, Emergency Transportation Services, Professional Medical Transport, Incorporated**

Bobby Ruiz, Fire Chief, provided a brief overview of the request for an extension of the contract with Professional Medical Transport for emergency transportation services.

Discussion ensued regarding the steps to be taken when the extension opportunities with Professional Medical Transport are exhausted.

Motion was made by Councilmember Toma, seconded by Vice Mayor Aames, to approve a one-year contract extension for Emergency Transportation Services with Professional Medical Transport expiring August 17, 2015.

Upon vote, the motion carried unanimously 7 to 0.

Call To The Public (Non-Agenda Items)

None.

Reports from City Manager:

31. **Council Calendar**

32. **Reports**

- A. Carl Swenson, City Manager, provided information to Council related to Council Subcommittee updates.
- B. Bo Larsen, Public Information Director, outlined the following City of Peoria activities surrounding the NFL Pro Bowl and Super Bowl:
 - 8-person Flag Football
 - Super Day 10K Race
 - Sports Health and Safety Symposium
 - Fish Bowl 2015
- C. John Sefton, Community Services Director, provided information on the ParkFest! event to be held at the Vistas Recreation Center at Westbrook Village, located at 18825 North Country Club Parkway, on Sunday, October 5, 2014 beginning at 4:00 p.m.

- D. John Sefton, Community Services Director, provided information on the Fiesta Peoria event to be held at Pioneer Community Park, located at 8455 North 83rd Avenue, on Friday and Saturday, September 26-27, 2014.

Reports from City Council:

Councilmember Leone reported on the various City of Peoria activities he attended. Councilmember Leone congratulated Michael Helt on his appointment as a Council Youth Liaison.

Council Youth Liaison Mullane reported on an upcoming meeting with the student body presidents of Peoria to discuss issues pertaining to high school students.

Councilmember Rivero announced the Third Annual State of the Americas Dinner will be held on Tuesday, September 23, 2014. Keynote speakers at the event will be former President of Mexico, Vicente Fox, and former President of Costa Rica, Laura Chinchilla Miranda.

Reports from the Mayor:

Mayor Barrett reported on his attendance at the 308th Fighter Squadron F-16 Fighter Pilot graduation at Luke Air Force Base.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 7:47 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 16th day of September, 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 7th day of October, 2014.

(Seal)

Rhonda Geriminsky, City Clerk

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 7C

Date Prepared: September 22, 2014

Council Meeting Date: October 7, 2014

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

Purpose:

This is a request for City Council to appoint/reappoint board and commission members as recommended by the Council Subcommittee on Policy and Appointments as follows:

Appointments

Board/Commission	Name	Term Expiration
Board of Adjustment	Mitchell Bolnick	December 2015
Economic Development Advisory Board	Jeff Berggren	June 2018
	David Pearson	June 2016
Planning and Zoning Commission	Jay Otlewski	December 2015
Youth Advisory Board	Megan Bromley	June 2016

Reappointments

Board/Commission	Name	Term Expiration
Building Board of Appeals	David Demmer	December 2018
	Lawrence Tysiac	December 2017
Employee Benefits Trust Board	Frank Hinds	December 2018
Historic Preservation Commission	Karen Garbe	December 2018
	Mike Heath	December 2018
Municipal Development Authority	Matthew Porter	November 2018
Planning and Zoning Commission	Greg Loper	December 2015
Veterans Memorial Board	Benjamin Geiger	December 2018

Background/Summary:

The Council Subcommittee makes recommendations for board and commission membership based on term expirations and vacancies from resignations or changes to member eligibility status.

Previous Actions:

On September 9, 2014, the Council Subcommittee on Policy and Appointments recommended appointments/reappointments to various boards and commissions.

On September 10, 2014, a memorandum was submitted to Mayor and Council, outlining the appointment recommendations from the September 9, 2014 Subcommittee meeting, asking for concerns to be submitted in writing to the Mayor. No comments were received.

Options:

A. Appoint/reappoint recommended board and commission members.

B: Continue recruitment efforts to fill board and commission vacancies.

Staff's Recommendation:

This is a request for City Council to discuss and approve the recommendations from the Council Subcommittee on Policy and Appointments pertaining to the following appointments/reappointments and adopt the Resolutions as presented:

Adopt RES. 2014-131 appointing Mitchell Bolnick, to the Board of Adjustment, as a regular member, to a partial term to expire December 2015, and

Adopt RES. 2014-132 reappointing David Demmer and Lawrence Tysiac to the Building Board of Appeals to terms to expire December 2018 and December 2017, respectively, and

Adopt RES. 2014-133 appointing Jeff Berggren and David Pearson to the Economic Development Advisory Board, as a regular member, to a full term to expire June 2018 and to a as an alternate member, to a partial term to expire in June 2016, respectively, and

Adopt RES. 2014-134 reappointing Frank Hinds to the Employee Benefits Trust Board as a public member to a term to expire December 2018, and

Adopt RES. 2014-135 reappointing Karen Garbe and Mike Heath to the Historic Preservation Commission to terms to expire December 2018, and

Adopt RES. 2014-136 reappointing Matthew Porter to the Municipal Development Authority to a term to expire November 2018, and

Adopt RES. 2014-137 reappointing Greg Loper as a regular member for a partial term of one year (of a four-year term expiring December 2018) which will complete 12 years of service on a board or commission pursuant to City Code Section 2-151), and appointing Jay Otlewski to a partial term as an alternate member to expire December 2015, to the Planning and Zoning Commission, and

Adopt RES. 2014-138 reappointing Benjamin Geigier to the Veterans Memorial Board to a term to expire December 2018, and

Adopt RES. 2014-139 appointing Megan Bromley to the Youth Advisory Board, as an alternate member, to a term to expire June 2016.

Fiscal Analysis:

There is no fiscal impact regarding this item.

Narrative:

If appointed, the newly appointed board and commission members will be invited to attend the October 21, 2014 City Council meeting to accept Certificates of Appointment.

Exhibit(s):

- Exhibit 1: Resolution No. 2014-131
- Exhibit 2: Resolution No. 2014-132
- Exhibit 3: Resolution No. 2014-133
- Exhibit 4: Resolution No. 2014-134
- Exhibit 5: Resolution No. 2014-135
- Exhibit 6: Resolution No. 2014-136
- Exhibit 7: Resolution No. 2014-137
- Exhibit 8: Resolution No. 2014-138
- Exhibit 9: Resolution No. 2014-139

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

RESOLUTION 2014-131

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, APPOINTING MITCHELL BOLNICK TO THE BOARD OF ADJUSTMENT AND ESTABLISHING THE TERMS OF OFFICE.

WHEREAS, there currently exists a vacant partial term alternate position on the Board of Adjustment; and

WHEREAS Mitchell Bolnick desires to be a member of and appointed to the Board of Adjustment; and

WHEREAS, the Mayor and City Council of the City of Peoria desire to confirm said appointment of Mitchell Bolnick, to a partial term as an alternate member, to the City of Peoria Board of Adjustment.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Peoria that Mitchell Bolnick is appointed to a partial term as an alternate member to the City of Peoria Board of Adjustment.

BE IT FURTHER RESOLVED that said appointment shall expire as follows:

Mitchell Bolnick

December 2015

PASSED AND ADOPTED by the Mayor and City Council of the City of Peoria, Arizona this 7th day of October, 2014.

CITY OF PEORIA, an Arizona municipal corporation

Bob Barrett, Mayor

ATTEST:

Rhonda Geriminsky, City Clerk

RESOLUTION NO. 2014-131
Page 2 of 2

Approved as to Form:

Stephen M. Kemp, City Attorney

RESOLUTION 2014-132

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING DAVID DEMMER AND LAWRENCE TYSIAC TO THE BUILDING BOARD OF APPEALS AND ESTABLISHING THE TERMS OF OFFICE.

WHEREAS, the terms for David Demmer and Lawrence Tysiac of the Building Board of Appeals expire in December 2014 and December 2013 respectively; and

WHEREAS David Demmer and Lawrence Tysiac desire to be members of and reappointed to the Building Board of Appeals; and

WHEREAS, the Mayor and City Council of the City of Peoria desire to confirm said reappointments of David Demmer and Lawrence Tysiac, as regular members, to the City of Peoria Building Board of Appeals.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Peoria that David Demmer and Lawrence Tysiac are reappointed as regular members to the City of Peoria Building Board of Appeals.

BE IT FURTHER RESOLVED that said reappointments shall expire as follows:

David Demmer	December 2018
Lawrence Tysiac	December 2017

PASSED AND ADOPTED by the Mayor and City Council of the City of Peoria, Arizona this 7th day of October, 2014.

CITY OF PEORIA, an Arizona municipal corporation

Bob Barrett, Mayor

ATTEST:

Rhonda Geriminsky, City Clerk

RESOLUTION NO. 2014-132
Page 2 of 2

Approved as to Form:

Stephen M. Kemp, City Attorney

RESOLUTION 2014-133

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, APPOINTING JEFF BERGGREN AND DAVID PEARSON TO THE ECONOMIC DEVELOPMENT ADVISORY BOARD AND ESTABLISHING THE TERMS OF OFFICE.

WHEREAS, the term for Keith Dines expired in June 2014 and Deborah DeSimone has resigned from the Economic Development Advisory Board and there exists one full term vacancy and one partial term vacancy; and

WHEREAS Jeff Berggren and David Pearson desire to be members of and appointed to the Economic Development Advisory Board; and

WHEREAS, the Mayor and City Council of the City of Peoria desire to confirm said appointments of Jeff Berggren to a full term as a regular member and David Pearson to a partial term as an alternate member, to the City of Peoria Economic Development Advisory Board.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Peoria that Jeff Berggren is appointed to a full term as a regular member and David Pearson is appointed to a partial term as an alternate member to the City of Peoria Economic Development Advisory Board.

BE IT FURTHER RESOLVED that said appointments shall expire as follows:

Jeff Berggren	June 2018
David Pearson	June 2016

PASSED AND ADOPTED by the Mayor and City Council of the City of Peoria, Arizona this 7th day of October 2014.

CITY OF PEORIA, an Arizona municipal corporation

Bob Barrett, Mayor

RESOLUTION NO. 2014-133
Page 2 of 2

ATTEST:

Rhonda Geriminsky, City Clerk

Approved as to Form:

Stephen M. Kemp, City Attorney

RESOLUTION 2014-134

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING FRANK HINDS TO THE EMPLOYEE BENEFITS TRUST BOARD AND ESTABLISHING THE TERMS OF OFFICE.

WHEREAS, the term for Frank Hinds expires in December 2014 from the Employee Benefits Trust Board; and

WHEREAS Frank Hinds desires to be a member of and reappointed to the Employee Benefits Trust Board; and

WHEREAS, the Mayor and City Council of the City of Peoria desire to confirm said appointment of Frank Hinds as a public member to the City of Peoria Employee Benefits Trust Board.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Peoria that Frank Hinds is reappointed as a public member to the City of Peoria Employee Benefits Trust Board.

BE IT FURTHER RESOLVED that said appointment shall expire as follows:

Frank Hinds

December 2018

PASSED AND ADOPTED by the Mayor and City Council of the City of Peoria, Arizona this 7th day of October 2014.

CITY OF PEORIA, an Arizona municipal corporation

Bob Barrett, Mayor

ATTEST:

RESOLUTION NO. 2014-134
Page 2 of 2

Rhonda Geriminsky, City Clerk

Approved as to Form:

Stephen M. Kemp, City Attorney

RESOLUTION 2014-135

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING KAREN GARBE AND MIKE HEATH TO THE HISTORIC PRESERVATION COMMISSION AND ESTABLISHING THE TERMS OF OFFICE.

WHEREAS, the terms for Karen Garbe and Mike Heath expire in December 2014 from the Historic Preservation Commission; and

WHEREAS Karen Garbe and Mike Heath desire to be members of and reappointed to the Historic Preservation Commission; and

WHEREAS, the Mayor and City Council of the City of Peoria desire to confirm said reappointments of Karen Garbe and Mike Heath as regular members of the City of Peoria Historic Preservation Commission.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Peoria that Karen Garbe and Mike Heath are reappointed as regular members to the City of Peoria Historic Preservation Commission.

BE IT FURTHER RESOLVED that said appointments shall expire as follows:

Karen Garbe	December 2018
Mike Heath	December 2018

PASSED AND ADOPTED by the Mayor and City Council of the City of Peoria, Arizona this 7th day of October 2014.

CITY OF PEORIA, an Arizona municipal corporation

Bob Barrett, Mayor

ATTEST:

Rhonda Geriminsky, City Clerk

RESOLUTION NO. 2014-135
Page 2 of 2

Approved as to Form:

Stephen M. Kemp, City Attorney

RESOLUTION 2014-136

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING MATTHEW PORTER TO THE MUNICIPAL DEVELOPMENT AUTHORITY AND ESTABLISHING THE TERMS OF OFFICE.

WHEREAS, the term for Matthew Porter expires in November 2014 from the Municipal Development Authority; and

WHEREAS, Matthew Porter desires to be a member of and reappointed to the Municipal Development Authority; and

WHEREAS, the Mayor and City Council of the City of Peoria desire to confirm said reappointment of Matthew Porter as a regular member of the City of Peoria Municipal Development Authority.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Peoria that Matthew Porter is reappointed as a regular member to the City of Peoria Municipal Development Authority.

BE IT FURTHER RESOLVED that said appointment shall expire as follows:

Matthew Porter

November 2018

PASSED AND ADOPTED by the Mayor and City Council of the City of Peoria, Arizona this 7th day of October 2014.

CITY OF PEORIA, an Arizona municipal corporation

Bob Barrett, Mayor

ATTEST:

Rhonda Geriminsky, City Clerk

RESOLUTION NO. 2014-136
Page 2 of 2

Approved as to Form:

Stephen M. Kemp, City Attorney

RESOLUTION 2014-137

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING GREG LOPER AND APPOINTING JAY OTLEWSKI TO THE PLANNING AND ZONING COMMISSION AND ESTABLISHING THE TERMS OF OFFICE.

WHEREAS, the term for Greg Loper expires in December 2014 and there currently exists a partial term vacant alternate position on the Planning and Zoning Commission; and

WHEREAS, Greg Loper desires to be a member of and reappointed to the Planning and Zoning Commission; and

WHEREAS, Jay Otlewski desires to be a member of and appointed to the Planning and Zoning Commission; and

WHEREAS, the Mayor and City Council of the City of Peoria desire to confirm said reappointment of Greg Loper as a regular member and said partial term appointment of Jay Otlewski as an alternate member of the City of Peoria Planning and Zoning Commission.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Peoria that Greg Loper is reappointed as a regular member and Jay Otlewski is appointed to a partial term as an alternate member to the City of Peoria Planning and Zoning Commission.

BE IT FURTHER RESOLVED that said appointments shall expire as follows:

Greg Loper	December 2018
Jay Otlewski	December 2015

PASSED AND ADOPTED by the Mayor and City Council of the City of Peoria, Arizona this 7th day of October 2014.

CITY OF PEORIA, an Arizona municipal corporation

Bob Barrett, Mayor

RESOLUTION NO. 2014-137
Page 2 of 2

ATTEST:

Rhonda Geriminsky, City Clerk

Approved as to Form:

Stephen M. Kemp, City Attorney

RESOLUTION 2014-138

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, REAPPOINTING BENJAMIN GEIGER TO THE VETERANS MEMORIAL BOARD AND ESTABLISHING THE TERMS OF OFFICE.

WHEREAS, the term for Benjamin Geiger expires in December 2014 on the Veterans Memorial Board; and

WHEREAS, Benjamin Geiger desires to be a member of and reappointed to the Veterans Memorial Board; and

WHEREAS, the Mayor and City Council of the City of Peoria desire to confirm said reappointment of Benjamin Geiger as a regular member of the City of Peoria Veterans Memorial Board.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Peoria that Benjamin Geiger is reappointed as a regular member to the City of Peoria Veterans Memorial Board.

BE IT FURTHER RESOLVED that said appointments shall expire as follows:

Benjamin Geiger

December 2018

PASSED AND ADOPTED by the Mayor and City Council of the City of Peoria, Arizona this 7th day of October 2014.

CITY OF PEORIA, an Arizona municipal corporation

Bob Barrett, Mayor

ATTEST:

Rhonda Geriminsky, City Clerk

RESOLUTION NO. 2014-138
Page 2 of 2

Approved as to Form:

Stephen M. Kemp, City Attorney

RESOLUTION 2014-139

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, APPOINTING MEGAN BROMLEY TO THE YOUTH ADVISORY BOARD AND ESTABLISHING THE TERM OF OFFICE.

WHEREAS, there exists one vacant alternate position on the Youth Advisory Board; and

WHEREAS Megan Bromley desires to be a member of and appointed to the Youth Advisory Board; and

WHEREAS, the Mayor and City Council of the City of Peoria desire to confirm said appointment of Megan Bromley, as an alternate member, to the City of Peoria Youth Advisory Board.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Peoria that Megan Bromley is appointed as an alternate member to the City of Peoria Youth Advisory Board.

BE IT FURTHER RESOLVED that said appointment shall expire as follows:

Megan Bromley

June 2016

PASSED AND ADOPTED by the Mayor and City Council of the City of Peoria, Arizona this 7th day of October, 2014.

CITY OF PEORIA, an Arizona municipal corporation

Bob Barrett, Mayor

ATTEST:

Rhonda Geriminsky, City Clerk

RESOLUTION NO. 2014-139
Page 2 of 2

Approved as to Form:

Stephen M. Kemp, City Attorney

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 8C

Date Prepared: July 28, 2014

Council Meeting Date: October 7, 2014

TO: Carl Swenson, City Manager

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

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

SUBJECT: Case Z14-0003 – Harbor Vista Rezoning

Purpose:

This is a request for City Council to adopt an Ordinance Rezoning an approximately 8.6 gross-acre site from a Planned Area Development (PAD) for senior multi-family residential uses to a PAD for office/medical office uses.

Background/Summary:

The project site is an 8.6 gross acre undeveloped triangular-shaped parcel located at the southeast corner of 91st Avenue and Thunderbird Road. An existing APS substation interrupts the project's frontage along Thunderbird Road. The New River corridor is located along the eastern edge of the property. To the west of the site there is an existing commercial (office/medical) center and an assisted/independent living facility.

The property was annexed into the City of Peoria in 1977. In 1985, the Mayor and City Council adopted *Ordinance 85-06*, approving a request to rezone the property to C-3, Central Commercial. The property was later rezoned to a Planned Area Development (PAD) for senior multi-family residential in 2008 by *Ordinance 08-20*.

The applicant is requesting to rezone the property from the current senior multi-family residential PAD to a PAD that would support office and medical office uses. A PAD is an alternative from the standard zoning district (e.g. O-1, C-1) wherein standards can be tailored to respond to site or topographical conditions, contextual circumstances in the area and/or otherwise promote a creative and efficient approach to land development (such as a tailored list of permitted uses). The proposed PAD would permit a list of uses similar to the O-1, Office Commercial Zoning District. The conceptual site plan for the site includes two buildings, a two-story building (50,000 s.f.) located at the Thunderbird Road frontage and another single-story building (13,700 s.f.) located toward the rear of the site. This concept would include a total of approximately 64,000 square feet of floor area.

General Plan Discussion

The General Plan land use designation for this property is primarily Mixed Use, with a narrow band adjacent to the New River Corridor designated as Park/Open Space. The proposed development is consistent with the intent of the Mixed Use designation to integrate a mixture of land use types and provide housing shopping and employment opportunities together in the same area. The proposed office/medical office uses will contribute the employment opportunities and services for area residents while enhancing the hub of medical services that already exists in the vicinity. Development at the edge of the river corridor will be reviewed through the site plan process to ensure it is consistent with applicable plans such as the City's Parks, Recreation, Open Space, and Trails (PROST) plan.

As with all Rezones, a citizen participation component is required. The applicant held a neighborhood meeting on April 28, 2014 with no members of the public in attendance. City staff received one phone call from an individual who did not want to see additional medical office space compete with the existing medical office space available to the north across Thunderbird Road.

It is staff's assessment that the proposed PAD creates an appropriate development form that is appropriate for the context of the area and responsive to existing site conditions. The proposed office and medical office uses will complement and be compatible with existing development in the vicinity, and in particular with the adjacent commercial development to the west which will have a shared driveway with the property in question.

Previous Actions:

This amendment has been subject to the City's rezoning process. A public hearing was held for this item at the June 19, 2014 Planning & Zoning Commission Meeting. There were no members of the public present who spoke in support of or opposition to the request. The Planning & Zoning Commission unanimously recommended approval of this request.

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 June 19, 2014 unanimous recommendation (5-0) to approve Case Z14-0003.

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 applicant may move forward with the development process through Site Plan Review and construction permits.

Exhibit(s):

Exhibit 1: Vicinity Map

Exhibit 2: June 19, 2014 Planning and Zoning Commission Staff Report with Exhibits

Exhibit 3: Draft Ordinance

Exhibit 4: Harbor Vista PAD Standards & Guidelines Report

Contact Name and Number: Melissa Sigmund, AICP, Senior Planner, x7603

Z14-0003 Vicinity Map



Z14-0003 Harbor Vista Rezoning

Applicant: Irgens Partners, LCC

Request: Rezone approximately 8.6 gross acres from a Planned Area Development for senior multi-family residential to a PAD to allow development of office/medical office uses.

Location: Southeast corner of 91st Avenue and Thunderbird Road



Not to Scale

EXHIBIT 2

Harbor Vista Rezoning

June 19th Planning and Zoning Commission
Staff Report with Exhibits



REZONING

REPORT TO THE PLANNING AND ZONING COMMISSION

CASE NUMBER: Z 14-0003

DATE: June 19, 2014

AGENDA ITEM: 5R

Applicant: Irgens Partners, LLC

Request: Rezone a property from a Planned Area Development (PAD) for senior multi-family residential to a PAD to allow office/medical office uses.

Proposed Development: Harbor Vista office development.

Location: The site is located at the southeast corner of 91st Avenue and Thunderbird Road.

Site Acreage: 8.6 gross acres

Support / Opposition: Staff has received one phone call in opposition to this proposal. No written support or opposition has been received.

Recommendation: Recommend **approval** of Case Z14-0003, with stipulations, to the City Council.

AREA CONTEXT

Table 1: Existing Land Use, General Plan Land Use Designation, Current Zoning. (Exhibits A, B & C)

	LAND USE	GENERAL PLAN	ZONING
Subject Site	Vacant/undeveloped	Mixed Use	Thunderbird Village Planned Area Development (PAD), Z07-14
North	Thunderbird Rd, then medical office condominiums	Community Commercial	C-3, Central Commercial
South	New River channel	Water	PI-1, Planned Light Industrial
East	New River channel, then Desert Harbor apartments	Water, then Residential/Medium High Density (8-15 du/ac)	C-3, Central Commercial, then RM-1 –Multi-family Residential
West	Plaza Town Center (commercial center) and Freedom Plaza (assisted/independent living)	Mixed Use	C-2, Intermediate Commercial and C-5 Regional Commercial

Land Use Background

1. In 1977, the Mayor and City Council adopted *Ordinance 228*, annexing this site and the larger surrounding area into the City of Peoria. The property was rezoned to Central Commercial (C-3) in 1985 by *Ordinance 85-06*. It was later rezoned to a Planned Area Development (PAD) for senior multi-family residential in 2008 by *Ordinance 08-20*.

Project Site

2. The project site is an 8.6 gross acre undeveloped triangular-shaped parcel located at the southeast corner of 91st Avenue and Thunderbird Road. An existing APS substation interrupts the project's frontage along Thunderbird Road. The New River corridor is located along the eastern edge of the property. To the west of the site is an existing commercial (office/medical) center and an assisted/independent living facility.

PROJECT DESCRIPTION

Project Details

3. The applicant is requesting to rezone the property from the current senior multi-family residential PAD to a PAD that would support office and medical office uses. A PAD is an alternative from the standard zoning district (e.g. O-1, C-1) wherein standards can be tailored to respond to site or topographical conditions, contextual circumstances in the area and/or otherwise promote a creative and efficient approach to land development (such as a tailored list of permitted uses).
4. As illustrated in the conceptual plan (Exhibit D), the proposed development would consist of two (2) medical/office buildings, one near the Thunderbird Road frontage and one near the southern end of the site, with a parking area between the two buildings, and a drainage/landscape area located at the far southern end of the site.
5. The allowable uses for the proposed PAD are proposed to be similar to those consistent and compatible with the City's Office Commercial (O-1) Zoning District. The tailored list of allowable uses is intended to create an environment conducive to professional and medical office uses that will be compatible with the existing uses in the surrounding area, which includes offices, retail, multi-family residences, and assisted/independent living facilities. The proposed use listing is more restrictive than the former Central Commercial (C-3) Zoning District, which was the Zoning District of the site prior to its 2008 rezoning. The proposed use list prohibits more intense commercial uses including auto repair and related auto uses, as well as drive-through restaurants.

6. The existing PAD allows for a senior multi-family residential use. While this use is still considered appropriate for the site, the applicant is requesting to change the zoning to a PAD focused exclusively on non-residential uses. Should development of the site as senior multi-family residential be desired in the future, a major PAD amendment would be required to adopt development standards and design criteria appropriate for such a use.

Access

7. The primary entry into the site will be from the private drive that aligns with 91st Avenue south of Thunderbird Road. Additional access may be permitted from Thunderbird Road pending traffic analysis at the time of site plan review.

DISCUSSION AND ANALYSIS

Conformance with the Peoria General Plan

8. The underlying land use designation for the majority of the subject property is Mixed Use. As prescribed in Article 14-33-2-C of the Zoning Ordinance, any combination of uses may be allowed in a PAD provided it is consistent with the Peoria General Plan. The Mixed Use land use designation of the General Plan is intended to integrate a mixture of land use types and provide housing, shopping, and employment opportunities together in the same area. A narrow band along the eastern edge of the property is designated as Park/Open Space adjacent to the New River corridor. Appropriate development of this fringe will be determined through the site plan review process to ensure plans are consistent with applicable plans and regulations such as the City's trails plan.
9. There are existing housing, shopping, and employment opportunities within the project's vicinity and the addition of office and/or medical office uses will enhance employment opportunities and services for area residents. In particular, medical offices could diversify the medical services available for residents of the nearby assisted and independent living facilities.

Harbor Vista PAD Development Standards (Exhibit E)

10. The PAD development standards as proposed are similar to those of the O-1 Zoning District, with the exception of building height (Table 2). Allowable building height has been increased from a maximum of 30 feet to a maximum of 48 feet, in recognition of the considerable distance between the proposed site and any single family residences and the existence of a number of multi-story buildings in the immediate area.

Table 2: Proposed Development Standards

Development Standard	O-1 Zoning District	Harbor Vista PAD
Maximum Lot Coverage	n/r	N/A
Minimum Lot Width	50 ft	50 ft
Maximum Density	N/A	N/A
Maximum Building Height	30 ft	48 ft
Front Setback (Thunderbird Rd)	15 ft	15 ft
Interior Side/Rear Setback	n/r	0 ft
Corner Setback	15 ft	15 ft
Rear Setback	20 ft	20 ft

Land Use Transition and Compatibility

11. It is staff's assessment that the proposed PAD creates a development form that is appropriate for the context of the area. The proposed office and medical uses will complement and be compatible with existing development in the vicinity, and in particular with the adjacent commercial development to the west which will have a shared driveway with the site in question.

City Review

12. This request has been reviewed and commented on through the City's standard rezoning application review process. Recommended conditions of approval have been provided by the Planning, Site Development / Engineering, and Fire Safety Division as provided in the *Conditions of Approval* portion this report.

Citizen Participation / Neighborhood Engagement

13. As a requirement of the Rezoning application processes, the applicant conducted a neighborhood meeting and provided a Citizen Participation Plan report detailing the results of the meeting. The applicant notified all property owners within 1,320 feet and registered Homeowner's Associations within 1 mile of the subject site for the required neighborhood meeting, which was held on April 28th 2014 at the Rio Vista Community Center at 6:00 pm. The applicant's representatives and Councilmember Leone were present at the meeting, however no members of the public attended the meeting. The applicant did not receive any phone calls or inquiries regarding the project. City staff received one phone call in opposition, from an individual who did not want to see additional medical office space compete with the existing medical office space available to the north across Thunderbird Road.

Public Notification

14. Public notice was provided in the manner prescribed under Section 14-39-6. Additionally, the site was posted with a sign meeting the size and content requirements prescribed by the Planning Division.

Proposition 207

15. The applicant has furnished a signed and notarized Proposition 207 Waiver for recordation pending the outcome of the City Council action.

FINDINGS AND RECOMMENDATION

16. Based on the following findings:
 - The proposed zoning district is in conformance with the goals and objectives set forth in the Peoria General Plan; and
 - The proposal is consistent with the intent of the Mixed Use land use designation of the general plan by providing employment and services, in close proximity to housing; and
 - The PAD encourages a development form customized to fit the particular characteristics of this property and the surrounding area.

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

Recommend to the City Council **approval** of Case Z14-0003 subject to the following conditions:

1. The development shall conform in all material respects to "Harbor Vista" Planned Area Development Standards and Guidelines Report, (case Z14-0003) dated 5/15/14.
2. The Developer shall provide a Final Traffic Impact Analysis at the time of Site Plan application submittal.
3. The Developer shall provide an ALTA Survey reflecting existing boundary and recorded easements on the site.
4. The Developer shall dedicate an 8' PUE outside of the 65' ROW on Thunderbird Road. No walls or retention shall be allowed within the PUE.
5. The Development shall comply with the phase 2 AZPDES Storm Water Pollution Prevention criteria. This should include runoff control, erosion control, and sediment control. A Storm Water Pollution Prevention Plan (SWPPP) shall be submitted with the Civil Improvement Plans in accordance with the SWPPP checklist.

Attachments:

Exhibit A	Vicinity Map
Exhibit B	Existing Zoning Map
Exhibit C	General Plan Land Use Map
Exhibit D	Conceptual Development Plan
Exhibit E:	Harbor Vista Planned Area Development (PAD)

Prepared by:	Melissa Sigmund, AICP, LEED Green Associate Senior Planner
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Z14-0003 Vicinity Map



Z14-0003 Harbor Vista Rezoning

Applicant: Irgens Partners, LCC

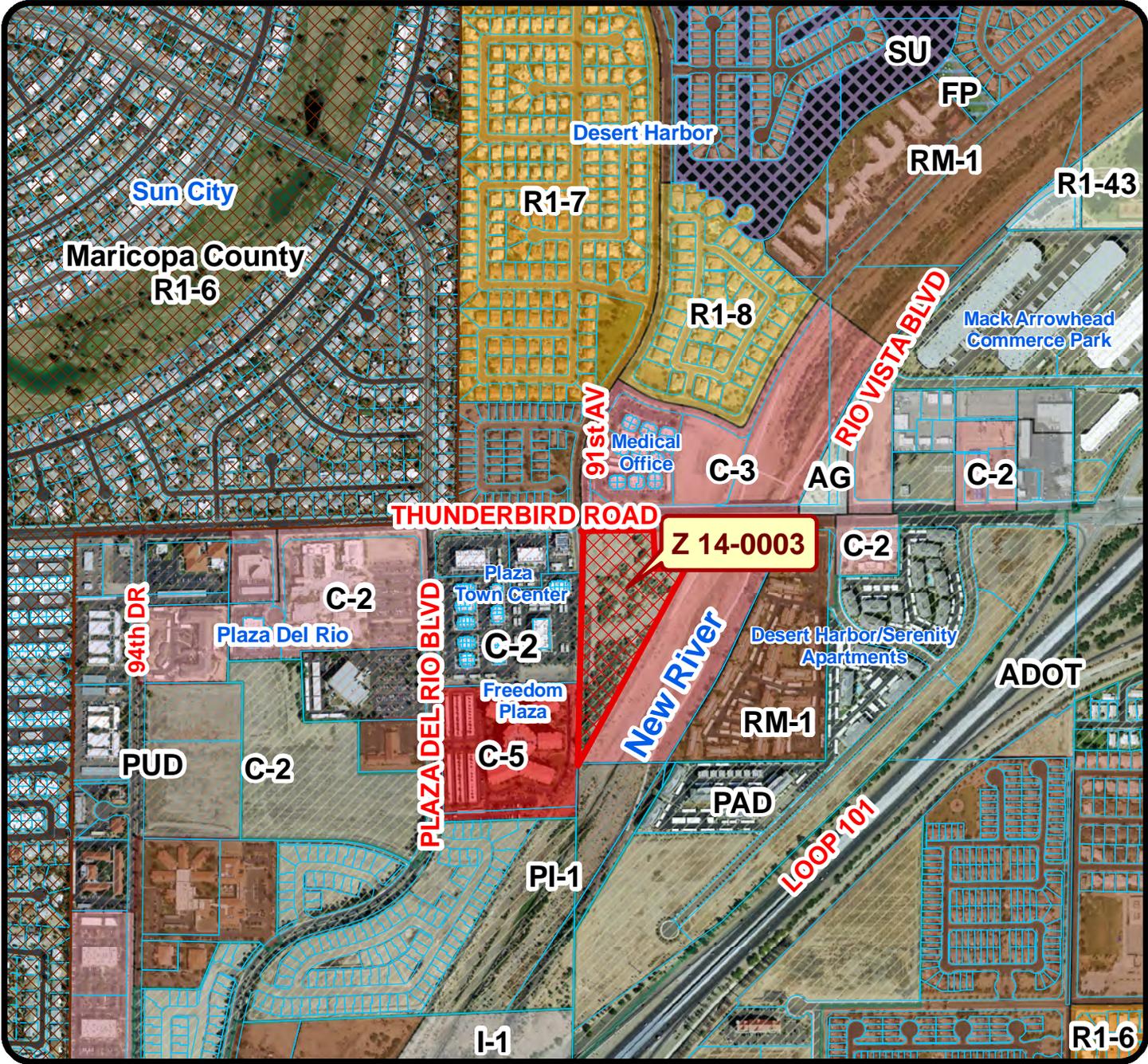
Request: Rezone approximately 8.6 gross acres from a Planned Area Development for senior multi-family residential to a PAD to allow development of office/medical office uses.

Location: Southeast corner of 91st Avenue and Thunderbird Road



Not to Scale

Z14-0003 Zoning Map



Z14-0003 Harbor Vista Rezoning

Applicant: Irgens Partners, LCC

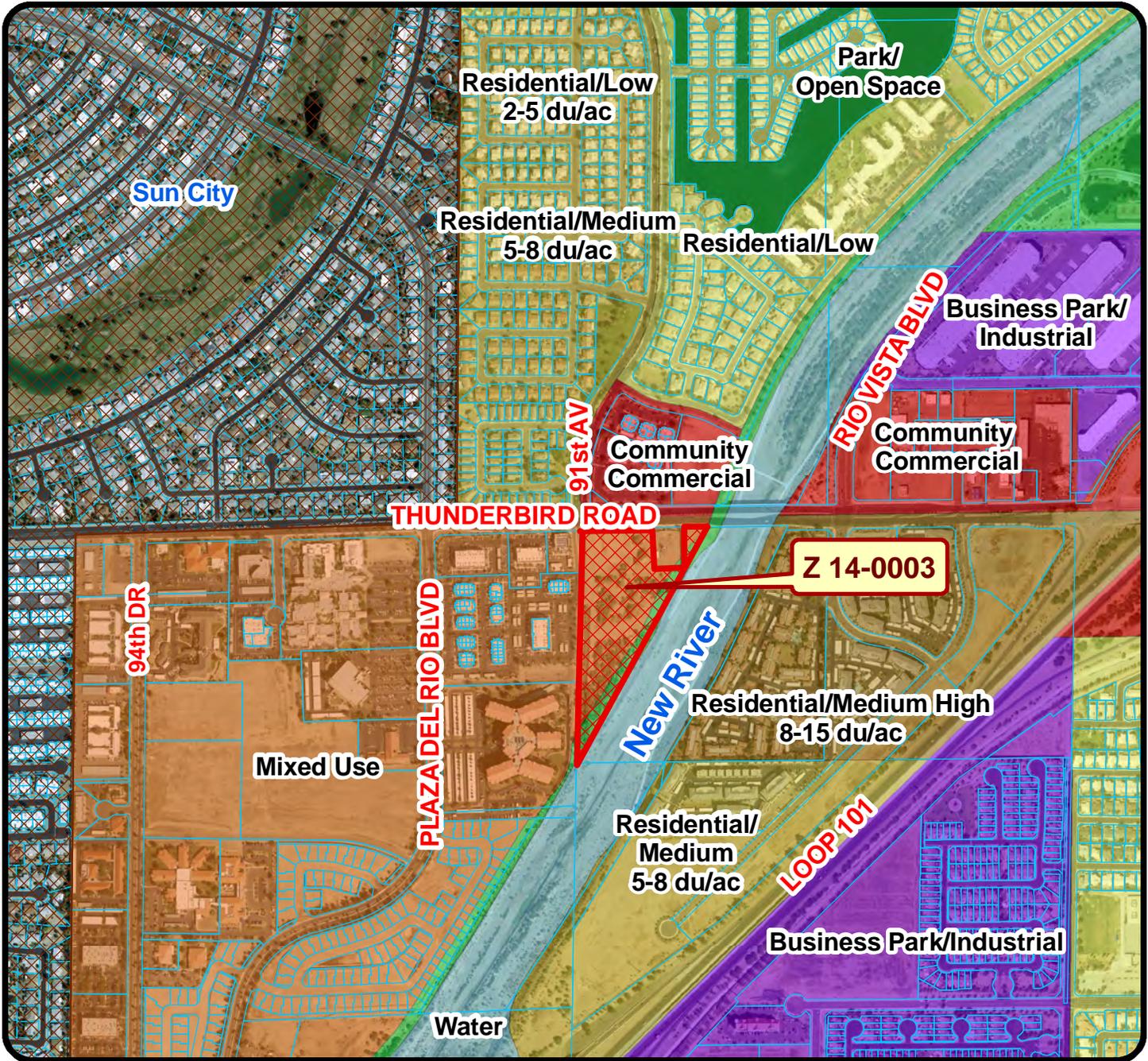
Request: Rezone approximately 8.6 gross acres from a Planned Area Development for senior multi-family residential to a PAD to allow development of office/medical office uses.

Location: Southeast corner of 91st Avenue and Thunderbird Road



Not to Scale

Z14-0003 General Plan Land Use Map



Z14-0003 Harbor Vista Rezoning

Applicant: Irgens Partners, LCC

Request: Rezone approximately 8.6 gross acres from a Planned Area Development for senior multi-family residential to a PAD to allow development of office/medical office uses.

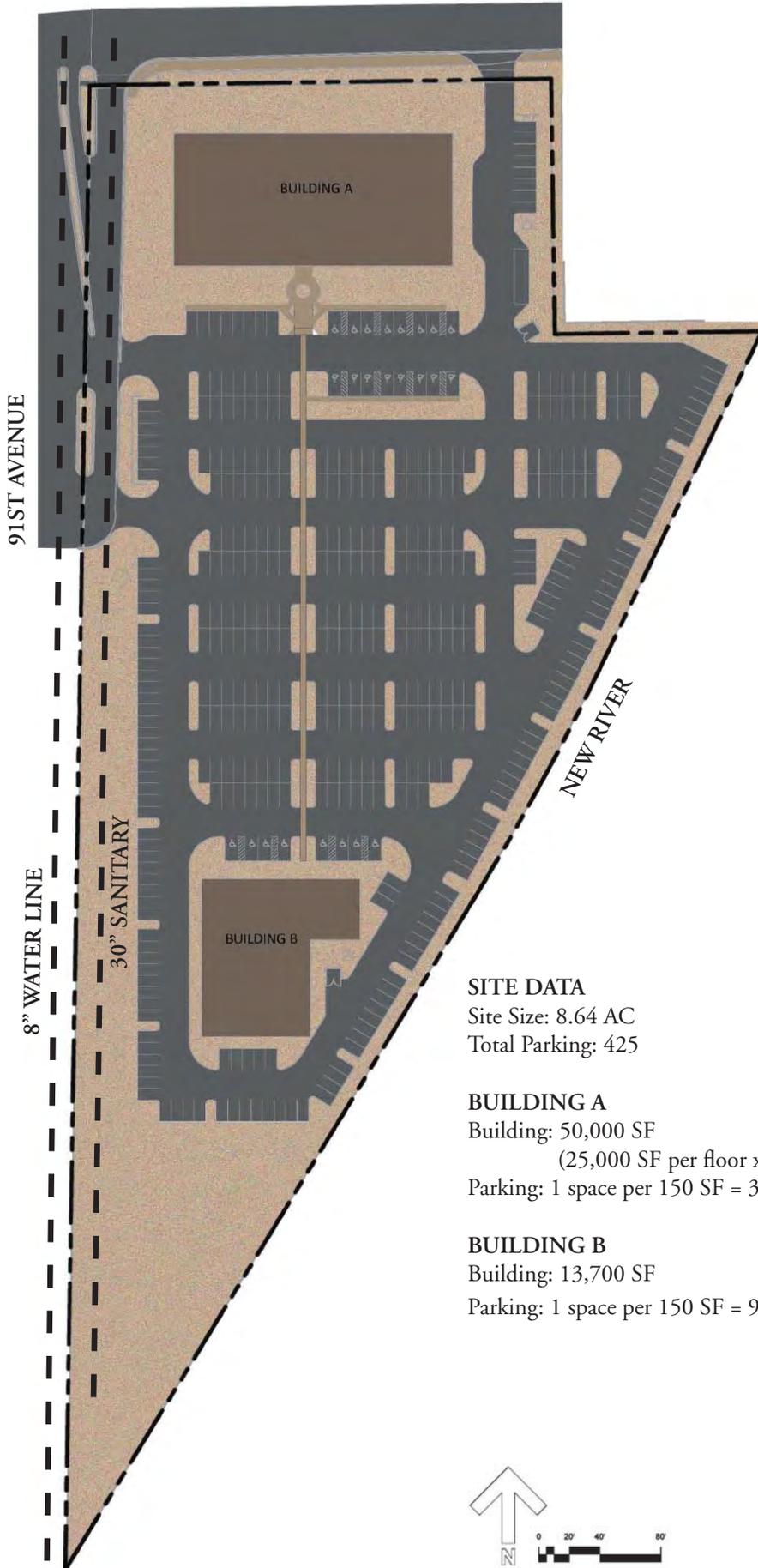
Location: Southeast corner of 91st Avenue and Thunderbird Road



Not to Scale

Conceptual Site Plan

THUNDERBIRD ROAD



SITE DATA

Site Size: 8.64 AC
Total Parking: 425

BUILDING A

Building: 50,000 SF
(25,000 SF per floor x 2 floors)
Parking: 1 space per 150 SF = 333 spaces

BUILDING B

Building: 13,700 SF
Parking: 1 space per 150 SF = 92 spaces

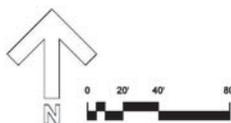


EXHIBIT E

**Harbor Vista
Planned Area Development
Standards and Guidelines Report**

EXHIBIT E

**Harbor Vista
Planned Area Development
Standards and Guidelines Report**



Harbor Vista

**Planned Area Development (PAD)
Standards and Guidelines Report**

Zoning Case Z14-0003

**Southeast Corner of 91st Avenue and Thunderbird Road
Peoria, Arizona**

May 15, 2014



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 - c. Minimum Lot Size(s)
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 - f. Screening, Fencing and Walls
 - g. Parking
 - h. Enhanced Design Review Standards
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 - a. Grading/Drainage/Retention
 - b. Water/Wastewater
 - c. Electric Power/Natural Gas/Telephone Service
- X. Exhibits
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 - b. Conceptual Site Plan with Conceptual Renderings



City of Peoria

Zoning Case Z14-0003

Development Team

1. Developer/Applicant

Irgens Partners, LLC
Contact: David Kross (602-682-0198)
5055 E. Washington Street, Suite 110
Phoenix, AZ 85034

2. Architect/Engineering Firms

Architect:
Archicon
Contact: Jeff Koski (602-222-4266)
5055 E. Washington Street, Suite 200
Phoenix, AZ 85034

Civil Engineer:
Desert Development Engineering
Contact: John Shinske (602-997-2005)
10000 N. 31st Avenue, Suite A109
Phoenix, AZ 85051

3. Consultant

Traffic Engineer:
CivTech
Contact: Joseph Spadafino (480-659-4250)
10605 N Hayden Road
Scottsdale, AZ 85260

4. Document Prepared By:

David Kross
Irgens Partners, LLC
5055 E. Washington Street, Suite 110
Phoenix, AZ 85034
Phone: 602-682-0198



I. INTRODUCTION

This is a request to rezone an approximately 8.6 gross acre parcel from Planned Area Development (PAD) for a senior multi-family residential development to a PAD including office and medical office uses. Prior to the current PAD zoning approved in 2008, this site was zoned C-3 (Central Commercial). The undeveloped property is located at the southeast corner of 91st Avenue and Thunderbird Road. The property is situated between an existing driveway at the 91st Avenue alignment and the New River. There is an existing APS substation located near the northeast corner of the property adjacent to the Thunderbird Road frontage. The property has several design constraints including its unusual shape, access and visibility limitations due to the APS substation and an irregular developable area due to the New River corridor. For these reasons, a PAD zoning district remains a favorable zoning option. While the senior multi-family PAD remains an appropriate land use for the site, the office/medical office uses are equally appropriate for this site given the mix of uses in the vicinity. Should senior multi-family uses be proposed in the future, a Major PAD Amendment would be required to establish specific development and design standards for the site.

II. LEGAL DESCRIPTION OF PROPERTY AND PARCELS

An abbreviated legal description of the property is as follows:

APN: 200-79-013K

Parcel #1:

A parcel of land located in the Northwest quarter of Section 15, Township 3 North Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

An ALTA Survey has been included in (Exhibit A).

III. CONCEPTUAL DEVELOPMENT PLAN

The Conceptual Site Plan (Exhibit B) demonstrates one possible development scenario. Separate site plan approval will be required for development of this site. The conceptual site plan illustrates a possible site design consisting of two separate buildings on the site. A two-story 50,000 square foot building is located at the north along Thunderbird Road and a single story 13,000 square foot building is located on the southern portion of the property. Covered parking may be constructed. The parking lot area is located in between the two buildings with a pedestrian connecting path between the two buildings.

Access to the site is proposed from the drive located along the 91st Avenue alignment on the west boundary of this property. A second means of ingress/egress, either a right-out only or a right-in/right-out only is proposed on Thunderbird Road to the east of the proposed building and adjacent to, west of, the APS substation (Reference Traffic Impact Analysis).



IV. TABLE OF PERMITTED, CONDITIONAL AND ACCESSORY USES

The proposed Planned Area Development (PAD) is requested to allow for the uses as listed in the following matrix.

LAND USE	
ADMINISTRATIVE & FINANCIAL	
Automatic Teller Machine (ATM)	P
Banks and Financial Institution	P
Bonding Companies & Non-Chartered Financial	C
Professional, Administrative or Business Offices	P
AUTOMOBILE RELATED	
Auto Parking Lot or Garage as Principal Use	P
Parking Space with Electric Vehicle Charging Equipment (Ord. No. 2010-23)	A
EATING & DRINKING ESTABLISHMENTS	
Catering Establishment (Ord. No. 03-171)	P
Food & Beverage Vendor Cart #	A
Outdoor Dining and Seating Areas # (Ord. No. 06-07)	C
Restaurants (Ord. No. 06-07)	P
ENTERTAINMENT AND RECREATION	
Health and Exercise Center # (Ord. No. 03-171)	P
Wedding and Reception Center # (Ord. 02-21)	C
GENERAL INDUSTRIAL & MANUFACTURING	
Call Center	P
Essential Public Service or Utility Installation	P
Recycling Collection Point	A
INSTITUTIONAL	
Art Gallery	P
Cultural Institutions	P
Day Care Centers or Pre-school Centers #	P
Libraries and Museums	P
Non-profit Social services #	P
Nursing or Convalescent Home, Long term Care Facility #	P
Public Buildings #	P
Public/Private Schools, Charter Schools, College and University Facilities excluding College & University Campuses # (Ord. No. 2010-23)	P
Public Utility Buildings, Structures, Uses, Facilities and Equipment #	P
Religious Institutions & similar places of worship #	P

P = Permitted Use
 C = Permitted Conditional Use. Conditional Use Permit required. See Article 14-39-10.
 A = Accessory Use
 # = Subject to special limitations (see the following section 14-9-5)
 - = Not permitted



INTENSE RETAIL	
Outdoor Sales and Display Area # (Ord. No. 02-21) (Ord. No. 05-36)	P
MEDICAL	
Ambulance Service Facility	C
Emergency Medical Care Facility #	C
Medical, Dental, Optician or Health, Clinics and Laboratories	P
PERSONAL SERVICES	
Messenger Delivery Service	P
Pet Grooming Shop # (Ord. No. 05-51)	P
Photographic Developing and Printing	P
Remote Mail Service (Ord. No. 05-58A)	P
Ticket and Travel Agency	P
TRANSPORTATION	
School Bus Parking and Maintenance Facilities # (Ord. No. 05-58A)	C

P = Permitted Use

C = Permitted Conditional Use. Conditional Use Permit required. See Article 14-39-10.

A = Accessory Use

= Subject to special limitations (see the following section 14-9-5)

- = Not permitted



V. PROJECT DEVELOPMENT SCHEDULE

The timing of the development will be dictated on market demand.

VI. PROJECT DEVELOPMENT STANDARDS

	Non-Residential Uses
Maximum Lot Coverage	N/A
Minimum Lot Width	50 ft
Maximum Density	N/A
Maximum Building Height	48 ft
Front Setback (Thunderbird Rd)	15 ft
Interior Side/Rear Setback	0 ft
Corner Setback	15 ft
Rear Setback	20 ft

a. Lighting

All exterior lighting shall comply with the requirements as outlined in Article 14-3 (F), Exterior lighting, Chapter 14 of the Peoria City Code. All lighting shall conform to the City's dark sky ordinance and no lighting level shall exceed one foot candle along property lines on the photometric plan.

b. Screening, Fencing and Walls

Screening shall be in accordance with the requirements as outlined in Article 14-3-4, Chapter 14 of the Peoria City Code. All screen materials used shall be compatible with the architectural style and materials of the buildings.

Walls and Fences shall be in accordance with the Screening and Walls and Fences requirements as outlined in Article 14-3-5, Chapter 14 of the Peoria City Code. All fencing and walls shall be compatible with the architectural style and materials of the buildings.

c. Parking

The proposed project will comply with all parking and loading requirements of the City of Peoria, Article 14-23 with the following exception:

Required Parking for Health Clinics: 1 space per 175 square feet of area

d. Enhanced Design Review Standards

Buildings will share a common architectural design theme, yet shall become unique in their site orientation and planning. These buildings will be designed to serve the community and the exterior design and materials shall be in accordance with these planning and design standards.



The buildings will borrow inspiration from the desert landscape, with architectural details and colors to complement this theme. The building materials may consist of one or more of the following exterior materials: concrete tilt panels, concrete masonry units, stucco, wood, stone and tile. The colors of the building will be a blend of soft desert tones, either painted or integral to the exterior building product.

The window system will be a clear anodized aluminum framed system with insulated glazing, and consist of punched window openings, ribbon windows, storefront, along with areas of continuous larger glazed features. All glazing will comply with the new energy standards. Building materials will meet Peoria's design guideline.

VII. PROJECT SIGNAGE STANDARDS

Project signage shall conform to the standards contained within Section 14-34 of the Peoria Zoning Ordinance.

VIII. PROJECT LANDSCAPING STANDARDS

Project landscaping shall conform to the standards contained within Section 14-35 of the Peoria Zoning Ordinance.

IX. INFRASTRUCTURE/UTILITIES

a. Grading/Drainage

Grading and drainage will comply with the City of Peoria's requirements and/or waiver processes. Additional drainage concerns will be addressed during Site Plan Review.

b. Water/Wastewater

It is expected that water service will be provided by connection to an existing 8" waterline along the 91st Avenue alignment to the west of site. Wastewater service needs are expected to be served by connection to a 30" sewer also along the 91st Avenue alignment.

c. Electric Power/Natural Gas/Telephone Service Providers

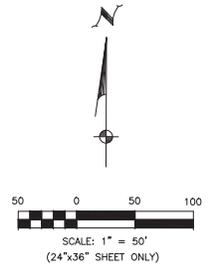
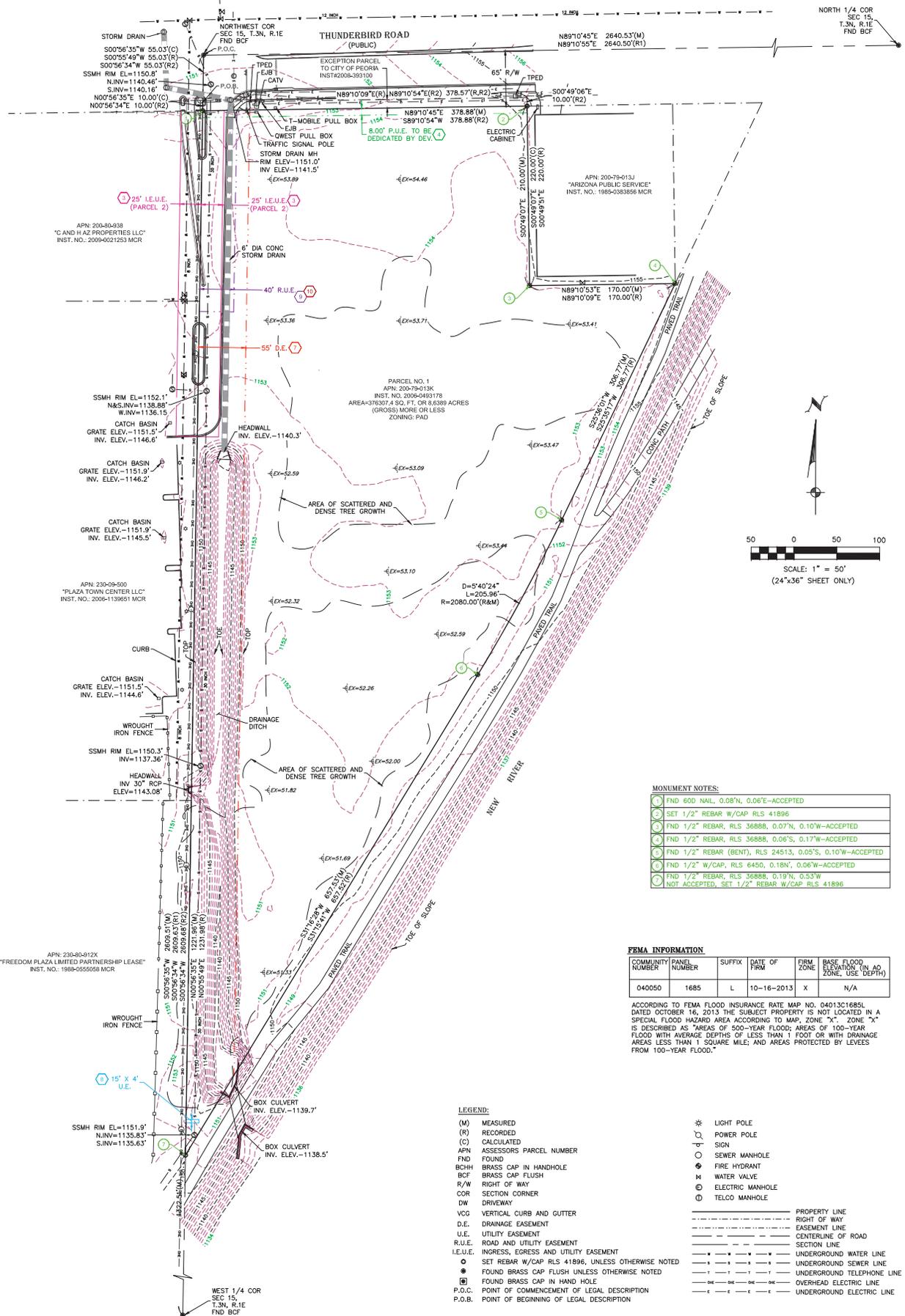
Electric Power:	APS
Natural Gas:	Southwest Gas (not expected to be utilized)
Telephone:	Qwest

X. EXHIBITS

a. ALTA

As certified by Infinity Engineering Services dated March 3, 2014.

b. Conceptual Site Plan with Conceptual Renderings



MONUMENT NOTES:

①	FND 600 NAIL, 0.08"N, 0.06"E-ACCEPTED
②	SET 1/2" REBAR W/CAP RLS 41896
③	FND 1/2" REBAR, RLS 36888, 0.07"N, 0.10"W-ACCEPTED
④	FND 1/2" REBAR, RLS 36888, 0.06"S, 0.17"W-ACCEPTED
⑤	FND 1/2" REBAR (BENT), RLS 24513, 0.05"S, 0.10"W-ACCEPTED
⑥	FND 1/2" W/CAP, RLS 6450, 0.18"N, 0.06"W-ACCEPTED
⑦	FND 1/2" REBAR, RLS 36888, 0.19"N, 0.53"W NOT ACCEPTED, SET 1/2" REBAR W/CAP RLS 41896

FEMA INFORMATION.

COMMUNITY NUMBER	PANEL NUMBER	SUFFIX	DATE OF FIRM	FIRM ZONE	BASE FLOOD ELEVATION (IN AG ZONE, USE DEPTH)
040050	1685	L	10-16-2013	X	N/A

ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NO. 04013C1685L DATED OCTOBER 16, 2013 THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA ACCORDING TO MAP ZONE "X". ZONE "X" IS DESCRIBED AS "AREAS OF 500-YEAR FLOOD; AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVES FROM 100-YEAR FLOOD."

- LEGEND:**
- (M) MEASURED
 - (R) RECORDED
 - (C) CALCULATED
 - APN ASSESSOR'S PARCEL NUMBER
 - FND FOUND
 - BCFH BRASS CAP IN HANDHOLE
 - BCF BRASS CAP FLUSH
 - R/W RIGHT OF WAY
 - COR SECTION CORNER
 - DW DRIVEWAY
 - VCG VERTICAL CURB AND GUTTER
 - D.E. DRAINAGE EASEMENT
 - U.E. UTILITY EASEMENT
 - R.U.E. ROAD AND UTILITY EASEMENT
 - I.E.U.E. INGRESS, EGRESS AND UTILITY EASEMENT
 - SET REBAR W/CAP RLS 41896, UNLESS OTHERWISE NOTED
 - FOUND BRASS CAP IN HOLE
 - FOUND BRASS CAP IN HAND HOLE
 - POINT OF COMMENCEMENT OF LEGAL DESCRIPTION
 - P.O.B. POINT OF BEGINNING OF LEGAL DESCRIPTION
 - * LIGHT POLE
 - POWER POLE
 - SIGN
 - SEWER MANHOLE
 - FIRE HYDRANT
 - WATER VALVE
 - ELECTRIC MANHOLE
 - TELCO MANHOLE
 - PROPERTY LINE
 - - - RIGHT OF WAY
 - - - EASEMENT LINE
 - - - CENTERLINE OF ROAD
 - - - SECTION LINE
 - - - UNDERGROUND WATER LINE
 - - - UNDERGROUND SEWER LINE
 - - - UNDERGROUND TELEPHONE LINE
 - - - OVERHEAD ELECTRIC LINE
 - - - UNDERGROUND ELECTRIC LINE

DRAWN BY: DRH
 CHECKED BY: BLN
 DATE: 02/03/14
 SCALE: 1"=50'
 PROJECT #: 14014

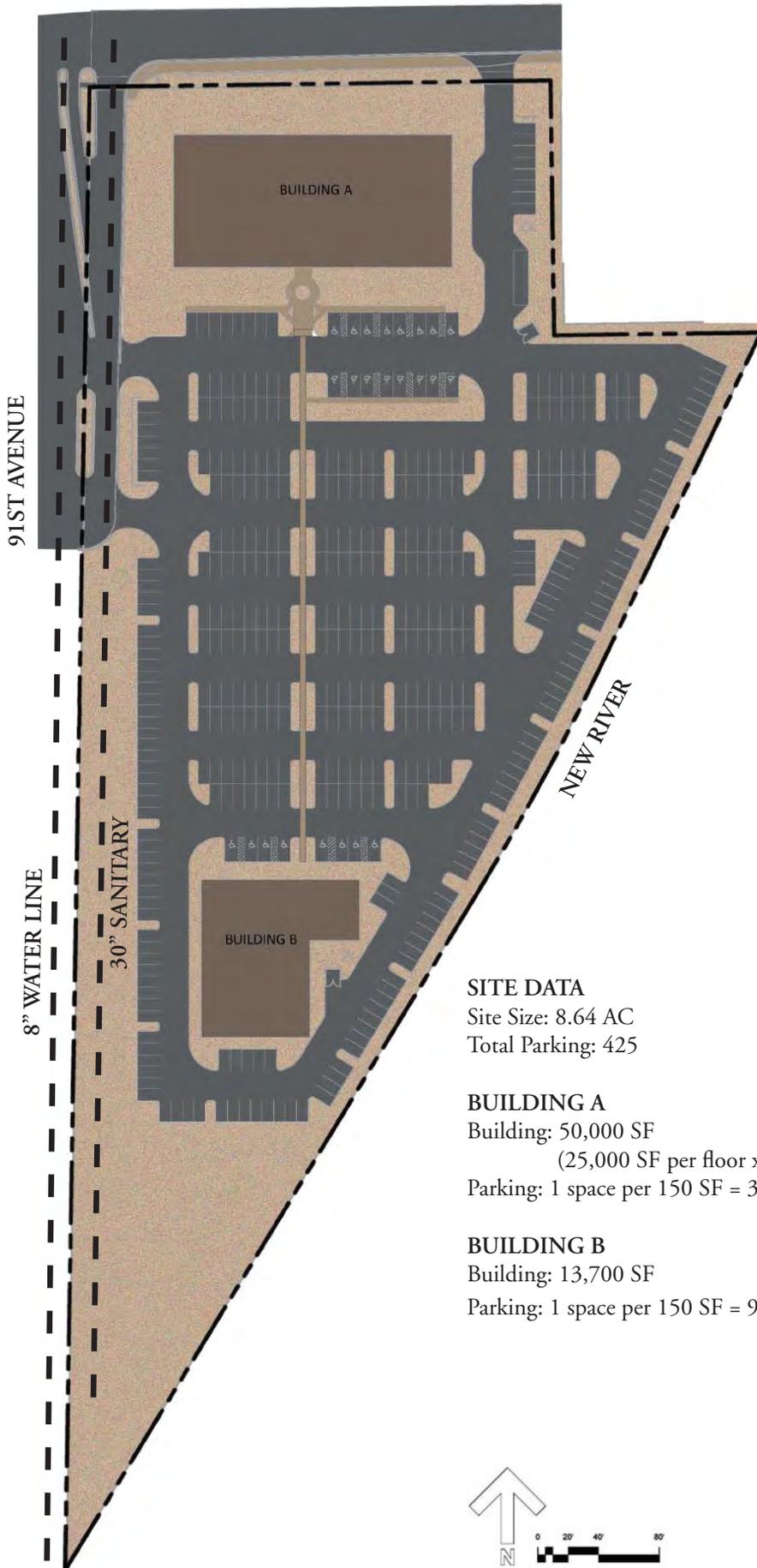
A.L.T.A./A.C.S.M. LAND TITLE SURVEY
"HARBOR VISTA"
SURVEY SHEET
 PART OF THE NW 1/4 SEC 15 T.3N. R.1E G&S R&M

PREPARED BY: A.L.T.A./A.C.S.M.
 5050 WASHINGTON STREET
 PHOENIX, AZ 85044

PROPERTY IN: []
 APN: 200-79-013J
 INST. NO. 1985-0383856 MCR

SHEET 2 OF 2
 S-2

THUNDERBIRD ROAD



SITE DATA

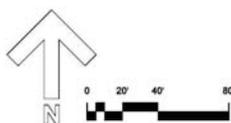
Site Size: 8.64 AC
Total Parking: 425

BUILDING A

Building: 50,000 SF
(25,000 SF per floor x 2 floors)
Parking: 1 space per 150 SF = 333 spaces

BUILDING B

Building: 13,700 SF
Parking: 1 space per 150 SF = 92 spaces



ORDINANCE NO 2014-31A

AN ORDINANCE OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA ZONING PROPERTY FROM THE THUNDERBIRD VILLAGE PLANNED AREA DEVELOPMENT (PAD) ZONING DISTRICT FOR SENIOR MULTI-FAMILY RESIDENTIAL TO THE HARBOR VISTA PLANNED AREA DEVELOPMENT (PAD) FOR OFFICE/MEDICAL OFFICE USES AMENDING THE ZONING MAP AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Peoria Planning and Zoning Commission held a public hearing on June 19, 2014 in zoning case Z14-0003 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 rezoning of a parcel of land as described below from the Thunderbird Village Planned Area Development (PAD) zoning district (Z07-14) to a single Planned Area Development (PAD) as provided in Section 14-33 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 April 25, 2014; 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 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 Exhibits A and B to this Ordinance, is hereby rezoned from the Thunderbird Village Planned Area Development (PAD) zoning district (Z07-14) to the Harbor Vista Planned Area Development (PAD) (Z14-0003) for office/medical office uses.

SECTION 2. The amendment to the zoning herein provided be conditioned and subject to the following stipulations:

1. The development shall conform in all material respects to “Harbor Vista” Planned Area Development Standards and Guidelines Report, (case Z14-0003) dated 5/15/14.
2. The Developer shall provide a Final Traffic Impact Analysis at the time of Site Plan application submittal.
3. The Developer shall provide an ALTA Survey reflecting existing boundary and recorded easements on the site.
4. The Developer shall dedicate an 8’ PUE outside of the 65’ ROW on Thunderbird Road. No walls or retention shall be allowed within the PUE.
5. The Development shall comply with the phase 2 AZPDES Storm Water Pollution Prevention criteria. This should include runoff control, erosion control, and sediment control. A Storm Water Pollution Prevention Plan (SWPPP) shall be submitted with the Civil Improvement Plans in accordance with the SWPPP checklist.

SECTION 3. 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 and as defined by the Legal Description as represented in Exhibit A and the corresponding parcel map as shown as Exhibit B.

SECTION 4: 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 7th day of October, 2014.

Bob Barrett, Mayor

Date Signed

Ordinance No. 2014-31A
October 7, 2014

ATTEST:

Rhonda Geriminsky, City Clerk

APPROVED AS TO FORM:

Stephen M. Kemp, City Attorney

Published in: Peoria Times
Pub. Dates: October 17, 2014

Effective Date:

Ordinance No. 2014-31A
October 7, 2014

EXHIBIT A

PARCEL NO. 1

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 3 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING FOR A TIE AT THE NORTHWEST CORNER OF SECTION 15;

THENCE SOUTH 00 DEGREES 55 MINUTES 49 SECONDS WEST ALONG THE WEST LINE OF SECTION 15, A DISTANCE OF 55.03 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 10 MINUTES 09 SECONDS EAST, 378.57 FEET;
THENCE SOUTH 00 DEGREES 49 MINUTES 51 SECONDS EAST, 220.00 FEET;
THENCE NORTH 89 DEGREES 10 MINUTES 09 SECONDS EAST, 170.00 FEET;
THENCE SOUTH 25 DEGREES 35 MINUTES 17 SECONDS WEST, 306.77 FEET TO THE P.C. OF A CURVE;
THENCE ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 2080.00 FEET AND A CENTRAL ANGLE OF 05 DEGREES 40 MINUTES 24 SECONDS, AN ARC DISTANCE OF 205.96 FEET TO THE P.T. OF SAID CURVE;
THENCE SOUTH 31 DEGREES 15 MINUTES 41 SECONDS WEST, 657.52 FEET TO A POINT ON THE WEST LINE OF SAID SECTION;
THENCE NORTH 00 DEGREES 55 MINUTES 49 SECONDS EAST ALONG SAID WEST LINE, 1231.98 FEET TO THE POINT OF BEGINNING;

EXCEPT THE PORTION CONVEYED TO CITY OF PEORIA, BY SPECIAL WARRANTY DEED, RECORDED MAY 02, 2008 AS 2008-393100 OF OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF A CERTAIN PROPERTY DESCRIBED IN INSTRUMENT NO. 2006-493178 OF OFFICIAL RECORDS, MARICOPA COUNTY RECORDER, SAID PROPERTY LYING WITHIN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 3 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 15 (BRASS CAP) FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 15 (BRASS CAP) BEARS SOUTH 00 DEGREES 56 MINUTES 34 SECONDS WEST, 2609.68 FEET;
THENCE SOUTH 00 DEGREES 56 MINUTES 34 SECONDS WEST, 55.03 FEET ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF SECTION 15 TO THE NORTHWEST CORNER OF SAID CERTAIN PROPERTY DESCRIBED IN DOCUMENT NO. 2006-493178 OF OFFICIAL RECORDS AND THE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 10 MINUTES 54 SECONDS EAST, 378.57 FEET ALONG THE NORTH LINE OF SAID CERTAIN PROPERTY TO A CORNER OF SAID CERTAIN PROPERTY;
THENCE SOUTH 00 DEGREES 49 MINUTES 06 SECONDS EAST, 10.00 FEET ALONG AN EASTERLY LINE OF SAID CERTAIN PROPERTY;
THENCE DEPARTING SAID EASTERLY LINE SOUTH 89 DEGREES 10 MINUTES 54 SECONDS WEST, 378.88 FEET TO THE LINE COMMON TO SAID WEST LINE OF THE NORTHWEST QUARTER OF SECTION 15 AND THE WEST LINE OF SAID CERTAIN PROPERTY;
THENCE NORTH 00 DEGREES 56 MINUTES 34 SECONDS EAST, 10.00 FEET ALONG SAID COMMON LINE TO THE POINT OF BEGINNING.

PARCEL NO. 2

ACCESS EASEMENT AS SET FORTH IN DECLARATION OF EASEMENTS RECORDED NOVEMBER 14, 2005 2005-1722279 OF OFFICIAL RECORDS AND RE-RECORDED OCTOBER 24, 2007 AS 2007-1151579 OF OFFICIAL RECORDS.

EXHIBIT B
Map

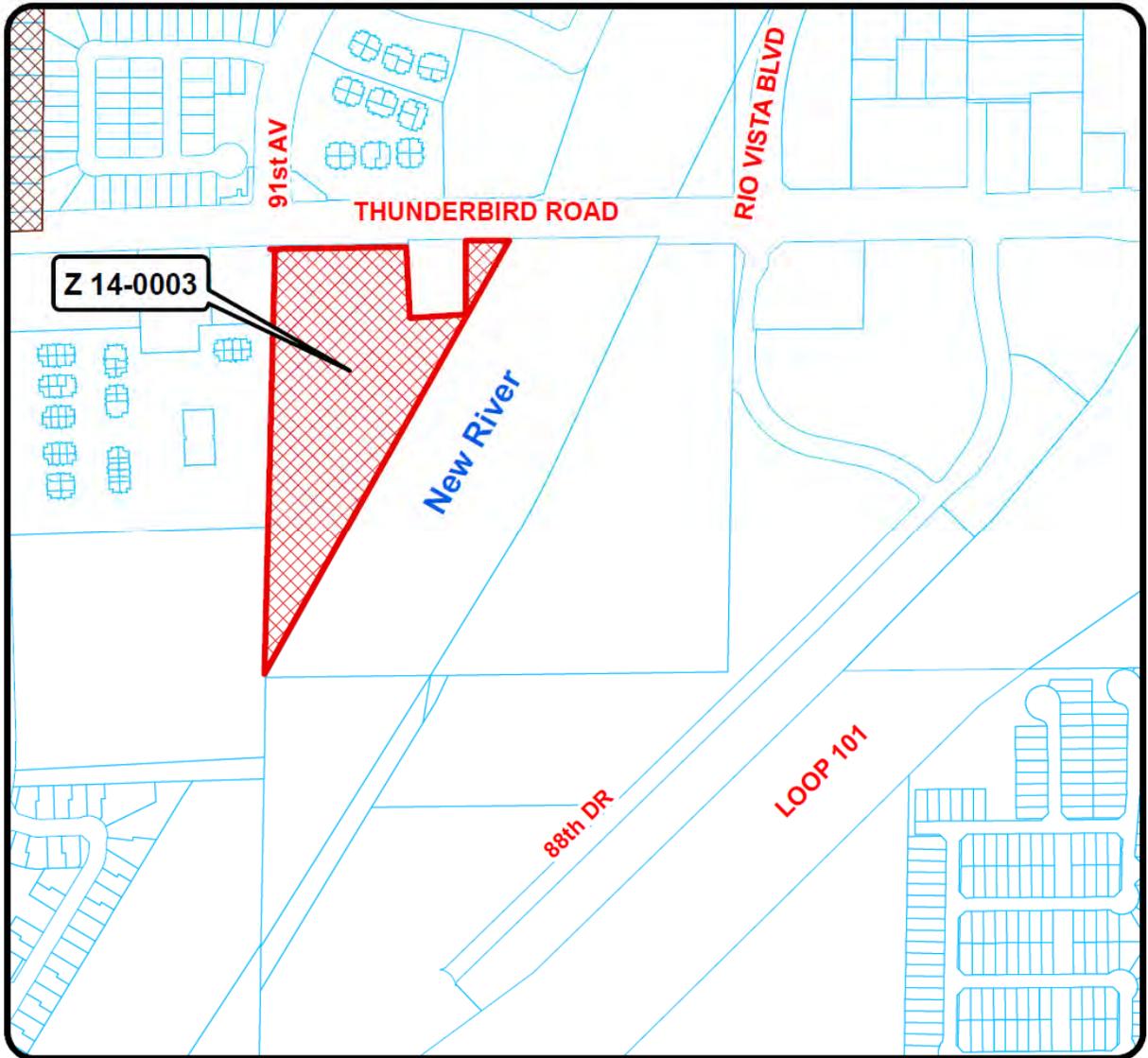


EXHIBIT 4

**Harbor Vista
Planned Area Development
Standards and Guidelines Report**



Harbor Vista

**Planned Area Development (PAD)
Standards and Guidelines Report**

Zoning Case Z14-0003

**Southeast Corner of 91st Avenue and Thunderbird Road
Peoria, Arizona**

May 15, 2014



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- II. Legal Description of Property and Parcels
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 - b. Setbacks (internal, external, building, etc.)
 - c. Minimum Lot Size(s)
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 - e. Lighting
 - f. Screening, Fencing and Walls
 - g. Parking
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- X. Exhibits
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 - b. Conceptual Site Plan with Conceptual Renderings



City of Peoria

Zoning Case Z14-0003

Development Team

1. Developer/Applicant

Irgens Partners, LLC
Contact: David Kross (602-682-0198)
5055 E. Washington Street, Suite 110
Phoenix, AZ 85034

2. Architect/Engineering Firms

Architect:
Archicon
Contact: Jeff Koski (602-222-4266)
5055 E. Washington Street, Suite 200
Phoenix, AZ 85034

Civil Engineer:
Desert Development Engineering
Contact: John Shinske (602-997-2005)
10000 N. 31st Avenue, Suite A109
Phoenix, AZ 85051

3. Consultant

Traffic Engineer:
CivTech
Contact: Joseph Spadafino (480-659-4250)
10605 N Hayden Road
Scottsdale, AZ 85260

4. Document Prepared By:

David Kross
Irgens Partners, LLC
5055 E. Washington Street, Suite 110
Phoenix, AZ 85034
Phone: 602-682-0198



I. INTRODUCTION

This is a request to rezone an approximately 8.6 gross acre parcel from Planned Area Development (PAD) for a senior multi-family residential development to a PAD including office and medical office uses. Prior to the current PAD zoning approved in 2008, this site was zoned C-3 (Central Commercial). The undeveloped property is located at the southeast corner of 91st Avenue and Thunderbird Road. The property is situated between an existing driveway at the 91st Avenue alignment and the New River. There is an existing APS substation located near the northeast corner of the property adjacent to the Thunderbird Road frontage. The property has several design constraints including its unusual shape, access and visibility limitations due to the APS substation and an irregular developable area due to the New River corridor. For these reasons, a PAD zoning district remains a favorable zoning option. While the senior multi-family PAD remains an appropriate land use for the site, the office/medical office uses are equally appropriate for this site given the mix of uses in the vicinity. Should senior multi-family uses be proposed in the future, a Major PAD Amendment would be required to establish specific development and design standards for the site.

II. LEGAL DESCRIPTION OF PROPERTY AND PARCELS

An abbreviated legal description of the property is as follows:

APN: 200-79-013K

Parcel #1:

A parcel of land located in the Northwest quarter of Section 15, Township 3 North Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

An ALTA Survey has been included in (Exhibit A).

III. CONCEPTUAL DEVELOPMENT PLAN

The Conceptual Site Plan (Exhibit B) demonstrates one possible development scenario. Separate site plan approval will be required for development of this site. The conceptual site plan illustrates a possible site design consisting of two separate buildings on the site. A two-story 50,000 square foot building is located at the north along Thunderbird Road and a single story 13,000 square foot building is located on the southern portion of the property. Covered parking may be constructed. The parking lot area is located in between the two buildings with a pedestrian connecting path between the two buildings.

Access to the site is proposed from the drive located along the 91st Avenue alignment on the west boundary of this property. A second means of ingress/egress, either a right-out only or a right-in/right-out only is proposed on Thunderbird Road to the east of the proposed building and adjacent to, west of, the APS substation (Reference Traffic Impact Analysis).



IV. TABLE OF PERMITTED, CONDITIONAL AND ACCESSORY USES

The proposed Planned Area Development (PAD) is requested to allow for the uses as listed in the following matrix.

LAND USE	
ADMINISTRATIVE & FINANCIAL	
Automatic Teller Machine (ATM)	P
Banks and Financial Institution	P
Bonding Companies & Non-Chartered Financial	C
Professional, Administrative or Business Offices	P
AUTOMOBILE RELATED	
Auto Parking Lot or Garage as Principal Use	P
Parking Space with Electric Vehicle Charging Equipment (Ord. No. 2010-23)	A
EATING & DRINKING ESTABLISHMENTS	
Catering Establishment (Ord. No. 03-171)	P
Food & Beverage Vendor Cart #	A
Outdoor Dining and Seating Areas # (Ord. No. 06-07)	C
Restaurants (Ord. No. 06-07)	P
ENTERTAINMENT AND RECREATION	
Health and Exercise Center # (Ord. No. 03-171)	P
Wedding and Reception Center # (Ord. 02-21)	C
GENERAL INDUSTRIAL & MANUFACTURING	
Call Center	P
Essential Public Service or Utility Installation	P
Recycling Collection Point	A
INSTITUTIONAL	
Art Gallery	P
Cultural Institutions	P
Day Care Centers or Pre-school Centers #	P
Libraries and Museums	P
Non-profit Social services #	P
Nursing or Convalescent Home, Long term Care Facility #	P
Public Buildings #	P
Public/Private Schools, Charter Schools, College and University Facilities excluding College & University Campuses # (Ord. No. 2010-23)	P
Public Utility Buildings, Structures, Uses, Facilities and Equipment #	P
Religious Institutions & similar places of worship #	P

P = Permitted Use
 C = Permitted Conditional Use. Conditional Use Permit required. See Article 14-39-10.
 A = Accessory Use
 # = Subject to special limitations (see the following section 14-9-5)
 - = Not permitted



INTENSE RETAIL	
Outdoor Sales and Display Area # (Ord. No. 02-21) (Ord. No. 05-36)	P
MEDICAL	
Ambulance Service Facility	C
Emergency Medical Care Facility #	C
Medical, Dental, Optician or Health, Clinics and Laboratories	P
PERSONAL SERVICES	
Messenger Delivery Service	P
Pet Grooming Shop # (Ord. No. 05-51)	P
Photographic Developing and Printing	P
Remote Mail Service (Ord. No. 05-58A)	P
Ticket and Travel Agency	P
TRANSPORTATION	
School Bus Parking and Maintenance Facilities # (Ord. No. 05-58A)	C

P = Permitted Use

C = Permitted Conditional Use. Conditional Use Permit required. See Article 14-39-10.

A = Accessory Use

= Subject to special limitations (see the following section 14-9-5)

- = Not permitted



V. PROJECT DEVELOPMENT SCHEDULE

The timing of the development will be dictated on market demand.

VI. PROJECT DEVELOPMENT STANDARDS

	Non-Residential Uses
Maximum Lot Coverage	N/A
Minimum Lot Width	50 ft
Maximum Density	N/A
Maximum Building Height	48 ft
Front Setback (Thunderbird Rd)	15 ft
Interior Side/Rear Setback	0 ft
Corner Setback	15 ft
Rear Setback	20 ft

a. Lighting

All exterior lighting shall comply with the requirements as outlined in Article 14-3 (F), Exterior lighting, Chapter 14 of the Peoria City Code. All lighting shall conform to the City's dark sky ordinance and no lighting level shall exceed one foot candle along property lines on the photometric plan.

b. Screening, Fencing and Walls

Screening shall be in accordance with the requirements as outlined in Article 14-3-4, Chapter 14 of the Peoria City Code. All screen materials used shall be compatible with the architectural style and materials of the buildings.

Walls and Fences shall be in accordance with the Screening and Walls and Fences requirements as outlined in Article 14-3-5, Chapter 14 of the Peoria City Code. All fencing and walls shall be compatible with the architectural style and materials of the buildings.

c. Parking

The proposed project will comply with all parking and loading requirements of the City of Peoria, Article 14-23 with the following exception:

Required Parking for Health Clinics: 1 space per 175 square feet of area

d. Enhanced Design Review Standards

Buildings will share a common architectural design theme, yet shall become unique in their site orientation and planning. These buildings will be designed to serve the community and the exterior design and materials shall be in accordance with these planning and design standards.



The buildings will borrow inspiration from the desert landscape, with architectural details and colors to complement this theme. The building materials may consist of one or more of the following exterior materials: concrete tilt panels, concrete masonry units, stucco, wood, stone and tile. The colors of the building will be a blend of soft desert tones, either painted or integral to the exterior building product.

The window system will be a clear anodized aluminum framed system with insulated glazing, and consist of punched window openings, ribbon windows, storefront, along with areas of continuous larger glazed features. All glazing will comply with the new energy standards. Building materials will meet Peoria's design guideline.

VII. PROJECT SIGNAGE STANDARDS

Project signage shall conform to the standards contained within Section 14-34 of the Peoria Zoning Ordinance.

VIII. PROJECT LANDSCAPING STANDARDS

Project landscaping shall conform to the standards contained within Section 14-35 of the Peoria Zoning Ordinance.

IX. INFRASTRUCTURE/UTILITIES

a. Grading/Drainage

Grading and drainage will comply with the City of Peoria's requirements and/or waiver processes. Additional drainage concerns will be addressed during Site Plan Review.

b. Water/Wastewater

It is expected that water service will be provided by connection to an existing 8" waterline along the 91st Avenue alignment to the west of site. Wastewater service needs are expected to be served by connection to a 30" sewer also along the 91st Avenue alignment.

c. Electric Power/Natural Gas/Telephone Service Providers

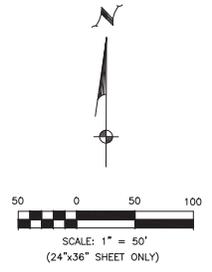
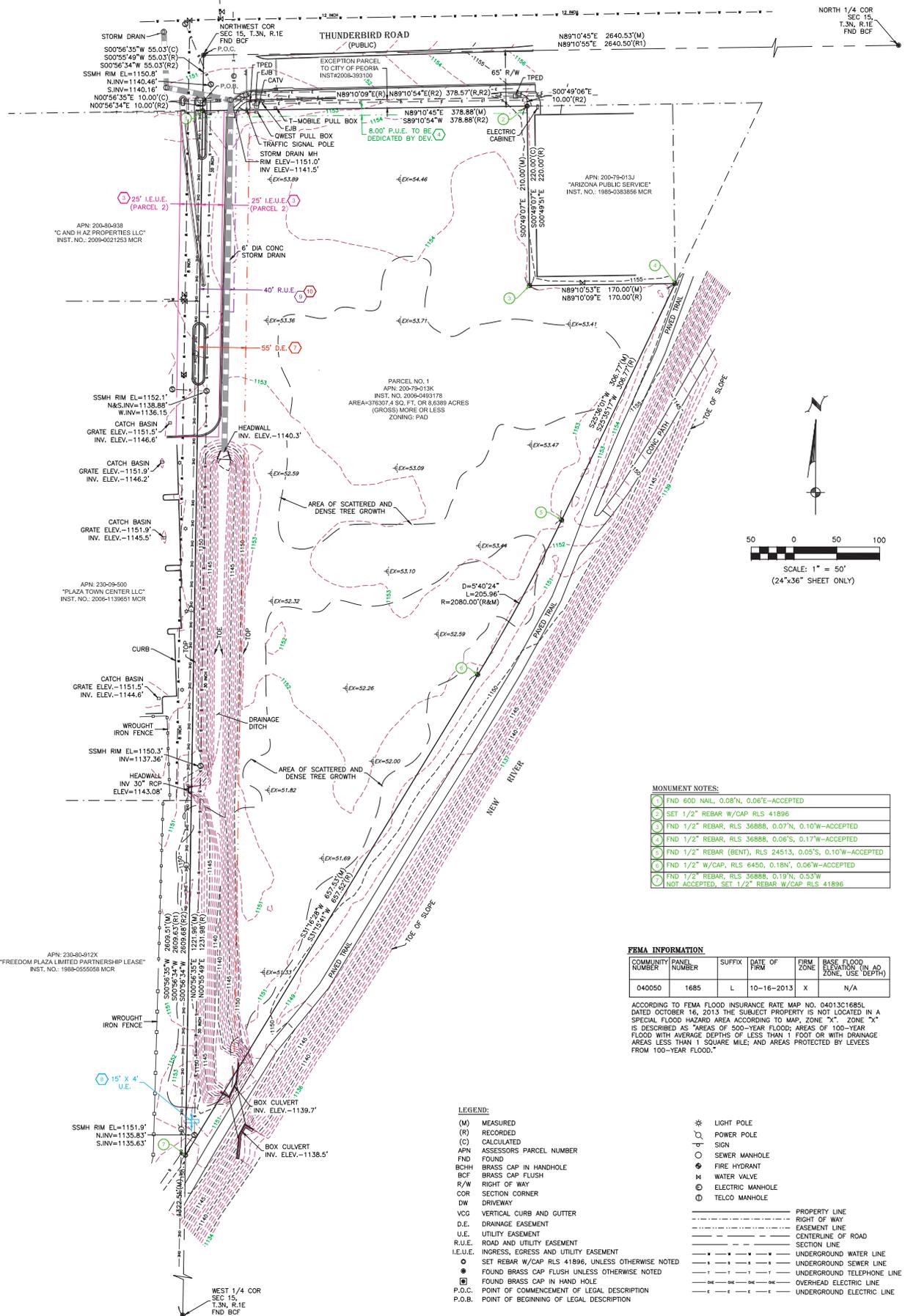
Electric Power:	APS
Natural Gas:	Southwest Gas (not expected to be utilized)
Telephone:	Qwest

X. EXHIBITS

a. ALTA

As certified by Infinity Engineering Services dated March 3, 2014.

b. Conceptual Site Plan with Conceptual Renderings



MONUMENT NOTES:

①	FND 600 NAIL, 0.08"N, 0.06"E-ACCEPTED
②	SET 1/2" REBAR W/CAP RLS 41896
③	FND 1/2" REBAR, RLS 36888, 0.07"N, 0.10"W-ACCEPTED
④	FND 1/2" REBAR, RLS 36888, 0.06"S, 0.17"W-ACCEPTED
⑤	FND 1/2" REBAR (BENT), RLS 24513, 0.05"S, 0.10"W-ACCEPTED
⑥	FND 1/2" W/CAP, RLS 6450, 0.18"N, 0.06"W-ACCEPTED
⑦	FND 1/2" REBAR, RLS 36888, 0.19"N, 0.53"W NOT ACCEPTED, SET 1/2" REBAR W/CAP RLS 41896

FEMA INFORMATION.

COMMUNITY NUMBER	PANEL NUMBER	SUFFIX	DATE OF FIRM	FIRM ZONE	BASE FLOOD ELEVATION (IN AG ZONE, USE DEPTH)
040050	1685	L	10-16-2013	X	N/A

ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NO. 04013C1685L DATED OCTOBER 16, 2013 THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA ACCORDING TO MAP ZONE "X". ZONE "X" IS DESCRIBED AS "AREAS OF 500-YEAR FLOOD; AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVES FROM 100-YEAR FLOOD."

- LEGEND:**
- (M) MEASURED
 - (R) RECORDED
 - (C) CALCULATED
 - APN ASSESSOR'S PARCEL NUMBER
 - FND FOUND
 - BCFH BRASS CAP IN HANDHOLE
 - BCF BRASS CAP FLUSH
 - R/W RIGHT OF WAY
 - COR SECTION CORNER
 - DW DRIVEWAY
 - VCG VERTICAL CURB AND GUTTER
 - D.E. DRAINAGE EASEMENT
 - U.E. UTILITY EASEMENT
 - R.U.E. ROAD AND UTILITY EASEMENT
 - I.E.U.E. INGRESS, EGRESS AND UTILITY EASEMENT
 - SET REBAR W/CAP RLS 41896, UNLESS OTHERWISE NOTED
 - FOUND BRASS CAP IN HAND HOLE
 - FOUND BRASS CAP IN HAND HOLE
 - ⊙ POINT OF COMMENCEMENT OF LEGAL DESCRIPTION
 - P.O.B. POINT OF BEGINNING OF LEGAL DESCRIPTION
 - * LIGHT POLE
 - ⊕ POWER POLE
 - ⊙ SIGN
 - SEWER MANHOLE
 - ⊕ FIRE HYDRANT
 - ⊕ WATER VALVE
 - ⊙ ELECTRIC MANHOLE
 - ⊙ TELCO MANHOLE
 - PROPERTY LINE
 - - - RIGHT OF WAY
 - - - EASEMENT LINE
 - - - CENTERLINE OF ROAD
 - - - SECTION LINE
 - - - UNDERGROUND WATER LINE
 - - - UNDERGROUND SEWER LINE
 - - - UNDERGROUND TELEPHONE LINE
 - - - OVERHEAD ELECTRIC LINE
 - - - UNDERGROUND ELECTRIC LINE

S-2

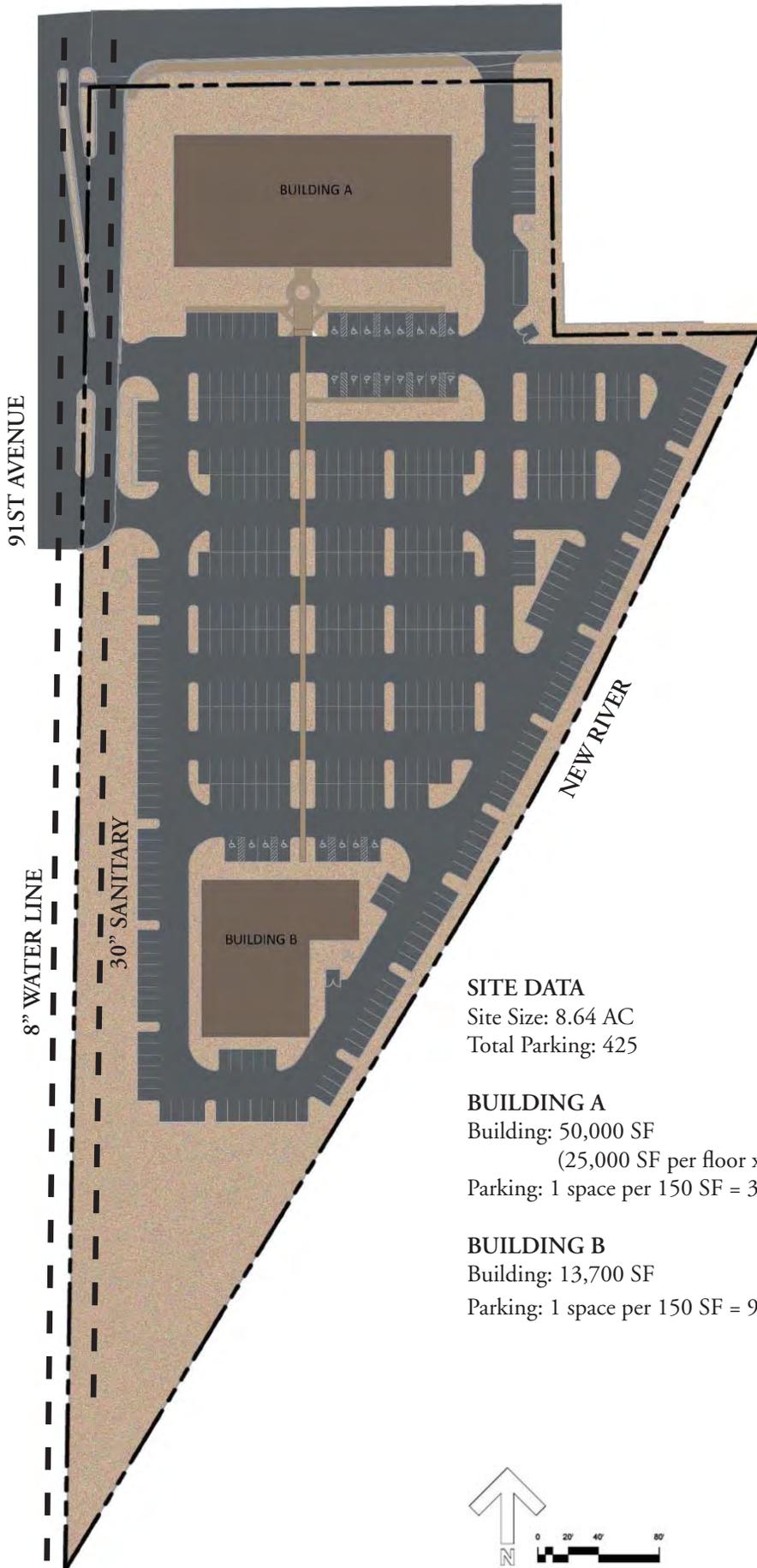


DRAWN BY: DRH
 CHECKED BY: BLN
 DATE: 02/03/14
 SCALE: 1"=50'
 PROJECT #: 14014

A.L.T.A./A.C.S.M. LAND TITLE SURVEY
"HARBOR VISTA"
SURVEY SHEET
 PART OF THE NW 1/4 SEC 15 T.3N. R.1E G&S R&M

DATE: 02/03/14
 SHEET: 2
 PREPARED BY: [Signature]
 CHECKED BY: [Signature]
 PROJECT #: 14014

THUNDERBIRD ROAD



SITE DATA

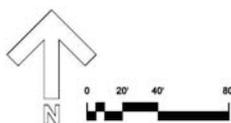
Site Size: 8.64 AC
Total Parking: 425

BUILDING A

Building: 50,000 SF
(25,000 SF per floor x 2 floors)
Parking: 1 space per 150 SF = 333 spaces

BUILDING B

Building: 13,700 SF
Parking: 1 space per 150 SF = 92 spaces



**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 9C

Date Prepared: September 15, 2014

Council Meeting Date: October 7, 2014

TO: Carl Swenson, City Manager

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

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Abandonment of City Interest, Public Water Line and Storm Water Drainage Easements, 84th Avenue and Continental Drive

Purpose:

This is a request for City Council to authorize the abandonment of the City's interest in two Easements, a Public Water Line and Storm Water Drainage (Private) located west of 84th Avenue and north of Continental Drive.

Background/Summary:

In 2009 the City accepted the dedication of a public water line easement and a storm water drainage easement from GB AZ 1, LLC for the installation of a waterline and storm water drainage infrastructure associated with the construction of the Peoria Volkswagen site located at the northwest corner of 84th Avenue and Continental Drive. The approved construction did not occur and the property has since changed hands. The new property owner requested that the City abandon the easements to allow greater development potential of the parcel.

Previous Actions:

Staff reviewed and approved the request to abandon the existing Public Water Line and Storm Water Drainage Easements which were dedicated to the City.

Options:

- A:** City Council authorizes the abandonment, removing this title encumbrance from the property.
- B:** City Council denies the abandonment maintaining the current easement encumbrance on the property.

Staff's Recommendation:

Staff recommends the adoption of a Resolution declaring an emergency to abandon City interest in the Public Water Line and Storm Water Drainage (private) Easements as recorded in Maricopa County Recorder Number 2009-00183482 and 2009-0183481 and authorize the City Clerk to record the Resolution.

Fiscal Analysis:

There is no fiscal impact to the City associated with this abandonment.

Narrative:

The abandonment will release this title encumbrance from the property.

Exhibit(s):

Exhibit 1: Vicinity Map

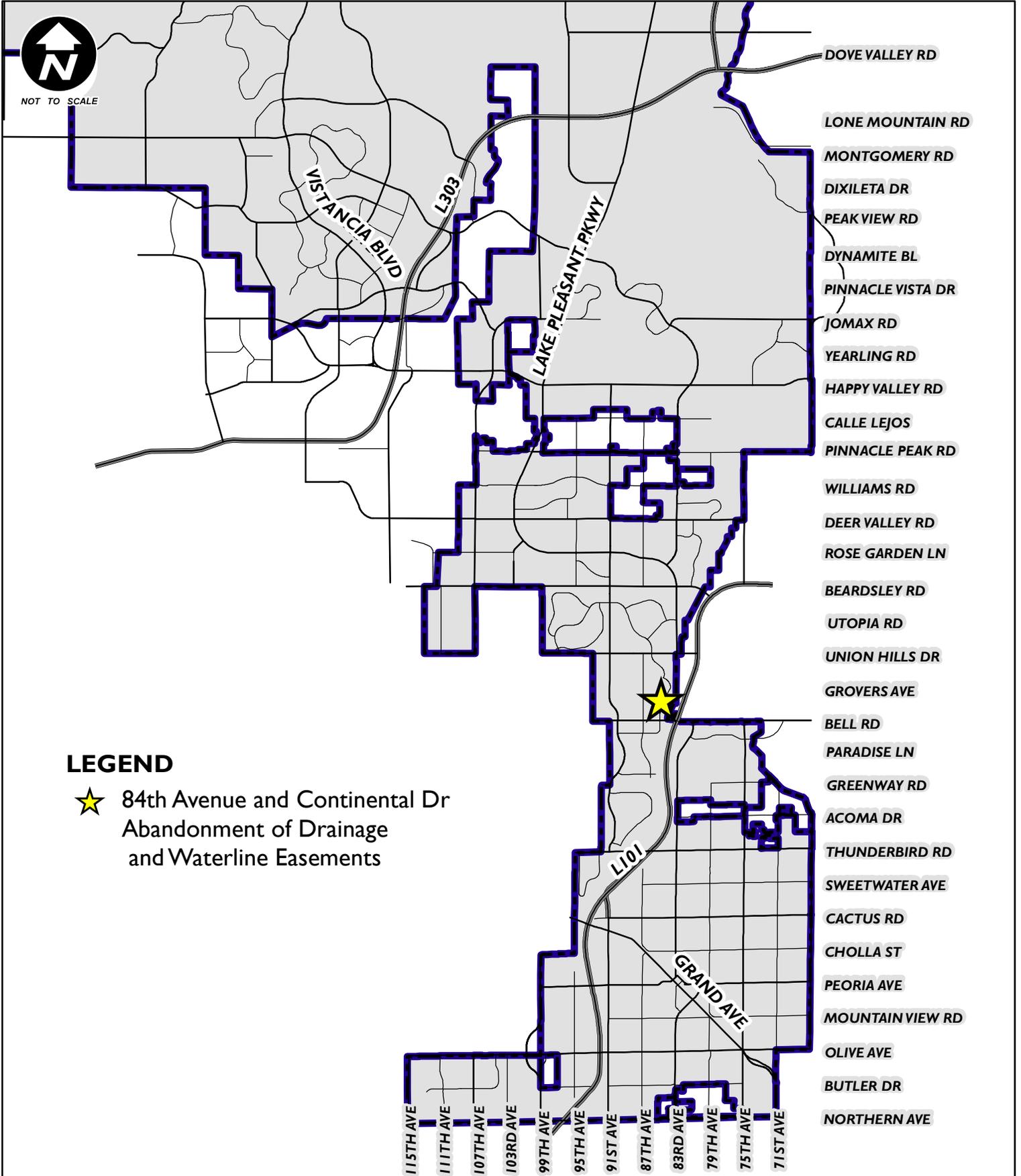
Exhibit 2: Location Map

Exhibit 3: Resolution

Contact Name and Number: Kris Luna, Sr Real Property Administrator, (623) 773-7199



NOT TO SCALE



LEGEND

- ★ 84th Avenue and Continental Dr
Abandonment of Drainage
and Waterline Easements

- 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
- SWETWATER AVE
- CACTUS RD
- CHOLLA ST
- PEORIA AVE
- MOUNTAIN VIEW RD
- OLIVE AVE
- BUTLER DR
- NORTHERN AVE

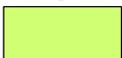
- 115TH AVE
- 111TH AVE
- 107TH AVE
- 103RD AVE
- 99TH AVE
- 95TH AVE
- 91ST AVE
- 87TH AVE
- 83RD AVE
- 79TH AVE
- 75TH AVE
- 71ST AVE

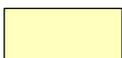


NOT TO SCALE



LEGEND

 Storm Water Drainage Easement - Private

 Public Water Line Easement

 Parcels



NOTE
Map based on imprecise source
information, subject to change and
FOR GENERAL REFERENCE ONLY.

RESOLUTION NO. 2014-149

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA FINDING THAT CERTAIN EASEMENTS FOR PUBLIC WATER LINE AND STORM WATER DRAINAGE TO BE UNNECESSARY TO CITY PURPOSES AND NO LONGER REQUIRED TO BE RETAINED BY THE CITY AND DIRECTING THAT SUCH UNNECESSARY EASEMENTS FOR PUBLIC WATER LINE AND STORM WATER DRAINAGE BE DISPOSED OF IN THE MANNER PROVIDED BY LAW AND DECLARING AN EMERGENCY.

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

WHEREAS, pursuant to A.R.S. 9-402, the City Council of the City of Peoria is vested with the power to determine and find that certain public easements may no longer be necessary to the City; and

WHEREAS, pursuant to A.R.S. 9-402, the City Council of the City of Peoria is vested with the power to vacate such easements by transferring title to adjacent property owners and others; and

WHEREAS, the Mayor and Council find and determine that certain Easements for Public Water Line and Storm Water Drainage located in the City of Peoria, Maricopa County, Arizona, west of 84th Avenue north of Continental Drive, and more specifically described in the Legal Descriptions (Exhibits A and B) attached to this Resolution are no longer needed by the City for water line and storm water drainage purposes.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That Mayor and Council find and determine that the Easements for Public Water Line and Storm Water Drainage as recorded in Maricopa County Recorder Number 2009-0183482 and 2009-0183481 and more specifically set forth on Exhibits "A" and "B" attached to this Resolution be and are hereby declared abandoned as provided by Chapter 4, Article 1, Title 9 of the Arizona Revised Statutes.

Resolution No. 2014-149
Abandonment of Easements
84th Avenue & Continental Drive
October 7, 2014
Page: 2

SECTION 2. That the City Engineer is directed to prepare and provide descriptions for the retention of such easements for public utilities, if any, as may be deemed appropriate across the described property.

SECTION 3. That the City Clerk shall record the original of this Resolution with the Maricopa County Recorder's Office.

SECTION 4. The immediate operation of the provisions of this Resolution are necessary for the preservation of the public peace, health and safety of the City of Peoria, an EMERGENCY is hereby declared to exist and this Resolution shall be in full force and effect from and after its passage, adoption and approval by the Mayor and Council of the City of Peoria, and it is hereby exempt from the referendum provision 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 7th day of October, 2014.

Bob Barrett, Mayor

ATTEST:

Rhonda Geriminsky, City Clerk

APPROVED AS TO FORM:

Stephen M. Kemp, City Attorney

ATTACHMENT:

1. Exhibit A – Legal Description – Public Water Line
2. Exhibit B – Legal Description – Storm Water Drainage



EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION

FOR

THE CENTERLINE OF A 20' WIDE WATERLINE EASEMENT WITHIN PARCEL 3,
BOOK 907, PAGE 24, MCR, LOCATED IN A PORTION OF THE SE $\frac{1}{4}$ OF SECTION 34,
T4N, R1E, G&SRB&M, CITY OF PEORIA, MARICOPA COUNTY, ARIZONA

COMMENCING AT THE INTERSECTION OF CONTINENTAL DRIVE AND 84TH AVENUE
MARKED WITH A BRASS CAP FLUSH

THENCE N41°08'03"E (N41°06'50"E RECORD) ALONG THE MONUMENT LINE OF
84TH AVENUE 106 53 FEET,

THENCE N45°00'00"W, 35 08 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE
OF 84TH AVENUE SAID POINT BEING THE POINT OF BEGINNING,

THENCE CONTINUING N45°00'00"W, 70 22 FEET TO A POINT "A",

THENCE S45°00'00"W, 65 71 FEET,

THENCE WEST, 39 60 FEET,

THENCE N60°00'00"W, 54 88 FEET TO A POINT "B",

THENCE CONTINUING N60°00'00"W, 2 00 FEET,

THENCE N30°00'00"W, 45 11 FEET,

THENCE N00°00'35"E, 209 10 FEET TO A POINT "C",

THENCE S89°59'25"E, 106 54 FEET TO A POINT "D",

THENCE N00°00'35"E, 10 33 FEET,

THENCE N44°56'33"W, 246 00 FEET TO A POINT ON THE WEST LINE OF SAID
PARCEL 3 AND A TERMINUS OF SAID EASEMENT

EASEMENT LINES ARE LENGTHENED OR SHORTENED TO INTERSECT
THE WEST AND EAST LINES OF SAID PARCEL 3

Page 1 of 3

Title: PEORIA VOLKSWAGEN

Preparing Firm: STEELE ENGINEERING

Address: 5702 EAST SHEA BLVD.

Phone: (480) 778-0171

Fax: (480) 778-0334

EXPIRES 6/30/10



EXHIBIT A

LEGAL DESCRIPTION

(CONT'D)

AND BEGINNING AT SAID POINT "A"
THENCE N45°00'00"E, 2 00 FEET,
THENCE NORTH, 29 65 FEET TO A POINT "E",
THENCE CONTINUING NORTH 10 00 FEET TO THE TERMINUS OF
SAID EASEMENT,

AND BEGINNING AT SAID POINT "E"
THENCE EAST, 32 00 FEET TO A TERMINUMS OF SAID EASEMENT,

AND BEGINNING AT SAID POINT "B"
THENCE S30°00'00"W, 26 00 FEET TO A TERMINUS OF SAID EASEMENT,

AND BEGINNING AT SAID POINT "C"
THENCE N89°59'25"W, 26 00 FEET TO A TERMINUS OF SAID EASEMENT,

AND BEGINNING AT SAID POINT "D"
THENCE S89°59'25"E, 110 00 FEET TO A TERMINUS OF SAID EASEMENT

Title: PEORIA VOLKSWAGEN

Preparing Firm: STEELE ENGINEERING

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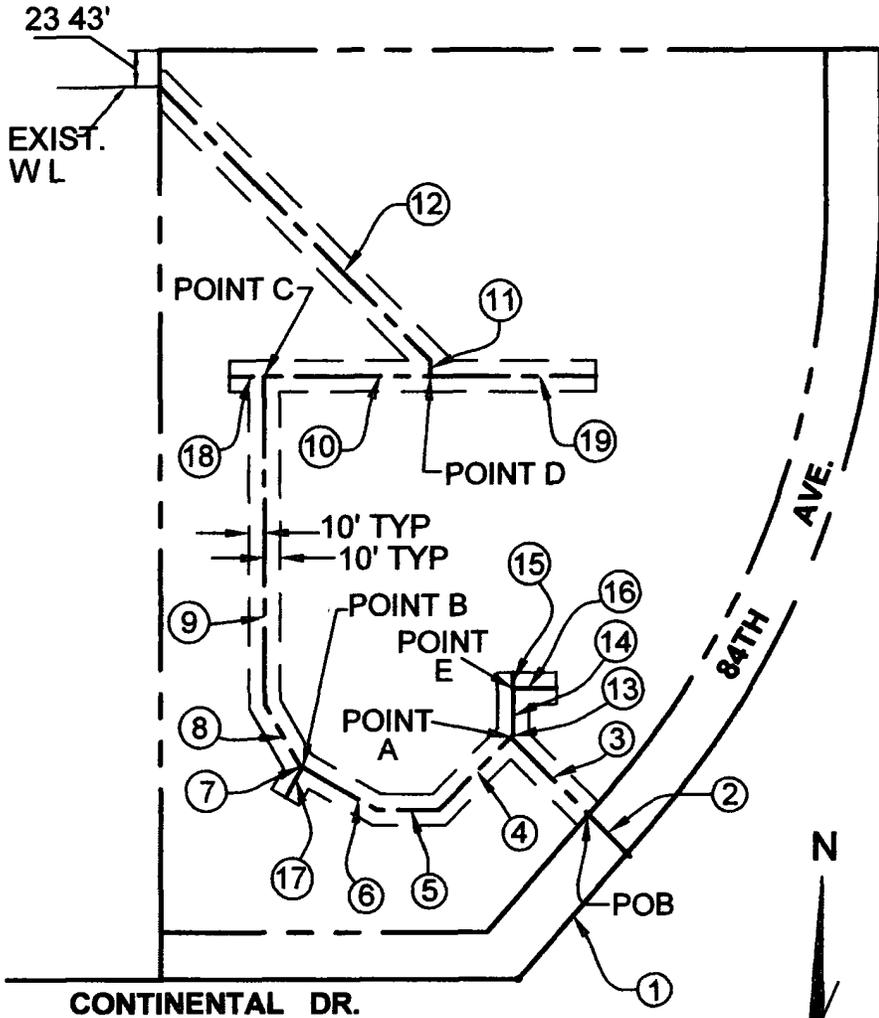
EXPIRES 6/30/10



EXHIBIT A

SKETCH

CENTERLINE OF 20 FEET WIDE WATERLINE EASEMENT



NO	BEARING	DISTANCE
①	N41°08'03"E	106 53'
②	N45°00'00"W	35 08'
③	N45°00'00"W	70 22'
④	S45°00'00"W	65 71'
⑤	WEST	39 60'
⑥	N60°00'00"W	54 88'
⑦	N60°00'00"W	2 00'
⑧	N30°00'00"W	45 11'
⑨	N00°00'35"E	209 10'
⑩	S89°59'25"E	106 54'
⑪	N00°00'35"E	10 33'
⑫	N44°56'33"W	246 00'
⑬	N45°00'00"E	2 00'
⑭	NORTH	29 65'
⑮	NORTH	10 00'
⑯	EAST	32 00'
⑰	S30°00'00"W	26 00'
⑱	N89°59'25"W	26 00'
⑲	S89°59'25"E	110 00'



Title: PEORIA VOLKSWAGEN

Preparing Firm: STEELE ENGINEERING

Address: 5702 E SHEA BLVD. SCOTTSDALE ARIZONA, 85257

Phone: 480-778-0171

Fax: 480 778-0334



EXPIRES 6/30/10



EXHIBIT B

LEGAL DESCRIPTION

LEGAL DESCRIPTION
FOR
DRAINAGE EASEMENTS
WITHIN PARCEL 3, BOOK 907, PAGE 24, MCR,
LOCATED IN A PORTION OF THE SE $\frac{1}{4}$ OF SECTION 34,
T4N, R1E, G&SRB&M, CITY OF PEORIA, MARICOPA COUNTY, ARIZONA

EASEMENT #1

COMMENCING AT THE SOUTHWEST CORNER OF SAID PARCEL 3

THENCE N00°00'08"E ALONG THE WEST BOUNDARY OF SAID PARCEL 3,
8 00 FEET TO A POINT ON THE NORTH LINE OF A PROPOSED
8 00 FEET WIDE PUBLIC UTILITIES EASEMENT,
THENCE N89°59'57"E ALONG SAID NORTH LINE, 11 38 FEET TO THE
POINT OF BEGINNING,
THENCE CONTINUING N89°59'57"E ALONG SAID NORTH LINE, 155 44 FEET,
THENCE N66°41'32"W, 53 45 FEET,
THENCE N59°33'41"W, 63 98 FEET,
THENCE N41°57'45"E, 16 11 FEET,
THENCE N32°57'59"W, 74 99 FEET,
THENCE N00°00'35"E, 355 74 FEET,
THENCE N44°56'31"W, 9 64 FEET,
THENCE WEST, 14 41 FEET,
THENCE SOUTH, 491 83 FEET TO THE POINT OF BEGINNING

Page 1 of 4

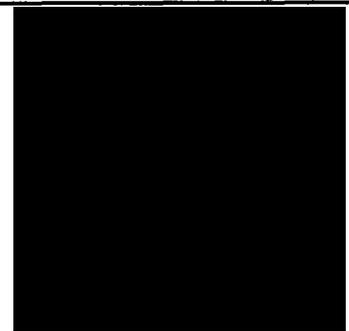
Title: PEORIA VOLKSWAGEN

Preparing Firm: STEELE ENGINEERING

Address: 5702 EAST SHEA BLVD.

Phone: (480) 778-0171

Fax: (480) 778-0334



EXPIRES 6/30/10



EXHIBIT B

LEGAL DESCRIPTION

LEGAL DESCRIPTION
FOR
DRAINAGE EASEMENTS
WITHIN PARCEL 3, BOOK 907, PAGE 24, MCR,
LOCATED IN A PORTION OF THE SE $\frac{1}{4}$ OF SECTION 34,
T4N, R1E, G&SRB&M, CITY OF PEORIA, MARICOPA COUNTY, ARIZONA

EASEMENT #2

COMMENCING AT THE NORTHEAST CORNER OF SAID PARCEL 3

THENCE N89°56'45"W ALONG THE NORTH BOUNDARY OF SAID PARCEL 3,
8 00 FEET TO A POINT ON THE WEST LINE OF AN
8 00 FEET WIDE PUBLIC UTILITIES EASEMENT,
THENCE S00°01'07"W ALONG SAID WEST LINE, 5 31 FEET TO THE POINT
OF BEGINNING,
THENCE CONTINUING S00°01'07"W ALONG SAID WEST LINE, 29 01 FEET,
THENCE S89°59'58"W, 392 02 FEET,
THENCE N45°14'41"W, 12 12 FEET,
THENCE NORTH, 15 91 FEET,
THENCE N89°20'47"E, 400 66 FEET TO THE POINT OF BEGINNING

Page 2 of 4

Title: PEORIA VOLKSWAGEN

Preparing Firm: STEELE ENGINEERING

Address: 5702 EAST SHEA BLVD.

Phone: (480) 778-0171

Fax: (480) 778-0334

EXPIRES 6/30/10



EXHIBIT B

LEGAL DESCRIPTION

LEGAL DESCRIPTION
FOR
DRAINAGE EASEMENTS
WITHIN PARCEL 3, BOOK 907, PAGE 24, MCR,
LOCATED IN A PORTION OF THE SE $\frac{1}{4}$ OF SECTION 34,
T4N, R1E, G&SRB&M, CITY OF PEORIA, MARICOPA COUNTY, ARIZONA

EASEMENT #3

COMMENCING AT THE SOUTHEAST CORNER OF SAID PARCEL 3

THENCE N41°08'03"E ALONG THE EAST BOUNDARY OF SAID PARCEL 3
AND THE WEST RIGHT-OF-WAY LINE OF 84TH AVENUE, 89 52 FEET,
THENCE N45°00'00"W, 8 00 FEET TO THE WEST LINE OF A PROPOSED
8 00 FEET WIDE PUBLIC UTILITIES EASEMENT,
THENCE CONTINUING N45°00'00"W, 6 73 FEET,
THENCE S63°24'16"W, 78 69 FEET,
THENCE S26°14'18"E, 27 51 FEET TO A POINT ON THE NORTHWEST LINE
OF A PROPOSED 8 00 FEET WIDE PUBLIC UTILITIES EASEMENT,
THENCE N65°34'00"E ALONG SAID NORTHWEST LINE, 26 95 FEET,
THENCE N41°08'03"E ALONG THE WEST LINE OF SAID 8 00 FEET WIDE PUBLIC
UTILITIES EASEMENT, 58 41 FEET TO THE POINT OF BEGINNING

Page 3 of 4

Title: PEORIA VOLKSWAGEN

Preparing Firm: STEELE ENGINEERING

Address: 5702 EAST SHEA BLVD.

Phone: (480) 778-0171

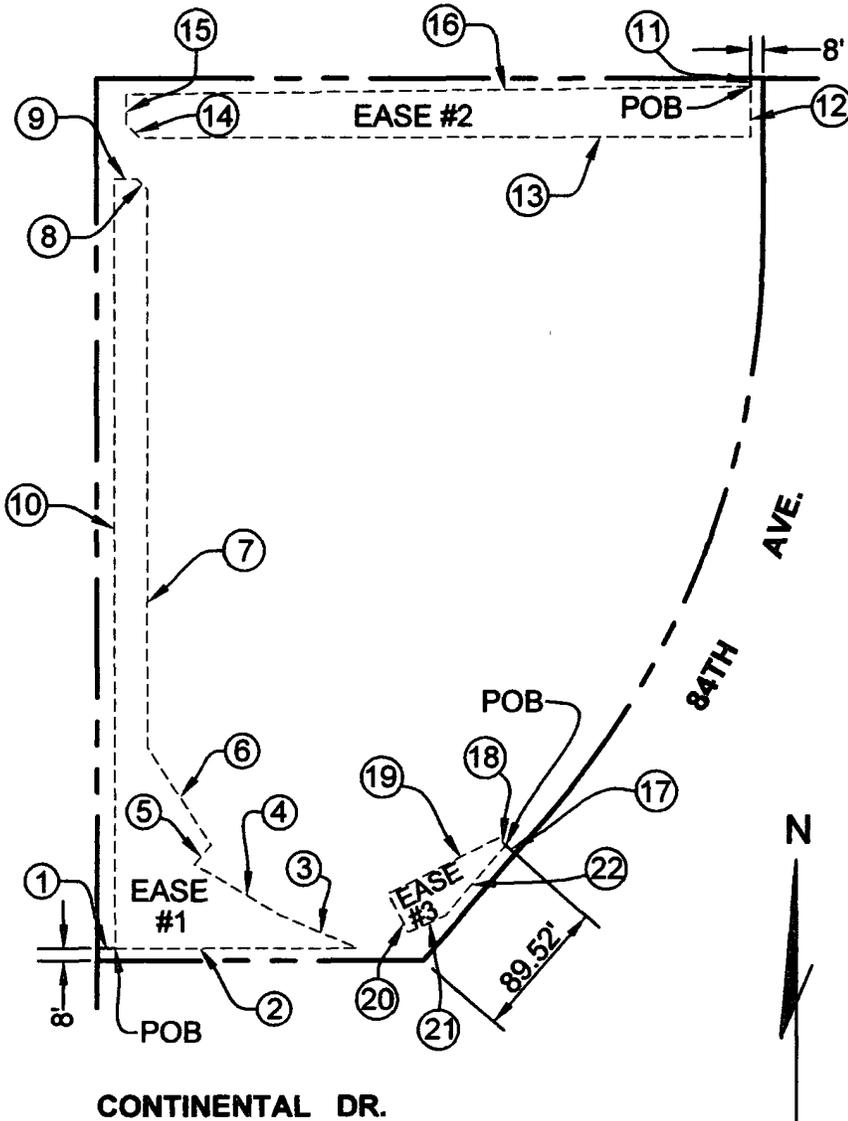
Fax: (480) 778-0334



EXPIRES 6/30/10



EXHIBIT B DRAINAGE EASEMENT SKETCH



NO	BEARING	DISTANCE
①	N89°59'57"E	11 38'
②	N89°59'57"E	155 44'
③	N66°41'32"W	53 45'
④	N59°33'41"W	63 98'
⑤	N41°57'45"E	16 11'
⑥	N32°57'59"W	74 99'
⑦	N00°00'35"E	355 74'
⑧	N44°56'31"W	9 64'
⑨	WEST	14 41'
⑩	SOUTH	491 83'
⑪	S00°01'07"W	5 31'
⑫	S00°01'07"W	29 01'
⑬	S89°59'58"W	392 02'
⑭	N45°14'41"W	12 12'
⑮	NORTH	15 91'
⑯	N89°20'47"E	400 66'
⑰	N45°00'00"W	8 00'
⑱	N45°00'00"W	6 73'
⑲	S63°24'16"W	78 69'
⑳	S26°14'18"E	27 51'
㉑	N65°34'00"E	26 95'
㉒	N41°08'03"E	58 41'



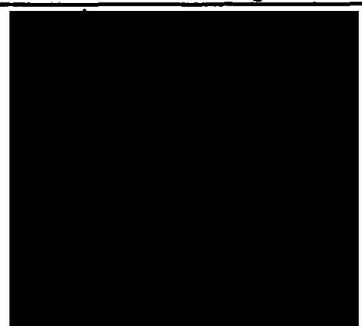
Title: PEORIA VOLKSWAGEN

Preparing Firm: STEELE ENGINEERING

Address: 5702 E SHEA BLVD. SCOTTSDALE ARIZONA, 85257

Phone: 480-778-0171

Fax: 480 778-0334



EXPIRES 6/30/10

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 10C

Date Prepared: September 17, 2014

Council Meeting Date: October 7, 2014

TO: Carl Swenson, City Manager

THROUGH: Jeff Tyne, Deputy City Manager

FROM: Roy W. Minter, Chief of Police

SUBJECT: Intergovernmental Agreement with the Arizona Department of Child Safety

Purpose:

This is a request for City Council to authorize the City Manager to execute an Intergovernmental Agreement (IGA) between the Arizona Department of Child Safety (DCS) and the City of Peoria to provide facilities for the Office of Child Welfare and Investigations (OCWI).

Background/Summary:

The purpose of this agreement is for the City of Peoria to provide facilities for the Office of Child Welfare and Investigations which is charged with investigating criminal conduct allegations of child abuse in conjunction with law enforcement agencies. This agreement shall be effective for a term of five (5) years unless terminated sooner.

Peoria shall provide facilities to DCS to assist law enforcement agencies in holding offenders accountable and assess the long term safety and best outcomes for children. It is desirable to have centrally located facilities to provide OCWI investigations. Peoria will provide office and conference space. DCS will provide the electronic equipment and supplies necessary for its staff including computers, telephones and internet/network access, etc.

Previous Actions:

No previous action as this is a new IGA.

Options:

A: Approve the acceptance of an Intergovernmental Agreement with the Arizona Department of Child Safety.

B: Choose not to participate in this agreement with the Arizona Department of Child Safety.

Staff's Recommendation:

Authorize the City Manager to execute the Intergovernmental Agreement between the City of Peoria and the Arizona Department of Child Safety.

Fiscal Analysis:

There is no fiscal impact to either party.

Narrative:

Once approved by City Council, the IGA will be executed as needed.

Exhibit(s):

Exhibit 1: Facilities Use IGA with Arizona Department of Child Safety

Contact Name and Number: Heather Cammarata, 623-773-7069

**INTERGOVERNMENTAL AGREEMENT
TO PROVIDE FACILITIES USE**

BETWEEN

THE CITY OF PEORIA

and

ARIZONA DEPARTMENT OF CHILD SAFETY

This is an Intergovernmental Agreement, hereinafter referred to as "IGA", between the City of Peoria, Arizona, a municipal corporation, in the County of Maricopa, hereinafter referred to as "City", and the Arizona Department of Child Safety, hereinafter referred to as "DCS", regarding providing facilities and services to implement services necessary for the Office of Child Welfare and Investigations (OCWI), the unit charged with investigating criminal conduct (CC) allegations of child abuse with local law enforcement agencies.

WHEREAS, DCS, is mandated pursuant to Arizona Revised Statutes (A.R.S.) § 8-451, to protect children by investigating allegations of abuse and neglect, promoting the well-being of the child in a permanent home and coordinating services to strengthen the family and prevent, intervene in and treat abuse and neglect of children; and

WHEREAS, OCWI is mandated pursuant to Arizona House Bill 2721 and A.R.S. § 8-471, to investigate criminal conduct allegations of child abuse with appropriate local law enforcement agencies.

WHEREAS, it is desirable to have the ability to provide these OCWI investigations, and any other necessary services, in a central location; and

WHEREAS, the City has facilities available to centralize these services and investigations;

THEREFORE, in consideration of the mutual agreement expressed herein, the parties agree as follows:

1.0 PURPOSE

1.1 This IGA memorializes an agreement between the City and DCS that the City shall, subject to the terms in this IGA, provide facilities to DCS to assist Law Enforcement and Prosecutors in holding offenders accountable and assess the long term safety and best outcomes for children.

2.0 AUTHORITY

2.1 The parties are authorized to enter into this IGA pursuant to A.R.S. §11-952(J).

3.0 TERM AND RENEWAL/EARLY TERMINATION

3.1 This IGA shall be effective upon execution by both parties and shall expire June 30, 2019, and may be renewed for additional terms up to a total of five (5) additional years. This IGA is subject to early termination by either party for any reason upon 30 days written notice.

4.0 DUTIES OF PEORIA POLICE DEPARTMENT

- 4.1 The City will provide office and conference room space to DCS at 8351 West Cinnabar Avenue, Peoria, AZ; the specific space and schedule to be agreed upon by DCS and the City's Police Chief or designee, for DCS staff to facilitate and provide OCWI investigations and services. Should a dispute occur as to the space available or its use, the Police Chief or designee shall make the final decision as to the space and its use.
- 4.2 The office and conference room space will be available during the hours of 8:00 AM to 5:00 PM on business days. Any after-hours, weekend, or holiday use of the space shall require the approval of the Police Chief or designee.
- 4.3 Furniture deemed necessary by City will be provided in the space used pursuant to this IGA.
- 4.4 DCS will provide telephones, internet access service and network access for DCS staff.
- 4.5 The City will not be providing any computers. DCS will be responsible for providing its own computer equipment.
- 4.6 Access to any records shall be governed by the terms of the Records Access Agreement attached as Exhibit B.
- 4.7 The City may provide keys/secured access to DCS employees for the space provided.
- a. DCS employees shall be responsible for the keys/secured access.
 - b. Any DCS employee provided a key or secured access under this IGA shall be required to sign for the key, shall not make any copies of the key, and shall be responsible for the costs associated with a lost or misplaced key.
 - c. Any DCS employee who loses or misplaces a key shall immediately notify the Police Chief or designee of the lost key.
 - d. Upon the termination, dismissal and or transfer of any DCS employee who has received a key under this IGA, the DCS employee shall immediately return the key to the Police Chief or designee.
- 4.8 The City in its discretion may provide security services for 8351 West Cinnabar Avenue, Peoria, AZ and may provide employees of DCS and any of the DCS contractors' access badges for the security services.
- a. Before an access badge is issued to any DCS employee or DCS contractor, the employee or contractor must successfully pass a fingerprint background check conducted by the City.
 - b. All employees and contractors being processed for an access badge must notify the Police Chief of any case that are pending in the Superior Court in Maricopa County against the employee or contractor or their immediate family members.
- 4.9 The City may provide parking to DCS employees, volunteers and contractors, who shall abide by any parking policies, procedures, or directives. Any vehicles parked on the premises overnight shall be parked in an agreed upon location at the risk of the owner of the vehicle.
- 4.10 The City, at all times, retains the right of access and right to inspect the entire property at

8351 West Cinnabar Avenue, Peoria, AZ, regardless of whether the space is being used by DCS. Access shall be made available at a reasonable time upon reasonable notice.

- 4.11 The City retains the right to refuse access to 8351 West Cinnabar Avenue, Peoria, AZ to any individual at any time, regardless of whether the individual is an employee, volunteer or contractor of DCS.

5.0 DUTIES OF DCS

- 5.1 DCS will use the space provided by the City at 8351 West Cinnabar Avenue, Peoria, AZ to assist Law Enforcement and Prosecutors in conducting investigations of Child Abuse Hotline reports classified as criminal conduct.
- 5.2 DCS will provide staff necessary to provide the services as agreed upon with the City.
- a. DCS is responsible to supervise and train its staff providing services at the space provided pursuant to this IGA.
 - b. DCS employees will abide by the policies and procedures of the City, related to use of the facility, when using the space provide pursuant to this IGA, including but not limited to, security policies set by City.
- 5.3 DCS will provide its own computers, phones, printers, scanners, peripheral equipment, and supplies, in addition to any technical assistance necessary for the setup, maintenance, and use of any electronic equipment.

6.0 FEES

- 6.1 City agrees to provide the spaces and services under this IGA without cost to DCS.

7.0 INDEMNIFICATION

- 7.1 Each party (as "Indemnitor") agrees to indemnify, defend, and hold harmless the other party (as "Indemnitee") from and against any and all claims, losses, liability, costs, or expenses (including reasonable attorney's fees) (hereinafter collectively referred to as "Claims") arising out of bodily injury of any person (including death) or property damage, but only to the extent that such Claims which result in vicarious/derivative liability to the Indemnitee are caused by the act, omission, negligence, misconduct, or other fault of the Indemnitor, its officers, officials, agents, employees, or volunteers.

8.0 INSURANCE

- 8.1 The State of Arizona is self-insured per A.R.S. § 41-621. The City of Peoria is self-insured per A.R.S. § 11-981 and Peoria City Code, Section 2-58. If either party uses a contractor to perform services in relation to this IGA, that party shall require the contractor to obtain the minimum insurance required by the State or Arizona, Department of Risk Management.

9.0 AUDIT OF RECORDS

- 9.1 Pursuant to A.R.S. §§ 35-214 and 35-215, both parties shall retain all data, books and other records ("records") relating to this IGA for a period of five years after completion of the IGA. All records shall be subject to inspection and audit by the State of Arizona at reasonable times. Upon request, either party shall produce the original of any or all such records.

10.0 CONFLICT OF INTEREST

10.1 The requirements of A.R.S. § 38-511 apply to this IGA. Either party may cancel this IGA, without penalty or further obligation, if any person significantly involved in initiating, negotiating, securing, drafting or creating this IGA on behalf of either party is, at any time while this IGA or any extension is in effect, an employee or agent of the other party with respect to the subject matter of this IGA.

11.0 NON-DISCRIMINATION

11.1 Both parties shall comply with Executive Order 2009-9, which mandates that all persons, regardless of race, color, religion, sex, age, national origin or political affiliation, shall have equal access to employment opportunities, and all other applicable state and Federal employment laws, rules, and regulations, including the Americans with Disabilities Act. Both parties shall take affirmative action to ensure that applicants for employment and employees are not discriminated against due to race, creed, color, religion, sex, national origin or disability.

12.0 COMPLIANCE REQUIREMENTS FOR A.R.S. § 41-4401—IMMIGRATION LAWS AND E-VERIFY REQUIREMENT

12.1 Both parties warrant compliance with all Federal immigration laws and regulations relating to employees and warrant their compliance with Section A.R.S. § 23-214, Subsection A, which reads: “After December 31, 2007, every employer, after hiring an employee, shall verify the employment eligibility of the employee through the E-Verify program.”

12.2 A breach of a warranty regarding compliance with immigration laws and regulations shall be deemed a material breach of the contract and the other party may be subject to penalties up to and including termination of the IGA.

12.3 Both parties retain the legal right to inspect the papers of any employee who works on the IGA to ensure that the other party or any contractor or subcontractor is complying with the warranty under paragraph 14(a).

13.0 APPLICABLE LAW

13.1 This IGA shall be construed in accordance the laws of the State of Arizona.

14.0 LEGAL OBLIGATIONS

14.1 This IGA does not relieve either party of any obligation or responsibility imposed upon it by law.

15.0 ARBITRATION

15.1 The parties to this IGA agree to resolve all disputes arising out of or relating to this IGA through arbitration, after exhausting applicable administrative review, to the extent required by A.R.S. §12-1518 except as may be required by other applicable statutes.

16.0 WAIVER AND MODIFICATION

16.1 None of the provisions of the IGA may be waived, changed or altered except in writing signed by both parties.

17.0 NOTICES

17.1 All notices, claims, request, and demands under this IGA are to be in writing and served in person or via certified (return receipt requested) United States mail, postage prepaid, addressed as stated below, or at such other address as shall be indicated in writing by each party. Service by certified mail will be deemed to occur on the postmark date borne by the return receipt.

If to the City: Peoria Police Department
8351 West Cinnabar Avenue
Peoria, Arizona 85345
Attn: Sergeant Luis Carrillo

If to DCS: Department of Child Safety
1624 W. Adams
Phoenix, Arizona 85007
Attn: Alex Ong, Deputy Assistant Director

In witness whereof, the parties hereto have executed this IGA on the date written below:

Carl Swenson
City Manager
City of Peoria


Eric Jorgensen
Deputy Director
Arizona Department of Child Safety

Date

9-10-2014

Date

Attest:

Rhonda Geriminsky
City Clerk

Date

Approved as to form:

Barbara Behun
Assistant Attorney General

Date

Stephen M. Kemp
City Attorney

Date

Exhibit A:

**INTERGOVERNMENTAL AGREEMENT
RECORD ACCESS AGREEMENT**

This INTERGOVERNMENTAL AGREEMENT (IGA) is between the Peoria Police Department (City) and Arizona Department of Child Safety (DCS).

1. Purpose. This IGA is intended to allow specific DCS OCWI employees electronic access to records, necessary for its mandate in conducting uniform investigations into allegations of criminal conduct child abuse.
2. Effective Date. This IGA is effective during the duration of the IGA between the City and DCS for Facilities Use.
3. The City (the custodian) shall provide access to the records necessary to provide reunification services to parents and children subject to dependency and termination proceedings in the Court to DCS employees and contractors who are providing reunification services at space provided in 8351 West Cinnabar Avenue, Peoria, AZ.
4. The City shall provide the identified users with any usernames and passwords necessary for access.
5. Restrictions and Terms of Use of Court Data. Pursuant to Rule 123 of the Rules of the Arizona Supreme Court and Arizona Code of Judicial Administration section 1-606, DCS agrees to the following:
 - a. The identified users shall use the access to records only for legitimate DCS-related business.
 - b. DCS shall protect the records and data from unauthorized access and misuse.
 - c. DCS shall ensure the security and confidentiality of any records or data provided by the custodian that are sealed or closed by Rule 123 or any other rule or law.
 - d. DCS will not copy or re-disseminate any records or data closed by Rule 123 other than for the stated purposes.
 - e. DCS will not use the records or data to sell a product or service to an individual or the general public.
 - f. DCS will inform its employees of the requirements imposed by applicable federal and state laws, rules, and terms of the record access agreement.
 - g. If requested by the individual who is the subject of a record, DCS will cooperate in correcting any inaccurate or incomplete records provided by the custodian.

- g. If requested by the individual who is the subject of a record, DCS will cooperate in correcting any inaccurate or incomplete records provided by the custodian.
 - h. DCS will consult with the custodian prior to releasing any records or data provided under the record access agreement in response to a public records request. If the custodian deems the records not subject to public access, the custodian agrees to defend that position through any legal challenge.
 - i. Prior to merging any records or data obtained from the custodian with other records or data concerning an individual or organization, DCS will ensure there is sufficient identifying information to reasonably conclude that the record or data concerns the same individual or organization.
 - j. DCS will notify the custodian of any record or data inaccuracies discovered by DCS.
 - k. DCS will permit the custodian to audit its use of and access to the records or data provided.
 - l. The parties shall agree on how the records or data will be exchanged, and if done so electronically, the format, timing, and frequency of exchanges.
 - m. The parties shall agree on a change management process and allocation of responsibilities for ensuring any unilateral software modifications do not disrupt the on-going exchange of electronic case record information.
 - n. All applicable rules and laws pertaining to the release of the records and data have been disclosed by the parties.
6. Termination. The City may immediately terminate this IGA at any time if, in the City's sole discretion, the data is used improperly. In addition, this IGA may be terminated by either Party with or without cause, upon thirty (30) day written notice to the other Party.
7. Cancellation. This IGA is subject to cancellation provisions pursuant to A.R.S § 38-511. The City may cancel this IGA, without penalty or further obligation, if any person significantly involved in initiating, negotiating, securing, drafting or creating this IGA on behalf of the City is, at any time while this IGA is in effect, an employee or agent of DCS with respect to the subject matter of this IGA.
8. None of the provisions of the IGA may be waived, changed or altered except in writing signed by both parties.
9. Notwithstanding any provision of the IGA to the contrary, the City is not authorized to indemnify DCS.
10. No payment is due from the City under the Agreement.

11. Pursuant to A.R.S. §§ 35-214 and 35-215, DCS shall retain all data, books and other records (“records”) relating to this IGA for a period of five years after completion of the IGA. All records shall be subject to inspection and audit by the State of Arizona at reasonable times. Upon request, DCS shall produce the original of any or all such records.
12. DCS shall comply with Executive Order 2009-09, which mandates that all persons, regardless of race, color, religion, sex, age, national origin or political affiliation, shall have equal access to employment opportunities, and all other applicable state and Federal employment laws, rules, and regulations, including the Americans with Disabilities Act. DCS shall take affirmative action to ensure that applicants for employment and employees are not discriminated against due to race, creed, color, religion, sex, national origin or disability.
13. Compliance requirements for A.R.S. § 41-4401—immigration laws and E-Verify requirement.
 - a. DCS warrants compliance with all Federal immigration laws and regulations relating to employees and warrants its compliance with A.R.S. § 23-214, Subsection A, which reads: “After December 31, 2007, every employer, after hiring an employee, shall verify the employment eligibility of the employee through the E-Verify program.”
 - b. A breach of a warranty regarding compliance with immigration laws and regulations shall be deemed a material breach of the IGA and DCS may be subject to penalties up to and including termination of the IGA.
14. This IGA shall be construed in accordance the laws of the State of Arizona.
15. The parties to this IGA agree to resolve all disputes arising out of or relating to this Agreement through arbitration, after exhausting applicable administrative review, to the extent required by A.R.S. § 12-1518 except as may be required by other applicable statutes.
16. This IGA contains the entire understanding of the parties. There are no representations or other provisions other than those contained herein, and any amendment or modification of this IGA shall be made only in writing and signed by the parties to this IGA.

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 11C

Date Prepared: September 4, 2014

Council Meeting Date: October 7, 2014

TO: Honorable Mayor and Council

FROM: Carl Swenson, City Manager

THROUGH: Tamara Shreeve, Council Office and Grant Program Manager

SUBJECT: Grant-in-Aid Fiscal Agent Agreement between the Tohono O'odham Nation and the City of Peoria on behalf of ABT Performing Arts Association, Inc.

Purpose:

This is a request for City Council to approve the Grant-In-Aid Fiscal Agent Agreement between the Tohono O'odham Nation and the City of Peoria on behalf of ABT Performing Arts Association, Inc.

Background/Summary:

ABT Performing Arts Association, Inc., was awarded a \$20,500 grant from the Tohono O'odham Nation's 12 percent gaming distribution grant program. ABT Performing Arts Association, Inc.'s proposal requested \$20,500 to assist with funding the Theatre for Young Audiences.

As stated in the Tohono O'odham Nation's Request for Proposal, a non-government organization (non-profit) must identify a city, town or county located within Arizona that will agree to pass through grant funds. ABT Performing Arts Association, Inc., requested that the City of Peoria act as the fiscal pass-through agent. The Tohono O'odham's Grant-in-Aid Fiscal Agreement identifies the City as the pass-through municipality, and ABT Performing Arts Association, Inc., as the Grantee.

Previous Actions:

No previous action.

Options: *(include as many as reasonable)*

A: Approve the Grant-in-Aid Fiscal Agreement between the Tohono O'odham Nation and the City of Peoria on behalf of ABT Performing Arts Association, Inc.

B: Not approve the Grant-in-Aid Fiscal Agreement between the Tohono O'odham Nation and the City of Peoria on behalf of ABT Performing Arts Association, Inc.

Staff's Recommendation:

Staff recommends that the City Council approve the Grant-In-Aid Fiscal Agent Agreement between the Tohono O'odham Nation and the City of Peoria on behalf of ABT Performing Arts Association, Inc.

Fiscal Analysis:

There would be no fiscal impact to the City of Peoria, as this is a pass-through grant.

Narrative:

N/A

Exhibit(s):

Exhibit 1: Award letter from the Tohono O'odham Nation to ABT Performing Arts Association, Inc.

Exhibit 2: Grant-in-Aid Fiscal Agent Agreement between the Tohono O'odham Nation and the City of Peoria on behalf of ABT Performing Arts Association, Inc.

Contact Name and Number: Tamara Shreeve, x5143



Tohono O'odham Nation Office of the Chairman & Vice Chairwoman

COMPASSION FAITH TRADITION RESPECT
T-I:BDAG 'AMJED S-WOHOCUDA HIMDAG PI:K 'ELID

Ned Norris, Jr.
Chairman

Wavalene M. Romero
Vice Chairwoman



August 25, 2014

Ms. Ellen Versen
Development Director
ABT Performing Arts Association, Inc.
7701 W. Paradise Ln.
Peoria, AZ 85382

Dear Ms. Versen:

I am pleased to inform you that your proposal submitted on behalf of the ABT Performing Arts Association was selected by the Tohono O'odham Nation as a recipient of the 12% grant funding in the amount of \$20,500 for the Theatre for Young Audiences. We are honored to support local communities and hope that this grant will help the ABT Performing Arts Association make positive impacts in Arizona.

As was indicated in the Request for Proposals issued by the Nation, the grant is conditional upon development of a Grant-in-Aid between the Tohono O'odham Nation, a governmental entity, and your organization.

Please contact the city, town, or county you have chosen to work with immediately so we can begin drafting the Grant-in-Aid and take the steps necessary for final approval of this grant funding. If you have any questions, please contact Lanez Valisto in my office at (520) 383-2028. Congratulations to you and ABT Performing Arts Association; I look forward to working with you to finalize your grant award.

Sincerely,



Dr. Ned Norris Jr.
Chairman, Tohono O'odham Nation



June 13, 2014

Dr. Ned Norris, Jr., Chairman
Tohono O'odham Nation
P.O. Box 837
Sells, AZ 85634

ATTN: Lanex Valisto

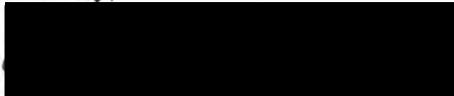
Dear Dr. Norris,

Thank you for the opportunity to apply for funding from the Tohono O'odham Nation. In response to the Tohono O'odham Nation's Request for Proposal for the Arizona Revised Statute 5-601-02 12% Gaming Distribution, I am pleased to submit a proposal on behalf of ABT Performing Arts Association, Inc., requesting support to offset the costs of a production in its **2014-2015 Theatre for Young Audiences** series. If desired, all efforts will be made to produce a professional production for children based on Native American and/or Arizona history. In appreciation for funding of the production (approximately seven performances) the Tohono O'odham Nation or West Valley Resort & Casino would receive "above the title" production credits.

ABT expects to work with the City of Peoria as its fiscal agent in order to qualify for funding from the Nation. Please do not hesitate to contact me if you have any questions or if you require any additional information regarding this proposal.

Thank you again for the opportunity to apply for funding from the Tohono O'odham Nation!

Sincerely,



Ellen M. Versen
Development Director

Enclosures

**ABT Performing Arts Association, Inc.
Proposal to the Tohono O'odham Nation
for the Arizona Revised Statute 5-601-02 12% Gaming Distribution**

**Request for support for one production of
ABT's Theatre for Young Audiences (TYA)**

Total requested: \$20,500

INTRODUCTION

ABT Performing Arts Association, Inc., a 501(c) 3 nonprofit arts organization, respectfully submits this proposal requesting **\$20,500** to offset the costs of a Theatre for Young Audiences production to be presented at the Arizona Broadway Theatre and at schools, libraries, and other communities throughout the West Valley and Arizona. Through live musical theatre, children's lives will be enriched through exposure to children's literature and the power of the performing arts. Due to financial hardship, many of the children in our library, school, and tribal community outreach audiences would not otherwise have any opportunities to learn from such experiences.

In the first offer of its kind, ABT would be willing to research plays for children that are centered around Native American and Arizona history to present during the 2014-2015 Theatre for Young Audiences season. A production of this kind would give credit to our sponsors above the title with a phrase like "*Tohono O'odham Nation presents...*" or "*West Valley Resort & Casino presents...*" The Tohono O'odham Nation would be acting as a sponsor and would be given due credit.

- a) The **Theatre for Young Audiences** program at Arizona Broadway Theatre is designed to be a special multi-generational experience for families who enjoy smaller, yet fully-staged productions of children's plays. At a time when economic challenges have necessitated budget cuts in school arts curricula, ABT seeks to provide an opportunity for children and their families to experience the magic of the performing arts while supporting early literacy. Since 2008, the licensed scripts of classic children's literature have been performed *by adults for children* as part of the Theatre for Young Audiences series. To date, TYA has staged 25 productions, including *James and the Giant Peach*, *The Wizard of Oz*, *Charlotte's Web*, *Alice in Wonderland*, *Hansel and Gretel*, *The Velveteen Rabbit*, and *The Adventures of Stuart Little*. A full list of TYA productions may be found on Page 3. With the addition of a full-time Education Director at ABT last October, the TYA program has been enhanced and all performances of TYA shows are accompanied by some sort of audience interaction – either in the form of pre- or post- show educational supplements or talkbacks with the directors and casts. Theatre etiquette is always discussed. A sample of an ABT study guide for the TYA production of *Two Dumb Dogs* during the 2013-2014 season is enclosed.
- b) It is expected that as many as 3,000 underserved children (10 performances) could benefit from this proposal by being exposed to quality children's literature and live theatre at reduced or no cost. ABT's TYA and educational outreach programs are growing to be quite robust and are well-received by parents and teachers alike. Demand for shows and accompanying learning experiences is growing, especially because both are being reduced in schools. Most of the children who are served through outreach and school visits would not otherwise have such an educational and cultural learning opportunity.

- c) Budget: see schedule of Projected Average Production Costs, on Page 4.
- d) No other funding requests have been made for this proposal.
- e) ABT Performing Arts Association, Inc., has not received a 12% distribution from the Tohono O'odham Nation or any other Arizona tribe.
- f) Contact: Ellen Versen, Development Director, ellen@azbroadway.org
 Alt. Contact: Kiel Klaphake, Executive Producer, kielk@azbroadway.org
 Arizona Broadway Theatre, 7701 W. Paradise Lane, Peoria AZ 85382
 (623) 776-8400
- g) Priority areas: Education and Cultural Development
- h) If funds are granted, the City of Peoria is expected to enter into a Grant-in-Aid, Fiscal Agent agreement with the Nation to accept the funding on ABT's behalf.

BACKGROUND

In January 2006, Arizona Broadway Theatre (ABT) opened within what is now known as the Arrowhead Entertainment District in Peoria, AZ. Based on attendance, ABT is the largest, year-round, professional, non-profit theatre in the Phoenix metropolitan area.

The theatre's 32,000-square-foot facility includes a full rigging house, production spaces, a kitchen and a 471-seat Mainstage Auditorium with unobstructed views of the stage from every seat, including those in the semi-private, 40-seat balcony.

Since its founding, more than 800,000 people of all ages have visited the theatre and have enjoyed an entertainment experience that features live, Broadway-style productions of musical theatre. Staging eight large-scale productions per year since 2005, there have been a total of 67 shows with more than 3,000 performances.

In the summer of 2006, ABT established its Academy for Young Performers, a program that introduces youth (ages seven to 18) to the performing arts and inspires them to develop a life-long appreciation through an exploration of and education in theatre skills. Offered seasonally, this learning program includes classes in acting, voice, movement, and the technical facets of theatre production such as set, costume and prop design, and construction. Most sessions culminate in a live production on the Arizona Broadway Theatre stage. Since its inception, more than 2,000 children and youth have participated in the Academy.

In answer to the community's demand for performing arts for a broader audience, ABT launched its **Theatre for Young Audiences** in 2008. This program creates a multi-generational experience that brings children and their families together to experience fully-staged, yet smaller, professional productions. The program has produced 25 plays – all adapted for the Mainstage from children's books – with 50,000 children and their companions attending performances. The Theatre for Young Audiences program is the primary focus of this proposal.

ABT hosts a number of popular concerts, non-profit fundraisers, and other arts and entertainment events annually. The theatre also allows external users, including businesses, churches, service clubs, cultural organizations, social/specialty clubs and individuals, to utilize the facility. As a good neighbor and responsible member of the non-profit community, ABT also donates thousands of dollars worth of Dinner-and-Show tickets to charitable causes across Arizona.

ABT Performing Arts Association, Inc.
Theatre for Young Audiences
Shows Produced

2013 – 2014

The Elves and the Shoemaker – December, 2013
Tales of a Fourth Grade Nothing – Winter, 2014
Two Dumb Dogs – Spring, 2014
James and the Giant Peach – Summer, 2014

2012 – 2013

Hyronomous A. Frog The Frog Prince – Winter, 2013
Androcles and the Lion – Spring, 2013
Alice in Wonderland – Summer, 2013

2011 – 2012

The Lion, the Witch and the Wardrobe – Fall, 2011
The Adventures of Stuart Little – Spring, 2012
Charlotte's Web – Summer, 2012

2010 - 2011

Hansel and Gretel – October, 2010
Christmas in the Land of Oz – December, 2010
Cinderella! Cinderella! - January/February, 2011
The Velveteen Rabbit – March, 2011
The Adventures of Rose Red, Snow White's Less Famous Sister – May, 2011
Charlie and the Chocolate Factory – Summer, 2011

2009 - 2010

The Legend of Sleepy Hollow - October – November, 2009
The Last of the Dragons - December, 2009
The Celebrated Jumping Frog of Calaveras County – January/February, 2010
Alice in Wonderland - March/April, 2010
Jack and the Beanstalk – Summer, 2010

2008 – 2009

The Wizard of Oz
The Elves and the Shoemaker
Charlotte's Web
The Selfish Giant

ARIZONA BROADWAY THEATRE
THEATRE
 FOR YOUNG AUDIENCES

Total Average Production Costs	
Rehearsal Pay (7 Actors)	\$1,200.00
Performance Pay (7 Actors, 7 Performances)	\$2,700.00
Artistic Management	\$2,500.00
Board Operator Fees (2 ops)	\$800.00
Set Designer Fee	\$500.00
Set Budget	\$500.00
Sound Designer Fee	\$500.00
Sound Budget	\$250.00
Costume Designer Fee	\$500.00
Costume Budget	\$500.00
Light Designer Fee	\$500.00
Light Budget	\$250.00
Prop Designer Fee	\$500.00
Prop Budget	\$500.00
Director Fee	\$700.00
Theatre/Rehearsal Space Rental	\$7,000.00
Average Royalties	\$1,000.00
Misc.	\$100.00
Total Average Production Costs	\$20,500.00

Average Per-Performance Costs	
Actor Salaries (7 Actors)	\$390.00
Tech Salaries (2 tech)	\$220.00
Artistic Management	\$350.00
Royalties	\$100.00
Misc Expences	\$100.00
Total Average Per-performance Costs	\$1,160.00

Average Audience	300
Average Title 1 Students	100



Pre and Post Performance Study Guide

Before You Go

Theatre etiquette, Things to DO in the Theater

- **DO** make sure you are ready to sit and enjoy the show in plenty of time:
 - Get a drink of water if you are thirsty
 - Visit the bathroom if you need to
 - Get a Kleenex if you need one
 - Please remember; always ask a teacher or other responsible adult before you leave your seat.
- **DO** make yourself comfortable in your seat and:
 - Tell a teacher or other responsible adult if you are unable to see the show from where you are sitting
 - **DO** ask permission to leave your seat for any reason
- **DO** keep your hands and feet to yourself throughout the show.
- **DO** laugh if the actors do something funny. You can laugh:
 - During a scene or song
 - After a scene or song
 - After the show when you tell your friends and family about all the funny parts
- **DO** clap if you want to show the actors you liked what you saw. You can clap:
 - After a scene or song
 - After the play is done.

Theatre etiquette, Things NOT to do in the Theater

- **DON'T** leave your seat once the show starts.
 - The theatre will be dark, and people should leave their seats only if they have a very important need to.
- **DON'T** chew gum, or bring food or drinks of any kind into the theatre.
- **DON'T** stand up.
 - The people behind you won't be able to see!
- **DON'T** take pictures, make videos or recordings of any kind.
- **DON'T** talk during the show
 - Not to your neighbor or to the performers (unless they ask you a question and invite you to answer.)
 - There will be time after the show to talk and ask questions of the actors, crew and staff members



Pre and Post Performance Study Guide

Themes and Discussion Topics

- Geography - The story is set in the Colorado Rocky Mountains.
 - Where in the United States is Colorado?
 - Where in Colorado is Breckenridge?
 - What is Colorado famous for?
 - Have you ever been to Colorado?
 - What did you see?
- Teamwork – It is very important to be able to work well with, and get along with others. There are often situations in life where you will need somebody's help, or they will need yours.
 - Identify some situations where you teamed up with a friend or family member to accomplish something you couldn't do by yourself.
 - How did you do it?
 - What was the end result?
- Bullies – Unfortunately, almost all of us know a bully, or have been bullied by someone.
 - What makes some people bully other people?
 - What can the victim do to stop the bullying?
 - What can bystanders do to stop it?
 - Have you ever bullied yourself?
 - What does it mean to "bully yourself"?
- Responsible Pet Ownership.
 - Do you have a dog?
 - Is your dog well-trained?
 - Would you like your dog to be?
 - How much time do you spend playing with your dog?
 - What do you do to see that he is busy, active, and entertained?
 - What are some problems that arise as a result of your dog's behavior?
 - What makes you happy about your dog's behavior?

Language Arts.

- What do you do when you read a word and don't know how to pronounce it, or don't know what it means?
- What do you do if you hear a word and don't know what it means?
- Do you think it's important to have a good vocabulary?
- Do you think good grammar is important? Why?



Pre and Post Performance Study Guide

- Poetry/Rap
 - Do you like poetry?
 - How about rap music?
 - What do the two have in common?
 - How are they different?
- Shakespeare – Shakespeare has been dead for almost 400 years, but he is very much alive in our contemporary society. Not only are his plays still performed in theatres around the world, but they have been made into movies. Phrases from his plays have made their way into regular usage in our language. Some of the plays have been adjusted or adapted just a bit, and become very popular in their new version. One example of this is Disney's "The Lion King" (Hamlet).
 - What Shakespeare have you seen, in any version?
 - What Shakespeare have you spoken?

Science

- Owls – Owls are a group of birds of prey.
 - What are birds of prey?
 - Are owls really wise?
 - What are some myths about owls?
 - What are some facts?
- Time – Time is a fixed unit of measurement. That is to say, a certain number of minutes are in an hour, a certain number of days are in a week, a certain number of months are in a year.
 - What are the standard measurements of time?
 - And even though the length of any day is the same as any other day, sometimes it seems a day takes FOREVER to get through, and other times a day goes by quickly.
 - What are things that seem to make time pass differently?



Pre and Post Performance Study Guide

After The Show

POSSIBLE ARIZONA COLLEGE AND CAREER READY CURRICULUM TIE-INS

SCIENCE

Owls

In the course of the play, Floof and Ferdo encounter an owl in the woods. The owl tries to help the dogs by warning them of dangers ahead.

- Are woods a natural habitat for owls?
 - Where else are owls found?
- How many species of owls are there?
- Do they really eat dogs?
 - What does their diet consist of?
- Can they really turn their heads completely around?
- What owls are native to Arizona?

Time

Ferdo and Floof are unable to tell time. They have no concept of a minute, an hour or a day.

- How is a day divided?
 - How many hours?
 - How many minutes?
 - What do the terms "a.m." and "p.m." mean?
- What is "military" or "astronomical" time?"
 - How is it different from standard time, as we tell it in home and at school?
- Digital clocks give us an actual numerical readout of the time. Mechanical clocks indicate the time with minute and hour hands.
 - Can you correlate the time on a digital clock to the time on a mechanical clock?

Ferdo and Floof have no concept of a week, month or year, so don't understand how long the prince has been stuck in the rock.

- How is the length of a day calculated?
 - How many days are in a week?
 - Approximately how many weeks are in a month?
 - How many weeks in a year?
 - How many months in a year?
- What is "leap year?"
 - Why does it occur?



Pre and Post Performance Study Guide

- Has the calendar that we use now always been the way time is marked?
 - What is the term for the calendar we use now?
 - What are some of the calendars that were used before, and by whom?
 - Why did they change?

Geography/Navigation

Ferdo and Floof live in Breckenridge, Colorado. When they run away, they get lost in the Rocky Mountains.

- Identify Colorado on a United States map.
 - Find Breckenridge.
 - Through what part of Colorado do the Rocky Mountains run?
- If you were lost in the Colorado wilderness, what information do you know that could help you navigate your way out?
 - What constellations might appear in the night sky?
 - How would you identify north?
 - What direction do rivers flow there?
- What man-made items would it be a good idea to carry if you were hiking in the wilderness?
 - How would they help you?
 - How would they keep you safe?
 - How do they work?
- How would any of these answers change if you were lost in the wilderness outside Phoenix, Arizona?
- Being lost in the "urban jungle," in the city, poses a whole new set of problems.
 - What information do you need to know to help you if you are lost in a strange city?
 - What things might you want to carry to help you in case you do get lost?
 - Why?



Pre and Post Performance Study Guide

LANGUAGE ARTS

Vocabulary

Ferdo and Floof hear several words on their journey that are unfamiliar to them. Fortunately, another character always gives them the definition. When nobody is around to do this for us, we need to look up the definitions ourselves.

- One day, listen to the conversation between your parents or older relatives or siblings.
 - If you hear them use a word you do not know, write it down.
 - When you have a list of five words, go to the dictionary and look the words up.
 - Write down the definitions.
- When you come to a word in your library book that you are not familiar with, stop reading for a moment.
 - Go to the dictionary, and look up the word.
 - Pay attention not only to the definition, but the pronunciation.
 - Say the word aloud several times until you are sure you remember how to pronounce it.
 - Then go back to your book, re-read the sentence containing the word you now know, and continue reading.

Rhetorical Questions

- What is a rhetorical question?
 - How is it different than one asking for information?
 - What would be a reason for posing a rhetorical question?
 - Write a paragraph in which you correctly use a rhetorical question.

Poetry/Rap

Ferdo and Floof throw down with some rap. Or are they slamming some poetry?

- What is rap? If you took the music away and left just the lyrics, would it be poetry?
 - Take the lyrics of your favorite rap song – write them down. Recite them, separate from the rhythm of the music.
- What is poetry? If you added a house-mix groove to a poem, would it be rap?
 - Take your favorite poem – write it down. Recite it as though it were a rap song. Try setting it to a karaoke rap beat.
- What is a poetry slam?
 - Organize a classroom, grade-wide or school-wide slam.
 - Organize a family or neighborhood poetry slam



Pre and Post Performance Study Guide

Shakespeare

The following Shakespearean quotes appear in “Two Dumb Dogs:”

- “Screw your courage to the sticking point.” (Quote is actually “the sticking place”)
- “...the outrageous slings and arrows...”
 - Identify the play from which each derived.
 - What did each mean in context of that play? Who said it; when; why?
 - What do each mean in this play? Is the context similar to that of the original?
 - What other sayings might you know that originated with Shakespeare?

SOCIAL STUDIES/SOCIOLOGY/CITIZENSHIP

Bullying

- The title of the play is “Two Dumb Dogs.”
 - Do you think name-calling is bullying?
 - Why or why not?
- Queen Malevella’s name derives from the word “malevolent,” which means evil. You may argue whether she is in fact evil, but there is no doubt that Malevella is a bully. She torments, abuses, and humiliates those around her for her own amusement. Fortunately, those around her decide to stand up to her, and she is defeated. Her own planned meanness comes back to hurt only her.

While we don’t wish for bad things to happen to anyone, it is extremely important to stop people from bullying others.

- What are steps you can take if you are being bullied?
- What are steps you can take if you see others being bullied?

Imagine that you want to pick on somebody, or make fun of, or belittle or hurt him or her.

- What would be your reasons for wanting to do this?
- Could you tell your parents or teacher the reasons for wanting to do this, and be proud of your reasons?
- Now take a moment to imagine doing that action – picking on somebody, or making fun of, belittling or hurting him or her.
 - How would you feel if somebody did that to you?
 - What would you do if somebody did that to you?
 - What would you want to do?



Pre and Post Performance Study Guide

Bullies aren't just classmates. Sometimes we see bullies at movie theaters, in restaurants, in our friends' homes. People can even be bullied by relatives or people who are supposed to love them.

- Who are the trusted adults in your life?
 - Which ones can you contact after school or on weekends if you think bullying is an issue?
 - Do you have their phone numbers or addresses memorized?
- Sometimes people may bully you for reasons that make you feel embarrassed or ashamed.
 - They are counting on the fact that you will be too embarrassed or ashamed to stop them.
- Remember that there is nothing you did or can do that you deserve to be bullied for.
- Remember that anything you may have done is forgivable, and no caring adult will want to see you bullied for it.
- Remember that there are people who love you, who like you, and who will want to help you stop the bullying, no matter what.

Teamwork

Ferdo and Floof get into plenty of trouble together, but they also get out of trouble when they work as a team. They are able to help people when they work as a team, when they cooperate and work together toward a common goal.

- When most people hear the word "team" they think about sports teams.
 - What are some other examples of teams in your school or social life?
- A popular saying is "There is no 'I' in 'Team.'"
 - What does that mean?
- One advantage to being part of a team is that there are lots of people to help with the work.
 - What are some other advantages?
- It can be frustrating when some team members try as hard as they can, and others don't seem to be trying very hard.
 - What are some other frustrating situations that can arise in teams?
 - Come up with a potential solution to each frustrating situation you identify.
- What qualities would you say are necessary for being a good team member?
 - Would you be a good team member?
 - What are your strengths in that regard?
 - In what areas do you think you might need to improve?



Pre and Post Performance Study Guide

Responsible Pet Ownership

Ferdo and Floof are not really dumb dogs, and they're not bad dogs. Roger just never trained them. As punishment for their bad behavior, which is a result of him not training them, he threatens to chain them up in the back yard.

- Do you think it's important to train pet dogs?
 - Why or why not?
- Do you think your dog would be safer trained or untrained?
 - What about the safety of you and your family?
 - Friends, neighbors, or even strangers?
 - Why?
 - Defend your reasoning with examples.
- How might you go about training your dog?
 - Are there different training methods available?
 - Are certain methods best with certain breeds?
 - What can you do if you don't know how to train your dog?
- In many communities, it is illegal to leave pets chained in the backyard.
 - What could be reasons that these laws were enacted?
 - Do you think chaining a dog in the back yard is a good idea?
 - Why or why not?
- Is it legal to chain up your dog in Maricopa County?
- What can you do to help chained up dogs?

TEACHER/PARENT RESOURCES

Bullying

<http://www.pacer.org/bullying/> (Pacer's National Bullying Prevention Center)

<http://www.a4kclub.org/get-the-facts/stop-bullying> (Ambassadors for Kids Club)

<http://www.stopbullying.gov/> (A Federal Government website managed by Department of Health and Human Services)

Geography

<http://www.wilderness-survival.net/> (Site information reportedly from army training manuals, includes information on dangerous plants, shelter, food, animals, different weather strategies, etc.)

<http://stars.astro.illinois.edu/sow/cm.html> (Constellation maps)

<http://www.airstreamtravel.com/post/view/how-to-not-get-lost-anywhere> (Tips, tools, suggestions)



Pre and Post Performance Study Guide

<http://geography.about.com/od/studygeography/a/mapparts.htm> (Map reading basics)

<http://curious.com/roadsidenature/how-to-use-a-compass?qclid=CJjdil-dwrsCFcORfgodrykA3A>
(Video on how to use a compass)

Language Arts

<http://pbskids.org/games/vocabulary/> (Online vocabulary games to play)

<http://www.spellingcity.com/spelling-games-vocabulary-games.html> (Free online activities to play, print or download)

<http://www.manythings.org/vocabulary/> (English vocabulary word lists with games, puzzles, and quizzes)

<http://grammar.about.com/od/rs/g/rhetquesterm.htm> (Different types of rhetorical questions)

Owls

<http://video.nationalgeographic.com/video/kids/animals-pets-kids/wild-detectives-kids/wd-ep2-owls/> (NG Wild Detectives video on owls)

<http://aviary.owls.com/owls.html> (Information, images on common types of owls)

Poetry/Rap

<http://www.heinemann.com/shared/onlineresources/e02710/introduction.pdf> ("Reading Poetry in the Middle Grades")

<http://www.poetry4kids.com/> (Site of children's poet laureate Kenn Nesbitt, includes poems, games, activities)

Responsible Pet Ownership

http://www.humanesociety.org/issues/chaining_tethering/ (Humane Society of United States resource re chaining pets)

<http://www.dogbreedinfo.com/articles/linksbehavior.htm> (Understanding dog behavior)

<http://www.cesarsway.com/channel/dog-training> (Canine advice, tips and tutorials from "The Dog Whisperer")

<http://www.npr.org/2011/05/26/136497064/the-new-science-of-understanding-dog-behavior>
(NPR's Fresh Air interview with John Bradshaw, available as download or transcript)



Pre and Post Performance Study Guide

https://www.google.com/search?q=responsible+pet+ownership&rlz=1C1LDJZ_enUS498US498&espv=210&es_sm=93&tbn=isch&tbo=u&source=univ&sa=X&ei=XTt9UqCNNuWJiAKx3YHQBw&ved=0CFIQsAQ&biw=1163&bih=622 (Pictures, posters and pamphlets)

Shakespeare

<http://www.folger.edu/documents/You%20Are%20Quoting%20Shakespeare.pdf> (Common Shakespearean quotes)

<http://www.americanshakespearecenter.com/v.php?pg=87> (Educator resources, including study guides)

Teamwork

<http://www.scholastic.com/teachers/article/great-group-games-team-building-kids> (Games that build communication, trust, and academic skills)

<http://www.elementarymatters.com/2013/05/team-building-activities.html> (Team building games and activities)

<http://ethemes.missouri.edu/themes/1045> (Teaching tips, team building for elementary students)

Time

<http://www.aaamath.com/meats2m.htm> (Military to standard conversion table, real-time quiz to test conversion ability)

<http://www.timeanddate.com/date/leapyear.html> (Leap year facts, traditions, trivia)

<http://www.timeanddate.com/calendar/info.html> (Calendar types, information, trivia)

**Grant-in-Aid
Fiscal Agent Agreement
between
the Tohono O’odham Nation
and
the City of Peoria
On behalf of
ABT Performing Arts Association, Inc.**

THIS GRANT-IN-AID Fiscal Agent Agreement, (“Grant”) is entered into as of the _____ day of _____, 2014, by and between the Tohono O’odham Nation, a federally recognized Indian tribe (the “Nation”), the City of Peoria, an Arizona Municipal Corporation organized under the constitution and statutes of the State of Arizona and ABT Performing Arts Association, Inc., a 501 (c) (3) nonprofit organization based in Arizona whose primary mission is to enrich lives through the power of the performing arts by producing live theatre and other high quality entertainment.

Recitals

A. The Constitution of the Tohono O’odham Nation, Article VI, Section 1(f) provides that the Tohono O’odham Legislative Council is authorized to negotiate and conclude agreements on behalf of the Tohono O’odham Nation with Federal, State and local governments.

B. The Constitution of the Tohono O’odham Nation Article VII, Section 2(f) provides that the Chairman of the Nation is the official representative of the Tohono O’odham Nation; and as such, upon passage of a Resolution by the Legislative Council approving of any agreement with Federal, State and local governments, the Chairman is authorized to sign such agreement on behalf of the Nation.

C. The City of Peoria is authorized to enter into this Grant with the Nation pursuant to A.R.S. § 11-952, which provision empowers Arizona political subdivisions to enter into intergovernmental agreements with Federal entities and agencies, such Indian Tribes.

D. ABT Performing Arts Association, Inc., a corporation organized exclusively for charitable purposes within the meaning of Section 501 (c) (3) of the Internal Revenue Code of 1986 (or corresponding provisions of any future United Sate Internal Revenue Law) and its regulations. The Executive Producer is the official representative of ABT Performing Arts Association, Inc., and is authorized by the Board of Trustees to sign such agreements on behalf of ABT Performing Arts Association, Inc.

Now, therefore, in consideration of the mutual promises contained herein, the parties hereby agree as follows:

P R O V I S I O N S

1. Purpose. The purpose of this Grant is to set forth the rights and responsibilities of the parties with respect to the payment and distribution of the Contribution, as hereinafter defined.

2. Acceptance of Duties; Monies Held in Trust. The City of Peoria agrees to perform the duties of fiscal agent, paying agent and registrar for all monies the Nation deposits with the City of Peoria for the benefit of ABT Performing Arts Association, Inc. The City of Peoria shall hold this funding separate from all other monies in the possession or control of the City of Peoria. The City of Peoria shall notify the Nation, at the address set forth in Paragraph 11, that the Contribution monies are provided to ABT Performing Arts Association, Inc., within 5 business days after the distribution is made.

3. Contribution. The Nation shall make a payment to the City of Peoria in the amount described in Exhibit "A" (the "Contribution") on or about November 28, 2014. The City of Peoria shall then make this funding available to ABT Performing Arts Association, Inc., as quickly as is feasible. The Grantee may not change the scope of the project or use the funds for a project other than that explained in Exhibit "A" without the written consent of the Nation.

4. Funding. The Contribution payment shall be delivered to the City of Peoria, without any further notice or invoice required, at the address set forth in Paragraph 11 below, upon the complete execution of this Grant.

5. Disbursement of Contribution. In accordance with the City of Peoria's policies and procedures and upon satisfactory documentation, as quickly as is feasible the City of Peoria will distribute the funds to ABT Performing Arts Association, Inc.

6. Money Unclaimed. In the event that the City of Peoria is unable to distribute the funding to ABT Performing Arts Association, Inc., on or before January 1, 2015, the City of Peoria shall immediately notify the Nation and the Nation will arrange for the funding to be returned. Any interest earnings on the Contribution funding between the time the Nation deposits the Contribution with the City of Peoria and the time the City of Peoria disburses the Contribution to ABT Performing Arts Association, Inc shall be paid to ABT Performing Arts Association, Inc.

7. Consideration and Reliance. It is acknowledged that the City of Peoria's promise to accept and disburse the funds received by the City of Peoria pursuant to this Grant is full and adequate consideration and shall render this promise to provide funding irrevocable.

8. Fees. The City of Peoria shall not charge ABT Performing Arts Association, Inc., and shall waive any applicable administrative or other fees related to this Grant and shall not

deduct any funds from the amount designated for contribution to ABT Performing Arts Association, Inc.

9. Dispute Resolution. The parties mutually agree that any disputes arising between either 1) the Nation or the City of Peoria or 2) ABT Performing Arts Association, Inc., and the City of Peoria pursuant to this Grant shall be resolved through informal dispute resolution. Nothing herein is intended to be or shall be construed as a waiver of sovereign immunity by either party. In the event of a dispute between ABT Performing Arts Association, Inc., and the City of Peoria, both ABT Performing Arts Association, Inc., and the City of Peoria must notify the Nation within five business days. Any disputes between the City of Peoria and ABT Performing Arts Association, Inc., that cannot be resolved through informal dispute resolution shall be resolved in the courts of Maricopa County, Arizona, subject to the laws of the State of Arizona. Unless prohibited by law, all disputes involving the Nation that cannot be resolved through informal dispute resolution shall be resolved in the Courts of the Nation, subject to the laws of the Nation.

10 Reports: Unless otherwise extended by the Nation upon request of ABT Performing Arts Association, Inc., no later than July 31, 2015, ABT Performing Arts Association, Inc., shall provide a report to the Nation explaining how and when the funds provided under this Grant were used. This report may be in the form of an affidavit signed by an officer of ABT Performing Arts Association, Inc., and may be accompanied by supporting documentation. The report shall address: (i) changes in the scope of the project or purchase funded under this grant, (ii) the total expenses under the project or purchase funded by the Grant, (iii) a brief description of who has benefited from this Grant, and (iv) the Grantee's next steps with regard to the project or purchase made under this Grant. The Grantee will submit a final report to the Nation within 30 days of the end of this Agreement.

11. Notices. Any notice, consent or other communication required or permitted under this Grant shall be in writing and shall be deemed received at the time it is personally delivered, on the day it is sent by facsimile transmission, on the second day after its deposit with any commercial air courier or express service or if mailed, three (3) days after the notice is deposited in the United States mail addressed as follows:

If to the Nation: Dr. Ned Norris, Jr.
 Chairman
 P.O. Box 837
 Sells, Arizona 85634
 Fax: 520-383-3379

and

Lanez Valisto
Government Affairs Assistant
P.O. Box 837
Sells, Arizona 85634
Fax: 520-383-3379

If to the City of Peoria: Tamara Shreeve
Council Office and Grant Program Manager
8401 W. Monroe
Peoria, AZ 85345
Phone: 623-773-5143
Fax: 623-773-7727

With a copy to: City Attorney
City of Peoria
8401 W. Monroe, Room 280
Peoria, AZ 85345
Fax: 623-773-7043

If to ABT Performing Arts Association, Inc.

Ellen Versen, Development Director
Arizona Broadway Theatre
7701 W. Paradise Lane
Peoria, AZ 85382
Phone: 623.707.8842
Email: Ellen @Azbroadway.Org

Any time period stated in a notice shall be computed from the time the notice is deemed received. Either party may change its mailing address or the person to receive notice by notifying the other party as provided in this paragraph.

12. Term of Grant. The term of this Grant shall begin on the date of execution and shall terminate on the one-year anniversary of this Grant.

13. Entire Grant, Waivers and Amendments. This Grant is executed in three (3) duplicate originals, each of which is deemed to be an original. This Grant constitutes the entire understanding and agreement of the parties. This Grant integrates all of the terms and conditions mentioned herein or incident hereto, and supersedes all negotiations or previous agreements between the parties with respect to all or any part of the subject matter hereof. All waivers of the provisions of this Grant and all amendments hereto must be in writing and signed by the appropriate authorities of each of the parties to this Grant.

14. No Waiver. Except as otherwise expressly provided in this Grant, any failure or delay by any party in asserting any of its rights or remedies as to any default, shall not operate as a waiver of any default, or of any such rights or remedies, or deprive any such party of its right to institute and maintain any actions or proceedings which it may deem necessary to protect, assert or enforce any such rights or remedies.

15. Severability. If any provision of this Grant shall be found invalid or unenforceable by a court of competent jurisdiction, the remaining provisions of this Grant shall not be affected thereby and shall be valid and enforceable to the fullest extent permitted by law.

16. Sovereign Immunity. Nothing in this Grant shall be deemed a waiver of any party's applicable sovereign immunity in any forum or jurisdiction.

17. Conflict of Interest. This Grant is subject to termination for conflict of interest pursuant to A.R.S. § 38-511 if any person significantly involved in initiating, negotiating, securing, drafting, or creating this Grant on behalf of the City of Peoria or ABT Performing Arts Association, Inc., is an employee, agent, or consultant of any other party to the Grant with respect to the subject matter of the Grant.

TOHONO O'ODHAM

CITY OF PEORIA

Dr. Ned Norris, Jr., Chairman
Tohono O'odham Nation

Bob Barrett
Mayor

Dated _____

Dated _____

ABT Performing Arts Association, Inc.

Kiel Klaphake
Executive Producer

Dated _____

Attest:

Approved as to form and found to be
within the powers and authority of the
Tohono O'odham Nation

Approved as to form and found to be
within the powers and authority of
the City of Peoria under the laws of
the State of Arizona.

Jonathan L. Jantzen, Attorney General
Tohono O'odham Nation

Steve Kemp, City Attorney
City of Peoria

Additional Signatures Required

Dated _____

Dated _____

Secretary
Tohono O'odham Nation

Rhonda Geriminsky, City Clerk
City of Peoria

EXHIBIT "A"

<u>Program</u>	<u>Contribution</u>
Theatre For Young Audiences	\$20,500.00
TOTAL	\$20,500.00

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 12C

Date Prepared: September 4, 2014

Council Meeting Date: October 7, 2014

TO: Honorable Mayor and Council

FROM: Carl Swenson, City Manager

THROUGH: Tamara Shreeve, Council Office and Grant Program Manager

SUBJECT: Grant-in-Aid Fiscal Agent Agreement between the Tohono O'odham Nation and City of Peoria on behalf of the Anthony Bates Foundation

Purpose:

This is a request for City Council to approve the Grant-In-Aid Fiscal Agent Agreement between the Tohono O'odham Nation and the City of Peoria on behalf of the Anthony Bates Foundation.

Background/Summary:

The Anthony Bates Foundation was awarded a \$40,200 grant from the Tohono O'odham Nation's 12 percent gaming distribution grant program. Anthony Bates Foundation's proposal requested \$40,200 to assist with the expenses of providing Cardiac Screening Day events in the West Valley through the Peoria Unified School District.

As stated in the Tohono O'odham Nation's Request for Proposal, a non-government organization (non-profit) must identify a city, town or county located within Arizona that will agree to pass through grant funds. Anthony Bates Foundation requested that the City of Peoria act as the fiscal pass-through agent. The Tohono O'odham's Grant-in-Aid Fiscal Agreement identifies the City as the pass-through municipality, and the Anthony Bates Foundation as the Grantee.

Previous Actions:

No previous action.

Options: *(include as many as reasonable)*

A: Approve the Grant-in-Aid Fiscal Agreement between the Tohono O'odham Nation and the City of Peoria on behalf of the Anthony Bates Foundation.

B: Not approve the Grant-in-Aid Fiscal Agreement between the Tohono O’odham Nation and the City of Peoria on behalf of the Anthony Bates Foundation.

Staff’s Recommendation:

Staff recommends that the City Council approve the Grant-In-Aid Fiscal Agent Agreement between the Tohono O’odham Nation and the City of Peoria on behalf of the Anthony Bates Foundation.

Fiscal Analysis:

There would be no fiscal impact to the City of Peoria, as this is a pass-through grant.

Narrative:

N/A

Exhibit 1: Award letter from the Tohono O’odham Nation to the Anthony Bates Foundation.

Exhibit 2: Grant-in-Aid Fiscal Agent Agreement between the Tohono O’odham Nation and the City of Peoria On behalf of the Anthony Bates Foundation.

Contact Name and Number: Tamara Shreeve, x5143



Tohono O'odham Nation Office of the Chairman & Vice Chairwoman

COMPASSION FAITH TRADITION RESPECT
T-I:BDAG 'AMJED S-WOHOCUDA HIMDAG PI:K 'ELID

Ned Norris, Jr.
Chairman

Wavalene M. Romero
Vice Chairwoman



August 25, 2014

Ms. Sharon Bates
CEO/Founder
Anthony Bates Foundation
111 E. Dunlap Rd., Ste. 1-291
Phoenix, AZ 85020

Dear Ms. Bates:

I am pleased to inform you that your proposal submitted on behalf of the Anthony Bates Foundation was selected by the Tohono O'odham Nation as a recipient of the 12% grant funding in the amount of \$40,200 for Cardiac Screening Days. We are honored to support local communities and hope that this grant will help the Anthony Bates Foundation make positive impacts in Arizona.

As was indicated in the Request for Proposals issued by the Nation, the grant is conditional upon development of a Grant-in-Aid between the Tohono O'odham Nation, a governmental entity, and your organization.

Please contact the city, town, or county you have chosen to work with immediately so we can begin drafting the Grant-in-Aid and take the steps necessary for final approval of this grant funding. If you have any questions, please contact Lanez Valisto in my office at (520) 383-2028. Congratulations to you and the Anthony Bates Foundation; I look forward to working with you to finalize your grant award.

Sincerely,

Dr. Ned Norris Jr.
Chairman, Tohono O'odham Nation

**Grant-in-Aid
Fiscal Agent Agreement
between
the Tohono O’odham Nation
and
the City of Peoria
On behalf of
Anthony Bates Foundation**

THIS GRANT-IN-AID Fiscal Agent Agreement, (“Grant”) is entered into as of the _____ day of _____, 2014, by and between the Tohono O’odham Nation, a federally recognized Indian tribe (the “Nation”), the City of Peoria, an Arizona Municipal Corporation organized under the constitution and statutes of the State of Arizona and Anthony Bates Foundation, a 501 (c) (3) nonprofit organization based in Arizona that provides low cost cardiac screenings to Arizona residents to detect undiagnosed cardiovascular disease and dates Automatic External Defibrillator.

Recitals

A. The Constitution of the Tohono O’odham Nation, Article VI, Section 1(f) provides that the Tohono O’odham Legislative Council is authorized to negotiate and conclude agreements on behalf of the Tohono O’odham Nation with Federal, State and local governments.

B. The Constitution of the Tohono O’odham Nation Article VII, Section 2(f) provides that the Chairman of the Nation is the official representative of the Tohono O’odham Nation; and as such, upon passage of a Resolution by the Legislative Council approving of any agreement with Federal, State and local governments, the Chairman is authorized to sign such agreement on behalf of the Nation.

C. The City of Peoria is authorized to enter into this Grant with the Nation pursuant to A.R.S. § 11-952, which provision empowers Arizona political subdivisions to enter into intergovernmental agreements with Federal entities and agencies, such Indian Tribes.

D. Anthony Bates Foundation, a corporation organized exclusively for charitable purposes within the meaning of Section 501 (c) (3) of the Internal Revenue Code of 1986 (or corresponding provisions of any future United Sate Internal Revenue Law) and its regulations. The Founder/CEO is the official representative of Anthony Bates Foundation and is authorized by the Board of Advisors to sign such agreements on behalf of Anthony Bates Foundation.

Now, therefore, in consideration of the mutual promises contained herein, the parties hereby agree as follows:

P R O V I S I O N S

1. Purpose. The purpose of this Grant is to set forth the rights and responsibilities of the parties with respect to the payment and distribution of the Contribution, as hereinafter defined.

2. Acceptance of Duties; Monies Held in Trust. The City of Peoria agrees to perform the duties of fiscal agent, paying agent and registrar for all monies the Nation deposits with the City of Peoria for the benefit of Anthony Bates Foundation. The City of Peoria shall hold this funding separate from all other monies in the possession or control of the City of Peoria. The City of Peoria shall notify the Nation, at the address set forth in Paragraph 11, that the Contribution monies are provided to Anthony Bates Foundation within 5 business days after the distribution is made.

3. Contribution. The Nation shall make a payment to the City of Peoria in the amount described in Exhibit "A" (the "Contribution") on or about November 28, 2014. The City of Peoria shall then make this funding available to Anthony Bates Foundation as quickly as is feasible. The Grantee may not change the scope of the project or use the funds for a project other than that explained in Exhibit "A" without the written consent of the Nation.

4. Funding. The Contribution payment shall be delivered to the City of Peoria, without any further notice or invoice required, at the address set forth in Paragraph 11 below, upon the complete execution of this Grant.

5. Disbursement of Contribution. In accordance with the City of Peoria's policies and procedures and upon satisfactory documentation, as quickly as is feasible the City of Peoria will distribute the funds to Anthony Bates Foundation.

6. Money Unclaimed. In the event that the City of Peoria is unable to distribute the funding to Anthony Bates Foundation on or before January 1, 2015, the City of Peoria shall immediately notify the Nation and the Nation will arrange for the funding to be returned. Any interest earnings on the Contribution funding between the time the Nation deposits the Contribution with the City of Peoria and the time the City of Peoria disburses the Contribution to Anthony Bates Foundation shall be paid to Anthony Bates Foundation.

7. Consideration and Reliance. It is acknowledged that the City of Peoria's promise to accept and disburse the funds received by the City of Peoria pursuant to this Grant is full and adequate consideration and shall render this promise to provide funding irrevocable.

8. Fees. The City of Peoria shall not charge Anthony Bates Foundation and shall waive any applicable administrative or other fees related to this Grant and shall not deduct any funds from the amount designated for contribution to Anthony Bates Foundation.

9. Dispute Resolution. The parties mutually agree that any disputes arising between either 1) the Nation or the City of Peoria or 2) Anthony Bates Foundation and the City of Peoria pursuant to this Grant shall be resolved through informal dispute resolution. Nothing herein is intended to be or shall be construed as a waiver of sovereign immunity by either party. In the event of a dispute between Anthony Bates Foundation and the City of Peoria, both Anthony Bates Foundation and the City of Peoria must notify the Nation within five business days. Any disputes between the City of Peoria and Anthony Bates Foundation that cannot be resolved through informal dispute resolution shall be resolved in the courts of Maricopa County, Arizona, subject to the laws of the State of Arizona. Unless prohibited by law, all disputes involving the Nation that cannot be resolved through informal dispute resolution shall be resolved in the Courts of the Nation, subject to the laws of the Nation.

10 Reports: Unless otherwise extended by the Nation upon request of Anthony Bates Foundation, no later than July 31, 2015, Anthony Bates Foundation shall provide a report to the Nation explaining how and when the funds provided under this Grant were used. This report may be in the form of an affidavit signed by an officer of Anthony Bates Foundation and may be accompanied by supporting documentation. The report shall address: (i) changes in the scope of the project or purchase funded under this grant, (ii) the total expenses under the project or purchase funded by the Grant, (iii) a brief description of who has benefited from this Grant, and (iv) the Grantee's next steps with regard to the project or purchase made under this Grant. The Grantee will submit a final report to the Nation within 30 days of the end of this Agreement.

11. Notices. Any notice, consent or other communication required or permitted under this Grant shall be in writing and shall be deemed received at the time it is personally delivered, on the day it is sent by facsimile transmission, on the second day after its deposit with any commercial air courier or express service or if mailed, three (3) days after the notice is deposited in the United States mail addressed as follows:

If to the Nation: Dr. Ned Norris, Jr.
 Chairman
 P.O. Box 837
 Sells, Arizona 85634
 Fax: 520-383-3379

and

 Lanz Valisto
 Government Affairs Assistant
 P.O. Box 837
 Sells, Arizona 85634
 Fax: 520-383-3379

If to the City of Peoria: Tamara Shreeve

Council Office and Grant Program Manager
8401 W. Monroe
Peoria, AZ 85345
Phone: 623-773-5143
Fax: 623-773-7727

With a copy to: City Attorney
City of Peoria
8401 W. Monroe, Room 280
Peoria, AZ 85345
Fax: 623-773-7043

If to Anthony Bates Foundation:

Sharon Bates, CEO/Founder
Anthony Bates Foundation
111 E. Dunlap Road, Suite 1-291
Phoenix, AZ 85020
Phone: 602-703-9191
Fax: 602-482-5606
Email: Sharon@anthonybates.org

Any time period stated in a notice shall be computed from the time the notice is deemed received. Either party may change its mailing address or the person to receive notice by notifying the other party as provided in this paragraph.

12. Term of Grant. The term of this Grant shall begin on the date of execution and shall terminate on the one-year anniversary of this Grant.

13. Entire Grant, Waivers and Amendments. This Grant is executed in three (3) duplicate originals, each of which is deemed to be an original. This Grant constitutes the entire understanding and agreement of the parties. This Grant integrates all of the terms and conditions mentioned herein or incident hereto, and supersedes all negotiations or previous agreements between the parties with respect to all or any part of the subject matter hereof. All waivers of the provisions of this Grant and all amendments hereto must be in writing and signed by the appropriate authorities of each of the parties to this Grant.

14. No Waiver. Except as otherwise expressly provided in this Grant, any failure or delay by any party in asserting any of its rights or remedies as to any default, shall not operate as a waiver of any default, or of any such rights or remedies, or deprive any such party of its right to institute and maintain any actions or proceedings which it may deem necessary to protect, assert or enforce any such rights or remedies.

15. Severability. If any provision of this Grant shall be found invalid or unenforceable by a court of competent jurisdiction, the remaining provisions of this Grant shall not be affected thereby and shall be valid and enforceable to the fullest extent permitted by law.

16. Sovereign Immunity. Nothing in this Grant shall be deemed a waiver of any party's applicable sovereign immunity in any forum or jurisdiction.

17. Conflict of Interest. This Grant is subject to termination for conflict of interest pursuant to A.R.S. § 38-511 if any person significantly involved in initiating, negotiating, securing, drafting, or creating this Grant on behalf of the City of Peoria or Anthony Bates Foundation, is an employee, agent, or consultant of any other party to the Grant with respect to the subject matter of the Grant.

TOHONO O'ODHAM

CITY OF PEORIA

Dr. Ned Norris, Jr., Chairman
Tohono O'odham Nation

Bob Barrett
Mayor

Dated _____

Dated _____

ANTHONY BATES FOUNDATION

Sharon Bates
Founder/CEO

Dated _____

Attest:

Approved as to form and found to be
within the powers and authority of the
Tohono O'odham Nation

Approved as to form and found to be
within the powers and authority of
the City of Peoria under the laws of
the State of Arizona.

Jonathan L. Jantzen, Attorney General
Tohono O'odham Nation

Steve Kemp, City Attorney
City of Peoria

Additional Signatures Required

Dated _____

Dated _____

Secretary
Tohono O'odham Nation

Rhonda Geriminsky, City Clerk
City of Peoria

EXHIBIT "A"

<u>Program</u>	<u>Contribution</u>
Cardiac Screen Days	\$40,200.00
TOTAL	\$40,200.00

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 13C

Date Prepared: September 4, 2014

Council Meeting Date: October 7, 2014

TO: Honorable Mayor and Council

FROM: Carl Swenson, City Manager

THROUGH: Tamara Shreeve, Council Office and Grant Program Manager

SUBJECT: Grant-in-Aid Fiscal Agent Agreement between the Tohono O'odham Nation and City of Peoria on behalf of the West Valley Child Crisis Center

Purpose:

This is a request for City Council to approve the Grant-In-Aid Fiscal Agent Agreement between the Tohono O'odham Nation and the City of Peoria on behalf of the West Valley Child Crisis Center.

Background/Summary:

The West Valley Child Crisis Center was awarded a \$20,000 grant from the Tohono O'odham Nation's 12 percent gaming distribution grant program. West Valley Child Crisis Center's proposal requested \$20,000 to assist with the expenses of the Foster Care and Adoption Program.

As stated in the Tohono O'odham Nation's Request for Proposal, a non-government organization (non-profit) must identify a city, town or county located within Arizona that will agree to pass through grant funds. West Valley Child Crisis Center requested that the City of Peoria act as the fiscal pass-through agent. The Tohono O'odham's Grant-in-Aid Fiscal Agreement identifies the City as the pass-through municipality, and the West Valley Child Crisis Center as the Grantee.

Previous Actions:

No previous action.

Options: *(include as many as reasonable)*

A: Approve the Grant-in-Aid Fiscal Agreement between the Tohono O'odham Nation and the City of Peoria on behalf of West Valley Child Crisis Center.

B: Not approve the Grant-in-Aid Fiscal Agreement between the Tohono O’odham Nation and the City of Peoria on behalf of West Valley Child Crisis Center.

Staff’s Recommendation:

Staff recommends that the City Council approve the Grant-In-Aid Fiscal Agent Agreement between the Tohono O’odham Nation and the City of Peoria on behalf of West Valley Child Crisis Center.

Fiscal Analysis:

There would be no fiscal impact to the City of Peoria, as this is a pass-through grant.

Narrative:

N/A

Exhibit 1: Award letter from the Tohono O’odham Nation to West Valley Child Crisis Center.

Exhibit 2: Grant-in-Aid Fiscal Agent Agreement between the Tohono O’odham Nation and the City of Peoria On behalf of West Valley Child Crisis Center.

Contact Name and Number: Tamara Shreeve, x5143

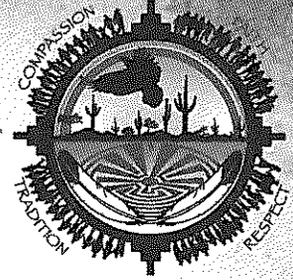


Tohono O'odham Nation Office of the Chairman & Vice Chairwoman

COMPASSION FAITH TRADITION RESPECT
T-I:BDAG 'AMJED S-WOHOCUDA HIMDAG PI:K'ELID

Ned Norris, Jr.
Chairman

Wavalene M. Romero
Vice Chairwoman



August 25, 2014

Ms. Candace Schulte
Development and Events Manager
West Valley Child Crisis Center
14050 N. 83rd Ave., Ste. 120
Peoria, AZ 85381

Dear Ms. Schulte:

I am pleased to inform you that your proposal submitted on behalf of the West Valley Child Crisis Center was selected by the Tohono O'odham Nation as a recipient of the 12% grant funding in the amount of \$20,000 for the Foster Care and Adoption Program. We are honored to support local communities and hope that this grant will help the West Valley Child Crisis Center make positive impacts in Arizona.

As was indicated in the Request for Proposals issued by the Nation, the grant is conditional upon development of a Grant-in-Aid between the Tohono O'odham Nation, a governmental entity, and your organization.

Please contact the city, town, or county you have chosen to work with immediately so we can begin drafting the Grant-in-Aid and take the steps necessary for final approval of this grant funding. If you have any questions, please contact Lanez Valisto in my office at (520) 383-2028. Congratulations to you and the West Valley Child Crisis Center; I look forward to working with you to finalize your grant award.

Sincerely,



Dr. Ned Norris Jr.
Chairman, Tohono O'odham Nation

**Grant-in-Aid
Fiscal Agent Agreement
between
the Tohono O’odham Nation
and
the City of Peoria
On behalf of
The West Valley Child Crisis Center**

THIS GRANT-IN-AID Fiscal Agent Agreement, (“Grant”) is entered into as of the _____ day of _____, 2014, by and between the Tohono O’odham Nation, a federally recognized Indian tribe (the “Nation”), the City of Peoria, an Arizona Municipal Corporation organized under the constitution and statutes of the State of Arizona and the West Valley Child Crisis Center, a 501 (c) (3) nonprofit organization based in Arizona that provides foster care and adoption services for children.

R E C I T A L S

A. The Constitution of the Tohono O’odham Nation, Article VI, Section 1(f) provides that the Tohono O’odham Legislative Council is authorized to negotiate and conclude agreements on behalf of the Tohono O’odham Nation with Federal, State and local governments.

B. The Constitution of the Tohono O’odham Nation Article VII, Section 2(f) provides that the Chairman of the Nation is the official representative of the Tohono O’odham Nation; and as such, upon passage of a Resolution by the Legislative Council approving of any agreement with Federal, State and local governments, the Chairman is authorized to sign such to sign such agreement on behalf of the Nation.

C. The City of Peoria is authorized to enter into this Grant with the Nation pursuant to A.R.S. § 11-952, which provision empowers Arizona political subdivisions to enter into intergovernmental agreements with Federal entities and agencies, such Indian Tribes.

D. West Valley Child Crisis Center a corporation organized exclusively for charitable purposes within the meaning of Section 501 (c) (3) of the Internal Revenue Code of 1986 (or corresponding provisions of any future United Sate Internal Revenue Law) and its regulations. The Executive Director is the official representative of the West Valley Child Crisis Center and is authorized by the Board of Trustees to sign such agreements on behalf of West Valley Child Crisis Center.

Now, therefore, in consideration of the mutual promises contained herein, the parties hereby agree as follows:

P R O V I S I O N S

1. **Purpose.** The purpose of this Grant is to set forth the rights and responsibilities of the parties with respect to the payment and distribution of the Contribution, as hereinafter defined.

2. **Acceptance of Duties; Monies Held in Trust.** The City of Peoria agrees to perform the duties of fiscal agent, paying agent and registrar for all monies the Nation deposits with the City of Peoria for the benefit of the West Valley Child Crisis Center. The City of Peoria shall hold this funding separate from all other monies in the possession or control of the City of Peoria. The City of Peoria shall notify the Nation, at the address set forth in Paragraph 11, that the Contribution monies are provided to the West Valley Child Crisis Center within 5 business days after the distribution is made.

3. **Contribution.** The Nation shall make a payment to the City of Peoria in the amount described in Exhibit "A" (the "Contribution") on or about November 28, 2014. The City of Peoria shall then make this funding available to West Valley Child Crisis Center as quickly as is feasible. The Grantee may not change the scope of the project or use the funds for a project other than that explained in Exhibit "A" without the written consent of the Nation.

4. **Funding.** The Contribution payment shall be delivered to the City of Peoria, without any further notice or invoice required, at the address set forth in Paragraph 11 below, upon the complete execution of this Grant.

5. **Disbursement of Contribution.** In accordance with the City of Peoria's policies and procedures and upon satisfactory documentation, as quickly as is feasible the City of Peoria will distribute the funds to West Valley Child Crisis Center.

6. **Money Unclaimed.** In the event that the City of Peoria is unable to distribute the funding to West Valley Child Crisis Center on or before January 1, 2015, the City of Peoria shall immediately notify the Nation and the Nation will arrange for the funding to be returned. Any interest earnings on the Contribution funding between the time the Nation deposits the Contribution with the City of Peoria and the time the City of Peoria disburses the Contribution to West Valley Child Crisis Center shall be paid to West Valley Child Crisis Center.

7. **Consideration and Reliance.** It is acknowledged that the City of Peoria's promise to accept and disburse the funds received by the City of Peoria pursuant to this Grant is full and adequate consideration and shall render this promise to provide funding irrevocable.

8. **Fees.** The City of Peoria shall not charge West Valley Child Crisis Center and shall waive any applicable administrative or other fees related to this Grant and shall not deduct any funds from the amount designated for contribution to West Valley Child Crisis Center.

9. Dispute Resolution. The parties mutually agree that any disputes arising between either 1) the Nation or the City of Peoria or 2) the West Valley Child Crisis Center and the City of Peoria pursuant to this Grant shall be resolved through informal dispute resolution. Nothing herein is intended to be or shall be construed as a waiver of sovereign immunity by either party. In the event of a dispute between the West Valley Child Crisis Center and the City of Peoria, both the West Valley Child Crisis Center and the City of Peoria must notify the Nation within five business days. Any disputes between the City of Peoria and the West Valley Child Crisis Center that cannot be resolved through informal dispute resolution shall be resolved in the courts of Maricopa County, Arizona, subject to the laws of the State of Arizona. Unless prohibited by law, all disputes involving the Nation that cannot be resolved through informal dispute resolution shall be resolved in the Courts of the Nation, subject to the laws of the Nation.

10. Reports: Unless otherwise extended by the Nation upon request of West Valley Child Crisis Center, no later than July 31, 2015, West Valley Child Crisis Center shall provide a report to the Nation explaining how and when the funds provided under this Grant were used. This report may be in the form of an affidavit signed by an officer of West Valley Child Crisis Center and may be accompanied by supporting documentation. The report shall address: (i) changes in the scope of the project or purchase funded under this grant, (ii) the total expenses under the project or purchase funded by the Grant, (iii) a brief description of who has benefited from this Grant, and (iv) the Grantee's next steps with regard to the project or purchase made under this Grant. The Grantee will submit a final report to the Nation within 30 days of the end of this Agreement.

11. Notices. Any notice, consent or other communication required or permitted under this Grant shall be in writing and shall be deemed received at the time it is personally delivered, on the day it is sent by facsimile transmission, on the second day after its deposit with any commercial air courier or express service or if mailed, three (3) days after the notice is deposited in the United States mail addressed as follows:

If to the Nation: Dr. Ned Norris, Jr.
 Chairman
 P.O. Box 837
 Sells, Arizona 85634
 Fax: 520-383-3379

and

Lanez Valisto
Government Affairs Assistant
P.O. Box 837
Sells, Arizona 85634
Fax: 520-383-3379

If to the City of Peoria: Tamara Shreeve
Council Office and Grant Program Manager
8401 W. Monroe
Peoria, AZ 85345
Phone: 623-773-5143
Fax: 623-773-7727

With a copy to: City Attorney
City of Peoria
8401 W. Monroe, Room 280
Peoria, AZ 85345
Fax: 623-773-7043

If to West Valley Child Crisis Center:

Candace Schulte
14050 N. 83rd Ave., Suite # 120
Peoria, AZ 85381
Phone: 623-344-3510
Email: cschulte@wvccc.org

Any time period stated in a notice shall be computed from the time the notice is deemed received. Either party may change its mailing address or the person to receive notice by notifying the other party as provided in this paragraph.

12. **Term of Grant.** The term of this Grant shall begin on the date of execution and shall terminate on the one-year anniversary of this Grant.

13. **Entire Grant, Waivers and Amendments.** This Grant is executed in three (3) duplicate originals, each of which is deemed to be an original. This Grant constitutes the entire understanding and agreement of the parties. This Grant integrates all of the terms and conditions mentioned herein or incident hereto, and supersedes all negotiations or previous agreements between the parties with respect to all or any part of the subject matter hereof. All waivers of the provisions of this Grant and all amendments hereto must be in writing and signed by the appropriate authorities of each of the parties to this Grant.

14. **No Waiver.** Except as otherwise expressly provided in this Grant, any failure or delay by any party in asserting any of its rights or remedies as to any default, shall not operate as a waiver of any default, or of any such rights or remedies, or deprive any such party of its right to institute and maintain any actions or proceedings which it may deem necessary to protect, assert or enforce any such rights or remedies.

15. **Severability.** If any provision of this Grant shall be found invalid or unenforceable by a court of competent jurisdiction, the remaining provisions of this Grant shall not be affected thereby and shall be valid and enforceable to the fullest extent permitted by law.

16. **Sovereign Immunity.** Nothing in this Grant shall be deemed a waiver of any party's applicable sovereign immunity in any forum or jurisdiction.

17. **Conflict of Interest.** This Grant is subject to termination for conflict of interest pursuant to A.R.S. § 38-511 if any person significantly involved in initiating, negotiating, securing, drafting, or creating this Grant on behalf of the City of Peoria or West Valley Child Crisis Center is an employee, agent, or consultant of any other party to the Grant with respect to the subject matter of the Grant.

TOHONO O'ODHAM NATION

CITY OF PEORIA

Dr. Ned Norris, Jr., Chairman
Tohono O'odham Nation

Title

Dated _____

Dated _____

WEST VALLEY CHILD CRISIS CENTER

Kary Goitia, Executive Director

Dated _____

Attest:

Approved as to form and found to be within the powers and authority of the Tohono O'odham Nation

Approved as to form and found to be within the powers and authority of the City of Peoria under the laws of the State of Arizona.

Jonathan L. Jantzen, Attorney General
Tohono O'odham Nation

Steve Kemp, City Attorney
City of Peoria

Additional Signatures Required

Dated _____

Dated _____

Secretary
Tohono O'odham Nation

Rhonda Geriminsky, City Clerk
City of Peoria

EXHIBIT "A"

<u>Program</u>	<u>Contribution</u>
Foster Care and Adoption Program	\$20,000.00
TOTAL	<u>\$20,000.00</u>

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 14C

Date Prepared: September 18, 2014

Council Meeting Date: October 7, 2014

TO: Carl Swenson, City Manager

THROUGH: Jeff Tyne, Deputy City Manager

FROM: Roy W. Minter, Chief of Police

SUBJECT: Grant Funding from the Arizona Department of Homeland Security

Purpose:

This is a request for City Council to authorize the Peoria Police Department to accept two grants from the Arizona Department of Homeland Security totaling \$122,725.

Background/Summary:

In order to further integrate Peoria as part of the statewide disaster response program, the Police Department has received 2014 Homeland Security Grant funds from the Arizona Department of Homeland Security (AZDOHS) in the amount of \$122,725 to 1) strengthen chemical, biological, radiological, nuclear or explosive (CBRNE) weapon detection, response and decontamination capabilities; and 2) sustain and enhance the Terrorism Liaison Officer (TLO) program.

The Police Department received \$54,000 to enhance the functionality of the Peoria Special Weapons and Tactics (SWAT) team CBRNE response. Funds granted will be used to purchase protective safety apparel and provide training to CBRNE operators.

The Police Department received \$68,725 to support TLO operations. The TLO program functions as a Field Intelligence Unit in support of police tactical, hazardous material, explosive special operations and uncommon event types. Funds granted will be used to purchase a vehicle and supplies to implement an additional TLO response unit and provide necessary training.

These grants are reimbursable with funding through September 2015.

Previous Actions:

City Council has previously accepted grants from AZDOHS. This will be the eighth consecutive year that the City of Peoria has received grant funding from this organization.

Options:

A: Accept two grant awards in the amount of \$122,725 from the Arizona Department of Homeland Security and approve a budget adjustment in the amount of \$122,725 from the Proposed Grants Contingency Account to the Homeland Security Fund, thus providing expenditure authority.

B: Choose not to accept the grants from the Arizona Department of Homeland Security.

Staff's Recommendation:

Authorize the Peoria Police Department to accept two grants totaling \$122,725 from the Arizona Department of Homeland Security and approve a budget adjustment.

Fiscal Analysis:

Request a budget adjustment of \$122,725 from the Proposed Grants Contingency account (7990-7990-570000) to the Homeland Security Grant Fund (7545-7795-various accounts) thus providing expenditure authority.

Account #	Description	Amount	Program
7545-7795-530019	Operational Supplies/Equipment	\$ 47,325	CBRNE and TLO
7545-7795-520510	Overnight Travel/Training	\$ 9,010	CBRNE and TLO
7545-7795-520511	Local Training	\$ 1,440	CBRNE
7545-7795-542502	Trucks and Vans	\$ 48,000	TLO
7545-7795-542001	Electronic Equipment	\$ 13,000	TLO
7545-7795-523510	Telecommunication Svcs	\$ 1,300	TLO
7545-7795-530003	Computer Hardware	\$ 2,650	TLO
Total		\$122,725	

Narrative:

Once approved by City Council, the grant contracts will be executed as needed.

Exhibit(s):

Exhibit 1: Award Letter and Sub-grantee Agreement from AZDOHS for CBRNE Grant 140821-01

Exhibit 2: Award Letter and Sub-grantee Agreement from AZDOHS for TLO Grant 140821-02

Contact Name and Number: Heather Cammarata, 623-773-7069



Governor Janice K. Brewer

State of Arizona



Director Gilbert M. Orrantia

Department of Homeland Security

September 12, 2014

Chief Roy Minter
Peoria Police Department
8351 W. Cinnabar Ave
Peoria, AZ 85345-2701

Subject: FFY 2014 Homeland Security Grant Program Award
Subgrantee Agreement Number: **140821-01**
Project Title: **Phoenix Urban Area CBRNE Response for Law Enforcement**

Dear Chief Roy Minter:

The application that your agency submitted to the Arizona Department of Homeland Security (AZDOHS) for consideration under the Homeland Security Grant Program has been awarded. The project titled "**Phoenix Urban Area CBRNE Response for Law Enforcement**" has been funded under the URBAN AREA SECURITY INITIATIVE for **\$54,000**. The grant performance period is **October 1, 2014 through September 30, 2015**. This grant program is part of the U.S. Department of Homeland Security Grant Program and specifically is awarded under CFDA #97.067 (Catalog of Federal Domestic Assistance).

To initiate the award process, the following action items must be completed, signed and returned to AZDOHS:

1. Two Subgrantee Agreements - go to www.azdohs.gov under Grants and download two original Subgrantee Agreements.
2. Project Administration Page (enclosed).
3. NIMS Compliance Certification - go to www.azdohs.gov under Grants and download one original certification.
4. Environmental and Historic Preservation (EHP) required documentation (if applicable, see attached EHP Designation Letter).

Hard copies of the Subgrantee Agreement and NIMS Compliance Certification will **not** be mailed to you. These items must be completed and on file at AZDOHS in order for your agency to be eligible for reimbursement. **If all documentation listed in numbers 1, 2, 3 and 4 (if applicable) above is not signed and received by AZDOHS on or before January 31, 2015 this award is rescinded and the funds will be reallocated.**

Additional grant requirements:

- Quarterly programmatic reports must be submitted on the most recent form/template.
- If your project requires an Environmental and Historic Preservation (EHP) review, this must be completed, submitted and **approved** by FEMA/AZDOHS prior to any expenditure of funds.
- Subgrantees must adhere to the Title VI of the Civil Rights Act of 1964 requirements.
- Subgrantees are either required to submit an electronic copy of their annual A133 Audit or a statement stating that they were not required to complete an audit to AZDOHS each year. The AZDOHS reserves the right to manage this agreement in any way it deems necessary, including withholding of reimbursement payments, or future subgrantee agreements, until the A133 Audit or statement has been received and, if applicable, an approved action plan for compliance has been completed.
- Reimbursements are limited to approved quantities and funding thresholds.
- All radio equipment purchased with Homeland Security funds should be P25 capable, comply with SAFECOM

Guidance, comply to the Land Mobile Radio Minimum Equipment Standards as approved by the Statewide Interoperability Executive Committee (SIEC), and be programmed in accordance with the Arizona State Interoperable Priority Programming Guide also as approved by the SIEC.

- All projects that support training initiatives including FEMA approved/state sponsored training must be in compliance with grant guidance, the subgrantee agreement, and approved through the ADEM/AZDOHS training request process prior to execution of training.
- Consultants/Trainers/Training Providers costs must be within the prevailing rates; must be obtained under consistent treatment with the procurement policies of the subrecipient and 44 CFR Chapter 1, Part 13; and shall not exceed the maximum of \$450 per day per consultant/trainer/training provider unless prior written approval is granted by the AZDOHS.
- All projects that support exercises must be:
 - In compliance with grant guidance and the subgrantee agreement.
 - Must utilize the FEMA Homeland Security Exercise and Evaluation Program (HSEEP) Toolkit.
 - All exercises, documentation and After Action Reports/Improvement Plans (AAR/IP) must be posted via the HSEEP Toolkit within 60 days after completion of an exercise.
 - Within 60-days of completion of an exercise, the exercise host subrecipient is required to upload the AAR/IP into the HSEEP Toolkit and email the AAR/IP to the local County Emergency Manager, the FEMA Region IX Exercise POC, HSEEP@dhs.gov, the AZDOHS Strategic Planner, and the Arizona Department of Emergency Management (ADEM) Exercise Officer.
- Terrorism Liaison Officer (TLO) Chemical, Biological, Radiological, Nuclear and Explosive (CBRNE) Response Vehicles purchased with Department of Homeland Security Grant Program funding must be assigned to and used by certified TLOs working with the Arizona Counter Terrorism Information Center (ACTIC).
 - Persons receiving TLO vehicles shall be available to respond to incidents and events on a "call out" basis and shall be available for regional and statewide deployment for TLO operations and training.
 - TLO equipment and/or services purchased or maintained with Department of Homeland Security Grant Program funding will be assigned to and used by certified TLOs working with the ACTIC TLO Program. This equipment may include: radios, computers, cell phones, cellular and satellite service fees, open source data services, cameras, GPS devices and any other equipment needed to complete the TLO mission.
- Subgrantees are subject to the AZDOHS Site Monitoring Program.
- All reimbursements for personnel costs must be in compliance with AZDOHS Time and Effort Reporting requirements.
- AZDOHS reserves the right to request additional documentation at any time.

If you should have any questions, please do not hesitate to contact your Strategic Planner.

Congratulations on your Homeland Security Grant Program award.

Sincerely,



Gilbert M. Orrantia
Director

Cc: Lieutenant Douglas Steele

Attachments: Project Administration Page, EHP Designation Letter, Application Summary Page, Budget Narrative page(s)

SUBGRANTEE AGREEMENT

14-AZDOHS-HSGP-_____

Enter Subgrantee Agreement Number above (e.g., 140xxx-xx)

Between

**The Arizona Department of Homeland Security
And**

Enter the Name of the Subrecipient Agency Above

WHEREAS, A.R.S. § 41-4254 charges the Arizona Department of Homeland Security (AZDOHS) with the responsibility of administering funds.

THEREFORE, it is agreed that the AZDOHS shall provide funding to the

Enter the Name of the Subrecipient Agency Above

(subrecipient) for services under the terms of this Grant Agreement.

I. PURPOSE OF AGREEMENT

The purpose of this Agreement is to specify the responsibilities and procedures for the subrecipient's role in administering homeland security grant funds.

II. TERM OF AGREEMENT, TERMINATION AND AMENDMENTS

This Agreement shall become effective on **October 1, 2014** and shall terminate on **September 30, 2015**. The obligations of the subrecipient as described herein will survive termination of this agreement.

III. DESCRIPTION OF SERVICES

The subrecipient shall provide the services for the State of Arizona, Arizona Department of Homeland Security as approved in the grant application titled

“ _____ ”

Enter Title of Application

and funded at \$ _____ (as may have been modified by the award letter).

Enter Funded Amount Above

IV. MANNER OF FINANCING

The AZDOHS shall:

- a) Provide up to \$ _____ to the subrecipient for services provided under Paragraph III. Enter Funded Amount Above
- b) Payment made by the AZDOHS to the subrecipient shall be on a reimbursement basis only and is conditioned upon receipt of proof of payment and applicable, accurate and complete reimbursement documents, as deemed necessary by the AZDOHS, to be submitted by the subrecipient. A listing of acceptable documentation can be found at www.azdohs.gov. Payments will be contingent upon receipt of all reporting requirements of the subrecipient under this Agreement.

V. FISCAL RESPONSIBILITY

It is understood and agreed that the total amount of the funds used under this Agreement shall be used only for the project as described in the application. Any modification to quantity or scope of work must be preapproved in writing by the AZDOHS. Therefore, should the project not be completed, the subrecipient shall reimburse said funds directly to the AZDOHS immediately. If the project is completed at a lower cost than the original budget called for, the amount reimbursed to the subrecipient shall be for only the amount of dollars actually spent by the subrecipient in accordance with the approved application. For any funds received under this Agreement for which expenditure is disallowed by an audit exemption or otherwise by the AZDOHS, the State, or Federal government, the subrecipient shall reimburse said funds directly to the AZDOHS immediately.

VI. FINANCIAL AUDIT/PROGRAMATIC MONITORING

The subrecipient agrees to terms specified in A.R.S. § 35-214 and § 35-215.

- a) In addition, in compliance with the Federal Single Audit Act (31 U.S.C. par. 7501-7507), as amended by the Single Audit Act Amendments of 1996 (P.L. 104 to 156), the subrecipient must have an annual audit conducted in accordance with OMB Circular #A-133 (“Audits of States, Local Governments, and Non-profit Organizations”) if the subrecipient expends more than \$500,000 from Federal awards. If the subrecipient has expended more than \$500,000 in Federal dollars, a copy of the subrecipient’s audit report for the previous fiscal year and subsequent years within the period of performance is due annually to AZDOHS within nine (9) months of the subrecipients fiscal year end.
- b) Subrecipients will be monitored periodically by the AZDOHS staff, both programmatically and financially, to ensure that the project goals, objectives, performance requirements, timelines, milestone completion, budgets, and other related program criteria are being met. Monitoring will be accomplished through a combination of office-based reviews and on-site monitoring visits. Monitoring can involve aspects of the work involved under this contract including but not limited to the review and analysis of the financial, programmatic, equipment, performance, and administrative issues relative to each program and will identify areas where technical assistance and other support may be needed.

VII. APPLICABLE FEDERAL REGULATIONS

The subrecipient must comply with the Funding Opportunity Announcement (FOA), Office of Management and Budget (OMB) Circulars, Code of Federal Regulations (CFR) and other Federal guidance including but not limited to:

- a) 44 CFR Chapter 1, Federal Emergency Management Agency, Department of Homeland Security at www.gpo.gov/fdsys/pkg/CFR-2007-title44-vol1/content-detail.html
- b) 2 CFR 225 Cost Principles for State, Local & Indian Tribal Governments (A-87 OMB Circular), at www.gpo.gov/fdsys/pkg/CFR-2007-title2-vol1/content-detail.html. Cost Principles: 2 CFR Part 225, State and Local Governments; 2 CFR Part 220, Educational Institutions; 2 CFR Part 230, Non-Profit Organizations; Federal Acquisition Regulation Sub-part 31.2, Contracts with Commercial Organizations. OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, at www.whitehouse.gov/sites/default/files/omb/assets/a133/a133_revised_2007.pdf.

- c) 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (formerly OMB Circular A-102), at origin www.gpo.gov/fdsys/pkg/CFR-2010-title44-vol1/pdf/CFR-2010-title44-vol1-part13.pdf . U.S. Department of Homeland Security Authorized Equipment List (AEL), at www.llis.dhs.gov/knowledgebase/authorizedequipmentlist.
- d) 2 CFR Part 215, Uniformed Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Organizations.
- e) 28 CFR applicable to grants and cooperative agreements, including Part 18, Office of Justice Programs Hearing and Appeal Procedure; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 42, Non-discrimination; Equal Employment Opportunities; Policies and Procedures; Part 61, Procedures for Implementing the National Environmental Policy Act; Part 63, Floodplain Management and Wetland Protection Procedures; and Part 66, Uniform Administrative Requirements for Grants and Co-operative Agreements to State and local Government. This CFR can be found at <http://www.gpo.gov/fdsys/pkg/CFR-2001-title28-vol1/content-detail.html>.
- f) Where applicable and with prior written approval from AZDOHS/DHS/FEMA, program subgrantees using funds for construction projects must comply with the *Davis-Bacon Act* (40 U.S.C. 3141 *et seq.*). Subrecipients must ensure that their contractors or subcontractors for construction projects pay workers employed directly at the work-site no less than the prevailing wages and fringe benefits paid on projects of a similar character. Additional information, including Department of Labor (DOL) wage determinations, is available from the following website <http://www.dol.gov/compliance/laws/comp-dbra.htm>.

Included within the above mentioned guidance documents are provisions for the following:

National Incident Management System (NIMS)

The subrecipient agrees to remain in compliance with National Incident Management System (NIMS) implementation initiatives as outlined in the applicable Funding Opportunity Announcement (FOA).

Environmental Planning and Historic Preservation

The subrecipient shall comply with all applicable Federal, State, and Local environmental and historic preservation (EHP) requirements and shall provide any information requested by FEMA to ensure compliance with applicable laws including: National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains (11988), Wetlands (11990) and Environmental Justice (12898). Subrecipient shall not undertake any project having the potential to impact EHP resources without the prior approval of AZDOHS/FEMA, including but not limited to communications towers, physical security enhancements, new construction, and modifications to buildings that are 50 years old or greater. Subrecipient must comply with all conditions placed on the project as the result of the EHP review. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements. If ground disturbing activities occur during project implementation, the subrecipient must ensure monitoring of ground disturbance and if any potential archeological resources are discovered, the subrecipient will immediately cease construction in that area and notify FEMA and the appropriate State Historic Preservation

Office. Procurement and construction activities shall not be initiated prior to the full environmental and historic preservation review and approval.

Consultants/Trainers/Training Providers

Billings for consultants/trainers/training providers must include at a minimum: a description of services; dates of services; number of hours for services performed; rate charged for services; and, the total cost of services performed. Consultant/trainer/training provider costs must be within the prevailing rates; must be obtained under consistent treatment with the procurement policies of the subrecipient and 44 CFR Chapter 1, Part 13; and shall not exceed the maximum of \$450 per day per consultant/trainer/training provider unless prior written approval is granted by the AZDOHS. In addition to the per day \$450 maximum amount, the consultant/trainer/training provider may be reimbursed reasonable travel, lodging, and per diem not to exceed the state rate. Itemized receipts are required for lodging and travel reimbursements. The subrecipient will not be reimbursed costs other than travel, lodging, and per diem on travel days for consultants/trainers/training providers.

Contractors/Subcontractors

The subrecipient may enter into written subcontract(s) for performance of certain of its functions under the contract in accordance with terms established in the OMB Circulars, Code of Federal Regulations, DHS Guidance/FOA, and DHS Program Guidance. The subrecipient agrees and understands that no subcontract that the subrecipient enters into with respect to performance under this Agreement shall in any way relieve the subrecipient of any responsibilities for performance of its duties. The subrecipient shall give the AZDOHS immediate notice in writing by certified mail of any action or suit filed and prompt notice of any claim made against the subrecipient by any subcontractor or vendor which in the opinion of the subrecipient may result in litigation related in any way to the Agreement with the AZDOHS.

Personnel and Travel Costs

All grant funds expended for personnel, travel, lodging, and per diem must be consistent with the subrecipient's policies and procedures; and the State of Arizona Accounting Manual (SAAM); must be applied uniformly to both federally financed and other activities of the agency; and will be reimbursed at the most restrictive allowability and rate. At no time will the subrecipient's reimbursement(s) exceed the State rate established by the Arizona Department of Administration, General Accounting Office Travel Policies: www.gao.az.gov.

Procurement

The subrecipient shall comply with all internal agency procurement rules/policies and must also comply with Federal procurement rules/policies as outlined in section VII and all procurement must comply with Arizona State procurement code and rules. The Federal intent is that all Homeland Security Funds are awarded competitively. The subrecipient shall not enter into a Noncompetitive (Sole or Single Source) procurement agreement, unless prior written approval is granted by the AZDOHS. The Noncompetitive Procurement Request Form and instructions are located on the AZDOHS website, www.azdohs.gov/grants/.

Training and Exercise

The subrecipient agrees that any grant funds used for training and exercise must be in compliance with the applicable FOA. All training must be approved through the ADEM/AZDOHS training request process prior to execution of training contract(s). All exercises must utilize the FEMA Homeland Security Exercise and Evaluation Program (HSEEP) Toolkit for exercise design, development and scheduling. Subrecipient agrees to:

- a) Submit the HSEEP Toolkit Exercise Summary to AZDOHS with all Exercise Reimbursement Requests.
- b) Post all exercises, documentation and After Action Reports/Improvement Plans via the HSEEP Toolkit.
- c) Within 60 days of completion of an exercise, or as prescribed by the most recent HSEEP guidance, the exercise host subrecipient is required to upload the AAR/IP into the HSEEP Toolkit and email the AAR/IP to the local County Emergency Manager, the FEMA Region IX Exercise POC, HSEEP@dhs.gov, the AZDOHS Strategic Planner, and the Arizona Department of Emergency Management (ADEM) Exercise Officer.

Nonsupplanting Agreement

The subrecipient shall not use funds to supplant State or Local funds or other resources that would otherwise have been made available for this program/project. Further, if a position created by a grant is filled from within, the vacancy created by this action must be filled within thirty (30) days. If the vacancy is not filled within thirty (30) days, the subrecipient must stop charging the grant for the new position. Upon filling the vacancy, the subrecipient may resume charging for the grant position.

E-Verify

Compliance requirements for A.R.S. § 41-4401—immigration laws and E-Verify requirement.

- a) The subrecipient warrants compliance with all Federal immigration laws and regulations relating to employees and warrants its compliance with Section A.R.S. § 23-214, Subsection A. (That subsection reads: “After December 31, 2007, every employer, after hiring an employee, shall verify the employment eligibility of the employee through the E-Verify program).
- b) A breach of a warranty regarding compliance with immigration laws and regulations shall be deemed a material breach of the contract and the subrecipient may be subject to penalties up to and including termination of the Agreement.
- c) The AZDOHS retains the legal right to inspect the papers of any employee who works on the Agreement to ensure that the subrecipient is complying with the warranty under paragraph (a) above.

Property Control

Effective control and accountability must be maintained for all property. The subrecipient must adequately safeguard all such property and must assure that it is used for authorized purposes as described in the FOA, grant application, and Code of Federal Regulations (44 CFR 13.32). The subrecipient shall exercise caution in the use, maintenance, protection and preservation of such property.

- a) Equipment shall be used by the subrecipient in the program or project for which it was acquired as long as needed, whether or not the program or project continues to be supported by federal grant funds. Theft, destruction, or loss of property shall be reported to the AZDOHS immediately.

- b) Nonexpendable Property and Capital Assets:
1. Nonexpendable Property is property which has a continuing use, is not consumed in use, is of a durable nature with an expected service life of one or more years, has an acquisition cost of \$300 (Three Hundred Dollars) or more, and does not become a fixture or lose its identity as a component of other equipment or systems.
 2. A Capital Asset is any personal or real property, or fixture that has an acquisition cost of \$5,000 (Five Thousand Dollars) or more per unit and a useful life of more than one year.
- c) A Property Control Form (if applicable) shall be maintained for the entire scope of the program or project for which property was acquired through the end of its useful life and/or disposition. All Nonexpendable Property and Capital Assets must be included on the Property Control Form. The subrecipient shall provide AZDOHS a copy of the Property Control Form with the final quarterly programmatic report. A Property Control Form can be located at www.azdohs.gov/Grants/. The subrecipient agrees to be subject to equipment monitoring and auditing by state or federal authorized representatives to verify information.
- d) A physical inventory of the Nonexpendable Property and Capital Assets must be taken and the results reconciled with the Property Control Form at least once every two years.
1. A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft shall be investigated and reported to AZDOHS.
 2. Adequate maintenance procedures must be developed to keep the property in good condition.
- e) When Nonexpendable Property and/or Capital Assets are no longer in operational use by the subgrantee, an updated Property Control Form must be submitted to AZDOHS immediately. The disposition of equipment shall be in compliance with the AZDOHS Disposition Guidance. If the subgrantee is requesting disposition of Capital Assets for reasons other than theft, destruction, or loss, the subgrantee must submit an Equipment Disposition Request Form and receive approval prior to the disposition. The Equipment Disposition Request Form can be found at www.azdohs.gov/Grants/.

Allowable Costs

The allowability of costs incurred under this agreement shall be determined in accordance with the general principles of allowability and standards for selected cost items as set forth in the applicable OMB Circulars, Code of Federal Regulations, authorized equipment lists and guidance documents referenced above.

- a) The subrecipient agrees that grant funds are not to be expended for any indirect costs that may be incurred by the subrecipient for administering these funds.
- b) The subrecipient agrees that grant funds are not to be expended for any Management and Administrative (M&A) costs that may be incurred by the subrecipient for administering these funds unless explicitly applied for and approved in writing by the AZDOHS and shall be in compliance with the applicable FOA.

VIII. DEBARMENT CERTIFICATION

The subrecipient agrees to comply with the Federal Debarment and Suspension regulations as outlined in the “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions.”

IX. FUNDS MANAGEMENT

The subrecipient must maintain funds received under this Agreement in separate ledger accounts and cannot mix these funds with other sources. The subrecipient must manage funds according to applicable Federal regulations for administrative requirements, costs principles, and audits.

The subrecipient must maintain adequate business systems to comply with Federal requirements. The business systems that must be maintained are:

- Financial Management
- Procurement
- Personnel
- Property
- Travel

A system is adequate if it is 1) written; 2) consistently followed – it applies in all similar circumstances; and 3) consistently applied – it applies to all sources of funds.

X. REPORTING REQUIREMENTS

Regular reports by the subrecipient shall include:

a) Programmatic Reports

The subrecipient shall provide quarterly programmatic reports to the AZDOHS within fifteen (15) working days of the last day of the quarter in which services are provided. The subrecipient shall use the form provided by the AZDOHS to submit quarterly programmatic reports. The report shall contain such information as deemed necessary by the AZDOHS. The subrecipient shall use the Quarterly Programmatic Report form, which is posted at www.azdohs.gov/Grants/. If the scope of the project has been fully completed and implemented, and there will be no further updates, then the quarterly programmatic report for the quarter in which the project was completed will be sufficient as the final report. The report should be marked as final and should be inclusive of all necessary and pertinent information regarding the project as deemed necessary by the AZDOHS. Quarterly programmatic reports shall be submitted to the AZDOHS until the entire scope of the project is completed

b) Quarterly Programmatic Reports are due:

January 15 (period October 1– December 31)

April 15 (period January 1 – March 31)

July 15 (period April 1 – June 30)

October 15 (period July 1 – September 30)

c) Final Quarterly Report:

The final quarterly report is due no more than fifteen (15) days after the end of the performance period. The Property Control Form and Grant Funded Typed Resource Report are due with the final quarterly report (if applicable).

d) Property Control Form – if applicable:
The subrecipient shall provide AZDOHS a copy of the Property Control Form with the final quarterly report.

a. In case of equipment disposition:
The Property Control Form shall be updated and a copy provided to AZDOHS no more than forty-five (45) calendar days after equipment disposition, if applicable. The disposition of equipment must be in compliance with the AZDOHS Disposition Guidance.

e) The Grant Funded Typed Resource Report – if applicable:
The subrecipient shall email the AZDOHS Strategic Planner a copy of the Grant Funded Typed Resource Report with the final quarterly report. The Grant Funded Typed Resource Report and instructions are located at www.azdohs.gov/Grants/.

f) Financial Reimbursements
The subrecipient shall provide as frequently as monthly but not less than quarterly requests for reimbursement. Reimbursements requests are only required when expenses have been incurred. Reimbursements shall be submitted with the Reimbursement Form provided by the AZDOHS staff. The subrecipient shall submit a final reimbursement for expenses received and invoiced prior to the end of the termination of this Agreement no more than **forty-five (45) calendar days** after the end of the Agreement. Requests for reimbursement received later than the forty-five (45) days after the Agreement termination will not be paid. The final reimbursement request as submitted shall be marked FINAL.

The AZDOHS requires that all requests for reimbursement are submitted via U.S. mail (United States Postal Service), FedEx, UPS, etc...or in person. Reimbursements submitted via fax or by any electronic means will not be accepted.

The AZDOHS reserves the right to request and/or require any supporting documentation it feels necessary in order to process reimbursements.

All reports shall be submitted to the contact person as described in Paragraph XL, NOTICES, of this Agreement.

XI. ASSIGNMENT AND DELEGATION

The subrecipient may not assign any rights hereunder without the express, prior written consent of both parties.

XII. AMENDMENTS

Any change in this Agreement including but not limited to the Description of Services and budget described herein, whether by modification or supplementation, must be accomplished by a formal Agreement amendment signed and approved by and between the duly authorized representative of the subrecipient and the AZDOHS. The AZDOHS shall have the right to immediately amend this Agreement so that it complies with any new legislation, laws, ordinances, or rules affecting this Agreement.

Any such amendment shall specify: 1) an effective date; 2) any increases or decreases in the amount of the subrecipient's compensation if applicable; 3) be titled as an "Amendment," and 4) be signed by the parties identified in the preceding sentence. The subrecipient expressly and

explicitly understands and agrees that no other method of communication, including any other document, correspondence, act, or oral communication by or from any person, shall be used or construed as an amendment or modification or supplementation to this Agreement.

XIII. US DEPARTMENT OF HOMELAND SECURITY AGREEMENT ARTICLES

Article A – Acceptance of Post Award Changes

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award.

Article B - Compliance with Funding Opportunity Announcement

The recipient agrees that all allocations and use of funds under this grant will be in accordance with the applicable FOA.

Article C - DHS Specific Acknowledgements and Assurances

All recipients of financial assistance must acknowledge and agree—and require any sub-recipients, contractors, successors, transferees, and assignees acknowledge and agree—to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance review or complaint investigation conducted by DHS.
2. Recipients must give DHS access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS awarding office and the DHS Office of Civil Rights and Civil Liberties.
6. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Component and/or awarding office.

The United States has the right to seek judicial enforcement of these obligations.

Article D - Use of DHS Seal, Logo and Flags

All recipients must obtain DHS's approval prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

Article E - USA Patriot Act of 2001

All recipients must comply with the requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. §§ 175–175c. Among other things, the USA PATRIOT Act prescribes criminal penalties for possession of any biological agent, toxin, or delivery system of a type or in a quantity that is not reasonably justified by a prophylactic, protective, bona fide research, or other peaceful purpose.

Article F - Trafficking Victims Protection Act of 2000

All recipients of financial assistance will comply with the requirements of the government-wide award term which implements Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. § 7104), located at 2 CFR Part 175. This is implemented in accordance with OMB Interim Final Guidance, Federal Register, Volume 72, No. 218, November 13, 2007.

In accordance with the statutory requirement, in each agency award under which funding is provided to a private entity, Section 106(g) of the TVPA, as amended, requires the agency to include a condition that authorizes the agency to terminate the award, without penalty, if the recipient or a subrecipient —

1. Engages in severe forms of trafficking in persons during the period of time that the award is in effect;
2. Procures a commercial sex act during the period of time that the award is in effect; or
3. Uses forced labor in the performance of the award or subawards under the award.

Full text of the award term is provided at 2 CFR § 175.15.

Article G - Non-supplanting Requirement

All recipients must ensure that Federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources. Applicants or award recipients may be required to demonstrate and document that a reduction in non-Federal resources occurred for reasons other than the receipt of expected receipt of Federal funds.

Article H - Lobbying Prohibitions

All recipients must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under an award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal action concerning the award or renewal.

Article I - Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. §2225(a), all recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, 15 U.S.C. §2225.

Article J - Fly America Act of 1974

All recipients must comply with Preference for U.S. Flag Air Carriers: Travel supported by U.S. Government funds requirement, which states preference for the use of U.S. flag air carriers (air carriers holding certificates under 49 U.S.C. §41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. § 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B138942.

Article K - Federal Debt Status

All recipients are required to be non-delinquent in their repayment of any Federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129 and form SF-424, item number 17 for additional information and guidance.

Article L - False Claims Act and Program Fraud Civil Remedies

All recipients must comply with the requirements of 31 U.S.C. § 3729 which set forth that no recipient of federal payments shall submit a false claim for payment. See also 38 U.S.C. § 3801-3812 which details the administrative remedies for false claims and statements made.

Article M - Duplication of Benefits

State, Local and Tribal recipients must comply with 2 CFR Part §225, Appendix A, paragraph (C)(3)(c), which provides that any cost allocable to a particular Federal award or cost objective under the principles provided for in this authority may not be charged to other Federal awards to overcome fund deficiencies.

Article N - Drug-Free Workplace Regulations

All recipients must comply with the Drug-Free Workplace Act of 1988 (412 U.S.C. § 701 et seq.), which requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. These regulations are codified at 2 CFR 3001.

Article O - Debarment and Suspension

All recipients must comply with Executive Orders 12549 and 12689, which provide protection against waste, fraud, and abuse by debarring or suspending those persons deemed irresponsible in their dealings with the Federal government.

Article P - Copyright

All recipients must affix the applicable copyright notices of 17 U.S.C. § 401 or 402 and an acknowledgement of Government sponsorship (including award number) to any work first produced under Federal financial assistance awards, unless the work includes any information that is otherwise controlled by the Government (e.g., classified information or other information subject to national security or export control laws or regulations).

Article Q - Best Practices for Collection and Use of Personally Identifiable Information (PII)

All award recipients who collect PII are required to have a publicly-available privacy policy that describes what PII they collect, how they use the PII, whether they share PII with third parties, and how individuals may have their PII corrected where appropriate. Award recipients may also find as a useful resource the DHS Privacy Impact Assessments guidance and template located at:

http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_guidance_june2010.pdf

and

http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_template.pdf, respectively.

Article R - Activities Conducted Abroad

All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

Article S - Acknowledgement of Federal Funding from DHS

All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

Article T - Assurances, Administrative Requirements and Cost Principles

Recipients of DHS federal financial assistance must complete OMB Standard Form 424B Assurances – Non-Construction Programs. Certain assurances in this form may not be applicable to your project or program, and the awarding agency may require applicants to certify to additional assurances. Please contact the program awarding office if you have any questions.

The administrative requirements that apply to DHS award recipients originate from two sources:

- Office of Management and Budget (OMB) Circular A-102, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (also known as the “A-102 Common Rule”). These A-102 requirements are also located within DHS regulations at Title 44, Code of Federal Regulations (CFR) Part 13.
- OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, relocated to 2 CFR Part 215.

The cost principles that apply to DHS award recipients through a grant or cooperative agreement originate from one of the following sources:

- OMB Circular A-21, Cost Principles for Educational Institutions, relocated to 2 CFR Part 220.
- OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments, relocated to 2 CFR Part 225.
- OMB Circular A-122, Cost Principles for Non-Profit Organizations, relocated to 2 CFR Part 230.

The audit requirements for State, Local and Tribal recipients of DHS awards originate from:

- OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations.

Article U - Age Discrimination Act of 1975

All recipients must comply with the requirements of the Age Discrimination Act of 1975 (42 U.S.C. § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving Federal financial assistance.

Article V - Americans with Disabilities Act of 1990

All recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12101–12213).

Article W - Title VI of the Civil Rights Act of 1964

All recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.), codified at 6 CFR Part 21 and 44 CFR Part 7, which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Article X - Civil Rights Act of 1968

All recipients must comply with Title VIII of the Civil Rights Act of 1968, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (42 U.S.C. § 3601 et seq.), as implemented by the Department of Housing and Urban Development at 24 CFR Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features (see 24 CFR § 100.201).

Article Y - Limited English Proficiency (Civil Rights Act of 1964, Title VI)

All recipients must comply with the Title VI of the Civil Rights Act of 1964 (Title VI) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. Providing meaningful access for persons with LEP may entail providing language assistance services, including oral interpretation and written translation. In order to facilitate compliance with Title VI, recipients are encouraged to consider the need for language services for LEP persons served or encountered in developing program budgets. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (August 11, 2000), requires federal agencies to issue guidance to recipients, assisting such organizations and entities in understanding their language access obligations. DHS published the required recipient guidance in April 2011, DHS Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 76 Fed. Reg. 21755-21768, (April 18, 2011). The Guidance provides helpful information such as how a recipient can determine the extent of its obligation to provide language services; selecting language services; and elements of an effective plan on language assistance for LEP persons. For additional assistance and information regarding language access obligations, please refer to the DHS

Recipient Guidance <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

Article Z - SAFECOM

Recipients who receive awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Article AA - Title IX of the Education Amendments of 1975 (Equal Opportunity in Education Act)

All recipients must comply with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), which provides that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance. These regulations are codified at 6 CFR Part 17 and 44 CFR Part 19.

Article AB - Rehabilitation Act of 1973

All recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, as amended, which provides that no otherwise qualified handicapped individual in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. These requirements pertain to the provision of benefits or services as well as to employment.

XIV. OFFSHORE PERFORMANCE OF WORK PROHIBITED

Due to security and identity protection concerns, all services under this Agreement shall be performed within the borders of the United States. All storage and processing of information shall be performed within the borders of the United States. This provision applies to work performed by subcontractors at all tiers.

XV. AGREEMENT RENEWAL

This Agreement shall not bind nor purport to bind the AZDOHS for any contractual commitment in excess of the original Agreement period.

XVI. RIGHT TO ASSURANCE

If the AZDOHS in good faith has reason to believe that the subrecipient does not intend to, or is unable to perform or continue performing under this Agreement, the AZDOHS may demand in writing that the subrecipient give a written assurance of intent to perform. If the subrecipient fails to provide written assurance within the number of days specified in the demand, the AZDOHS at its option may terminate this Agreement.

XVII. CANCELLATION FOR CONFLICT OF INTEREST

The AZDOHS may, by written notice to the subrecipient, immediately cancel this Agreement without penalty or further obligation pursuant to A.R.S. § 38-511 if any person significantly involved in initiating, negotiating, securing, drafting, or creating the Agreement on behalf of the State or its subdivisions (unit of Local Government) is an employee or agent of any other party in any capacity or a consultant to any other party to the Agreement with respect to the subject matter of the Agreement. Such cancellation shall be effective when the parties to the Agreement receive written notice from the AZDOHS, unless the notice specifies a later time.

XVIII. THIRD PARTY ANTITRUST VIOLATIONS

The subrecipient assigns the State of Arizona any claim for overcharges resulting from antitrust violations to the extent that such violations concern materials or services supplied by third parties to subrecipient toward fulfillment of this Agreement.

XIX. AVAILABILITY OF FUNDS

Every payment obligation of the AZDOHS under this Agreement is conditioned upon the availability of funds appropriated or allocated for the payment of such obligations. If the funds are not allocated and available for the continuance of this Agreement, the AZDOHS may terminate this Agreement at the end of the period for which funds are available. No liability shall accrue to the AZDOHS in the event this provision is exercised, and the AZDOHS shall not be obligated or liable for any future payments or for any damages as a result of termination under this paragraph, including purchases and/or contracts entered into by the subrecipient in the execution of this Agreement.

XX. FORCE MAJEURE

If either party hereto is delayed or prevented from the performance of any act required in this Agreement by reason of acts of God, strikes, lockouts, labor disputes, civil disorder, or other causes without fault and beyond the control of the party obligated, performance of such act will be excused for the period of the delay.

XXI. PARTIAL INVALIDITY

Any term or provision of this Agreement that is hereafter declared contrary to any current or future law, order, regulation, or rule, or which is otherwise invalid, shall be deemed stricken from this Agreement without impairing the validity of the remainder of this Agreement.

XXII. ARBITRATION

In the event of any dispute arising under this Agreement, written notice of the dispute must be provided to the other party within thirty (30) days of the events giving the rise to the dispute. The subrecipient agrees to terms specified in A.R.S. § 12-1518.

XXIII. GOVERNING LAW AND CONTRACT INTERPRETATION

- a) This Agreement shall be governed and interpreted in accordance with the laws of the State of Arizona.
- b) This Agreement is intended by the parties as a final and complete expression of their agreement. No course of prior dealings between the parties and no usage of the trade shall supplement or explain any terms in this document.
- c) Either party's failure to insist on strict performance of any term or condition of the Agreement shall not be deemed a waiver of that term or condition even if the party accepting or acquiescing in the nonconforming performance knows of the nature of the performance and fails to object.

XXIV. ENTIRE AGREEMENT

This Agreement and its Exhibits constitute the entire Agreement between the parties hereto pertaining to the subject matter hereof and may not be changed or added to except by a writing signed by all parties hereto in conformity with Paragraph XII, AMENDMENTS. The subrecipient agrees to comply with any such amendment within ten (10) business days of receipt of a fully executed amendment. All prior and contemporaneous agreements, representations, and

understandings of the parties, oral, written, pertaining to the subject matter hereof, are hereby superseded or merged herein.

XXV. RESTRICTIONS ON LOBBYING

The subrecipient shall not use funds made available to it under this Agreement to pay for, influence, or seek to influence any officer or employee of a State or Federal government.

XXVI. LICENSING

The subrecipient, unless otherwise exempted by law, shall obtain and maintain all licenses, permits, and authority necessary to perform those acts it is obligated to perform under this Agreement.

XXVII. NON-DISCRIMINATION

The subrecipient shall comply with all State and Federal equal opportunity and non-discrimination requirements and conditions of employment, including the Americans with Disabilities Act, in accordance with A.R.S. title 41, Chapter 9, Article 4 and Executive Order 2009-09.

XXVIII. SECTARIAN REQUESTS

Funds disbursed pursuant to this Agreement may not be expended for any sectarian purpose or activity, including sectarian worship or instruction in violation of the United States or Arizona Constitutions.

XXIX. SEVERABILITY

The provisions of this Agreement are severable. Any term or condition deemed illegal or invalid shall not affect any other term or condition of the Agreement.

XXX. ADVERTISING AND PROMOTION OF AGREEMENT

The subrecipient shall not advertise or publish information for commercial benefit concerning this Agreement without the written approval of the AZDOHS.

XXXI. OWNERSHIP OF INFORMATION, PRINTED AND PUBLISHED MATERIAL

The AZDOHS reserves the right to review and approve any publications funded or partially funded through this Agreement. All publications funded or partially funded through this Agreement shall recognize the AZDOHS and the U.S. Department of Homeland Security. The U.S. Department of Homeland Security and the AZDOHS shall have full and complete rights to reproduce, duplicate, disclose, perform, and otherwise use all materials prepared under this Agreement.

The subrecipient agrees that any report, printed matter, or publication (written, visual, or sound, but excluding press releases, newsletters, and issue analyses) issued by the subrecipient describing programs or projects funded in whole or in part with Federal funds shall contain the following statement:

"This document was prepared under a grant from U.S. Department of Homeland Security. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Homeland Security."

The subrecipient also agrees that one copy of any such publication, report, printed matter, or publication shall be submitted to the AZDOHS to be placed on file and distributed as appropriate

to other potential subrecipients or interested parties. The AZDOHS may waive the requirement for submission of any specific publication upon submission of a request providing justification from the subrecipient.

The AZDOHS and the subrecipient recognize that research resulting from this Agreement has the potential to become public information. However, prior to the termination of this Agreement, the subrecipient agrees that no research-based data resulting from this Agreement shall be published or otherwise distributed in any form without express written permission from the AZDOHS and possibly the U.S. Department of Homeland Security. It is also agreed that any report or printed matter completed as a part of this agreement is a work for hire and shall not be copyrighted by the subrecipient.

XXXII. CLOSED-CAPTIONING OF PUBLIC SERVICE ANNOUNCEMENTS

Any television public service announcement that is produced or funded in whole or in part by the subrecipient shall include closed captioning of the verbal content of such announcement.

XXXIII. INDEMNIFICATION

Each party (as "Indemnitor") agrees to defend, indemnify, and hold harmless the other party (as "Indemnitee") from and against any and all claims, losses, liability, costs, or expenses (including reasonable attorney's fees) (hereinafter collectively referred to as "Claims") arising out of bodily injury of any person (including death) or property damage, but only to the extent that such Claims which result in vicarious/derivative liability to the Indemnitee are caused by the act, omission, negligence, misconduct, or other fault of the Indemnitor, its officers, officials, agents, employees, or volunteers. The State of Arizona, (State Agency) is self-insured per A.R.S. 41-621.

In addition, should subrecipient utilize a contractor(s) and subcontractor(s) the indemnification clause between subrecipient and contractor(s) and subcontractor(s) shall include the following:

Contractor shall defend, indemnify, and hold harmless the (insert name of other governmental entity) and the State of Arizona, and any jurisdiction or agency issuing any permits for any work arising out of this Agreement, and its departments, agencies, boards, commissions, universities, officers, officials, agents, and employees (hereinafter referred to as "Indemnitee") from and against any and all claims, actions, liabilities, damages, losses, or expenses (including court costs, attorneys' fees, and costs of claim processing, investigation and litigation) (hereinafter referred to as "Claims") for bodily injury or personal injury (including death), or loss or damage to tangible or intangible property caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of the contractor or any of the directors, officers, agents, or employees or subcontractors of such contractor. This indemnity includes any claim or amount arising out of or recovered under the Workers' Compensation Law or arising out of the failure of such contractor to conform to any federal, state or local law, statute, ordinance, rule, regulation or court decree. It is the specific intention of the parties that the Indemnitee shall, in all instances, except for Claims arising solely from the negligent or willful acts or omissions of the Indemnitee, be indemnified by such contractor from and against any and all claims. It is agreed that such contractor will be responsible for primary loss investigation, defense and judgment costs where this indemnification is applicable. Additionally on all applicable insurance policies, contractor and its subcontractors shall name the State of Arizona, and its departments, agencies, boards, commissions, universities, officers, officials, agents, and employees as an additional insured and also include a waiver of subrogation in favor of the State.

XXXIV. TERMINATION

- a) All parties reserve the right to terminate the Agreement in whole or in part due to the failure of the subrecipient or the grantor to comply with any term or condition of the Agreement, to acquire and maintain all required insurance policies, bonds, licenses, and permits or to make satisfactory progress in performing the Agreement. The staff of either party shall provide a written thirty (30) day advance notice of the termination and the reasons for it.

- b) If the subrecipient chooses to terminate the contract before the grant deliverables have been met then the AZDOHS reserves the right to collect all reimbursements distributed to the subrecipient.
- c) The AZDOHS may, upon termination of this Agreement, procure, on terms and in the manner that it deems appropriate, materials or services to replace those under this Agreement. The subrecipient shall be liable to the AZDOHS for any excess costs incurred by the AZDOHS in procuring materials or services in substitution for those due from the subrecipient.

XXXV. CONTINUATION OF PERFORMANCE THROUGH TERMINATION

The subrecipient shall continue to perform, in accordance with the requirements of the Agreement, up to the date of termination, as directed in the termination notice.

XXXVI. PARAGRAPH HEADINGS

The paragraph headings in this Agreement are for convenience of reference only and do not define, limit, enlarge, or otherwise affect the scope, construction, or interpretation of this Agreement or any of its provisions.

XXXVII. COUNTERPARTS

This Agreement may be executed in any number of counterparts, copies, or duplicate originals. Each such counterpart, copy, or duplicate original shall be deemed an original, and collectively they shall constitute one agreement.

XXXVIII. AUTHORITY TO EXECUTE THIS AGREEMENT

Each individual executing this Agreement on behalf of the subrecipient represents and warrants that he or she is duly authorized to execute this Agreement.

XXXIX. SPECIAL CONDITIONS

- a) The subrecipient must comply with the most recent version of the Administrative Requirements, Cost Principles, and Audit requirements
- b) The subrecipient acknowledges that the U.S. Department of Homeland Security and the AZDOHS reserve a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for Federal government purposes: (a) the copyright in any work developed under an award or sub-award; and (2) any rights of copyright to which a subrecipient purchases ownership with Federal support. The subrecipient shall consult with the AZDOHS regarding the allocation of any patent rights that arise from, or are purchased with, this funding.
- c) The subrecipient agrees that, when practicable, any equipment purchased with grant funding shall be prominently marked as follows: **"Purchased with funds provided by the U.S. Department of Homeland Security."**
- d) The subrecipient agrees to cooperate with any assessments, state/national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this agreement.
- e) The subrecipient is prohibited from transferring funds between programs (State Homeland Security Program, Urban Area Security Initiative, Citizen Corps Program, Operation Stonegarden, and Metropolitan Medical Response System).

XL. NOTICES

Any and all notices, requests, demands, or communications by either party to this Agreement, pursuant to or in connection with this Agreement shall be in writing, be delivered in person, or shall be sent to the respective parties at the following addresses:

Arizona Department of Homeland Security
1700 West Washington Street, Suite 210
Phoenix, AZ 85007

The subrecipient shall address all programmatic and reimbursement notices relative to this Agreement to the appropriate AZDOHS staff; contact information at www.azdohs.gov.

The AZDOHS shall address all notices relative to this Agreement to:

Enter Title, First & Last Name above

Enter Agency Name above

Enter Street Address

Enter City, State, ZIP

XLI. IN WITNESS WHEREOF

The parties hereto agree to execute this Agreement.

FOR AND BEHALF OF THE

Enter Agency Name above

Authorized Signature above

Print Name & Title above

Enter Date above

FOR AND BEHALF OF THE

Arizona Department of Homeland Security

Gilbert M. Orrantia
Director

Date

(Please be sure to complete and mail two original documents to the Arizona Department of Homeland Security.)



Governor Janice K. Brewer

State of Arizona



Director Gilbert M. Orrantia

Department of Homeland Security

September 12, 2014

Chief Roy Minter
Peoria Police Department
8351 W. Cinnabar Ave
Peoria, AZ 85345-2701

Subject: FFY 2014 Homeland Security Grant Program Award
Subgrantee Agreement Number: **140821-02**
Project Title: **TLO Enhancement and Sustainment**

Dear Chief Roy Minter:

The application that your agency submitted to the Arizona Department of Homeland Security (AZDOHS) for consideration under the Homeland Security Grant Program has been awarded. The project titled "**TLO Enhancement and Sustainment**" has been funded under the URBAN AREA SECURITY INITIATIVE for **\$68,725**. The grant performance period is **October 1, 2014 through September 30, 2015**. This grant program is part of the U.S. Department of Homeland Security Grant Program and specifically is awarded under CFDA #97.067 (Catalog of Federal Domestic Assistance).

To initiate the award process, the following action items must be completed, signed and returned to AZDOHS:

1. Two Subgrantee Agreements - go to www.azdohs.gov under Grants and download two original Subgrantee Agreements.
2. Project Administration Page (enclosed).
3. NIMS Compliance Certification - go to www.azdohs.gov under Grants and download one original certification.
4. Environmental and Historic Preservation (EHP) required documentation (if applicable, see attached EHP Designation Letter).

Hard copies of the Subgrantee Agreement and NIMS Compliance Certification will **not** be mailed to you. These items must be completed and on file at AZDOHS in order for your agency to be eligible for reimbursement. **If all documentation listed in numbers 1, 2, 3 and 4 (if applicable) above is not signed and received by AZDOHS on or before January 31, 2015 this award is rescinded and the funds will be reallocated.**

Additional grant requirements:

- Quarterly programmatic reports must be submitted on the most recent form/template.
- If your project requires an Environmental and Historic Preservation (EHP) review, this must be completed, submitted and **approved** by FEMA/AZDOHS prior to any expenditure of funds.
- Subgrantees must adhere to the Title VI of the Civil Rights Act of 1964 requirements.
- Subgrantees are either required to submit an electronic copy of their annual A133 Audit or a statement stating that they were not required to complete an audit to AZDOHS each year. The AZDOHS reserves the right to manage this agreement in any way it deems necessary, including withholding of reimbursement payments, or future subgrantee agreements, until the A133 Audit or statement has been received and, if applicable, an approved action plan for compliance has been completed.
- Reimbursements are limited to approved quantities and funding thresholds.
- All radio equipment purchased with Homeland Security funds should be P25 capable, comply with SAFECOM Guidance, comply to the Land Mobile Radio Minimum Equipment Standards as approved by the Statewide

Interoperability Executive Committee (SIEC), and be programmed in accordance with the Arizona State Interoperable Priority Programming Guide also as approved by the SIEC.

- All projects that support training initiatives including FEMA approved/state sponsored training must be in compliance with grant guidance, the subgrantee agreement, and approved through the ADEM/AZDOHS training request process prior to execution of training.
- Consultants/Trainers/Training Providers costs must be within the prevailing rates; must be obtained under consistent treatment with the procurement policies of the subrecipient and 44 CFR Chapter 1, Part 13; and shall not exceed the maximum of \$450 per day per consultant/trainer/training provider unless prior written approval is granted by the AZDOHS.
- All projects that support exercises must be:
 - In compliance with grant guidance and the subgrantee agreement.
 - Must utilize the FEMA Homeland Security Exercise and Evaluation Program (HSEEP) Toolkit.
 - All exercises, documentation and After Action Reports/Improvement Plans (AAR/IP) must be posted via the HSEEP Toolkit within 60 days after completion of an exercise.
 - Within 60-days of completion of an exercise, the exercise host subrecipient is required to upload the AAR/IP into the HSEEP Toolkit and email the AAR/IP to the local County Emergency Manager, the FEMA Region IX Exercise POC, HSEEP@dhs.gov, the AZDOHS Strategic Planner, and the Arizona Department of Emergency Management (ADEM) Exercise Officer.
- Terrorism Liaison Officer (TLO) Chemical, Biological, Radiological, Nuclear and Explosive (CBRNE) Response Vehicles purchased with Department of Homeland Security Grant Program funding must be assigned to and used by certified TLOs working with the Arizona Counter Terrorism Information Center (ACTIC).
 - Persons receiving TLO vehicles shall be available to respond to incidents and events on a "call out" basis and shall be available for regional and statewide deployment for TLO operations and training.
 - TLO equipment and/or services purchased or maintained with Department of Homeland Security Grant Program funding will be assigned to and used by certified TLOs working with the ACTIC TLO Program. This equipment may include: radios, computers, cell phones, cellular and satellite service fees, open source data services, cameras, GPS devices and any other equipment needed to complete the TLO mission.
- Subgrantees are subject to the AZDOHS Site Monitoring Program.
- All reimbursements for personnel costs must be in compliance with AZDOHS Time and Effort Reporting requirements.
- AZDOHS reserves the right to request additional documentation at any time.

If you should have any questions, please do not hesitate to contact your Strategic Planner.

Congratulations on your Homeland Security Grant Program award.

Sincerely,



Gilbert M. Orrantia
Director

Cc: Detective Michael Griffin

Attachments: Project Administration Page, EHP Designation Letter, Application Summary Page, Budget Narrative page(s)

SUBGRANTEE AGREEMENT

14-AZDOHS-HSGP-_____

Enter Subgrantee Agreement Number above (e.g., 140xxx-xx)

Between

**The Arizona Department of Homeland Security
And**

Enter the Name of the Subrecipient Agency Above

WHEREAS, A.R.S. § 41-4254 charges the Arizona Department of Homeland Security (AZDOHS) with the responsibility of administering funds.

THEREFORE, it is agreed that the AZDOHS shall provide funding to the

Enter the Name of the Subrecipient Agency Above

(subrecipient) for services under the terms of this Grant Agreement.

I. PURPOSE OF AGREEMENT

The purpose of this Agreement is to specify the responsibilities and procedures for the subrecipient's role in administering homeland security grant funds.

II. TERM OF AGREEMENT, TERMINATION AND AMENDMENTS

This Agreement shall become effective on **October 1, 2014** and shall terminate on **September 30, 2015**. The obligations of the subrecipient as described herein will survive termination of this agreement.

III. DESCRIPTION OF SERVICES

The subrecipient shall provide the services for the State of Arizona, Arizona Department of Homeland Security as approved in the grant application titled

“ _____ ”

Enter Title of Application

and funded at \$ _____ (as may have been modified by the award letter).

Enter Funded Amount Above

IV. MANNER OF FINANCING

The AZDOHS shall:

- a) Provide up to \$ _____ to the subrecipient for services provided under Paragraph III. Enter Funded Amount Above
- b) Payment made by the AZDOHS to the subrecipient shall be on a reimbursement basis only and is conditioned upon receipt of proof of payment and applicable, accurate and complete reimbursement documents, as deemed necessary by the AZDOHS, to be submitted by the subrecipient. A listing of acceptable documentation can be found at www.azdohs.gov. Payments will be contingent upon receipt of all reporting requirements of the subrecipient under this Agreement.

V. FISCAL RESPONSIBILITY

It is understood and agreed that the total amount of the funds used under this Agreement shall be used only for the project as described in the application. Any modification to quantity or scope of work must be preapproved in writing by the AZDOHS. Therefore, should the project not be completed, the subrecipient shall reimburse said funds directly to the AZDOHS immediately. If the project is completed at a lower cost than the original budget called for, the amount reimbursed to the subrecipient shall be for only the amount of dollars actually spent by the subrecipient in accordance with the approved application. For any funds received under this Agreement for which expenditure is disallowed by an audit exemption or otherwise by the AZDOHS, the State, or Federal government, the subrecipient shall reimburse said funds directly to the AZDOHS immediately.

VI. FINANCIAL AUDIT/PROGRAMATIC MONITORING

The subrecipient agrees to terms specified in A.R.S. § 35-214 and § 35-215.

- a) In addition, in compliance with the Federal Single Audit Act (31 U.S.C. par. 7501-7507), as amended by the Single Audit Act Amendments of 1996 (P.L. 104 to 156), the subrecipient must have an annual audit conducted in accordance with OMB Circular #A-133 (“Audits of States, Local Governments, and Non-profit Organizations”) if the subrecipient expends more than \$500,000 from Federal awards. If the subrecipient has expended more than \$500,000 in Federal dollars, a copy of the subrecipient’s audit report for the previous fiscal year and subsequent years within the period of performance is due annually to AZDOHS within nine (9) months of the subrecipients fiscal year end.
- b) Subrecipients will be monitored periodically by the AZDOHS staff, both programmatically and financially, to ensure that the project goals, objectives, performance requirements, timelines, milestone completion, budgets, and other related program criteria are being met. Monitoring will be accomplished through a combination of office-based reviews and on-site monitoring visits. Monitoring can involve aspects of the work involved under this contract including but not limited to the review and analysis of the financial, programmatic, equipment, performance, and administrative issues relative to each program and will identify areas where technical assistance and other support may be needed.

VII. APPLICABLE FEDERAL REGULATIONS

The subrecipient must comply with the Funding Opportunity Announcement (FOA), Office of Management and Budget (OMB) Circulars, Code of Federal Regulations (CFR) and other Federal guidance including but not limited to:

- a) 44 CFR Chapter 1, Federal Emergency Management Agency, Department of Homeland Security at www.gpo.gov/fdsys/pkg/CFR-2007-title44-vol1/content-detail.html
- b) 2 CFR 225 Cost Principles for State, Local & Indian Tribal Governments (A-87 OMB Circular), at www.gpo.gov/fdsys/pkg/CFR-2007-title2-vol1/content-detail.html. Cost Principles: 2 CFR Part 225, State and Local Governments; 2 CFR Part 220, Educational Institutions; 2 CFR Part 230, Non-Profit Organizations; Federal Acquisition Regulation Sub-part 31.2, Contracts with Commercial Organizations. OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, at www.whitehouse.gov/sites/default/files/omb/assets/a133/a133_revised_2007.pdf.

- c) 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (formerly OMB Circular A-102), at origin www.gpo.gov/fdsys/pkg/CFR-2010-title44-vol1/pdf/CFR-2010-title44-vol1-part13.pdf . U.S. Department of Homeland Security Authorized Equipment List (AEL), at www.llis.dhs.gov/knowledgebase/authorizedequipmentlist.
- d) 2 CFR Part 215, Uniformed Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Organizations.
- e) 28 CFR applicable to grants and cooperative agreements, including Part 18, Office of Justice Programs Hearing and Appeal Procedure; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 42, Non-discrimination; Equal Employment Opportunities; Policies and Procedures; Part 61, Procedures for Implementing the National Environmental Policy Act; Part 63, Floodplain Management and Wetland Protection Procedures; and Part 66, Uniform Administrative Requirements for Grants and Co-operative Agreements to State and local Government. This CFR can be found at <http://www.gpo.gov/fdsys/pkg/CFR-2001-title28-vol1/content-detail.html>.
- f) Where applicable and with prior written approval from AZDOHS/DHS/FEMA, program subgrantees using funds for construction projects must comply with the *Davis-Bacon Act* (40 U.S.C. 3141 *et seq.*). Subrecipients must ensure that their contractors or subcontractors for construction projects pay workers employed directly at the work-site no less than the prevailing wages and fringe benefits paid on projects of a similar character. Additional information, including Department of Labor (DOL) wage determinations, is available from the following website <http://www.dol.gov/compliance/laws/comp-dbra.htm>.

Included within the above mentioned guidance documents are provisions for the following:

National Incident Management System (NIMS)

The subrecipient agrees to remain in compliance with National Incident Management System (NIMS) implementation initiatives as outlined in the applicable Funding Opportunity Announcement (FOA).

Environmental Planning and Historic Preservation

The subrecipient shall comply with all applicable Federal, State, and Local environmental and historic preservation (EHP) requirements and shall provide any information requested by FEMA to ensure compliance with applicable laws including: National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains (11988), Wetlands (11990) and Environmental Justice (12898). Subrecipient shall not undertake any project having the potential to impact EHP resources without the prior approval of AZDOHS/FEMA, including but not limited to communications towers, physical security enhancements, new construction, and modifications to buildings that are 50 years old or greater. Subrecipient must comply with all conditions placed on the project as the result of the EHP review. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements. If ground disturbing activities occur during project implementation, the subrecipient must ensure monitoring of ground disturbance and if any potential archeological resources are discovered, the subrecipient will immediately cease construction in that area and notify FEMA and the appropriate State Historic Preservation

Office. Procurement and construction activities shall not be initiated prior to the full environmental and historic preservation review and approval.

Consultants/Trainers/Training Providers

Billings for consultants/trainers/training providers must include at a minimum: a description of services; dates of services; number of hours for services performed; rate charged for services; and, the total cost of services performed. Consultant/trainer/training provider costs must be within the prevailing rates; must be obtained under consistent treatment with the procurement policies of the subrecipient and 44 CFR Chapter 1, Part 13; and shall not exceed the maximum of \$450 per day per consultant/trainer/training provider unless prior written approval is granted by the AZDOHS. In addition to the per day \$450 maximum amount, the consultant/trainer/training provider may be reimbursed reasonable travel, lodging, and per diem not to exceed the state rate. Itemized receipts are required for lodging and travel reimbursements. The subrecipient will not be reimbursed costs other than travel, lodging, and per diem on travel days for consultants/trainers/training providers.

Contractors/Subcontractors

The subrecipient may enter into written subcontract(s) for performance of certain of its functions under the contract in accordance with terms established in the OMB Circulars, Code of Federal Regulations, DHS Guidance/FOA, and DHS Program Guidance. The subrecipient agrees and understands that no subcontract that the subrecipient enters into with respect to performance under this Agreement shall in any way relieve the subrecipient of any responsibilities for performance of its duties. The subrecipient shall give the AZDOHS immediate notice in writing by certified mail of any action or suit filed and prompt notice of any claim made against the subrecipient by any subcontractor or vendor which in the opinion of the subrecipient may result in litigation related in any way to the Agreement with the AZDOHS.

Personnel and Travel Costs

All grant funds expended for personnel, travel, lodging, and per diem must be consistent with the subrecipient's policies and procedures; and the State of Arizona Accounting Manual (SAAM); must be applied uniformly to both federally financed and other activities of the agency; and will be reimbursed at the most restrictive allowability and rate. At no time will the subrecipient's reimbursement(s) exceed the State rate established by the Arizona Department of Administration, General Accounting Office Travel Policies: www.gao.az.gov.

Procurement

The subrecipient shall comply with all internal agency procurement rules/policies and must also comply with Federal procurement rules/policies as outlined in section VII and all procurement must comply with Arizona State procurement code and rules. The Federal intent is that all Homeland Security Funds are awarded competitively. The subrecipient shall not enter into a Noncompetitive (Sole or Single Source) procurement agreement, unless prior written approval is granted by the AZDOHS. The Noncompetitive Procurement Request Form and instructions are located on the AZDOHS website, www.azdohs.gov/grants/.

Training and Exercise

The subrecipient agrees that any grant funds used for training and exercise must be in compliance with the applicable FOA. All training must be approved through the ADEM/AZDOHS training request process prior to execution of training contract(s). All exercises must utilize the FEMA Homeland Security Exercise and Evaluation Program (HSEEP) Toolkit for exercise design, development and scheduling. Subrecipient agrees to:

- a) Submit the HSEEP Toolkit Exercise Summary to AZDOHS with all Exercise Reimbursement Requests.
- b) Post all exercises, documentation and After Action Reports/Improvement Plans via the HSEEP Toolkit.
- c) Within 60 days of completion of an exercise, or as prescribed by the most recent HSEEP guidance, the exercise host subrecipient is required to upload the AAR/IP into the HSEEP Toolkit and email the AAR/IP to the local County Emergency Manager, the FEMA Region IX Exercise POC, HSEEP@dhs.gov, the AZDOHS Strategic Planner, and the Arizona Department of Emergency Management (ADEM) Exercise Officer.

Nonsupplanting Agreement

The subrecipient shall not use funds to supplant State or Local funds or other resources that would otherwise have been made available for this program/project. Further, if a position created by a grant is filled from within, the vacancy created by this action must be filled within thirty (30) days. If the vacancy is not filled within thirty (30) days, the subrecipient must stop charging the grant for the new position. Upon filling the vacancy, the subrecipient may resume charging for the grant position.

E-Verify

Compliance requirements for A.R.S. § 41-4401—immigration laws and E-Verify requirement.

- a) The subrecipient warrants compliance with all Federal immigration laws and regulations relating to employees and warrants its compliance with Section A.R.S. § 23-214, Subsection A. (That subsection reads: “After December 31, 2007, every employer, after hiring an employee, shall verify the employment eligibility of the employee through the E-Verify program).
- b) A breach of a warranty regarding compliance with immigration laws and regulations shall be deemed a material breach of the contract and the subrecipient may be subject to penalties up to and including termination of the Agreement.
- c) The AZDOHS retains the legal right to inspect the papers of any employee who works on the Agreement to ensure that the subrecipient is complying with the warranty under paragraph (a) above.

Property Control

Effective control and accountability must be maintained for all property. The subrecipient must adequately safeguard all such property and must assure that it is used for authorized purposes as described in the FOA, grant application, and Code of Federal Regulations (44 CFR 13.32). The subrecipient shall exercise caution in the use, maintenance, protection and preservation of such property.

- a) Equipment shall be used by the subrecipient in the program or project for which it was acquired as long as needed, whether or not the program or project continues to be supported by federal grant funds. Theft, destruction, or loss of property shall be reported to the AZDOHS immediately.

- b) Nonexpendable Property and Capital Assets:
1. Nonexpendable Property is property which has a continuing use, is not consumed in use, is of a durable nature with an expected service life of one or more years, has an acquisition cost of \$300 (Three Hundred Dollars) or more, and does not become a fixture or lose its identity as a component of other equipment or systems.
 2. A Capital Asset is any personal or real property, or fixture that has an acquisition cost of \$5,000 (Five Thousand Dollars) or more per unit and a useful life of more than one year.
- c) A Property Control Form (if applicable) shall be maintained for the entire scope of the program or project for which property was acquired through the end of its useful life and/or disposition. All Nonexpendable Property and Capital Assets must be included on the Property Control Form. The subrecipient shall provide AZDOHS a copy of the Property Control Form with the final quarterly programmatic report. A Property Control Form can be located at www.azdohs.gov/Grants/. The subrecipient agrees to be subject to equipment monitoring and auditing by state or federal authorized representatives to verify information.
- d) A physical inventory of the Nonexpendable Property and Capital Assets must be taken and the results reconciled with the Property Control Form at least once every two years.
1. A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft shall be investigated and reported to AZDOHS.
 2. Adequate maintenance procedures must be developed to keep the property in good condition.
- e) When Nonexpendable Property and/or Capital Assets are no longer in operational use by the subgrantee, an updated Property Control Form must be submitted to AZDOHS immediately. The disposition of equipment shall be in compliance with the AZDOHS Disposition Guidance. If the subgrantee is requesting disposition of Capital Assets for reasons other than theft, destruction, or loss, the subgrantee must submit an Equipment Disposition Request Form and receive approval prior to the disposition. The Equipment Disposition Request Form can be found at www.azdohs.gov/Grants/.

Allowable Costs

The allowability of costs incurred under this agreement shall be determined in accordance with the general principles of allowability and standards for selected cost items as set forth in the applicable OMB Circulars, Code of Federal Regulations, authorized equipment lists and guidance documents referenced above.

- a) The subrecipient agrees that grant funds are not to be expended for any indirect costs that may be incurred by the subrecipient for administering these funds.
- b) The subrecipient agrees that grant funds are not to be expended for any Management and Administrative (M&A) costs that may be incurred by the subrecipient for administering these funds unless explicitly applied for and approved in writing by the AZDOHS and shall be in compliance with the applicable FOA.

VIII. DEBARMENT CERTIFICATION

The subrecipient agrees to comply with the Federal Debarment and Suspension regulations as outlined in the “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions.”

IX. FUNDS MANAGEMENT

The subrecipient must maintain funds received under this Agreement in separate ledger accounts and cannot mix these funds with other sources. The subrecipient must manage funds according to applicable Federal regulations for administrative requirements, costs principles, and audits.

The subrecipient must maintain adequate business systems to comply with Federal requirements. The business systems that must be maintained are:

- Financial Management
- Procurement
- Personnel
- Property
- Travel

A system is adequate if it is 1) written; 2) consistently followed – it applies in all similar circumstances; and 3) consistently applied – it applies to all sources of funds.

X. REPORTING REQUIREMENTS

Regular reports by the subrecipient shall include:

a) Programmatic Reports

The subrecipient shall provide quarterly programmatic reports to the AZDOHS within fifteen (15) working days of the last day of the quarter in which services are provided. The subrecipient shall use the form provided by the AZDOHS to submit quarterly programmatic reports. The report shall contain such information as deemed necessary by the AZDOHS. The subrecipient shall use the Quarterly Programmatic Report form, which is posted at www.azdohs.gov/Grants/. If the scope of the project has been fully completed and implemented, and there will be no further updates, then the quarterly programmatic report for the quarter in which the project was completed will be sufficient as the final report. The report should be marked as final and should be inclusive of all necessary and pertinent information regarding the project as deemed necessary by the AZDOHS. Quarterly programmatic reports shall be submitted to the AZDOHS until the entire scope of the project is completed

b) Quarterly Programmatic Reports are due:

January 15 (period October 1– December 31)

April 15 (period January 1 – March 31)

July 15 (period April 1 – June 30)

October 15 (period July 1 – September 30)

c) Final Quarterly Report:

The final quarterly report is due no more than fifteen (15) days after the end of the performance period. The Property Control Form and Grant Funded Typed Resource Report are due with the final quarterly report (if applicable).

d) Property Control Form – if applicable:
The subrecipient shall provide AZDOHS a copy of the Property Control Form with the final quarterly report.

a. In case of equipment disposition:
The Property Control Form shall be updated and a copy provided to AZDOHS no more than forty-five (45) calendar days after equipment disposition, if applicable. The disposition of equipment must be in compliance with the AZDOHS Disposition Guidance.

e) The Grant Funded Typed Resource Report – if applicable:
The subrecipient shall email the AZDOHS Strategic Planner a copy of the Grant Funded Typed Resource Report with the final quarterly report. The Grant Funded Typed Resource Report and instructions are located at www.azdohs.gov/Grants/.

f) Financial Reimbursements
The subrecipient shall provide as frequently as monthly but not less than quarterly requests for reimbursement. Reimbursements requests are only required when expenses have been incurred. Reimbursements shall be submitted with the Reimbursement Form provided by the AZDOHS staff. The subrecipient shall submit a final reimbursement for expenses received and invoiced prior to the end of the termination of this Agreement no more than **forty-five (45) calendar days** after the end of the Agreement. Requests for reimbursement received later than the forty-five (45) days after the Agreement termination will not be paid. The final reimbursement request as submitted shall be marked FINAL.

The AZDOHS requires that all requests for reimbursement are submitted via U.S. mail (United States Postal Service), FedEx, UPS, etc...or in person. Reimbursements submitted via fax or by any electronic means will not be accepted.

The AZDOHS reserves the right to request and/or require any supporting documentation it feels necessary in order to process reimbursements.

All reports shall be submitted to the contact person as described in Paragraph XL, NOTICES, of this Agreement.

XI. ASSIGNMENT AND DELEGATION

The subrecipient may not assign any rights hereunder without the express, prior written consent of both parties.

XII. AMENDMENTS

Any change in this Agreement including but not limited to the Description of Services and budget described herein, whether by modification or supplementation, must be accomplished by a formal Agreement amendment signed and approved by and between the duly authorized representative of the subrecipient and the AZDOHS. The AZDOHS shall have the right to immediately amend this Agreement so that it complies with any new legislation, laws, ordinances, or rules affecting this Agreement.

Any such amendment shall specify: 1) an effective date; 2) any increases or decreases in the amount of the subrecipient's compensation if applicable; 3) be titled as an "Amendment," and 4) be signed by the parties identified in the preceding sentence. The subrecipient expressly and

explicitly understands and agrees that no other method of communication, including any other document, correspondence, act, or oral communication by or from any person, shall be used or construed as an amendment or modification or supplementation to this Agreement.

XIII. US DEPARTMENT OF HOMELAND SECURITY AGREEMENT ARTICLES

Article A – Acceptance of Post Award Changes

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award.

Article B - Compliance with Funding Opportunity Announcement

The recipient agrees that all allocations and use of funds under this grant will be in accordance with the applicable FOA.

Article C - DHS Specific Acknowledgements and Assurances

All recipients of financial assistance must acknowledge and agree—and require any sub-recipients, contractors, successors, transferees, and assignees acknowledge and agree—to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance review or complaint investigation conducted by DHS.
2. Recipients must give DHS access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS awarding office and the DHS Office of Civil Rights and Civil Liberties.
6. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Component and/or awarding office.

The United States has the right to seek judicial enforcement of these obligations.

Article D - Use of DHS Seal, Logo and Flags

All recipients must obtain DHS's approval prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

Article E - USA Patriot Act of 2001

All recipients must comply with the requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. §§ 175–175c. Among other things, the USA PATRIOT Act prescribes criminal penalties for possession of any biological agent, toxin, or delivery system of a type or in a quantity that is not reasonably justified by a prophylactic, protective, bona fide research, or other peaceful purpose.

Article F - Trafficking Victims Protection Act of 2000

All recipients of financial assistance will comply with the requirements of the government-wide award term which implements Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. § 7104), located at 2 CFR Part 175. This is implemented in accordance with OMB Interim Final Guidance, Federal Register, Volume 72, No. 218, November 13, 2007.

In accordance with the statutory requirement, in each agency award under which funding is provided to a private entity, Section 106(g) of the TVPA, as amended, requires the agency to include a condition that authorizes the agency to terminate the award, without penalty, if the recipient or a subrecipient —

1. Engages in severe forms of trafficking in persons during the period of time that the award is in effect;
2. Procures a commercial sex act during the period of time that the award is in effect; or
3. Uses forced labor in the performance of the award or subawards under the award.

Full text of the award term is provided at 2 CFR § 175.15.

Article G - Non-supplanting Requirement

All recipients must ensure that Federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources. Applicants or award recipients may be required to demonstrate and document that a reduction in non-Federal resources occurred for reasons other than the receipt of expected receipt of Federal funds.

Article H - Lobbying Prohibitions

All recipients must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under an award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal action concerning the award or renewal.

Article I - Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. §2225(a), all recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, 15 U.S.C. §2225.

Article J - Fly America Act of 1974

All recipients must comply with Preference for U.S. Flag Air Carriers: Travel supported by U.S. Government funds requirement, which states preference for the use of U.S. flag air carriers (air carriers holding certificates under 49 U.S.C. §41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. § 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B138942.

Article K - Federal Debt Status

All recipients are required to be non-delinquent in their repayment of any Federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129 and form SF-424, item number 17 for additional information and guidance.

Article L - False Claims Act and Program Fraud Civil Remedies

All recipients must comply with the requirements of 31 U.S.C. § 3729 which set forth that no recipient of federal payments shall submit a false claim for payment. See also 38 U.S.C. § 3801-3812 which details the administrative remedies for false claims and statements made.

Article M - Duplication of Benefits

State, Local and Tribal recipients must comply with 2 CFR Part §225, Appendix A, paragraph (C)(3)(c), which provides that any cost allocable to a particular Federal award or cost objective under the principles provided for in this authority may not be charged to other Federal awards to overcome fund deficiencies.

Article N - Drug-Free Workplace Regulations

All recipients must comply with the Drug-Free Workplace Act of 1988 (412 U.S.C. § 701 et seq.), which requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. These regulations are codified at 2 CFR 3001.

Article O - Debarment and Suspension

All recipients must comply with Executive Orders 12549 and 12689, which provide protection against waste, fraud, and abuse by debarring or suspending those persons deemed irresponsible in their dealings with the Federal government.

Article P - Copyright

All recipients must affix the applicable copyright notices of 17 U.S.C. § 401 or 402 and an acknowledgement of Government sponsorship (including award number) to any work first produced under Federal financial assistance awards, unless the work includes any information that is otherwise controlled by the Government (e.g., classified information or other information subject to national security or export control laws or regulations).

Article Q - Best Practices for Collection and Use of Personally Identifiable Information (PII)

All award recipients who collect PII are required to have a publicly-available privacy policy that describes what PII they collect, how they use the PII, whether they share PII with third parties, and how individuals may have their PII corrected where appropriate. Award recipients may also find as a useful resource the DHS Privacy Impact Assessments guidance and template located at:

http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_guidance_june2010.pdf

and

http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_template.pdf, respectively.

Article R - Activities Conducted Abroad

All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

Article S - Acknowledgement of Federal Funding from DHS

All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

Article T - Assurances, Administrative Requirements and Cost Principles

Recipients of DHS federal financial assistance must complete OMB Standard Form 424B Assurances – Non-Construction Programs. Certain assurances in this form may not be applicable to your project or program, and the awarding agency may require applicants to certify to additional assurances. Please contact the program awarding office if you have any questions.

The administrative requirements that apply to DHS award recipients originate from two sources:

- Office of Management and Budget (OMB) Circular A-102, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (also known as the “A-102 Common Rule”). These A-102 requirements are also located within DHS regulations at Title 44, Code of Federal Regulations (CFR) Part 13.
- OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, relocated to 2 CFR Part 215.

The cost principles that apply to DHS award recipients through a grant or cooperative agreement originate from one of the following sources:

- OMB Circular A-21, Cost Principles for Educational Institutions, relocated to 2 CFR Part 220.
- OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments, relocated to 2 CFR Part 225.
- OMB Circular A-122, Cost Principles for Non-Profit Organizations, relocated to 2 CFR Part 230.

The audit requirements for State, Local and Tribal recipients of DHS awards originate from:

- OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations.

Article U - Age Discrimination Act of 1975

All recipients must comply with the requirements of the Age Discrimination Act of 1975 (42 U.S.C. § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving Federal financial assistance.

Article V - Americans with Disabilities Act of 1990

All recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12101–12213).

Article W - Title VI of the Civil Rights Act of 1964

All recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.), codified at 6 CFR Part 21 and 44 CFR Part 7, which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Article X - Civil Rights Act of 1968

All recipients must comply with Title VIII of the Civil Rights Act of 1968, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (42 U.S.C. § 3601 et seq.), as implemented by the Department of Housing and Urban Development at 24 CFR Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features (see 24 CFR § 100.201).

Article Y - Limited English Proficiency (Civil Rights Act of 1964, Title VI)

All recipients must comply with the Title VI of the Civil Rights Act of 1964 (Title VI) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. Providing meaningful access for persons with LEP may entail providing language assistance services, including oral interpretation and written translation. In order to facilitate compliance with Title VI, recipients are encouraged to consider the need for language services for LEP persons served or encountered in developing program budgets. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (August 11, 2000), requires federal agencies to issue guidance to recipients, assisting such organizations and entities in understanding their language access obligations. DHS published the required recipient guidance in April 2011, DHS Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 76 Fed. Reg. 21755-21768, (April 18, 2011). The Guidance provides helpful information such as how a recipient can determine the extent of its obligation to provide language services; selecting language services; and elements of an effective plan on language assistance for LEP persons. For additional assistance and information regarding language access obligations, please refer to the DHS

Recipient Guidance <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

Article Z - SAFECOM

Recipients who receive awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Article AA - Title IX of the Education Amendments of 1975 (Equal Opportunity in Education Act)

All recipients must comply with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), which provides that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance. These regulations are codified at 6 CFR Part 17 and 44 CFR Part 19.

Article AB - Rehabilitation Act of 1973

All recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, as amended, which provides that no otherwise qualified handicapped individual in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. These requirements pertain to the provision of benefits or services as well as to employment.

XIV. OFFSHORE PERFORMANCE OF WORK PROHIBITED

Due to security and identity protection concerns, all services under this Agreement shall be performed within the borders of the United States. All storage and processing of information shall be performed within the borders of the United States. This provision applies to work performed by subcontractors at all tiers.

XV. AGREEMENT RENEWAL

This Agreement shall not bind nor purport to bind the AZDOHS for any contractual commitment in excess of the original Agreement period.

XVI. RIGHT TO ASSURANCE

If the AZDOHS in good faith has reason to believe that the subrecipient does not intend to, or is unable to perform or continue performing under this Agreement, the AZDOHS may demand in writing that the subrecipient give a written assurance of intent to perform. If the subrecipient fails to provide written assurance within the number of days specified in the demand, the AZDOHS at its option may terminate this Agreement.

XVII. CANCELLATION FOR CONFLICT OF INTEREST

The AZDOHS may, by written notice to the subrecipient, immediately cancel this Agreement without penalty or further obligation pursuant to A.R.S. § 38-511 if any person significantly involved in initiating, negotiating, securing, drafting, or creating the Agreement on behalf of the State or its subdivisions (unit of Local Government) is an employee or agent of any other party in any capacity or a consultant to any other party to the Agreement with respect to the subject matter of the Agreement. Such cancellation shall be effective when the parties to the Agreement receive written notice from the AZDOHS, unless the notice specifies a later time.

XVIII. THIRD PARTY ANTITRUST VIOLATIONS

The subrecipient assigns the State of Arizona any claim for overcharges resulting from antitrust violations to the extent that such violations concern materials or services supplied by third parties to subrecipient toward fulfillment of this Agreement.

XIX. AVAILABILITY OF FUNDS

Every payment obligation of the AZDOHS under this Agreement is conditioned upon the availability of funds appropriated or allocated for the payment of such obligations. If the funds are not allocated and available for the continuance of this Agreement, the AZDOHS may terminate this Agreement at the end of the period for which funds are available. No liability shall accrue to the AZDOHS in the event this provision is exercised, and the AZDOHS shall not be obligated or liable for any future payments or for any damages as a result of termination under this paragraph, including purchases and/or contracts entered into by the subrecipient in the execution of this Agreement.

XX. FORCE MAJEURE

If either party hereto is delayed or prevented from the performance of any act required in this Agreement by reason of acts of God, strikes, lockouts, labor disputes, civil disorder, or other causes without fault and beyond the control of the party obligated, performance of such act will be excused for the period of the delay.

XXI. PARTIAL INVALIDITY

Any term or provision of this Agreement that is hereafter declared contrary to any current or future law, order, regulation, or rule, or which is otherwise invalid, shall be deemed stricken from this Agreement without impairing the validity of the remainder of this Agreement.

XXII. ARBITRATION

In the event of any dispute arising under this Agreement, written notice of the dispute must be provided to the other party within thirty (30) days of the events giving the rise to the dispute. The subrecipient agrees to terms specified in A.R.S. § 12-1518.

XXIII. GOVERNING LAW AND CONTRACT INTERPRETATION

- a) This Agreement shall be governed and interpreted in accordance with the laws of the State of Arizona.
- b) This Agreement is intended by the parties as a final and complete expression of their agreement. No course of prior dealings between the parties and no usage of the trade shall supplement or explain any terms in this document.
- c) Either party's failure to insist on strict performance of any term or condition of the Agreement shall not be deemed a waiver of that term or condition even if the party accepting or acquiescing in the nonconforming performance knows of the nature of the performance and fails to object.

XXIV. ENTIRE AGREEMENT

This Agreement and its Exhibits constitute the entire Agreement between the parties hereto pertaining to the subject matter hereof and may not be changed or added to except by a writing signed by all parties hereto in conformity with Paragraph XII, AMENDMENTS. The subrecipient agrees to comply with any such amendment within ten (10) business days of receipt of a fully executed amendment. All prior and contemporaneous agreements, representations, and

understandings of the parties, oral, written, pertaining to the subject matter hereof, are hereby superseded or merged herein.

XXV. RESTRICTIONS ON LOBBYING

The subrecipient shall not use funds made available to it under this Agreement to pay for, influence, or seek to influence any officer or employee of a State or Federal government.

XXVI. LICENSING

The subrecipient, unless otherwise exempted by law, shall obtain and maintain all licenses, permits, and authority necessary to perform those acts it is obligated to perform under this Agreement.

XXVII. NON-DISCRIMINATION

The subrecipient shall comply with all State and Federal equal opportunity and non-discrimination requirements and conditions of employment, including the Americans with Disabilities Act, in accordance with A.R.S. title 41, Chapter 9, Article 4 and Executive Order 2009-09.

XXVIII. SECTARIAN REQUESTS

Funds disbursed pursuant to this Agreement may not be expended for any sectarian purpose or activity, including sectarian worship or instruction in violation of the United States or Arizona Constitutions.

XXIX. SEVERABILITY

The provisions of this Agreement are severable. Any term or condition deemed illegal or invalid shall not affect any other term or condition of the Agreement.

XXX. ADVERTISING AND PROMOTION OF AGREEMENT

The subrecipient shall not advertise or publish information for commercial benefit concerning this Agreement without the written approval of the AZDOHS.

XXXI. OWNERSHIP OF INFORMATION, PRINTED AND PUBLISHED MATERIAL

The AZDOHS reserves the right to review and approve any publications funded or partially funded through this Agreement. All publications funded or partially funded through this Agreement shall recognize the AZDOHS and the U.S. Department of Homeland Security. The U.S. Department of Homeland Security and the AZDOHS shall have full and complete rights to reproduce, duplicate, disclose, perform, and otherwise use all materials prepared under this Agreement.

The subrecipient agrees that any report, printed matter, or publication (written, visual, or sound, but excluding press releases, newsletters, and issue analyses) issued by the subrecipient describing programs or projects funded in whole or in part with Federal funds shall contain the following statement:

"This document was prepared under a grant from U.S. Department of Homeland Security. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Homeland Security."

The subrecipient also agrees that one copy of any such publication, report, printed matter, or publication shall be submitted to the AZDOHS to be placed on file and distributed as appropriate

to other potential subrecipients or interested parties. The AZDOHS may waive the requirement for submission of any specific publication upon submission of a request providing justification from the subrecipient.

The AZDOHS and the subrecipient recognize that research resulting from this Agreement has the potential to become public information. However, prior to the termination of this Agreement, the subrecipient agrees that no research-based data resulting from this Agreement shall be published or otherwise distributed in any form without express written permission from the AZDOHS and possibly the U.S. Department of Homeland Security. It is also agreed that any report or printed matter completed as a part of this agreement is a work for hire and shall not be copyrighted by the subrecipient.

XXXII. CLOSED-CAPTIONING OF PUBLIC SERVICE ANNOUNCEMENTS

Any television public service announcement that is produced or funded in whole or in part by the subrecipient shall include closed captioning of the verbal content of such announcement.

XXXIII. INDEMNIFICATION

Each party (as "Indemnitor") agrees to defend, indemnify, and hold harmless the other party (as "Indemnitee") from and against any and all claims, losses, liability, costs, or expenses (including reasonable attorney's fees) (hereinafter collectively referred to as "Claims") arising out of bodily injury of any person (including death) or property damage, but only to the extent that such Claims which result in vicarious/derivative liability to the Indemnitee are caused by the act, omission, negligence, misconduct, or other fault of the Indemnitor, its officers, officials, agents, employees, or volunteers. The State of Arizona, (State Agency) is self-insured per A.R.S. 41-621.

In addition, should subrecipient utilize a contractor(s) and subcontractor(s) the indemnification clause between subrecipient and contractor(s) and subcontractor(s) shall include the following:

Contractor shall defend, indemnify, and hold harmless the (insert name of other governmental entity) and the State of Arizona, and any jurisdiction or agency issuing any permits for any work arising out of this Agreement, and its departments, agencies, boards, commissions, universities, officers, officials, agents, and employees (hereinafter referred to as "Indemnitee") from and against any and all claims, actions, liabilities, damages, losses, or expenses (including court costs, attorneys' fees, and costs of claim processing, investigation and litigation) (hereinafter referred to as "Claims") for bodily injury or personal injury (including death), or loss or damage to tangible or intangible property caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of the contractor or any of the directors, officers, agents, or employees or subcontractors of such contractor. This indemnity includes any claim or amount arising out of or recovered under the Workers' Compensation Law or arising out of the failure of such contractor to conform to any federal, state or local law, statute, ordinance, rule, regulation or court decree. It is the specific intention of the parties that the Indemnitee shall, in all instances, except for Claims arising solely from the negligent or willful acts or omissions of the Indemnitee, be indemnified by such contractor from and against any and all claims. It is agreed that such contractor will be responsible for primary loss investigation, defense and judgment costs where this indemnification is applicable. Additionally on all applicable insurance policies, contractor and its subcontractors shall name the State of Arizona, and its departments, agencies, boards, commissions, universities, officers, officials, agents, and employees as an additional insured and also include a waiver of subrogation in favor of the State.

XXXIV. TERMINATION

- a) All parties reserve the right to terminate the Agreement in whole or in part due to the failure of the subrecipient or the grantor to comply with any term or condition of the Agreement, to acquire and maintain all required insurance policies, bonds, licenses, and permits or to make satisfactory progress in performing the Agreement. The staff of either party shall provide a written thirty (30) day advance notice of the termination and the reasons for it.

- b) If the subrecipient chooses to terminate the contract before the grant deliverables have been met then the AZDOHS reserves the right to collect all reimbursements distributed to the subrecipient.
- c) The AZDOHS may, upon termination of this Agreement, procure, on terms and in the manner that it deems appropriate, materials or services to replace those under this Agreement. The subrecipient shall be liable to the AZDOHS for any excess costs incurred by the AZDOHS in procuring materials or services in substitution for those due from the subrecipient.

XXXV. CONTINUATION OF PERFORMANCE THROUGH TERMINATION

The subrecipient shall continue to perform, in accordance with the requirements of the Agreement, up to the date of termination, as directed in the termination notice.

XXXVI. PARAGRAPH HEADINGS

The paragraph headings in this Agreement are for convenience of reference only and do not define, limit, enlarge, or otherwise affect the scope, construction, or interpretation of this Agreement or any of its provisions.

XXXVII. COUNTERPARTS

This Agreement may be executed in any number of counterparts, copies, or duplicate originals. Each such counterpart, copy, or duplicate original shall be deemed an original, and collectively they shall constitute one agreement.

XXXVIII. AUTHORITY TO EXECUTE THIS AGREEMENT

Each individual executing this Agreement on behalf of the subrecipient represents and warrants that he or she is duly authorized to execute this Agreement.

XXXIX. SPECIAL CONDITIONS

- a) The subrecipient must comply with the most recent version of the Administrative Requirements, Cost Principles, and Audit requirements
- b) The subrecipient acknowledges that the U.S. Department of Homeland Security and the AZDOHS reserve a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for Federal government purposes: (a) the copyright in any work developed under an award or sub-award; and (2) any rights of copyright to which a subrecipient purchases ownership with Federal support. The subrecipient shall consult with the AZDOHS regarding the allocation of any patent rights that arise from, or are purchased with, this funding.
- c) The subrecipient agrees that, when practicable, any equipment purchased with grant funding shall be prominently marked as follows: **"Purchased with funds provided by the U.S. Department of Homeland Security."**
- d) The subrecipient agrees to cooperate with any assessments, state/national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this agreement.
- e) The subrecipient is prohibited from transferring funds between programs (State Homeland Security Program, Urban Area Security Initiative, Citizen Corps Program, Operation Stonegarden, and Metropolitan Medical Response System).

XL. NOTICES

Any and all notices, requests, demands, or communications by either party to this Agreement, pursuant to or in connection with this Agreement shall be in writing, be delivered in person, or shall be sent to the respective parties at the following addresses:

Arizona Department of Homeland Security
1700 West Washington Street, Suite 210
Phoenix, AZ 85007

The subrecipient shall address all programmatic and reimbursement notices relative to this Agreement to the appropriate AZDOHS staff; contact information at www.azdohs.gov.

The AZDOHS shall address all notices relative to this Agreement to:

Enter Title, First & Last Name above

Enter Agency Name above

Enter Street Address

Enter City, State, ZIP

XLI. IN WITNESS WHEREOF

The parties hereto agree to execute this Agreement.

FOR AND BEHALF OF THE

Enter Agency Name above

Authorized Signature above

Print Name & Title above

Enter Date above

FOR AND BEHALF OF THE

Arizona Department of Homeland Security

Gilbert M. Orrantia
Director

Date

(Please be sure to complete and mail two original documents to the Arizona Department of Homeland Security.)

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 15C

Date Prepared: September 23, 2014

Council Meeting Date: October 7, 2014

TO: Carl Swenson, City Manager

FROM: Bobby Ruiz, Fire Chief

THROUGH: Jeff Tyne, Deputy City Manager

SUBJECT: Authorization to accept grant funds from the Arizona Department of Homeland Security

Purpose:

This is a request for City Council to authorize the Peoria Fire Department to accept two grants from the Arizona Department of Homeland Security totaling \$61,890.

Background/Summary:

The City of Peoria Fire Department has been working collaboratively over the past several years to develop various emergency response programs. In order to further integrate Peoria as part of the statewide disaster response program, the Peoria Fire Department has received 2014 Homeland Security Grant funds from the Arizona Department of Homeland Security (AZDOHS) in the amount of \$61,890 to 1) strengthen chemical, biological, radiological, nuclear or explosive (CBRNE) weapon detection, response and decontamination capabilities; and 2) sustain and enhance the Terrorism Liaison Officer (TLO) program.

The Fire Department received an award in the amount of \$54,000 to purchase supplies and provide training to support, enhance and maintain CBRNE operations.

The Fire Department also received an award in the amount of \$7,890 to purchase equipment and supplies to support TLO operations and provide access to critical information when out in the field. The TLO program functions as a Field Intelligence Unit in support of police tactical, hazardous material, explosive special operations and uncommon event types.

These grants are reimbursable with funding through September 2015.

Previous Actions:

City Council has previously accepted grants from AZDOHS. This will be the eighth consecutive year that the City of Peoria has received grant funding from this organization.

Options:

A: Accept two grant awards in the amount of \$61,890 from the Arizona Department of Homeland Security and approve a budget adjustment in the amount of \$61,890 from the Proposed Grants Contingency Account to the Homeland Security Fund, thus providing expenditure authority.

B: Choose not to accept the grants from the Arizona Department of Homeland Security.

Staff's Recommendation:

Authorize the Peoria Fire Department to accept two grants totaling \$61,890 from the Arizona Department of Homeland Security and approve a budget adjustment.

Fiscal Analysis:

Request a budget adjustment of \$61,890 from the Proposed Grants Contingency account (7990-7990-570000) to the Homeland Security Grant Fund (7670-7870-various accounts) thus providing expenditure authority.

Dept	Account #	Description	Amount	Program
Fire	7670-7870-523510	telecommunication services	\$800	CBRNE
Fire	7670-7870-530019	operational supplies/equipment	\$2,000	CBRNE
Fire	7670-7870-524007	tools r & m	\$7,700	CBRNE
Fire	7670-7870-510200	wages & overtime	\$34,500	CBRNE
Fire	7670-7870-520511	Training	\$9,000	CBRNE
Fire	7670-7870-520020	CAD dispatch services	\$2,300	TLO
Fire	7670-7870-525008	computer software support & maintenance	\$3,955	TLO
Fire	7670-7870-523510	telecommunication services	\$1,440	TLO
Fire	7670-7870-530003	computer hardware	\$195	TLO

Narrative:

Once approved by City Council, the grant contracts will be executed as needed.

Exhibit(s):

Exhibit 1: Award Letter and Sub-grantee Agreement from AZDOHS for CBRNE Grant 140820-01 (Fire Department)

Exhibit 2: Award Letter and Sub-grantee Agreement from AZDOHS for TLO Grant 140820-02
(Fire Department)

Contact Name and Number: Christy Williams, 623-773-7916

SUBGRANTEE AGREEMENT

14-AZDOHS-HSGP-_____

Enter Subgrantee Agreement Number above (e.g., 140xxx-xx)

Between

**The Arizona Department of Homeland Security
And**

Enter the Name of the Subrecipient Agency Above

WHEREAS, A.R.S. § 41-4254 charges the Arizona Department of Homeland Security (AZDOHS) with the responsibility of administering funds.

THEREFORE, it is agreed that the AZDOHS shall provide funding to the

Enter the Name of the Subrecipient Agency Above

(subrecipient) for services under the terms of this Grant Agreement.

I. PURPOSE OF AGREEMENT

The purpose of this Agreement is to specify the responsibilities and procedures for the subrecipient's role in administering homeland security grant funds.

II. TERM OF AGREEMENT, TERMINATION AND AMENDMENTS

This Agreement shall become effective on **October 1, 2014** and shall terminate on **September 30, 2015**. The obligations of the subrecipient as described herein will survive termination of this agreement.

III. DESCRIPTION OF SERVICES

The subrecipient shall provide the services for the State of Arizona, Arizona Department of Homeland Security as approved in the grant application titled

“ _____ ”

Enter Title of Application

and funded at \$ _____ (as may have been modified by the award letter).

Enter Funded Amount Above

IV. MANNER OF FINANCING

The AZDOHS shall:

- a) Provide up to \$ _____ to the subrecipient for services provided under Paragraph III. Enter Funded Amount Above
- b) Payment made by the AZDOHS to the subrecipient shall be on a reimbursement basis only and is conditioned upon receipt of proof of payment and applicable, accurate and complete reimbursement documents, as deemed necessary by the AZDOHS, to be submitted by the subrecipient. A listing of acceptable documentation can be found at www.azdohs.gov. Payments will be contingent upon receipt of all reporting requirements of the subrecipient under this Agreement.

V. FISCAL RESPONSIBILITY

It is understood and agreed that the total amount of the funds used under this Agreement shall be used only for the project as described in the application. Any modification to quantity or scope of work must be preapproved in writing by the AZDOHS. Therefore, should the project not be completed, the subrecipient shall reimburse said funds directly to the AZDOHS immediately. If the project is completed at a lower cost than the original budget called for, the amount reimbursed to the subrecipient shall be for only the amount of dollars actually spent by the subrecipient in accordance with the approved application. For any funds received under this Agreement for which expenditure is disallowed by an audit exemption or otherwise by the AZDOHS, the State, or Federal government, the subrecipient shall reimburse said funds directly to the AZDOHS immediately.

VI. FINANCIAL AUDIT/PROGRAMATIC MONITORING

The subrecipient agrees to terms specified in A.R.S. § 35-214 and § 35-215.

- a) In addition, in compliance with the Federal Single Audit Act (31 U.S.C. par. 7501-7507), as amended by the Single Audit Act Amendments of 1996 (P.L. 104 to 156), the subrecipient must have an annual audit conducted in accordance with OMB Circular #A-133 (“Audits of States, Local Governments, and Non-profit Organizations”) if the subrecipient expends more than \$500,000 from Federal awards. If the subrecipient has expended more than \$500,000 in Federal dollars, a copy of the subrecipient’s audit report for the previous fiscal year and subsequent years within the period of performance is due annually to AZDOHS within nine (9) months of the subrecipients fiscal year end.
- b) Subrecipients will be monitored periodically by the AZDOHS staff, both programmatically and financially, to ensure that the project goals, objectives, performance requirements, timelines, milestone completion, budgets, and other related program criteria are being met. Monitoring will be accomplished through a combination of office-based reviews and on-site monitoring visits. Monitoring can involve aspects of the work involved under this contract including but not limited to the review and analysis of the financial, programmatic, equipment, performance, and administrative issues relative to each program and will identify areas where technical assistance and other support may be needed.

VII. APPLICABLE FEDERAL REGULATIONS

The subrecipient must comply with the Funding Opportunity Announcement (FOA), Office of Management and Budget (OMB) Circulars, Code of Federal Regulations (CFR) and other Federal guidance including but not limited to:

- a) 44 CFR Chapter 1, Federal Emergency Management Agency, Department of Homeland Security at www.gpo.gov/fdsys/pkg/CFR-2007-title44-vol1/content-detail.html
- b) 2 CFR 225 Cost Principles for State, Local & Indian Tribal Governments (A-87 OMB Circular), at www.gpo.gov/fdsys/pkg/CFR-2007-title2-vol1/content-detail.html. Cost Principles: 2 CFR Part 225, State and Local Governments; 2 CFR Part 220, Educational Institutions; 2 CFR Part 230, Non-Profit Organizations; Federal Acquisition Regulation Sub-part 31.2, Contracts with Commercial Organizations. OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, at www.whitehouse.gov/sites/default/files/omb/assets/a133/a133_revised_2007.pdf.

- c) 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (formerly OMB Circular A-102), at origin www.gpo.gov/fdsys/pkg/CFR-2010-title44-vol1/pdf/CFR-2010-title44-vol1-part13.pdf . U.S. Department of Homeland Security Authorized Equipment List (AEL), at www.llis.dhs.gov/knowledgebase/authorizedequipmentlist.
- d) 2 CFR Part 215, Uniformed Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Organizations.
- e) 28 CFR applicable to grants and cooperative agreements, including Part 18, Office of Justice Programs Hearing and Appeal Procedure; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 42, Non-discrimination; Equal Employment Opportunities; Policies and Procedures; Part 61, Procedures for Implementing the National Environmental Policy Act; Part 63, Floodplain Management and Wetland Protection Procedures; and Part 66, Uniform Administrative Requirements for Grants and Co-operative Agreements to State and local Government. This CFR can be found at <http://www.gpo.gov/fdsys/pkg/CFR-2001-title28-vol1/content-detail.html>.
- f) Where applicable and with prior written approval from AZDOHS/DHS/FEMA, program subgrantees using funds for construction projects must comply with the *Davis-Bacon Act* (40 U.S.C. 3141 *et seq.*). Subrecipients must ensure that their contractors or subcontractors for construction projects pay workers employed directly at the work-site no less than the prevailing wages and fringe benefits paid on projects of a similar character. Additional information, including Department of Labor (DOL) wage determinations, is available from the following website <http://www.dol.gov/compliance/laws/comp-dbra.htm>.

Included within the above mentioned guidance documents are provisions for the following:

National Incident Management System (NIMS)

The subrecipient agrees to remain in compliance with National Incident Management System (NIMS) implementation initiatives as outlined in the applicable Funding Opportunity Announcement (FOA).

Environmental Planning and Historic Preservation

The subrecipient shall comply with all applicable Federal, State, and Local environmental and historic preservation (EHP) requirements and shall provide any information requested by FEMA to ensure compliance with applicable laws including: National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains (11988), Wetlands (11990) and Environmental Justice (12898). Subrecipient shall not undertake any project having the potential to impact EHP resources without the prior approval of AZDOHS/FEMA, including but not limited to communications towers, physical security enhancements, new construction, and modifications to buildings that are 50 years old or greater. Subrecipient must comply with all conditions placed on the project as the result of the EHP review. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements. If ground disturbing activities occur during project implementation, the subrecipient must ensure monitoring of ground disturbance and if any potential archeological resources are discovered, the subrecipient will immediately cease construction in that area and notify FEMA and the appropriate State Historic Preservation

Office. Procurement and construction activities shall not be initiated prior to the full environmental and historic preservation review and approval.

Consultants/Trainers/Training Providers

Billings for consultants/trainers/training providers must include at a minimum: a description of services; dates of services; number of hours for services performed; rate charged for services; and, the total cost of services performed. Consultant/trainer/training provider costs must be within the prevailing rates; must be obtained under consistent treatment with the procurement policies of the subrecipient and 44 CFR Chapter 1, Part 13; and shall not exceed the maximum of \$450 per day per consultant/trainer/training provider unless prior written approval is granted by the AZDOHS. In addition to the per day \$450 maximum amount, the consultant/trainer/training provider may be reimbursed reasonable travel, lodging, and per diem not to exceed the state rate. Itemized receipts are required for lodging and travel reimbursements. The subrecipient will not be reimbursed costs other than travel, lodging, and per diem on travel days for consultants/trainers/training providers.

Contractors/Subcontractors

The subrecipient may enter into written subcontract(s) for performance of certain of its functions under the contract in accordance with terms established in the OMB Circulars, Code of Federal Regulations, DHS Guidance/FOA, and DHS Program Guidance. The subrecipient agrees and understands that no subcontract that the subrecipient enters into with respect to performance under this Agreement shall in any way relieve the subrecipient of any responsibilities for performance of its duties. The subrecipient shall give the AZDOHS immediate notice in writing by certified mail of any action or suit filed and prompt notice of any claim made against the subrecipient by any subcontractor or vendor which in the opinion of the subrecipient may result in litigation related in any way to the Agreement with the AZDOHS.

Personnel and Travel Costs

All grant funds expended for personnel, travel, lodging, and per diem must be consistent with the subrecipient's policies and procedures; and the State of Arizona Accounting Manual (SAAM); must be applied uniformly to both federally financed and other activities of the agency; and will be reimbursed at the most restrictive allowability and rate. At no time will the subrecipient's reimbursement(s) exceed the State rate established by the Arizona Department of Administration, General Accounting Office Travel Policies: www.gao.az.gov.

Procurement

The subrecipient shall comply with all internal agency procurement rules/policies and must also comply with Federal procurement rules/policies as outlined in section VII and all procurement must comply with Arizona State procurement code and rules. The Federal intent is that all Homeland Security Funds are awarded competitively. The subrecipient shall not enter into a Noncompetitive (Sole or Single Source) procurement agreement, unless prior written approval is granted by the AZDOHS. The Noncompetitive Procurement Request Form and instructions are located on the AZDOHS website, www.azdohs.gov/grants/.

Training and Exercise

The subrecipient agrees that any grant funds used for training and exercise must be in compliance with the applicable FOA. All training must be approved through the ADEM/AZDOHS training request process prior to execution of training contract(s). All exercises must utilize the FEMA Homeland Security Exercise and Evaluation Program (HSEEP) Toolkit for exercise design, development and scheduling. Subrecipient agrees to:

- a) Submit the HSEEP Toolkit Exercise Summary to AZDOHS with all Exercise Reimbursement Requests.
- b) Post all exercises, documentation and After Action Reports/Improvement Plans via the HSEEP Toolkit.
- c) Within 60 days of completion of an exercise, or as prescribed by the most recent HSEEP guidance, the exercise host subrecipient is required to upload the AAR/IP into the HSEEP Toolkit and email the AAR/IP to the local County Emergency Manager, the FEMA Region IX Exercise POC, HSEEP@dhs.gov, the AZDOHS Strategic Planner, and the Arizona Department of Emergency Management (ADEM) Exercise Officer.

Nonsupplanting Agreement

The subrecipient shall not use funds to supplant State or Local funds or other resources that would otherwise have been made available for this program/project. Further, if a position created by a grant is filled from within, the vacancy created by this action must be filled within thirty (30) days. If the vacancy is not filled within thirty (30) days, the subrecipient must stop charging the grant for the new position. Upon filling the vacancy, the subrecipient may resume charging for the grant position.

E-Verify

Compliance requirements for A.R.S. § 41-4401—immigration laws and E-Verify requirement.

- a) The subrecipient warrants compliance with all Federal immigration laws and regulations relating to employees and warrants its compliance with Section A.R.S. § 23-214, Subsection A. (That subsection reads: “After December 31, 2007, every employer, after hiring an employee, shall verify the employment eligibility of the employee through the E-Verify program).
- b) A breach of a warranty regarding compliance with immigration laws and regulations shall be deemed a material breach of the contract and the subrecipient may be subject to penalties up to and including termination of the Agreement.
- c) The AZDOHS retains the legal right to inspect the papers of any employee who works on the Agreement to ensure that the subrecipient is complying with the warranty under paragraph (a) above.

Property Control

Effective control and accountability must be maintained for all property. The subrecipient must adequately safeguard all such property and must assure that it is used for authorized purposes as described in the FOA, grant application, and Code of Federal Regulations (44 CFR 13.32). The subrecipient shall exercise caution in the use, maintenance, protection and preservation of such property.

- a) Equipment shall be used by the subrecipient in the program or project for which it was acquired as long as needed, whether or not the program or project continues to be supported by federal grant funds. Theft, destruction, or loss of property shall be reported to the AZDOHS immediately.

- b) Nonexpendable Property and Capital Assets:
1. Nonexpendable Property is property which has a continuing use, is not consumed in use, is of a durable nature with an expected service life of one or more years, has an acquisition cost of \$300 (Three Hundred Dollars) or more, and does not become a fixture or lose its identity as a component of other equipment or systems.
 2. A Capital Asset is any personal or real property, or fixture that has an acquisition cost of \$5,000 (Five Thousand Dollars) or more per unit and a useful life of more than one year.
- c) A Property Control Form (if applicable) shall be maintained for the entire scope of the program or project for which property was acquired through the end of its useful life and/or disposition. All Nonexpendable Property and Capital Assets must be included on the Property Control Form. The subrecipient shall provide AZDOHS a copy of the Property Control Form with the final quarterly programmatic report. A Property Control Form can be located at www.azdohs.gov/Grants/. The subrecipient agrees to be subject to equipment monitoring and auditing by state or federal authorized representatives to verify information.
- d) A physical inventory of the Nonexpendable Property and Capital Assets must be taken and the results reconciled with the Property Control Form at least once every two years.
1. A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft shall be investigated and reported to AZDOHS.
 2. Adequate maintenance procedures must be developed to keep the property in good condition.
- e) When Nonexpendable Property and/or Capital Assets are no longer in operational use by the subgrantee, an updated Property Control Form must be submitted to AZDOHS immediately. The disposition of equipment shall be in compliance with the AZDOHS Disposition Guidance. If the subgrantee is requesting disposition of Capital Assets for reasons other than theft, destruction, or loss, the subgrantee must submit an Equipment Disposition Request Form and receive approval prior to the disposition. The Equipment Disposition Request Form can be found at www.azdohs.gov/Grants/.

Allowable Costs

The allowability of costs incurred under this agreement shall be determined in accordance with the general principles of allowability and standards for selected cost items as set forth in the applicable OMB Circulars, Code of Federal Regulations, authorized equipment lists and guidance documents referenced above.

- a) The subrecipient agrees that grant funds are not to be expended for any indirect costs that may be incurred by the subrecipient for administering these funds.
- b) The subrecipient agrees that grant funds are not to be expended for any Management and Administrative (M&A) costs that may be incurred by the subrecipient for administering these funds unless explicitly applied for and approved in writing by the AZDOHS and shall be in compliance with the applicable FOA.

VIII. DEBARMENT CERTIFICATION

The subrecipient agrees to comply with the Federal Debarment and Suspension regulations as outlined in the “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions.”

IX. FUNDS MANAGEMENT

The subrecipient must maintain funds received under this Agreement in separate ledger accounts and cannot mix these funds with other sources. The subrecipient must manage funds according to applicable Federal regulations for administrative requirements, costs principles, and audits.

The subrecipient must maintain adequate business systems to comply with Federal requirements. The business systems that must be maintained are:

- Financial Management
- Procurement
- Personnel
- Property
- Travel

A system is adequate if it is 1) written; 2) consistently followed – it applies in all similar circumstances; and 3) consistently applied – it applies to all sources of funds.

X. REPORTING REQUIREMENTS

Regular reports by the subrecipient shall include:

a) Programmatic Reports

The subrecipient shall provide quarterly programmatic reports to the AZDOHS within fifteen (15) working days of the last day of the quarter in which services are provided. The subrecipient shall use the form provided by the AZDOHS to submit quarterly programmatic reports. The report shall contain such information as deemed necessary by the AZDOHS. The subrecipient shall use the Quarterly Programmatic Report form, which is posted at www.azdohs.gov/Grants/. If the scope of the project has been fully completed and implemented, and there will be no further updates, then the quarterly programmatic report for the quarter in which the project was completed will be sufficient as the final report. The report should be marked as final and should be inclusive of all necessary and pertinent information regarding the project as deemed necessary by the AZDOHS. Quarterly programmatic reports shall be submitted to the AZDOHS until the entire scope of the project is completed

b) Quarterly Programmatic Reports are due:

January 15 (period October 1– December 31)

April 15 (period January 1 – March 31)

July 15 (period April 1 – June 30)

October 15 (period July 1 – September 30)

c) Final Quarterly Report:

The final quarterly report is due no more than fifteen (15) days after the end of the performance period. The Property Control Form and Grant Funded Typed Resource Report are due with the final quarterly report (if applicable).

d) Property Control Form – if applicable:
The subrecipient shall provide AZDOHS a copy of the Property Control Form with the final quarterly report.

a. In case of equipment disposition:
The Property Control Form shall be updated and a copy provided to AZDOHS no more than forty-five (45) calendar days after equipment disposition, if applicable. The disposition of equipment must be in compliance with the AZDOHS Disposition Guidance.

e) The Grant Funded Typed Resource Report – if applicable:
The subrecipient shall email the AZDOHS Strategic Planner a copy of the Grant Funded Typed Resource Report with the final quarterly report. The Grant Funded Typed Resource Report and instructions are located at www.azdohs.gov/Grants/.

f) Financial Reimbursements
The subrecipient shall provide as frequently as monthly but not less than quarterly requests for reimbursement. Reimbursements requests are only required when expenses have been incurred. Reimbursements shall be submitted with the Reimbursement Form provided by the AZDOHS staff. The subrecipient shall submit a final reimbursement for expenses received and invoiced prior to the end of the termination of this Agreement no more than **forty-five (45) calendar days** after the end of the Agreement. Requests for reimbursement received later than the forty-five (45) days after the Agreement termination will not be paid. The final reimbursement request as submitted shall be marked FINAL.

The AZDOHS requires that all requests for reimbursement are submitted via U.S. mail (United States Postal Service), FedEx, UPS, etc...or in person. Reimbursements submitted via fax or by any electronic means will not be accepted.

The AZDOHS reserves the right to request and/or require any supporting documentation it feels necessary in order to process reimbursements.

All reports shall be submitted to the contact person as described in Paragraph XL, NOTICES, of this Agreement.

XI. ASSIGNMENT AND DELEGATION

The subrecipient may not assign any rights hereunder without the express, prior written consent of both parties.

XII. AMENDMENTS

Any change in this Agreement including but not limited to the Description of Services and budget described herein, whether by modification or supplementation, must be accomplished by a formal Agreement amendment signed and approved by and between the duly authorized representative of the subrecipient and the AZDOHS. The AZDOHS shall have the right to immediately amend this Agreement so that it complies with any new legislation, laws, ordinances, or rules affecting this Agreement.

Any such amendment shall specify: 1) an effective date; 2) any increases or decreases in the amount of the subrecipient's compensation if applicable; 3) be titled as an "Amendment," and 4) be signed by the parties identified in the preceding sentence. The subrecipient expressly and

explicitly understands and agrees that no other method of communication, including any other document, correspondence, act, or oral communication by or from any person, shall be used or construed as an amendment or modification or supplementation to this Agreement.

XIII. US DEPARTMENT OF HOMELAND SECURITY AGREEMENT ARTICLES

Article A – Acceptance of Post Award Changes

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award.

Article B - Compliance with Funding Opportunity Announcement

The recipient agrees that all allocations and use of funds under this grant will be in accordance with the applicable FOA.

Article C - DHS Specific Acknowledgements and Assurances

All recipients of financial assistance must acknowledge and agree—and require any sub-recipients, contractors, successors, transferees, and assignees acknowledge and agree—to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance review or complaint investigation conducted by DHS.
2. Recipients must give DHS access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS awarding office and the DHS Office of Civil Rights and Civil Liberties.
6. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Component and/or awarding office.

The United States has the right to seek judicial enforcement of these obligations.

Article D - Use of DHS Seal, Logo and Flags

All recipients must obtain DHS's approval prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

Article E - USA Patriot Act of 2001

All recipients must comply with the requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. §§ 175–175c. Among other things, the USA PATRIOT Act prescribes criminal penalties for possession of any biological agent, toxin, or delivery system of a type or in a quantity that is not reasonably justified by a prophylactic, protective, bona fide research, or other peaceful purpose.

Article F - Trafficking Victims Protection Act of 2000

All recipients of financial assistance will comply with the requirements of the government-wide award term which implements Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. § 7104), located at 2 CFR Part 175. This is implemented in accordance with OMB Interim Final Guidance, Federal Register, Volume 72, No. 218, November 13, 2007.

In accordance with the statutory requirement, in each agency award under which funding is provided to a private entity, Section 106(g) of the TVPA, as amended, requires the agency to include a condition that authorizes the agency to terminate the award, without penalty, if the recipient or a subrecipient —

1. Engages in severe forms of trafficking in persons during the period of time that the award is in effect;
2. Procures a commercial sex act during the period of time that the award is in effect; or
3. Uses forced labor in the performance of the award or subawards under the award.

Full text of the award term is provided at 2 CFR § 175.15.

Article G - Non-supplanting Requirement

All recipients must ensure that Federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources. Applicants or award recipients may be required to demonstrate and document that a reduction in non-Federal resources occurred for reasons other than the receipt of expected receipt of Federal funds.

Article H - Lobbying Prohibitions

All recipients must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under an award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal action concerning the award or renewal.

Article I - Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. §2225(a), all recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, 15 U.S.C. §2225.

Article J - Fly America Act of 1974

All recipients must comply with Preference for U.S. Flag Air Carriers: Travel supported by U.S. Government funds requirement, which states preference for the use of U.S. flag air carriers (air carriers holding certificates under 49 U.S.C. §41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. § 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B138942.

Article K - Federal Debt Status

All recipients are required to be non-delinquent in their repayment of any Federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129 and form SF-424, item number 17 for additional information and guidance.

Article L - False Claims Act and Program Fraud Civil Remedies

All recipients must comply with the requirements of 31 U.S.C. § 3729 which set forth that no recipient of federal payments shall submit a false claim for payment. See also 38 U.S.C. § 3801-3812 which details the administrative remedies for false claims and statements made.

Article M - Duplication of Benefits

State, Local and Tribal recipients must comply with 2 CFR Part §225, Appendix A, paragraph (C)(3)(c), which provides that any cost allocable to a particular Federal award or cost objective under the principles provided for in this authority may not be charged to other Federal awards to overcome fund deficiencies.

Article N - Drug-Free Workplace Regulations

All recipients must comply with the Drug-Free Workplace Act of 1988 (412 U.S.C. § 701 et seq.), which requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. These regulations are codified at 2 CFR 3001.

Article O - Debarment and Suspension

All recipients must comply with Executive Orders 12549 and 12689, which provide protection against waste, fraud, and abuse by debarring or suspending those persons deemed irresponsible in their dealings with the Federal government.

Article P - Copyright

All recipients must affix the applicable copyright notices of 17 U.S.C. § 401 or 402 and an acknowledgement of Government sponsorship (including award number) to any work first produced under Federal financial assistance awards, unless the work includes any information that is otherwise controlled by the Government (e.g., classified information or other information subject to national security or export control laws or regulations).

Article Q - Best Practices for Collection and Use of Personally Identifiable Information (PII)

All award recipients who collect PII are required to have a publicly-available privacy policy that describes what PII they collect, how they use the PII, whether they share PII with third parties, and how individuals may have their PII corrected where appropriate. Award recipients may also find as a useful resource the DHS Privacy Impact Assessments guidance and template located at:

http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_guidance_june2010.pdf

and

http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_template.pdf, respectively.

Article R - Activities Conducted Abroad

All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

Article S - Acknowledgement of Federal Funding from DHS

All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

Article T - Assurances, Administrative Requirements and Cost Principles

Recipients of DHS federal financial assistance must complete OMB Standard Form 424B Assurances – Non-Construction Programs. Certain assurances in this form may not be applicable to your project or program, and the awarding agency may require applicants to certify to additional assurances. Please contact the program awarding office if you have any questions.

The administrative requirements that apply to DHS award recipients originate from two sources:

- Office of Management and Budget (OMB) Circular A-102, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (also known as the “A-102 Common Rule”). These A-102 requirements are also located within DHS regulations at Title 44, Code of Federal Regulations (CFR) Part 13.
- OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, relocated to 2 CFR Part 215.

The cost principles that apply to DHS award recipients through a grant or cooperative agreement originate from one of the following sources:

- OMB Circular A-21, Cost Principles for Educational Institutions, relocated to 2 CFR Part 220.
- OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments, relocated to 2 CFR Part 225.
- OMB Circular A-122, Cost Principles for Non-Profit Organizations, relocated to 2 CFR Part 230.

The audit requirements for State, Local and Tribal recipients of DHS awards originate from:

- OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations.

Article U - Age Discrimination Act of 1975

All recipients must comply with the requirements of the Age Discrimination Act of 1975 (42 U.S.C. § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving Federal financial assistance.

Article V - Americans with Disabilities Act of 1990

All recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12101–12213).

Article W - Title VI of the Civil Rights Act of 1964

All recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.), codified at 6 CFR Part 21 and 44 CFR Part 7, which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Article X - Civil Rights Act of 1968

All recipients must comply with Title VIII of the Civil Rights Act of 1968, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (42 U.S.C. § 3601 et seq.), as implemented by the Department of Housing and Urban Development at 24 CFR Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features (see 24 CFR § 100.201).

Article Y - Limited English Proficiency (Civil Rights Act of 1964, Title VI)

All recipients must comply with the Title VI of the Civil Rights Act of 1964 (Title VI) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. Providing meaningful access for persons with LEP may entail providing language assistance services, including oral interpretation and written translation. In order to facilitate compliance with Title VI, recipients are encouraged to consider the need for language services for LEP persons served or encountered in developing program budgets. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (August 11, 2000), requires federal agencies to issue guidance to recipients, assisting such organizations and entities in understanding their language access obligations. DHS published the required recipient guidance in April 2011, DHS Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 76 Fed. Reg. 21755-21768, (April 18, 2011). The Guidance provides helpful information such as how a recipient can determine the extent of its obligation to provide language services; selecting language services; and elements of an effective plan on language assistance for LEP persons. For additional assistance and information regarding language access obligations, please refer to the DHS

Recipient Guidance <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

Article Z - SAFECOM

Recipients who receive awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Article AA - Title IX of the Education Amendments of 1975 (Equal Opportunity in Education Act)

All recipients must comply with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), which provides that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance. These regulations are codified at 6 CFR Part 17 and 44 CFR Part 19.

Article AB - Rehabilitation Act of 1973

All recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, as amended, which provides that no otherwise qualified handicapped individual in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. These requirements pertain to the provision of benefits or services as well as to employment.

XIV. OFFSHORE PERFORMANCE OF WORK PROHIBITED

Due to security and identity protection concerns, all services under this Agreement shall be performed within the borders of the United States. All storage and processing of information shall be performed within the borders of the United States. This provision applies to work performed by subcontractors at all tiers.

XV. AGREEMENT RENEWAL

This Agreement shall not bind nor purport to bind the AZDOHS for any contractual commitment in excess of the original Agreement period.

XVI. RIGHT TO ASSURANCE

If the AZDOHS in good faith has reason to believe that the subrecipient does not intend to, or is unable to perform or continue performing under this Agreement, the AZDOHS may demand in writing that the subrecipient give a written assurance of intent to perform. If the subrecipient fails to provide written assurance within the number of days specified in the demand, the AZDOHS at its option may terminate this Agreement.

XVII. CANCELLATION FOR CONFLICT OF INTEREST

The AZDOHS may, by written notice to the subrecipient, immediately cancel this Agreement without penalty or further obligation pursuant to A.R.S. § 38-511 if any person significantly involved in initiating, negotiating, securing, drafting, or creating the Agreement on behalf of the State or its subdivisions (unit of Local Government) is an employee or agent of any other party in any capacity or a consultant to any other party to the Agreement with respect to the subject matter of the Agreement. Such cancellation shall be effective when the parties to the Agreement receive written notice from the AZDOHS, unless the notice specifies a later time.

XVIII. THIRD PARTY ANTITRUST VIOLATIONS

The subrecipient assigns the State of Arizona any claim for overcharges resulting from antitrust violations to the extent that such violations concern materials or services supplied by third parties to subrecipient toward fulfillment of this Agreement.

XIX. AVAILABILITY OF FUNDS

Every payment obligation of the AZDOHS under this Agreement is conditioned upon the availability of funds appropriated or allocated for the payment of such obligations. If the funds are not allocated and available for the continuance of this Agreement, the AZDOHS may terminate this Agreement at the end of the period for which funds are available. No liability shall accrue to the AZDOHS in the event this provision is exercised, and the AZDOHS shall not be obligated or liable for any future payments or for any damages as a result of termination under this paragraph, including purchases and/or contracts entered into by the subrecipient in the execution of this Agreement.

XX. FORCE MAJEURE

If either party hereto is delayed or prevented from the performance of any act required in this Agreement by reason of acts of God, strikes, lockouts, labor disputes, civil disorder, or other causes without fault and beyond the control of the party obligated, performance of such act will be excused for the period of the delay.

XXI. PARTIAL INVALIDITY

Any term or provision of this Agreement that is hereafter declared contrary to any current or future law, order, regulation, or rule, or which is otherwise invalid, shall be deemed stricken from this Agreement without impairing the validity of the remainder of this Agreement.

XXII. ARBITRATION

In the event of any dispute arising under this Agreement, written notice of the dispute must be provided to the other party within thirty (30) days of the events giving the rise to the dispute. The subrecipient agrees to terms specified in A.R.S. § 12-1518.

XXIII. GOVERNING LAW AND CONTRACT INTERPRETATION

- a) This Agreement shall be governed and interpreted in accordance with the laws of the State of Arizona.
- b) This Agreement is intended by the parties as a final and complete expression of their agreement. No course of prior dealings between the parties and no usage of the trade shall supplement or explain any terms in this document.
- c) Either party's failure to insist on strict performance of any term or condition of the Agreement shall not be deemed a waiver of that term or condition even if the party accepting or acquiescing in the nonconforming performance knows of the nature of the performance and fails to object.

XXIV. ENTIRE AGREEMENT

This Agreement and its Exhibits constitute the entire Agreement between the parties hereto pertaining to the subject matter hereof and may not be changed or added to except by a writing signed by all parties hereto in conformity with Paragraph XII, AMENDMENTS. The subrecipient agrees to comply with any such amendment within ten (10) business days of receipt of a fully executed amendment. All prior and contemporaneous agreements, representations, and

understandings of the parties, oral, written, pertaining to the subject matter hereof, are hereby superseded or merged herein.

XXV. RESTRICTIONS ON LOBBYING

The subrecipient shall not use funds made available to it under this Agreement to pay for, influence, or seek to influence any officer or employee of a State or Federal government.

XXVI. LICENSING

The subrecipient, unless otherwise exempted by law, shall obtain and maintain all licenses, permits, and authority necessary to perform those acts it is obligated to perform under this Agreement.

XXVII. NON-DISCRIMINATION

The subrecipient shall comply with all State and Federal equal opportunity and non-discrimination requirements and conditions of employment, including the Americans with Disabilities Act, in accordance with A.R.S. title 41, Chapter 9, Article 4 and Executive Order 2009-09.

XXVIII. SECTARIAN REQUESTS

Funds disbursed pursuant to this Agreement may not be expended for any sectarian purpose or activity, including sectarian worship or instruction in violation of the United States or Arizona Constitutions.

XXIX. SEVERABILITY

The provisions of this Agreement are severable. Any term or condition deemed illegal or invalid shall not affect any other term or condition of the Agreement.

XXX. ADVERTISING AND PROMOTION OF AGREEMENT

The subrecipient shall not advertise or publish information for commercial benefit concerning this Agreement without the written approval of the AZDOHS.

XXXI. OWNERSHIP OF INFORMATION, PRINTED AND PUBLISHED MATERIAL

The AZDOHS reserves the right to review and approve any publications funded or partially funded through this Agreement. All publications funded or partially funded through this Agreement shall recognize the AZDOHS and the U.S. Department of Homeland Security. The U.S. Department of Homeland Security and the AZDOHS shall have full and complete rights to reproduce, duplicate, disclose, perform, and otherwise use all materials prepared under this Agreement.

The subrecipient agrees that any report, printed matter, or publication (written, visual, or sound, but excluding press releases, newsletters, and issue analyses) issued by the subrecipient describing programs or projects funded in whole or in part with Federal funds shall contain the following statement:

"This document was prepared under a grant from U.S. Department of Homeland Security. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Homeland Security."

The subrecipient also agrees that one copy of any such publication, report, printed matter, or publication shall be submitted to the AZDOHS to be placed on file and distributed as appropriate

to other potential subrecipients or interested parties. The AZDOHS may waive the requirement for submission of any specific publication upon submission of a request providing justification from the subrecipient.

The AZDOHS and the subrecipient recognize that research resulting from this Agreement has the potential to become public information. However, prior to the termination of this Agreement, the subrecipient agrees that no research-based data resulting from this Agreement shall be published or otherwise distributed in any form without express written permission from the AZDOHS and possibly the U.S. Department of Homeland Security. It is also agreed that any report or printed matter completed as a part of this agreement is a work for hire and shall not be copyrighted by the subrecipient.

XXXII. CLOSED-CAPTIONING OF PUBLIC SERVICE ANNOUNCEMENTS

Any television public service announcement that is produced or funded in whole or in part by the subrecipient shall include closed captioning of the verbal content of such announcement.

XXXIII. INDEMNIFICATION

To the fullest extent allowed by law, Contractor shall defend, indemnify, and hold harmless the State of Arizona, and its departments, agencies, boards, commissions, universities, officers, officials, agents, and employees (hereinafter referred to as "Indemnitee") from and against any and all claims, actions, liabilities, damages, losses, or expenses (including court costs, attorneys' fees, and costs of claim processing, investigation and litigation) (hereinafter referred to as "Claims") for bodily injury or personal injury (including death), or loss or damage to tangible or intangible property caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of Contractor or any of its owners, officers, directors, agents, employees or subcontractors. This indemnity includes any claim or amount arising out of, or recovered under, the Workers' Compensation Law or arising out of the failure of such contractor to conform to any federal, state or local law, statute, ordinance, rule, regulation or court decree. It is the specific intention of the parties that the Indemnitee shall, in all instances, except for Claims arising solely from the negligent or willful acts or omissions of the Indemnitee, be indemnified by Contractor from and against any and all claims. It is agreed that Contractor will be responsible for primary loss investigation, defense and judgment costs where this indemnification is applicable. In consideration of the award of this contract, the Contractor agrees to waive all rights of subrogation against the State of Arizona, its officers, officials, agents and employees for losses arising from the work performed by the Contractor for the State of Arizona.

This indemnity shall not apply if the contractor or sub-contractor(s) is/are an agency, board, commission or university of the State of Arizona.

XXXIV. TERMINATION

- a) All parties reserve the right to terminate the Agreement in whole or in part due to the failure of the subrecipient or the grantor to comply with any term or condition of the Agreement, to acquire and maintain all required insurance policies, bonds, licenses, and permits or to make satisfactory progress in performing the Agreement. The staff of either party shall provide a written thirty (30) day advance notice of the termination and the reasons for it.
- b) If the subrecipient chooses to terminate the contract before the grant deliverables have been met then the AZDOHS reserves the right to collect all reimbursements distributed to the subrecipient.

- c) The AZDOHS may, upon termination of this Agreement, procure, on terms and in the manner that it deems appropriate, materials or services to replace those under this Agreement. The subrecipient shall be liable to the AZDOHS for any excess costs incurred by the AZDOHS in procuring materials or services in substitution for those due from the subrecipient.

XXXV. CONTINUATION OF PERFORMANCE THROUGH TERMINATION

The subrecipient shall continue to perform, in accordance with the requirements of the Agreement, up to the date of termination, as directed in the termination notice.

XXXVI. PARAGRAPH HEADINGS

The paragraph headings in this Agreement are for convenience of reference only and do not define, limit, enlarge, or otherwise affect the scope, construction, or interpretation of this Agreement or any of its provisions.

XXXVII. COUNTERPARTS

This Agreement may be executed in any number of counterparts, copies, or duplicate originals. Each such counterpart, copy, or duplicate original shall be deemed an original, and collectively they shall constitute one agreement.

XXXVIII. AUTHORITY TO EXECUTE THIS AGREEMENT

Each individual executing this Agreement on behalf of the subrecipient represents and warrants that he or she is duly authorized to execute this Agreement.

XXXIX. SPECIAL CONDITIONS

- a) The subrecipient must comply with the most recent version of the Administrative Requirements, Cost Principles, and Audit requirements
- b) The subrecipient acknowledges that the U.S. Department of Homeland Security and the AZDOHS reserve a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for Federal government purposes: (a) the copyright in any work developed under an award or sub-award; and (2) any rights of copyright to which a subrecipient purchases ownership with Federal support. The subrecipient shall consult with the AZDOHS regarding the allocation of any patent rights that arise from, or are purchased with, this funding.
- c) The subrecipient agrees that, when practicable, any equipment purchased with grant funding shall be prominently marked as follows: **"Purchased with funds provided by the U.S. Department of Homeland Security."**
- d) The subrecipient agrees to cooperate with any assessments, state/national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this agreement.
- e) The subrecipient is prohibited from transferring funds between programs (State Homeland Security Program, Urban Area Security Initiative, Citizen Corps Program, Operation Stonegarden, and Metropolitan Medical Response System).

XL. NOTICES

Any and all notices, requests, demands, or communications by either party to this Agreement, pursuant to or in connection with this Agreement shall be in writing, be delivered in person, or shall be sent to the respective parties at the following addresses:

Arizona Department of Homeland Security
1700 West Washington Street, Suite 210
Phoenix, AZ 85007

The subrecipient shall address all programmatic and reimbursement notices relative to this Agreement to the appropriate AZDOHS staff; contact information at www.azdohs.gov.

The AZDOHS shall address all notices relative to this Agreement to:

Enter Title, First & Last Name above

Enter Agency Name above

Enter Street Address

Enter City, State, ZIP

XLI. IN WITNESS WHEREOF

The parties hereto agree to execute this Agreement.

FOR AND BEHALF OF THE

Enter Agency Name above

Authorized Signature above

Print Name & Title above

Enter Date above

FOR AND BEHALF OF THE

Arizona Department of Homeland Security

Gilbert M. Orrantia
Director

Date

(Please be sure to complete and mail two original documents to the Arizona Department of Homeland Security.)

SUBGRANTEE AGREEMENT

14-AZDOHS-HSGP-_____

Enter Subgrantee Agreement Number above (e.g., 140xxx-xx)

Between

**The Arizona Department of Homeland Security
And**

Enter the Name of the Subrecipient Agency Above

WHEREAS, A.R.S. § 41-4254 charges the Arizona Department of Homeland Security (AZDOHS) with the responsibility of administering funds.

THEREFORE, it is agreed that the AZDOHS shall provide funding to the

Enter the Name of the Subrecipient Agency Above

(subrecipient) for services under the terms of this Grant Agreement.

I. PURPOSE OF AGREEMENT

The purpose of this Agreement is to specify the responsibilities and procedures for the subrecipient's role in administering homeland security grant funds.

II. TERM OF AGREEMENT, TERMINATION AND AMENDMENTS

This Agreement shall become effective on **October 1, 2014** and shall terminate on **September 30, 2015**. The obligations of the subrecipient as described herein will survive termination of this agreement.

III. DESCRIPTION OF SERVICES

The subrecipient shall provide the services for the State of Arizona, Arizona Department of Homeland Security as approved in the grant application titled

“ _____ ”

Enter Title of Application

and funded at \$ _____ (as may have been modified by the award letter).

Enter Funded Amount Above

IV. MANNER OF FINANCING

The AZDOHS shall:

- a) Provide up to \$ _____ to the subrecipient for services provided under Paragraph III. Enter Funded Amount Above
- b) Payment made by the AZDOHS to the subrecipient shall be on a reimbursement basis only and is conditioned upon receipt of proof of payment and applicable, accurate and complete reimbursement documents, as deemed necessary by the AZDOHS, to be submitted by the subrecipient. A listing of acceptable documentation can be found at www.azdohs.gov. Payments will be contingent upon receipt of all reporting requirements of the subrecipient under this Agreement.

V. FISCAL RESPONSIBILITY

It is understood and agreed that the total amount of the funds used under this Agreement shall be used only for the project as described in the application. Any modification to quantity or scope of work must be preapproved in writing by the AZDOHS. Therefore, should the project not be completed, the subrecipient shall reimburse said funds directly to the AZDOHS immediately. If the project is completed at a lower cost than the original budget called for, the amount reimbursed to the subrecipient shall be for only the amount of dollars actually spent by the subrecipient in accordance with the approved application. For any funds received under this Agreement for which expenditure is disallowed by an audit exemption or otherwise by the AZDOHS, the State, or Federal government, the subrecipient shall reimburse said funds directly to the AZDOHS immediately.

VI. FINANCIAL AUDIT/PROGRAMATIC MONITORING

The subrecipient agrees to terms specified in A.R.S. § 35-214 and § 35-215.

- a) In addition, in compliance with the Federal Single Audit Act (31 U.S.C. par. 7501-7507), as amended by the Single Audit Act Amendments of 1996 (P.L. 104 to 156), the subrecipient must have an annual audit conducted in accordance with OMB Circular #A-133 (“Audits of States, Local Governments, and Non-profit Organizations”) if the subrecipient expends more than \$500,000 from Federal awards. If the subrecipient has expended more than \$500,000 in Federal dollars, a copy of the subrecipient’s audit report for the previous fiscal year and subsequent years within the period of performance is due annually to AZDOHS within nine (9) months of the subrecipients fiscal year end.
- b) Subrecipients will be monitored periodically by the AZDOHS staff, both programmatically and financially, to ensure that the project goals, objectives, performance requirements, timelines, milestone completion, budgets, and other related program criteria are being met. Monitoring will be accomplished through a combination of office-based reviews and on-site monitoring visits. Monitoring can involve aspects of the work involved under this contract including but not limited to the review and analysis of the financial, programmatic, equipment, performance, and administrative issues relative to each program and will identify areas where technical assistance and other support may be needed.

VII. APPLICABLE FEDERAL REGULATIONS

The subrecipient must comply with the Funding Opportunity Announcement (FOA), Office of Management and Budget (OMB) Circulars, Code of Federal Regulations (CFR) and other Federal guidance including but not limited to:

- a) 44 CFR Chapter 1, Federal Emergency Management Agency, Department of Homeland Security at www.gpo.gov/fdsys/pkg/CFR-2007-title44-vol1/content-detail.html
- b) 2 CFR 225 Cost Principles for State, Local & Indian Tribal Governments (A-87 OMB Circular), at www.gpo.gov/fdsys/pkg/CFR-2007-title2-vol1/content-detail.html. Cost Principles: 2 CFR Part 225, State and Local Governments; 2 CFR Part 220, Educational Institutions; 2 CFR Part 230, Non-Profit Organizations; Federal Acquisition Regulation Sub-part 31.2, Contracts with Commercial Organizations. OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, at www.whitehouse.gov/sites/default/files/omb/assets/a133/a133_revised_2007.pdf.

- c) 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (formerly OMB Circular A-102), at origin www.gpo.gov/fdsys/pkg/CFR-2010-title44-vol1/pdf/CFR-2010-title44-vol1-part13.pdf . U.S. Department of Homeland Security Authorized Equipment List (AEL), at www.llis.dhs.gov/knowledgebase/authorizedequipmentlist.
- d) 2 CFR Part 215, Uniformed Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Organizations.
- e) 28 CFR applicable to grants and cooperative agreements, including Part 18, Office of Justice Programs Hearing and Appeal Procedure; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 42, Non-discrimination; Equal Employment Opportunities; Policies and Procedures; Part 61, Procedures for Implementing the National Environmental Policy Act; Part 63, Floodplain Management and Wetland Protection Procedures; and Part 66, Uniform Administrative Requirements for Grants and Co-operative Agreements to State and local Government. This CFR can be found at <http://www.gpo.gov/fdsys/pkg/CFR-2001-title28-vol1/content-detail.html>.
- f) Where applicable and with prior written approval from AZDOHS/DHS/FEMA, program subgrantees using funds for construction projects must comply with the *Davis-Bacon Act* (40 U.S.C. 3141 *et seq.*). Subrecipients must ensure that their contractors or subcontractors for construction projects pay workers employed directly at the work-site no less than the prevailing wages and fringe benefits paid on projects of a similar character. Additional information, including Department of Labor (DOL) wage determinations, is available from the following website <http://www.dol.gov/compliance/laws/comp-dbra.htm>.

Included within the above mentioned guidance documents are provisions for the following:

National Incident Management System (NIMS)

The subrecipient agrees to remain in compliance with National Incident Management System (NIMS) implementation initiatives as outlined in the applicable Funding Opportunity Announcement (FOA).

Environmental Planning and Historic Preservation

The subrecipient shall comply with all applicable Federal, State, and Local environmental and historic preservation (EHP) requirements and shall provide any information requested by FEMA to ensure compliance with applicable laws including: National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains (11988), Wetlands (11990) and Environmental Justice (12898). Subrecipient shall not undertake any project having the potential to impact EHP resources without the prior approval of AZDOHS/FEMA, including but not limited to communications towers, physical security enhancements, new construction, and modifications to buildings that are 50 years old or greater. Subrecipient must comply with all conditions placed on the project as the result of the EHP review. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements. If ground disturbing activities occur during project implementation, the subrecipient must ensure monitoring of ground disturbance and if any potential archeological resources are discovered, the subrecipient will immediately cease construction in that area and notify FEMA and the appropriate State Historic Preservation

Office. Procurement and construction activities shall not be initiated prior to the full environmental and historic preservation review and approval.

Consultants/Trainers/Training Providers

Billings for consultants/trainers/training providers must include at a minimum: a description of services; dates of services; number of hours for services performed; rate charged for services; and, the total cost of services performed. Consultant/trainer/training provider costs must be within the prevailing rates; must be obtained under consistent treatment with the procurement policies of the subrecipient and 44 CFR Chapter 1, Part 13; and shall not exceed the maximum of \$450 per day per consultant/trainer/training provider unless prior written approval is granted by the AZDOHS. In addition to the per day \$450 maximum amount, the consultant/trainer/training provider may be reimbursed reasonable travel, lodging, and per diem not to exceed the state rate. Itemized receipts are required for lodging and travel reimbursements. The subrecipient will not be reimbursed costs other than travel, lodging, and per diem on travel days for consultants/trainers/training providers.

Contractors/Subcontractors

The subrecipient may enter into written subcontract(s) for performance of certain of its functions under the contract in accordance with terms established in the OMB Circulars, Code of Federal Regulations, DHS Guidance/FOA, and DHS Program Guidance. The subrecipient agrees and understands that no subcontract that the subrecipient enters into with respect to performance under this Agreement shall in any way relieve the subrecipient of any responsibilities for performance of its duties. The subrecipient shall give the AZDOHS immediate notice in writing by certified mail of any action or suit filed and prompt notice of any claim made against the subrecipient by any subcontractor or vendor which in the opinion of the subrecipient may result in litigation related in any way to the Agreement with the AZDOHS.

Personnel and Travel Costs

All grant funds expended for personnel, travel, lodging, and per diem must be consistent with the subrecipient's policies and procedures; and the State of Arizona Accounting Manual (SAAM); must be applied uniformly to both federally financed and other activities of the agency; and will be reimbursed at the most restrictive allowability and rate. At no time will the subrecipient's reimbursement(s) exceed the State rate established by the Arizona Department of Administration, General Accounting Office Travel Policies: www.gao.az.gov.

Procurement

The subrecipient shall comply with all internal agency procurement rules/policies and must also comply with Federal procurement rules/policies as outlined in section VII and all procurement must comply with Arizona State procurement code and rules. The Federal intent is that all Homeland Security Funds are awarded competitively. The subrecipient shall not enter into a Noncompetitive (Sole or Single Source) procurement agreement, unless prior written approval is granted by the AZDOHS. The Noncompetitive Procurement Request Form and instructions are located on the AZDOHS website, www.azdohs.gov/grants/.

Training and Exercise

The subrecipient agrees that any grant funds used for training and exercise must be in compliance with the applicable FOA. All training must be approved through the ADEM/AZDOHS training request process prior to execution of training contract(s). All exercises must utilize the FEMA Homeland Security Exercise and Evaluation Program (HSEEP) Toolkit for exercise design, development and scheduling. Subrecipient agrees to:

- a) Submit the HSEEP Toolkit Exercise Summary to AZDOHS with all Exercise Reimbursement Requests.
- b) Post all exercises, documentation and After Action Reports/Improvement Plans via the HSEEP Toolkit.
- c) Within 60 days of completion of an exercise, or as prescribed by the most recent HSEEP guidance, the exercise host subrecipient is required to upload the AAR/IP into the HSEEP Toolkit and email the AAR/IP to the local County Emergency Manager, the FEMA Region IX Exercise POC, HSEEP@dhs.gov, the AZDOHS Strategic Planner, and the Arizona Department of Emergency Management (ADEM) Exercise Officer.

Nonsupplanting Agreement

The subrecipient shall not use funds to supplant State or Local funds or other resources that would otherwise have been made available for this program/project. Further, if a position created by a grant is filled from within, the vacancy created by this action must be filled within thirty (30) days. If the vacancy is not filled within thirty (30) days, the subrecipient must stop charging the grant for the new position. Upon filling the vacancy, the subrecipient may resume charging for the grant position.

E-Verify

Compliance requirements for A.R.S. § 41-4401—immigration laws and E-Verify requirement.

- a) The subrecipient warrants compliance with all Federal immigration laws and regulations relating to employees and warrants its compliance with Section A.R.S. § 23-214, Subsection A. (That subsection reads: “After December 31, 2007, every employer, after hiring an employee, shall verify the employment eligibility of the employee through the E-Verify program).
- b) A breach of a warranty regarding compliance with immigration laws and regulations shall be deemed a material breach of the contract and the subrecipient may be subject to penalties up to and including termination of the Agreement.
- c) The AZDOHS retains the legal right to inspect the papers of any employee who works on the Agreement to ensure that the subrecipient is complying with the warranty under paragraph (a) above.

Property Control

Effective control and accountability must be maintained for all property. The subrecipient must adequately safeguard all such property and must assure that it is used for authorized purposes as described in the FOA, grant application, and Code of Federal Regulations (44 CFR 13.32). The subrecipient shall exercise caution in the use, maintenance, protection and preservation of such property.

- a) Equipment shall be used by the subrecipient in the program or project for which it was acquired as long as needed, whether or not the program or project continues to be supported by federal grant funds. Theft, destruction, or loss of property shall be reported to the AZDOHS immediately.

- b) Nonexpendable Property and Capital Assets:
1. Nonexpendable Property is property which has a continuing use, is not consumed in use, is of a durable nature with an expected service life of one or more years, has an acquisition cost of \$300 (Three Hundred Dollars) or more, and does not become a fixture or lose its identity as a component of other equipment or systems.
 2. A Capital Asset is any personal or real property, or fixture that has an acquisition cost of \$5,000 (Five Thousand Dollars) or more per unit and a useful life of more than one year.
- c) A Property Control Form (if applicable) shall be maintained for the entire scope of the program or project for which property was acquired through the end of its useful life and/or disposition. All Nonexpendable Property and Capital Assets must be included on the Property Control Form. The subrecipient shall provide AZDOHS a copy of the Property Control Form with the final quarterly programmatic report. A Property Control Form can be located at www.azdohs.gov/Grants/. The subrecipient agrees to be subject to equipment monitoring and auditing by state or federal authorized representatives to verify information.
- d) A physical inventory of the Nonexpendable Property and Capital Assets must be taken and the results reconciled with the Property Control Form at least once every two years.
1. A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft shall be investigated and reported to AZDOHS.
 2. Adequate maintenance procedures must be developed to keep the property in good condition.
- e) When Nonexpendable Property and/or Capital Assets are no longer in operational use by the subgrantee, an updated Property Control Form must be submitted to AZDOHS immediately. The disposition of equipment shall be in compliance with the AZDOHS Disposition Guidance. If the subgrantee is requesting disposition of Capital Assets for reasons other than theft, destruction, or loss, the subgrantee must submit an Equipment Disposition Request Form and receive approval prior to the disposition. The Equipment Disposition Request Form can be found at www.azdohs.gov/Grants/.

Allowable Costs

The allowability of costs incurred under this agreement shall be determined in accordance with the general principles of allowability and standards for selected cost items as set forth in the applicable OMB Circulars, Code of Federal Regulations, authorized equipment lists and guidance documents referenced above.

- a) The subrecipient agrees that grant funds are not to be expended for any indirect costs that may be incurred by the subrecipient for administering these funds.
- b) The subrecipient agrees that grant funds are not to be expended for any Management and Administrative (M&A) costs that may be incurred by the subrecipient for administering these funds unless explicitly applied for and approved in writing by the AZDOHS and shall be in compliance with the applicable FOA.

VIII. DEBARMENT CERTIFICATION

The subrecipient agrees to comply with the Federal Debarment and Suspension regulations as outlined in the “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions.”

IX. FUNDS MANAGEMENT

The subrecipient must maintain funds received under this Agreement in separate ledger accounts and cannot mix these funds with other sources. The subrecipient must manage funds according to applicable Federal regulations for administrative requirements, costs principles, and audits.

The subrecipient must maintain adequate business systems to comply with Federal requirements. The business systems that must be maintained are:

- Financial Management
- Procurement
- Personnel
- Property
- Travel

A system is adequate if it is 1) written; 2) consistently followed – it applies in all similar circumstances; and 3) consistently applied – it applies to all sources of funds.

X. REPORTING REQUIREMENTS

Regular reports by the subrecipient shall include:

a) Programmatic Reports

The subrecipient shall provide quarterly programmatic reports to the AZDOHS within fifteen (15) working days of the last day of the quarter in which services are provided. The subrecipient shall use the form provided by the AZDOHS to submit quarterly programmatic reports. The report shall contain such information as deemed necessary by the AZDOHS. The subrecipient shall use the Quarterly Programmatic Report form, which is posted at www.azdohs.gov/Grants/. If the scope of the project has been fully completed and implemented, and there will be no further updates, then the quarterly programmatic report for the quarter in which the project was completed will be sufficient as the final report. The report should be marked as final and should be inclusive of all necessary and pertinent information regarding the project as deemed necessary by the AZDOHS. Quarterly programmatic reports shall be submitted to the AZDOHS until the entire scope of the project is completed

b) Quarterly Programmatic Reports are due:

January 15 (period October 1– December 31)

April 15 (period January 1 – March 31)

July 15 (period April 1 – June 30)

October 15 (period July 1 – September 30)

c) Final Quarterly Report:

The final quarterly report is due no more than fifteen (15) days after the end of the performance period. The Property Control Form and Grant Funded Typed Resource Report are due with the final quarterly report (if applicable).

d) Property Control Form – if applicable:
The subrecipient shall provide AZDOHS a copy of the Property Control Form with the final quarterly report.

a. In case of equipment disposition:
The Property Control Form shall be updated and a copy provided to AZDOHS no more than forty-five (45) calendar days after equipment disposition, if applicable. The disposition of equipment must be in compliance with the AZDOHS Disposition Guidance.

e) The Grant Funded Typed Resource Report – if applicable:
The subrecipient shall email the AZDOHS Strategic Planner a copy of the Grant Funded Typed Resource Report with the final quarterly report. The Grant Funded Typed Resource Report and instructions are located at www.azdohs.gov/Grants/.

f) Financial Reimbursements
The subrecipient shall provide as frequently as monthly but not less than quarterly requests for reimbursement. Reimbursements requests are only required when expenses have been incurred. Reimbursements shall be submitted with the Reimbursement Form provided by the AZDOHS staff. The subrecipient shall submit a final reimbursement for expenses received and invoiced prior to the end of the termination of this Agreement no more than **forty-five (45) calendar days** after the end of the Agreement. Requests for reimbursement received later than the forty-five (45) days after the Agreement termination will not be paid. The final reimbursement request as submitted shall be marked FINAL.

The AZDOHS requires that all requests for reimbursement are submitted via U.S. mail (United States Postal Service), FedEx, UPS, etc...or in person. Reimbursements submitted via fax or by any electronic means will not be accepted.

The AZDOHS reserves the right to request and/or require any supporting documentation it feels necessary in order to process reimbursements.

All reports shall be submitted to the contact person as described in Paragraph XL, NOTICES, of this Agreement.

XI. ASSIGNMENT AND DELEGATION

The subrecipient may not assign any rights hereunder without the express, prior written consent of both parties.

XII. AMENDMENTS

Any change in this Agreement including but not limited to the Description of Services and budget described herein, whether by modification or supplementation, must be accomplished by a formal Agreement amendment signed and approved by and between the duly authorized representative of the subrecipient and the AZDOHS. The AZDOHS shall have the right to immediately amend this Agreement so that it complies with any new legislation, laws, ordinances, or rules affecting this Agreement.

Any such amendment shall specify: 1) an effective date; 2) any increases or decreases in the amount of the subrecipient's compensation if applicable; 3) be titled as an "Amendment," and 4) be signed by the parties identified in the preceding sentence. The subrecipient expressly and

explicitly understands and agrees that no other method of communication, including any other document, correspondence, act, or oral communication by or from any person, shall be used or construed as an amendment or modification or supplementation to this Agreement.

XIII. US DEPARTMENT OF HOMELAND SECURITY AGREEMENT ARTICLES

Article A – Acceptance of Post Award Changes

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award.

Article B - Compliance with Funding Opportunity Announcement

The recipient agrees that all allocations and use of funds under this grant will be in accordance with the applicable FOA.

Article C - DHS Specific Acknowledgements and Assurances

All recipients of financial assistance must acknowledge and agree—and require any sub-recipients, contractors, successors, transferees, and assignees acknowledge and agree—to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance review or complaint investigation conducted by DHS.
2. Recipients must give DHS access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS awarding office and the DHS Office of Civil Rights and Civil Liberties.
6. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Component and/or awarding office.

The United States has the right to seek judicial enforcement of these obligations.

Article D - Use of DHS Seal, Logo and Flags

All recipients must obtain DHS's approval prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

Article E - USA Patriot Act of 2001

All recipients must comply with the requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. §§ 175–175c. Among other things, the USA PATRIOT Act prescribes criminal penalties for possession of any biological agent, toxin, or delivery system of a type or in a quantity that is not reasonably justified by a prophylactic, protective, bona fide research, or other peaceful purpose.

Article F - Trafficking Victims Protection Act of 2000

All recipients of financial assistance will comply with the requirements of the government-wide award term which implements Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. § 7104), located at 2 CFR Part 175. This is implemented in accordance with OMB Interim Final Guidance, Federal Register, Volume 72, No. 218, November 13, 2007.

In accordance with the statutory requirement, in each agency award under which funding is provided to a private entity, Section 106(g) of the TVPA, as amended, requires the agency to include a condition that authorizes the agency to terminate the award, without penalty, if the recipient or a subrecipient —

1. Engages in severe forms of trafficking in persons during the period of time that the award is in effect;
2. Procures a commercial sex act during the period of time that the award is in effect; or
3. Uses forced labor in the performance of the award or subawards under the award.

Full text of the award term is provided at 2 CFR § 175.15.

Article G - Non-supplanting Requirement

All recipients must ensure that Federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources. Applicants or award recipients may be required to demonstrate and document that a reduction in non-Federal resources occurred for reasons other than the receipt of expected receipt of Federal funds.

Article H - Lobbying Prohibitions

All recipients must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under an award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal action concerning the award or renewal.

Article I - Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. §2225(a), all recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, 15 U.S.C. §2225.

Article J - Fly America Act of 1974

All recipients must comply with Preference for U.S. Flag Air Carriers: Travel supported by U.S. Government funds requirement, which states preference for the use of U.S. flag air carriers (air carriers holding certificates under 49 U.S.C. §41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. § 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B138942.

Article K - Federal Debt Status

All recipients are required to be non-delinquent in their repayment of any Federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129 and form SF-424, item number 17 for additional information and guidance.

Article L - False Claims Act and Program Fraud Civil Remedies

All recipients must comply with the requirements of 31 U.S.C. § 3729 which set forth that no recipient of federal payments shall submit a false claim for payment. See also 38 U.S.C. § 3801-3812 which details the administrative remedies for false claims and statements made.

Article M - Duplication of Benefits

State, Local and Tribal recipients must comply with 2 CFR Part §225, Appendix A, paragraph (C)(3)(c), which provides that any cost allocable to a particular Federal award or cost objective under the principles provided for in this authority may not be charged to other Federal awards to overcome fund deficiencies.

Article N - Drug-Free Workplace Regulations

All recipients must comply with the Drug-Free Workplace Act of 1988 (412 U.S.C. § 701 et seq.), which requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. These regulations are codified at 2 CFR 3001.

Article O - Debarment and Suspension

All recipients must comply with Executive Orders 12549 and 12689, which provide protection against waste, fraud, and abuse by debarring or suspending those persons deemed irresponsible in their dealings with the Federal government.

Article P - Copyright

All recipients must affix the applicable copyright notices of 17 U.S.C. § 401 or 402 and an acknowledgement of Government sponsorship (including award number) to any work first produced under Federal financial assistance awards, unless the work includes any information that is otherwise controlled by the Government (e.g., classified information or other information subject to national security or export control laws or regulations).

Article Q - Best Practices for Collection and Use of Personally Identifiable Information (PII)

All award recipients who collect PII are required to have a publicly-available privacy policy that describes what PII they collect, how they use the PII, whether they share PII with third parties, and how individuals may have their PII corrected where appropriate. Award recipients may also find as a useful resource the DHS Privacy Impact Assessments guidance and template located at:

http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_guidance_june2010.pdf

and

http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_template.pdf, respectively.

Article R - Activities Conducted Abroad

All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

Article S - Acknowledgement of Federal Funding from DHS

All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

Article T - Assurances, Administrative Requirements and Cost Principles

Recipients of DHS federal financial assistance must complete OMB Standard Form 424B Assurances – Non-Construction Programs. Certain assurances in this form may not be applicable to your project or program, and the awarding agency may require applicants to certify to additional assurances. Please contact the program awarding office if you have any questions.

The administrative requirements that apply to DHS award recipients originate from two sources:

- Office of Management and Budget (OMB) Circular A-102, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (also known as the “A-102 Common Rule”). These A-102 requirements are also located within DHS regulations at Title 44, Code of Federal Regulations (CFR) Part 13.
- OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, relocated to 2 CFR Part 215.

The cost principles that apply to DHS award recipients through a grant or cooperative agreement originate from one of the following sources:

- OMB Circular A-21, Cost Principles for Educational Institutions, relocated to 2 CFR Part 220.
- OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments, relocated to 2 CFR Part 225.
- OMB Circular A-122, Cost Principles for Non-Profit Organizations, relocated to 2 CFR Part 230.

The audit requirements for State, Local and Tribal recipients of DHS awards originate from:

- OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations.

Article U - Age Discrimination Act of 1975

All recipients must comply with the requirements of the Age Discrimination Act of 1975 (42 U.S.C. § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving Federal financial assistance.

Article V - Americans with Disabilities Act of 1990

All recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12101–12213).

Article W - Title VI of the Civil Rights Act of 1964

All recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.), codified at 6 CFR Part 21 and 44 CFR Part 7, which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Article X - Civil Rights Act of 1968

All recipients must comply with Title VIII of the Civil Rights Act of 1968, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (42 U.S.C. § 3601 et seq.), as implemented by the Department of Housing and Urban Development at 24 CFR Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features (see 24 CFR § 100.201).

Article Y - Limited English Proficiency (Civil Rights Act of 1964, Title VI)

All recipients must comply with the Title VI of the Civil Rights Act of 1964 (Title VI) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. Providing meaningful access for persons with LEP may entail providing language assistance services, including oral interpretation and written translation. In order to facilitate compliance with Title VI, recipients are encouraged to consider the need for language services for LEP persons served or encountered in developing program budgets. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (August 11, 2000), requires federal agencies to issue guidance to recipients, assisting such organizations and entities in understanding their language access obligations. DHS published the required recipient guidance in April 2011, DHS Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 76 Fed. Reg. 21755-21768, (April 18, 2011). The Guidance provides helpful information such as how a recipient can determine the extent of its obligation to provide language services; selecting language services; and elements of an effective plan on language assistance for LEP persons. For additional assistance and information regarding language access obligations, please refer to the DHS

Recipient Guidance <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

Article Z - SAFECOM

Recipients who receive awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Article AA - Title IX of the Education Amendments of 1975 (Equal Opportunity in Education Act)

All recipients must comply with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), which provides that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance. These regulations are codified at 6 CFR Part 17 and 44 CFR Part 19.

Article AB - Rehabilitation Act of 1973

All recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, as amended, which provides that no otherwise qualified handicapped individual in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. These requirements pertain to the provision of benefits or services as well as to employment.

XIV. OFFSHORE PERFORMANCE OF WORK PROHIBITED

Due to security and identity protection concerns, all services under this Agreement shall be performed within the borders of the United States. All storage and processing of information shall be performed within the borders of the United States. This provision applies to work performed by subcontractors at all tiers.

XV. AGREEMENT RENEWAL

This Agreement shall not bind nor purport to bind the AZDOHS for any contractual commitment in excess of the original Agreement period.

XVI. RIGHT TO ASSURANCE

If the AZDOHS in good faith has reason to believe that the subrecipient does not intend to, or is unable to perform or continue performing under this Agreement, the AZDOHS may demand in writing that the subrecipient give a written assurance of intent to perform. If the subrecipient fails to provide written assurance within the number of days specified in the demand, the AZDOHS at its option may terminate this Agreement.

XVII. CANCELLATION FOR CONFLICT OF INTEREST

The AZDOHS may, by written notice to the subrecipient, immediately cancel this Agreement without penalty or further obligation pursuant to A.R.S. § 38-511 if any person significantly involved in initiating, negotiating, securing, drafting, or creating the Agreement on behalf of the State or its subdivisions (unit of Local Government) is an employee or agent of any other party in any capacity or a consultant to any other party to the Agreement with respect to the subject matter of the Agreement. Such cancellation shall be effective when the parties to the Agreement receive written notice from the AZDOHS, unless the notice specifies a later time.

XVIII. THIRD PARTY ANTITRUST VIOLATIONS

The subrecipient assigns the State of Arizona any claim for overcharges resulting from antitrust violations to the extent that such violations concern materials or services supplied by third parties to subrecipient toward fulfillment of this Agreement.

XIX. AVAILABILITY OF FUNDS

Every payment obligation of the AZDOHS under this Agreement is conditioned upon the availability of funds appropriated or allocated for the payment of such obligations. If the funds are not allocated and available for the continuance of this Agreement, the AZDOHS may terminate this Agreement at the end of the period for which funds are available. No liability shall accrue to the AZDOHS in the event this provision is exercised, and the AZDOHS shall not be obligated or liable for any future payments or for any damages as a result of termination under this paragraph, including purchases and/or contracts entered into by the subrecipient in the execution of this Agreement.

XX. FORCE MAJEURE

If either party hereto is delayed or prevented from the performance of any act required in this Agreement by reason of acts of God, strikes, lockouts, labor disputes, civil disorder, or other causes without fault and beyond the control of the party obligated, performance of such act will be excused for the period of the delay.

XXI. PARTIAL INVALIDITY

Any term or provision of this Agreement that is hereafter declared contrary to any current or future law, order, regulation, or rule, or which is otherwise invalid, shall be deemed stricken from this Agreement without impairing the validity of the remainder of this Agreement.

XXII. ARBITRATION

In the event of any dispute arising under this Agreement, written notice of the dispute must be provided to the other party within thirty (30) days of the events giving the rise to the dispute. The subrecipient agrees to terms specified in A.R.S. § 12-1518.

XXIII. GOVERNING LAW AND CONTRACT INTERPRETATION

- a) This Agreement shall be governed and interpreted in accordance with the laws of the State of Arizona.
- b) This Agreement is intended by the parties as a final and complete expression of their agreement. No course of prior dealings between the parties and no usage of the trade shall supplement or explain any terms in this document.
- c) Either party's failure to insist on strict performance of any term or condition of the Agreement shall not be deemed a waiver of that term or condition even if the party accepting or acquiescing in the nonconforming performance knows of the nature of the performance and fails to object.

XXIV. ENTIRE AGREEMENT

This Agreement and its Exhibits constitute the entire Agreement between the parties hereto pertaining to the subject matter hereof and may not be changed or added to except by a writing signed by all parties hereto in conformity with Paragraph XII, AMENDMENTS. The subrecipient agrees to comply with any such amendment within ten (10) business days of receipt of a fully executed amendment. All prior and contemporaneous agreements, representations, and

understandings of the parties, oral, written, pertaining to the subject matter hereof, are hereby superseded or merged herein.

XXV. RESTRICTIONS ON LOBBYING

The subrecipient shall not use funds made available to it under this Agreement to pay for, influence, or seek to influence any officer or employee of a State or Federal government.

XXVI. LICENSING

The subrecipient, unless otherwise exempted by law, shall obtain and maintain all licenses, permits, and authority necessary to perform those acts it is obligated to perform under this Agreement.

XXVII. NON-DISCRIMINATION

The subrecipient shall comply with all State and Federal equal opportunity and non-discrimination requirements and conditions of employment, including the Americans with Disabilities Act, in accordance with A.R.S. title 41, Chapter 9, Article 4 and Executive Order 2009-09.

XXVIII. SECTARIAN REQUESTS

Funds disbursed pursuant to this Agreement may not be expended for any sectarian purpose or activity, including sectarian worship or instruction in violation of the United States or Arizona Constitutions.

XXIX. SEVERABILITY

The provisions of this Agreement are severable. Any term or condition deemed illegal or invalid shall not affect any other term or condition of the Agreement.

XXX. ADVERTISING AND PROMOTION OF AGREEMENT

The subrecipient shall not advertise or publish information for commercial benefit concerning this Agreement without the written approval of the AZDOHS.

XXXI. OWNERSHIP OF INFORMATION, PRINTED AND PUBLISHED MATERIAL

The AZDOHS reserves the right to review and approve any publications funded or partially funded through this Agreement. All publications funded or partially funded through this Agreement shall recognize the AZDOHS and the U.S. Department of Homeland Security. The U.S. Department of Homeland Security and the AZDOHS shall have full and complete rights to reproduce, duplicate, disclose, perform, and otherwise use all materials prepared under this Agreement.

The subrecipient agrees that any report, printed matter, or publication (written, visual, or sound, but excluding press releases, newsletters, and issue analyses) issued by the subrecipient describing programs or projects funded in whole or in part with Federal funds shall contain the following statement:

"This document was prepared under a grant from U.S. Department of Homeland Security. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Homeland Security."

The subrecipient also agrees that one copy of any such publication, report, printed matter, or publication shall be submitted to the AZDOHS to be placed on file and distributed as appropriate

to other potential subrecipients or interested parties. The AZDOHS may waive the requirement for submission of any specific publication upon submission of a request providing justification from the subrecipient.

The AZDOHS and the subrecipient recognize that research resulting from this Agreement has the potential to become public information. However, prior to the termination of this Agreement, the subrecipient agrees that no research-based data resulting from this Agreement shall be published or otherwise distributed in any form without express written permission from the AZDOHS and possibly the U.S. Department of Homeland Security. It is also agreed that any report or printed matter completed as a part of this agreement is a work for hire and shall not be copyrighted by the subrecipient.

XXXII. CLOSED-CAPTIONING OF PUBLIC SERVICE ANNOUNCEMENTS

Any television public service announcement that is produced or funded in whole or in part by the subrecipient shall include closed captioning of the verbal content of such announcement.

XXXIII. INDEMNIFICATION

To the fullest extent allowed by law, Contractor shall defend, indemnify, and hold harmless the State of Arizona, and its departments, agencies, boards, commissions, universities, officers, officials, agents, and employees (hereinafter referred to as "Indemnitee") from and against any and all claims, actions, liabilities, damages, losses, or expenses (including court costs, attorneys' fees, and costs of claim processing, investigation and litigation) (hereinafter referred to as "Claims") for bodily injury or personal injury (including death), or loss or damage to tangible or intangible property caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of Contractor or any of its owners, officers, directors, agents, employees or subcontractors. This indemnity includes any claim or amount arising out of, or recovered under, the Workers' Compensation Law or arising out of the failure of such contractor to conform to any federal, state or local law, statute, ordinance, rule, regulation or court decree. It is the specific intention of the parties that the Indemnitee shall, in all instances, except for Claims arising solely from the negligent or willful acts or omissions of the Indemnitee, be indemnified by Contractor from and against any and all claims. It is agreed that Contractor will be responsible for primary loss investigation, defense and judgment costs where this indemnification is applicable. In consideration of the award of this contract, the Contractor agrees to waive all rights of subrogation against the State of Arizona, its officers, officials, agents and employees for losses arising from the work performed by the Contractor for the State of Arizona.

This indemnity shall not apply if the contractor or sub-contractor(s) is/are an agency, board, commission or university of the State of Arizona.

XXXIV. TERMINATION

- a) All parties reserve the right to terminate the Agreement in whole or in part due to the failure of the subrecipient or the grantor to comply with any term or condition of the Agreement, to acquire and maintain all required insurance policies, bonds, licenses, and permits or to make satisfactory progress in performing the Agreement. The staff of either party shall provide a written thirty (30) day advance notice of the termination and the reasons for it.
- b) If the subrecipient chooses to terminate the contract before the grant deliverables have been met then the AZDOHS reserves the right to collect all reimbursements distributed to the subrecipient.

- c) The AZDOHS may, upon termination of this Agreement, procure, on terms and in the manner that it deems appropriate, materials or services to replace those under this Agreement. The subrecipient shall be liable to the AZDOHS for any excess costs incurred by the AZDOHS in procuring materials or services in substitution for those due from the subrecipient.

XXXV. CONTINUATION OF PERFORMANCE THROUGH TERMINATION

The subrecipient shall continue to perform, in accordance with the requirements of the Agreement, up to the date of termination, as directed in the termination notice.

XXXVI. PARAGRAPH HEADINGS

The paragraph headings in this Agreement are for convenience of reference only and do not define, limit, enlarge, or otherwise affect the scope, construction, or interpretation of this Agreement or any of its provisions.

XXXVII. COUNTERPARTS

This Agreement may be executed in any number of counterparts, copies, or duplicate originals. Each such counterpart, copy, or duplicate original shall be deemed an original, and collectively they shall constitute one agreement.

XXXVIII. AUTHORITY TO EXECUTE THIS AGREEMENT

Each individual executing this Agreement on behalf of the subrecipient represents and warrants that he or she is duly authorized to execute this Agreement.

XXXIX. SPECIAL CONDITIONS

- a) The subrecipient must comply with the most recent version of the Administrative Requirements, Cost Principles, and Audit requirements
- b) The subrecipient acknowledges that the U.S. Department of Homeland Security and the AZDOHS reserve a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for Federal government purposes: (a) the copyright in any work developed under an award or sub-award; and (2) any rights of copyright to which a subrecipient purchases ownership with Federal support. The subrecipient shall consult with the AZDOHS regarding the allocation of any patent rights that arise from, or are purchased with, this funding.
- c) The subrecipient agrees that, when practicable, any equipment purchased with grant funding shall be prominently marked as follows: **"Purchased with funds provided by the U.S. Department of Homeland Security."**
- d) The subrecipient agrees to cooperate with any assessments, state/national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this agreement.
- e) The subrecipient is prohibited from transferring funds between programs (State Homeland Security Program, Urban Area Security Initiative, Citizen Corps Program, Operation Stonegarden, and Metropolitan Medical Response System).

XL. NOTICES

Any and all notices, requests, demands, or communications by either party to this Agreement, pursuant to or in connection with this Agreement shall be in writing, be delivered in person, or shall be sent to the respective parties at the following addresses:

Arizona Department of Homeland Security
1700 West Washington Street, Suite 210
Phoenix, AZ 85007

The subrecipient shall address all programmatic and reimbursement notices relative to this Agreement to the appropriate AZDOHS staff; contact information at www.azdohs.gov.

The AZDOHS shall address all notices relative to this Agreement to:

Enter Title, First & Last Name above

Enter Agency Name above

Enter Street Address

Enter City, State, ZIP

XLI. IN WITNESS WHEREOF

The parties hereto agree to execute this Agreement.

FOR AND BEHALF OF THE

Enter Agency Name above

Authorized Signature above

Print Name & Title above

Enter Date above

FOR AND BEHALF OF THE

Arizona Department of Homeland Security

Gilbert M. Orrantia
Director

Date

(Please be sure to complete and mail two original documents to the Arizona Department of Homeland Security.)

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 16C

Date Prepared: September 17, 2014

Council Meeting Date: October 7, 2014

TO: Carl Swenson, City Manager
FROM: Chris Jacques, AICP, Planning and Community Development Director
THROUGH: Susan J. Daluddung, Deputy City Manager
SUBJECT: P83 Entertainment District Sign Overlay

Purpose:

This request is for City Council to authorize the rescoping of an existing \$60,000 in one-time operational funds to supplement the development of a P83 District Sign Overlay.

Background/Summary:

During the Fiscal Year 2015 budget process, staff requested the carryover of \$60,000 in one-time operational funds to assist in the development of an Old Town zoning overlay. The *Old Town Peoria Revitalization Plan*, adopted by City Council in 2009, identified new land use categories that addressed the desire to attract a mixture of uses that capitalized on the proximity of Old Town to the Grand Avenue corridor. One of the implementation objectives of the Old Town Plan was to align new zoning development standards (e.g. building setbacks, allowed uses, signage etc.) through an overlay to the land use plan. The approved funds would have enabled the city to hire a consultant to assist in completing this zoning overlay for the Old Town core. However, without the overlay, this does not prevent staff from continuing to work with prospects on an individualized basis including potential amendments to its site zoning (through the 'PAD' for example) in concert with the Old Town Plan.

The *Peoria Sports Complex Area Urban Design Plan* was adopted by City Council in 2010. This Plan pertained to the 570-acre area generally bounded by Bell Road, Loop 101, Skunk Creek and 73rd Avenue. The purpose of this Plan was to identify land use, economic development and design strategies to transform and activate the area into an energetic, destination-oriented mixed-use district providing residential, commercial, arts and entertainment venues in a walkable core. Today the area is one of the City's economic development "investment zones."

Since the adoption of the Plan, several implementation objectives have been completed or are underway:

- Urban Design Plan incorporated into the General Plan including the District re-designation to Sports Complex Mixed-Use.

- Completion of the Gensler Design Concept Report in 2012 identifying branding, wayfinding, landscaping and pedestrian concepts for the district with emphasis on the 83rd Avenue corridor.
- \$4.7 million Phase 1 CIP improvement project set to start construction incorporating new landscaping, wayfinding, visual enhancement and pedestrian upgrades along 83rd Avenue. The next phase of the P83 project is in the CIP for FY16.
- Approval of a Development Agreement and other legal instruments for the potential redevelopment of the 17-acre Mariners parking lot into a mixed-use redevelopment project (“The Avenue Shoppes at P83”). The City has earmarked up to \$30 million for the parking structure should the project meet its contingencies and move forward.
- Completion of Phase 1 improvements to the Sports Complex; Phase 2 improvements planned for completion prior to Spring Training 2015.
- \$1.6 million trailhead at the SEC of 83rd/Skunk Creek is under construction.

One of the implementation objectives identified by the Urban Design Plan called for the development of a Sign Overlay for the P83 District. The district currently consists of a mix of zoning with general sign standards from the Zoning Ordinance. In this regard, the Zoning Ordinance is limiting with standards not suited for the vibrant, mixed-use district envisioned in the Urban Design Plan and subsequent discussions with Council and businesses in the area. A new sign overlay for the district will enable businesses to avail themselves of design standards that are aligned with the vision while reinforcing and promoting the P83 identity and streetscape.

Both overlay projects were identified on the Planning & Community Development workplan. However, in reflection, given the level of investment and activity in the area, staff believes the most immediate need for the city is to use these existing one-time operational funds to hire a consultant to assist in the completion of the P83 District Sign Overlay. Nonetheless, staff believes the completion of the Old Town zoning overlay is still a department priority, albeit a less immediate need. Additionally, staff believes that the Old Town zoning overlay may require more than the originally identified \$60,000 to complete, which will require new funding to be identified.

If approved, staff will work to get a Consultant on board to help initiate the project. The preliminary scope of services will include the following:

- Outreach with City leaders, businesses and the public
- Identification of development standards for the major sign types in the District (e.g. pylon signs, building signs etc.)
- Development of a sign design theming manual to promote consistency in sign design.

Staff anticipates the Overlay to be completed in about 9 months. Upon completion, the Overlay will be a special section within the Zoning Ordinance that pertains to the P83 District.

Previous Actions:

Previous Council actions pertaining to P83 District improvements include:

- August 2011 Study Session - Economic Development Services (EDS) presented the original concepts from Gensler
- July 2012 Study Session - EDS presented an update on the P83 DCR and the PSP project
- September 2013 Study Session – Engineering presented an update on the DCR and the Public Meeting from September 2013
- September 16, 2014 Council meeting – Award of construction contracts for the Phase 1 P3 Entertainment District Improvements.

Options:

A: Approve the rescoping of an existing \$60,000 in one-time operational funds for use on developing a P83 District Signage overlay.

B: Deny the rescoping of an existing \$60,000 in one-time operational funds for use on developing a P83 District Signage overlay.

Staff's Recommendation:

Authorize the rescoping of \$60,000 in existing one-time operational funds for use on developing a P83 District Signage overlay.

Fiscal Analysis:

Funding for this \$60,000 request will come from existing one-time operational funds in the Planning Division Other Professional Services account (1000-0610-520099).

Exhibits: N/A

Contact Name and Number: Shawn Kreuzwiesner, Engineering Planning Manager, x7643

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 17C

Date Prepared: August 28, 2014

Council Meeting Date: October 7, 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. 1172 Parcel 2, Tierra Del Rio, 107th Avenue and Happy Valley Parkway

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. 1172 Parcel 2, Tierra Del Rio, 107th Avenue and Happy Valley Parkway, 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 operations, 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. 1172 Parcel 2, Tierra Del Rio, 107th Avenue and Happy Valley Parkway. 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 Tierra Del Rio Parcel 2 was approved by the City on August 27, 2014 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

[1172]
MID#

[Tierra Del Rio Parcel 2]
Subdivision Name

To: Honorable Mayor and Council
City of Peoria, Arizona

Pursuant to Arizona Revised Statutes, Sections 48-574 and 48-575, the undersigned property owner respectfully petitions the City Council of the City of Peoria, Arizona (City Council) to order the formation of a Municipal 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 29.30 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
_____ day of _____ 20 14 .

<p>Lennar Arizona Inc. _____ Print Property Owner Name Jeff Gunderson _____ Print Name 1725 W. Greentree Drive Suite #114; Tempe, AZ 85284 Address _____ Signature _____</p>	<p>Date: <u>3/3/14</u></p>	<p>Property (Tax Parcel Numbers) <u>201-17-052</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. 2014-140

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. 1172, TIERRA DEL RIO PARCEL 2, 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. 1172 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. 1172

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. 1172.

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. Existing Maintenance Improvement District.

This proposed Maintenance Improvement District for Tierra Del Rio Parcel 2 is subject to the existing Tierra Del Rio Development Master Maintenance Improvement District #1062.

Section 7. 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 8. 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 9. 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 10. 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.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 7th day of October, 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. 2014-140 duly passed by the Mayor and Council of the City of Peoria, Arizona at a regular meeting held on October 7, 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

**TIERRA DEL RIO
PARCEL 2 – MID
LEGAL DESCRIPTION**

Parcel 2 as shown on the Replat of Tierra Del Rio, recorded in Book 949, Page 13, and a portion of the Final Order of Condemnation per Document 2002-0123197 of Maricopa County records, being situated within the Southwest quarter of Section 5, Township 4 North, Range 1 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

BEGINNING at a found stone accepted as the South quarter corner of said Section 5 from which a found 2" aluminum cap stamped RLS 19344 accepted as the Southwest corner of said Section 5 bears North 86°37'00" West, 2624.42 feet said point also being the southeast corner of said Parcel 2;

Thence North 86°37'00" West, 1312.21 feet along the south line of said Southwest quarter and the south line of said Parcel 2;

Thence leaving the south line of said Southwest quarter and continuing along said south line of Parcel 2, North 55°42'03" West, 210.26 feet to a non-tangent curve, concave northwesterly, having a radius of 1508.57 feet, the center of which bears North 50°46'13" West;

Thence along the westerly line of said Parcel 2 the following 9 courses:

Thence northeasterly along said curve, through a central angle of 01°31'24", an arc length of 40.11 feet to a point of non-tangency;

Thence South 55°42'03" East, 137.05 feet;

Thence North 34°17'57" East, 120.00 feet;

Thence North 55°42'03" West, 134.69 feet to a non-tangent curve, concave northwesterly, having a radius of 1508.57 feet, the center of which bears North 56°51'11" West;

Thence northeasterly along said curve, through a central angle of 06°46'07", an arc length of 178.21 feet to a point of reverse curvature concave southwesterly, having a radius of 800.00 feet;

Thence northeasterly along said curve, through a central angle of 03°33'43", an arc length of 49.73 feet to a point of reverse curvature concave northwesterly, having a radius of 800.00 feet;

Thence northeasterly along said curve, through a central angle of $11^{\circ}30'49''$, an arc length of 160.76 feet to a point of compound curvature concave northwesterly, having a radius of 1518.57 feet;

Thence northeasterly along said curve, through a central angle of $07^{\circ}09'52''$, an arc length of 189.89 feet to a point of tangency;

Thence North $11^{\circ}15'43''$ East, 186.39 feet along the west line of said Parcel 2 and the prolongation thereof;

Thence North $51^{\circ}16'20''$ East, 68.93 feet;

Thence South $88^{\circ}43'04''$ East, 429.89 feet to the beginning of a curve concave southerly, having a radius of 2800.00 feet;

Thence easterly along said curve, through a central angle of $13^{\circ}18'18''$, an arc length of 650.21 feet to a point of non-tangency;

Thence South $00^{\circ}01'15''$ East, 980.17 feet along the east line of said Parcel 2 and its prolongation to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 1276237.36 sq. ft. (29.30 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

Prepared by: HilgartWilson
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No. 1244
Date: July 28, 2014

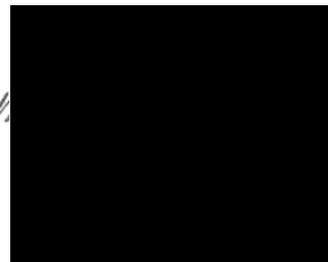


EXHIBIT “B”

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. 1172, TIERRA DEL RIO PARCEL 2.

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 7th day of October, 2014 the Mayor and Council of the City of Peoria adopted Resolution No. 2014-141; 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. 1172, 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. 1172 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. 2014-141

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. 1172, TIERRA DEL RIO PARCEL 2; 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. 1172.

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. 1172 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. 1172 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. 1172 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. 1172.

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. 1172 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. 2014-141
MID 1172 – Tierra Del Rio Parcel 2
October 7, 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 7th day of October, 2014.

Bob Barrett, Mayor

ATTEST:

Rhonda Geriminsky, City Clerk

APPROVED AS TO FORM:

Stephen M. Kemp, City Attorney

**TIERRA DEL RIO
PARCEL 2 – MID
LEGAL DESCRIPTION**

Parcel 2 as shown on the Replat of Tierra Del Rio, recorded in Book 949, Page 13, and a portion of the Final Order of Condemnation per Document 2002-0123197 of Maricopa County records, being situated within the Southwest quarter of Section 5, Township 4 North, Range 1 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

BEGINNING at a found stone accepted as the South quarter corner of said Section 5 from which a found 2" aluminum cap stamped RLS 19344 accepted as the Southwest corner of said Section 5 bears North 86°37'00" West, 2624.42 feet said point also being the southeast corner of said Parcel 2;

Thence North 86°37'00" West, 1312.21 feet along the south line of said Southwest quarter and the south line of said Parcel 2;

Thence leaving the south line of said Southwest quarter and continuing along said south line of Parcel 2, North 55°42'03" West, 210.26 feet to a non-tangent curve, concave northwesterly, having a radius of 1508.57 feet, the center of which bears North 50°46'13" West;

Thence along the westerly line of said Parcel 2 the following 9 courses:

Thence northeasterly along said curve, through a central angle of 01°31'24", an arc length of 40.11 feet to a point of non-tangency;

Thence South 55°42'03" East, 137.05 feet;

Thence North 34°17'57" East, 120.00 feet;

Thence North 55°42'03" West, 134.69 feet to a non-tangent curve, concave northwesterly, having a radius of 1508.57 feet, the center of which bears North 56°51'11" West;

Thence northeasterly along said curve, through a central angle of 06°46'07", an arc length of 178.21 feet to a point of reverse curvature concave southwesterly, having a radius of 800.00 feet;

Thence northeasterly along said curve, through a central angle of 03°33'43", an arc length of 49.73 feet to a point of reverse curvature concave northwesterly, having a radius of 800.00 feet;

Thence northeasterly along said curve, through a central angle of 11°30'49", an arc length of 160.76 feet to a point of compound curvature concave northwesterly, having a radius of 1518.57 feet;

Thence northeasterly along said curve, through a central angle of 07°09'52", an arc length of 189.89 feet to a point of tangency;

Thence North 11°15'43" East, 186.39 feet along the west line of said Parcel 2 and the prolongation thereof;

Thence North 51°16'20" East, 68.93 feet;

Thence South 88°43'04" East, 429.89 feet to the beginning of a curve concave southerly, having a radius of 2800.00 feet;

Thence easterly along said curve, through a central angle of 13°18'18", an arc length of 650.21 feet to a point of non-tangency;

Thence South 00°01'15" East, 980.17 feet along the east line of said Parcel 2 and its prolongation to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 1276237.36 sq. ft. (29.30 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

Prepared by: HilgartWilson
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No. 1244
Date: July 28, 2014

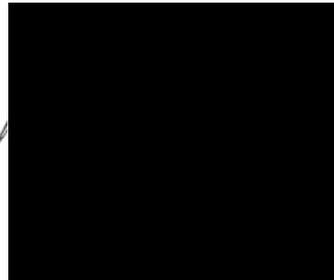
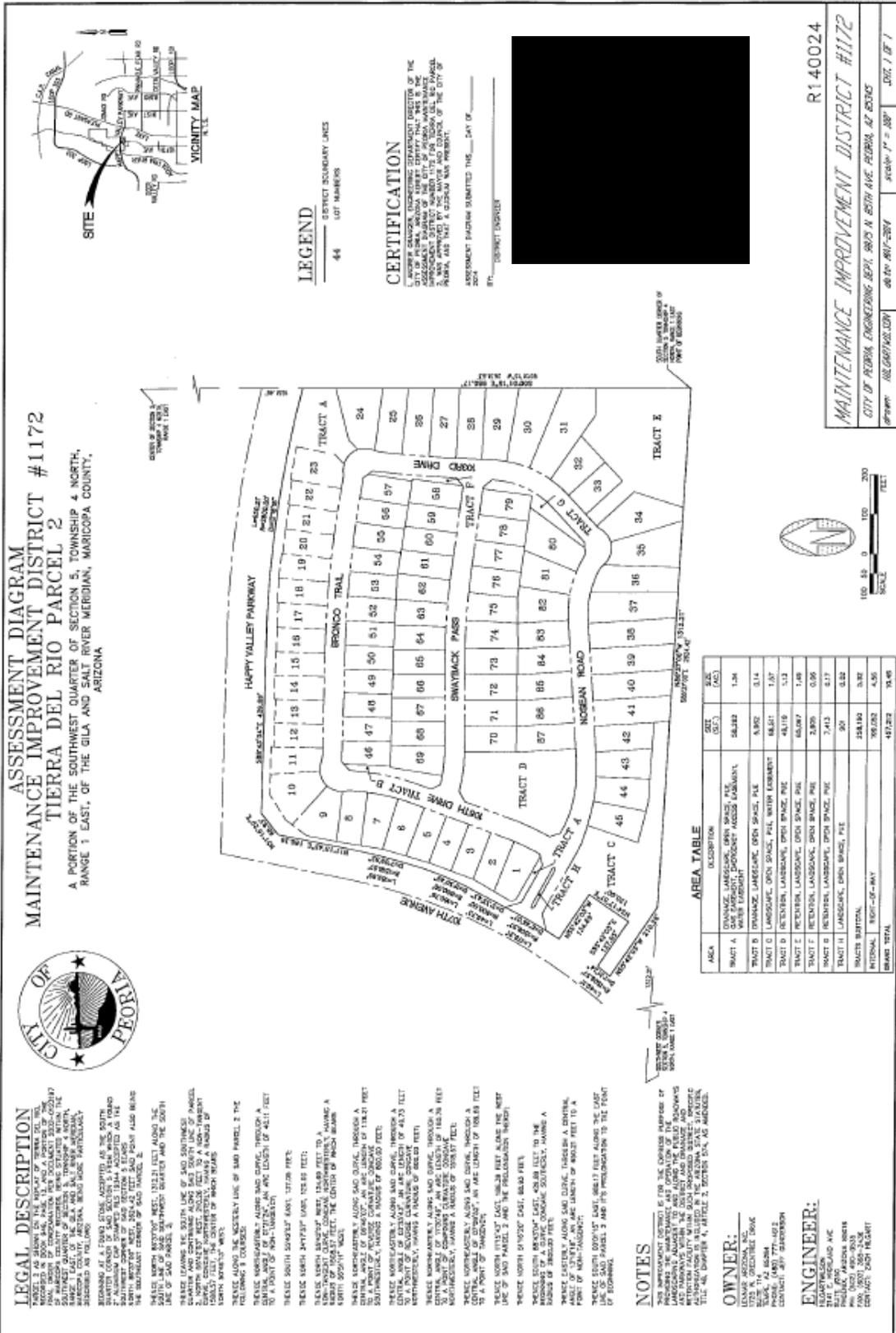


EXHIBIT “B”

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: 18C

Date Prepared: September 2, 2014

Council Meeting Date: October 7, 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. 1173, Tierra Del Rio Parcel 3, 107th Avenue and Happy Valley Parkway

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. 1173, Tierra Del Rio Parcel 3, 107th Avenue and Happy Valley Parkway, 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 operations, 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. 1173, Tierra Del Rio Parcel 3, located at 107th Avenue and Happy Valley Parkway. 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 Tierra Del Rio Parcel 3 was approved by the City on August 27, 2014 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**

[1173]
MID#

[Tierra Del Rio Parcel 3]
Subdivision Name

To: Honorable Mayor and Council
City of Peoria, Arizona

Pursuant to Arizona Revised Statutes, Sections 48-574 and 48-575, the undersigned property owner respectfully petitions the City Council of the City of Peoria, Arizona (City Council) to order the formation of a Municipal 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 21.18 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 _____ day of _____ 20_14_.

<p>Lennar Arizona Inc. _____ Print Property Owner Name Jeff Gunderson _____ Print Name 1725 W. Greentree Drive Suite #114; Tempe, AZ 85284 Address _____ Signature _____</p>	<p>Date: <u>3/2/14</u></p>	<p>Property (Tax Parcel Numbers) <u>201-17-053</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. 2014-142

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. 1173, TIERRA DEL RIO PARCEL 3, 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. 1173 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. 1173

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. 1173.

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. Existing Maintenance Improvement District.

This proposed Maintenance Improvement District for Tierra Del Rio Parcel 3 is subject to the existing Tierra Del Rio Development Master Maintenance Improvement District #1062.

Section 7. 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 8. 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 9. 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 10. 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.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 7th day of October, 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. 2014-143 duly passed by the Mayor and Council of the City of Peoria, Arizona at a regular meeting held on October 7, 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

**TIERRA DEL RIO
PARCEL 3 – MID
LEGAL DESCRIPTION**

A portion of Parcel 3 and a portion of 108th Avenue as shown on the Replat of Tierra Del Rio, recorded in Book 949, Page 13, of Maricopa County records, being situated within the Southwest quarter of Section 5 and the Southeast quarter of Section 6, Township 4 North, Range 1 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a found 2" aluminum cap stamped RLS 19344 accepted as the Southeast corner of said Section 6 from which a found 2" iron pipe with a plastic cap stamped LS 18214 accepted as the south quarter corner of said Section 6 bears North 89°47'08" West, 2710.82 feet said point also being on the south line of said Parcel 3;

Thence North 89°47'08" West, 130.27 feet along the south line of said Southeast quarter and the south line of said Parcel 3 to the southwest corner of said Parcel 3;

Thence leaving said south line, North 00°12'40" East, 291.21 feet along the west line of said Parcel 3 to the **POINT OF BEGINNING**;

Thence continuing along the west line of said Parcel 3, North 00°12'40" East, 116.14 feet to the centerline of said 108th Avenue;

Thence leaving said west line, North 00°12'40" East, 554.09 feet along said centerline to the southerly Right-of-Way line of Happy Valley Parkway as shown on said Replat;

Thence along said Right-of-Way, South 88°43'04" East, 1477.01 feet;

Thence leaving said Right-of-Way of Happy Valley Parkway, South 11°15'43" West, 204.99 feet along the easterly line of said Parcel 3 to the beginning of a curve concave northwesterly, having a radius of 1368.57 feet;

Thence southerly along said curve and said easterly line, through a central angle of 07°09'52", an arc length of 171.13 feet to a tangent reverse curve, concave southeasterly, having a radius of 1443.00 feet;

Thence southerly along said curve and continuing along said easterly line, through a central angle of 02°33'30", an arc length of 64.44 feet to a tangent reverse curve concave northwesterly, having a radius of 757.00 feet;

Thence southerly along said curve and continuing along said easterly line, through a central angle of 11°38'57", an arc length of 153.91 feet to a compound curve concave northwesterly, having a radius of 1378.57 feet;

Thence southwesterly along said curve and continuing along said easterly line, through a central angle of 08°06'20", an arc length of 195.02 feet to a point of non-tangency;

Thence leaving said easterly line, North 54°22'39" West, 88.80 feet;

Thence North 65°02'52" West, 55.00 feet;

Thence North 73°48'36" West, 55.00 feet;

Thence North 82°34'19" West, 55.00 feet;

Thence North 88°32'24" West, 55.00 feet;

Thence North 88°43'04" West, 604.89 feet;

Thence South 89°48'09" West, 55.00 feet;

Thence South 86°03'15" West, 55.00 feet;

Thence South 83°59'15" West, 57.48 feet;

Thence South 87°07'11" West, 61.19 feet;

Thence North 89°51'47" West, 58.19 feet;

Thence North 89°47'20" West, 42.00 feet to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 922677 sq. ft. (21.18 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

Prepared by: HilgartWilson
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No. 1244
Date: July 28, 2014

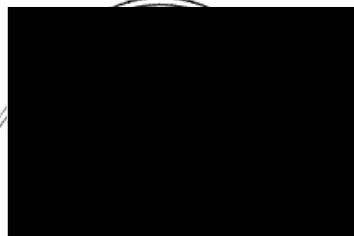


EXHIBIT “B”

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. 1173, TIERRA DEL RIO PARCEL 3.

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 7th day of October, 2014 the Mayor and Council of the City of Peoria adopted Resolution No. 2014-143 ; 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. 1173, 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. 1173 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. 2014-143

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. 1173, TIERRA DEL RIO PARCEL 3; 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. 1173.

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. 1173 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. 1173 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. 1173 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. 1173.

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. 1173 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. 2014-143
MID 1173 – Tierra Del Rio Parcel 3
October 7, 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 7th day of October, 2014.

Bob Barrett, Mayor

ATTEST:

Rhonda Geriminsky, City Clerk

APPROVED AS TO FORM:

Stephen M. Kemp, City Attorney

**TIERRA DEL RIO
PARCEL 3 – MID
LEGAL DESCRIPTION**

A portion of Parcel 3 and a portion of 108th Avenue as shown on the Replat of Tierra Del Rio, recorded in Book 949, Page 13, of Maricopa County records, being situated within the Southwest quarter of Section 5 and the Southeast quarter of Section 6, Township 4 North, Range 1 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a found 2" aluminum cap stamped RLS 19344 accepted as the Southeast corner of said Section 6 from which a found 2" iron pipe with a plastic cap stamped LS 18214 accepted as the south quarter corner of said Section 6 bears North 89°47'08" West, 2710.82 feet said point also being on the south line of said Parcel 3;

Thence North 89°47'08" West, 130.27 feet along the south line of said Southeast quarter and the south line of said Parcel 3 to the southwest corner of said Parcel 3;

Thence leaving said south line, North 00°12'40" East, 291.21 feet along the west line of said Parcel 3 to the **POINT OF BEGINNING**;

Thence continuing along the west line of said Parcel 3, North 00°12'40" East, 116.14 feet to the centerline of said 108th Avenue;

Thence leaving said west line, North 00°12'40" East, 554.09 feet along said centerline to the southerly Right-of-Way line of Happy Valley Parkway as shown on said Replat;

Thence along said Right-of-Way, South 88°43'04" East, 1477.01 feet;

Thence leaving said Right-of-Way of Happy Valley Parkway, South 11°15'43" West, 204.99 feet along the easterly line of said Parcel 3 to the beginning of a curve concave northwesterly, having a radius of 1368.57 feet;

Thence southerly along said curve and said easterly line, through a central angle of 07°09'52", an arc length of 171.13 feet to a tangent reverse curve, concave southeasterly, having a radius of 1443.00 feet;

Thence southerly along said curve and continuing along said easterly line, through a central angle of 02°33'30", an arc length of 64.44 feet to a tangent reverse curve concave northwesterly, having a radius of 757.00 feet;

Thence southerly along said curve and continuing along said easterly line, through a central angle of 11°38'57", an arc length of 153.91 feet to a compound curve concave northwesterly, having a radius of 1378.57 feet;

Resolution No. 2014-143
MID 1173 – Tierra Del Rio Parcel 3
October 7, 2014
Page 5 of 7 Pages

Thence southwesterly along said curve and continuing along said easterly line, through a central angle of 08°06'20", an arc length of 195.02 feet to a point of non-tangency;

Thence leaving said easterly line, North 54°22'39" West, 88.80 feet;

Thence North 65°02'52" West, 55.00 feet;

Thence North 73°48'36" West, 55.00 feet;

Thence North 82°34'19" West, 55.00 feet;

Thence North 88°32'24" West, 55.00 feet;

Thence North 88°43'04" West, 604.89 feet;

Thence South 89°48'09" West, 55.00 feet;

Thence South 86°03'15" West, 55.00 feet;

Thence South 83°59'15" West, 57.48 feet;

Thence South 87°07'11" West, 61.19 feet;

Thence North 89°51'47" West, 58.19 feet;

Thence North 89°47'20" West, 42.00 feet to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 922677 sq. ft. (21.18 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

Prepared by: HilgartWilson
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No. 1244
Date: July 28, 2014

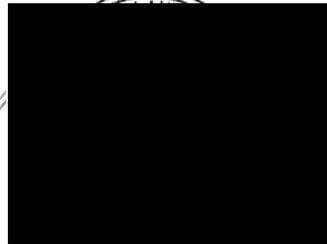


EXHIBIT “B”

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: 19C

Date Prepared: August 28, 2014

Council Meeting Date: October 7, 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. 1101 Tierra Del Rio Parcel 2, 107th Avenue and Happy Valley Parkway

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. 1101, Tierra Del Rio Parcel 2, 107th Avenue and Happy Valley Parkway, 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. 1101, Tierra Del Rio Parcel 2, located at 107th Avenue and Happy Valley Parkway. 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 replat for Tierra Del Rio Parcel 2 was approved by the Council on August 27, 2014, 2014.

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**

[1101]

SLID#

[Tierra Del Rio Parcel 2]

Subdivision Name

To: Honorable Mayor and Council
City of Peoria, Arizona

Pursuant to Arizona Revised Statutes, Section 48-617, the undersigned property owner respectfully petitions the City Council of the City of Peoria, Arizona (City Council) to order the formation of a Municipal Street Light Improvement District under Arizona Revised Statutes, Title 48, Chapter 4, Article 2. In support of this petition, the undersigned states 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", which is attached hereto and incorporated herein by reference. The proposed district consists of 35.5935 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 purchase of electricity for lighting the streets and public parks within the proposed district.
4. Public Convenience and Necessity. The necessity for the proposed district is the purchase of electricity for lighting the streets and public parks 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;
 - (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 3rd
day of March 2014.

Lennar Arizona Inc. Print Property Owner Name Jeff Gunderson Print Name 1725 W. Greentree Drive Suite #114; Tempe, AZ 85284 Address  Signature 	Date: <u>3/3/14</u>	Property (Tax Parcel Numbers) <u>201-17-052</u>
Print Property Owner Name Print Name Address Signature	Date: _____	Property (Tax Parcel Numbers) _____

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. 2014-144

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. 1101, TIERRA DEL RIO PARCEL 2; 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. 1101 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. 1101 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. 1101 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. 1101.

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. 1101 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. 2014-144
SLID 1101, Tierra Del Rio Parcel 2
October 7, 2014
Page 3 of 7 Pages

PASSED AND ADOPTED by the Mayor and Council of the City of
Peoria, Arizona, this 7th day of October, 2014.

Bob Barrett, Mayor

ATTEST:

Rhonda Geriminsky, City Clerk

APPROVED AS TO FORM:

Stephen M. Kemp, City Attorney

**TIERRA DEL RIO
PARCEL 2 – SLID
LEGAL DESCRIPTION**

Parcel 2 and a portion of 107th Avenue and a portion of Happy Valley Parkway as shown on the Replat of Tierra Del Rio, recorded in Book 949, Page 13, of Maricopa County records, being situated within the Southwest quarter of Section 5, Township 4 North, Range 1 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

BEGINNING at a found stone accepted as the South quarter corner of said Section 5 from which a found 2" aluminum cap stamped RLS 19344 accepted as the Southwest corner of said Section 5 bears North 86°37'00" West, 2624.42 feet said point also being the southeast corner of said Parcel 2;

Thence North 86°37'00" West, 1312.21 feet along the south line of said Southwest quarter and along the southerly line of said Parcel 2;

Thence leaving the south line of said Southwest quarter and continuing along the southerly line of said Parcel 2 and the prolongation thereof, North 55°42'03" West, 275.51 feet to the centerline of said 107th Avenue and to a non-tangent curve, concave northwesterly, having a radius of 1443.57 feet, the center of which bears North 50°32'51" West;

Thence along said curve and said centerline, through a central angle of 28°11'25", an arc length of 710.26 feet to a point of tangency;

Thence continuing along said centerline, North 11°15'43" East, 319.73 feet to the centerline of said Happy Valley Parkway;

Thence leaving said centerline of 107th Avenue and along said centerline of Happy Valley Parkway, South 88°43'04" East, 533.44 feet to the beginning of a curve concave southerly, having a radius of 2900.00 feet;

Thence easterly along said curve and continuing along the centerline of said Happy Valley Road, through a central angle of 12°47'27", an arc length of 647.40 feet to a point of non-tangency;

Thence leaving said centerline, South 00°01'15" East, 1083.39 feet along the easterly line of said Parcel 2 and the prolongation thereof to the **POINT OF BEGINNING**.

EXCEPT

Tract D as shown on the Replat of Tierra Del Rio, recorded in Book 949, Page 13, of Maricopa County records, being situated within the Southwest quarter of Section 5, Township 4 North, Range 1 East, of the Gila and Salt River Meridian, Maricopa County, Arizona.

Resolution No. 2014-144
SLID 1101, Tierra Del Rio Parcel 2
October 7, 2014
Page 5 of 7 Pages

The above described parcel contains a computed area of 1463339 sq. ft. (33.5935 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

Prepared by: HilgartWilson
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No. 1244
Date: July 28, 2014

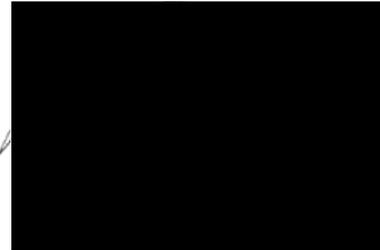


EXHIBIT "B"

IS ON FILE IN THE

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

RESOLUTION NO. 2014-145

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. 1101, TIERRA DEL RIO PARCEL 2 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 7th day of October, 2014, the Mayor and Council of the City of Peoria, Arizona, passed and adopted Resolution No. 2014-144 resolution to purchase electricity, 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. 1101; 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. 2014-145 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. 2014-145, 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. 2014-145 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. 2014-145 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. 2014-145; 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. 2014-145 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 7th day of October, 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. 2014-145
SLID 1101, Tiera Del Rio Parcel 2
October 1, 2014
Page 3 of 8 Pages

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 7th day of October, 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**

**TIERRA DEL RIO
PARCEL 2 – SLID
LEGAL DESCRIPTION**

Parcel 2 and a portion of 107th Avenue and a portion of Happy Valley Parkway as shown on the Replat of Tierra Del Rio, recorded in Book 949, Page 13, of Maricopa County records, being situated within the Southwest quarter of Section 5, Township 4 North, Range 1 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

BEGINNING at a found stone accepted as the South quarter corner of said Section 5 from which a found 2" aluminum cap stamped RLS 19344 accepted as the Southwest corner of said Section 5 bears North 86°37'00" West, 2624.42 feet said point also being the southeast corner of said Parcel 2;

Thence North 86°37'00" West, 1312.21 feet along the south line of said Southwest quarter and along the southerly line of said Parcel 2;

Thence leaving the south line of said Southwest quarter and continuing along the southerly line of said Parcel 2 and the prolongation thereof, North 55°42'03" West, 275.51 feet to the centerline of said 107th Avenue and to a non-tangent curve, concave northwesterly, having a radius of 1443.57 feet, the center of which bears North 50°32'51" West;

Thence along said curve and said centerline, through a central angle of 28°11'25", an arc length of 710.26 feet to a point of tangency;

Thence continuing along said centerline, North 11°15'43" East, 319.73 feet to the centerline of said Happy Valley Parkway;

Thence leaving said centerline of 107th Avenue and along said centerline of Happy Valley Parkway, South 88°43'04" East, 533.44 feet to the beginning of a curve concave southerly, having a radius of 2900.00 feet;

Thence easterly along said curve and continuing along the centerline of said Happy Valley Road, through a central angle of 12°47'27", an arc length of 647.40 feet to a point of non-tangency;

Thence leaving said centerline, South 00°01'15" East, 1083.39 feet along the easterly line of said Parcel 2 and the prolongation thereof to the **POINT OF BEGINNING**.

EXCEPT

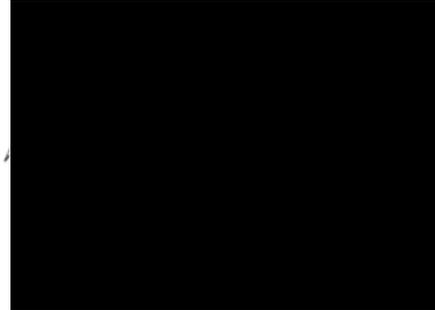
Tract D as shown on the Replat of Tierra Del Rio, recorded in Book 949, Page 13, of Maricopa County records, being situated within the Southwest quarter of Section 5, Township 4 North, Range 1 East, of the Gila and Salt River Meridian, Maricopa County, Arizona.

Resolution No. 2014-145
SLID 1101, Tiera Del Rio Parcel 2
October 1, 2014
Page 7 of 8 Pages

The above described parcel contains a computed area of 1463339 sq. ft. (33.5935 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

Prepared by: HilgartWilson
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No. 1244
Date: July 28, 2014



**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. 1101, TIERA DEL RIO PARCEL 2**

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 7th day of October, 2014, the Mayor and Council of the City of Peoria adopted Resolution No. 2014-145; 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. 1101, 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. 1101 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: 20C

Date Prepared: September 2, 2014

Council Meeting Date: October 7, 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. 1102 Tierra Del Rio Parcel 3, 107th Avenue and Happy Valley Parkway

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. 1102, Tierra Del Rio Parcel 3, 107th Avenue and Happy Valley Parkway, 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. 1102 Tierra Del Rio Parcel 3, located at 107th Avenue and Happy Valley Parkway. 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 replat for Tierra Del Rio Parcel 3 was approved by the Council on August 27, 2014.

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**

[1102]

SLID#

[Tierra Del Rio Parcel 3]

Subdivision Name

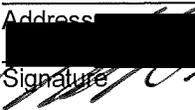
To: Honorable Mayor and Council
City of Peoria, Arizona

Pursuant to Arizona Revised Statutes, Section 48-617, the undersigned property owner respectfully petitions the City Council of the City of Peoria, Arizona (City Council) to order the formation of a Municipal Street Light Improvement District under Arizona Revised Statutes, Title 48, Chapter 4, Article 2. In support of this petition, the undersigned states 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", which is attached hereto and incorporated herein by reference. The proposed district consists of 26.0903 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 purchase of electricity for lighting the streets and public parks within the proposed district.
4. Public Convenience and Necessity. The necessity for the proposed district is the purchase of electricity for lighting the streets and public parks 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;
 - (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 3rd
day of March 20 14.

Lennar Arizona Inc. Print Property Owner Name Jeff Gunderson Print Name 1725 W. Greentree Drive Suite #114; Tempe, AZ 85284 Address [REDACTED] Signature 	Date: <u>3/3/14</u>	Property (Tax Parcel Numbers) <u>201-17-053</u>
Print Property Owner Name Print Name Address Signature	Date: _____	Property (Tax Parcel Numbers) _____

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. 2014-146

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. 1102, TIERRA DEL RIO PARCEL 3; 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. 1102 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. 1102 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. 1102 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. 1102.

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. 1102 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. 2014-146
SLID 1102, Tierra Del Rio Parcel 3
October 7, 2014
Page 3 of 7 Pages

PASSED AND ADOPTED by the Mayor and Council of the City of
Peoria, Arizona, this 7th day of October, 2014.

Bob Barrett, Mayor

ATTEST:

Rhonda Geriminsky, City Clerk

APPROVED AS TO FORM:

Stephen M. Kemp, City Attorney

**TIERRA DEL RIO
PARCEL 3 – SLID
LEGAL DESCRIPTION**

A portion Parcel 3 and a portion of 108th Avenue and a portion of Happy Valley Parkway and a portion of 107th Avenue as shown on the Replat of Tierra Del Rio, recorded in Book 949, Page 13, of Maricopa County records, being situated within the Southwest quarter of Section 5 and the Southeast quarter of Section 6, Township 4 North, Range 1 East, of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a found 2" aluminum cap stamped RLS 19344 accepted as the Southeast corner of said Section 6 from which a found 2" iron pipe with a plastic cap stamped LS 18214 accepted as the south quarter corner of said Section 6 bears North 89°47'08" West, 2710.82 feet said point also being on the south line of said Parcel 3;

Thence North 89°47'08" West, 130.27 feet along the south line of said Southeast quarter and the south line of said Parcel 3 to the southwest corner of said Parcel 3;

Thence leaving said south line, North 00°12'40" East, 291.21 feet along the west line of said Parcel 3 to the **POINT OF BEGINNING**;

Thence continuing along the west line of said Parcel 3, North 00°12'40" East, 116.14 feet to the centerline of said 108th Avenue;

Thence leaving said west line and along the centerline of said 108th Avenue and the prolongation thereof, North 00°12'40" East, 654.11 feet to the centerline of Happy Valley Parkway as shown on said Final Plat;

Thence South 88°43'04" East, 1572.63 feet along the said centerline of Happy Valley Parkway to the centerline of 107th Avenue as shown on said Final Plat;

Thence South 11°15'43" West, 319.73 feet along the centerline of said 107th Avenue to the beginning of a curve concave northwesterly, having a radius of 1443.57 feet;

Thence southerly along said curve and said centerline of 107th Avenue, through a central angle of 24°21'38", an arc length of 613.76 feet to a point of non-tangency;

Thence leaving said centerline, North 54°22'39" West, 65.00 feet;

Thence North 54°22'39" West, 88.80 feet;

Thence North 65°02'52" West, 55.00 feet;
Thence North 73°48'36" West, 55.00 feet;
Thence North 82°34'19" West, 55.00 feet;
Thence North 88°32'24" West, 55.00 feet;
Thence North 88°43'04" West, 604.89 feet;
Thence South 89°48'09" West, 55.00 feet;
Thence South 86°03'15" West, 55.00 feet;
Thence South 83°59'15" West, 57.48 feet;
Thence South 87°07'11" West, 61.19 feet;
Thence North 89°51'47" West, 58.19 feet;
Thence North 89°47'20" West, 42.00 feet to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 1136494 sq. ft. (26.0903 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

Prepared by: HilgartWilson
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No. 1244
Date: July 28, 2014

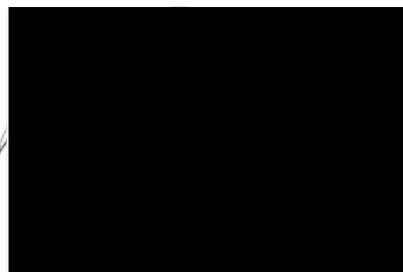


EXHIBIT "B"

IS ON FILE IN THE

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

RESOLUTION NO. 2014-147

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. 1102, TIERRA DEL RIO PARCEL 3 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 7th day of October, 2014, the Mayor and Council of the City of Peoria, Arizona, passed and adopted Resolution No. 2014-146 resolution to purchase electricity, 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. 1102; 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. 2014-147 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. 2014-147, 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. 2014-147 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. 2014-147 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. 2014-147; 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. 2014-147 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 7th day of October, 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. 2014-147
SLID 1102, Tierra Del Rio Parcel 3
October 7, 2014
Page 3 of 8 Pages

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 7th day of October, 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**

**TIERRA DEL RIO
PARCEL 3 – SLID
LEGAL DESCRIPTION**

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Thence leaving said south line, North 00°12'40" East, 291.21 feet along the west line of said Parcel 3 to the **POINT OF BEGINNING**;

Thence continuing along the west line of said Parcel 3, North 00°12'40" East, 116.14 feet to the centerline of said 108th Avenue;

Thence leaving said west line and along the centerline of said 108th Avenue and the prolongation thereof, North 00°12'40" East, 654.11 feet to the centerline of Happy Valley Parkway as shown on said Final Plat;

Thence South 88°43'04" East, 1572.63 feet along the said centerline of Happy Valley Parkway to the centerline of 107th Avenue as shown on said Final Plat;

Thence South 11°15'43" West, 319.73 feet along the centerline of said 107th Avenue to the beginning of a curve concave northwesterly, having a radius of 1443.57 feet;

Thence southerly along said curve and said centerline of 107th Avenue, through a central angle of 24°21'38", an arc length of 613.76 feet to a point of non-tangency;

Thence leaving said centerline, North 54°22'39" West, 65.00 feet;

Thence North 54°22'39" West, 88.80 feet;

Thence North 65°02'52" West, 55.00 feet;
Thence North 73°48'36" West, 55.00 feet;
Thence North 82°34'19" West, 55.00 feet;
Thence North 88°32'24" West, 55.00 feet;
Thence North 88°43'04" West, 604.89 feet;
Thence South 89°48'09" West, 55.00 feet;
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Thence South 87°07'11" West, 61.19 feet;
Thence North 89°51'47" West, 58.19 feet;
Thence North 89°47'20" West, 42.00 feet to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 1136494 sq. ft. (26.0903 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

Prepared by: HilgartWilson
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No. 1244
Date: July 28, 2014



**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. 1102, TIERRA DEL RIO PARCEL 3**

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 7th day of October, 2014, the Mayor and Council of the City of Peoria adopted Resolution No. 2014-147; 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. 1102, 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. 1102 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: 21C

Date Prepared: August 28, 2014

Council Meeting Date: October 7, 2014

TO: Carl Swenson, City Manager

FROM: Scott Whyte, Economic Development Services Director

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Master Final Plat, Aloravita Phase 1, 75th Avenue and Jomax Road (Project No. R140052)

Purpose:

This is a request for City Council to approve the Master Final Plat for Aloravita Phase 1, located on 75th Avenue and Jomax Road, and authorize the Mayor and City Clerk to sign and record the Master 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 Master 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 Master 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 Master Final Plat.
4. In the event that the Master Final Plat is not recorded within 60 days of Council approval, the Master 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 Master Final Plat is to dedicate the major roadway network and establish the overall parcel boundaries. As each parcel is ready to develop, it will be necessary to replat that parcel, to dedicate the local roadways and establish the individual lots.

Previous Actions:

There has been no previous Council action.

Options:

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

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

Staff's Recommendation:

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

Fiscal Analysis:

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

Narrative:

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

Exhibit(s):

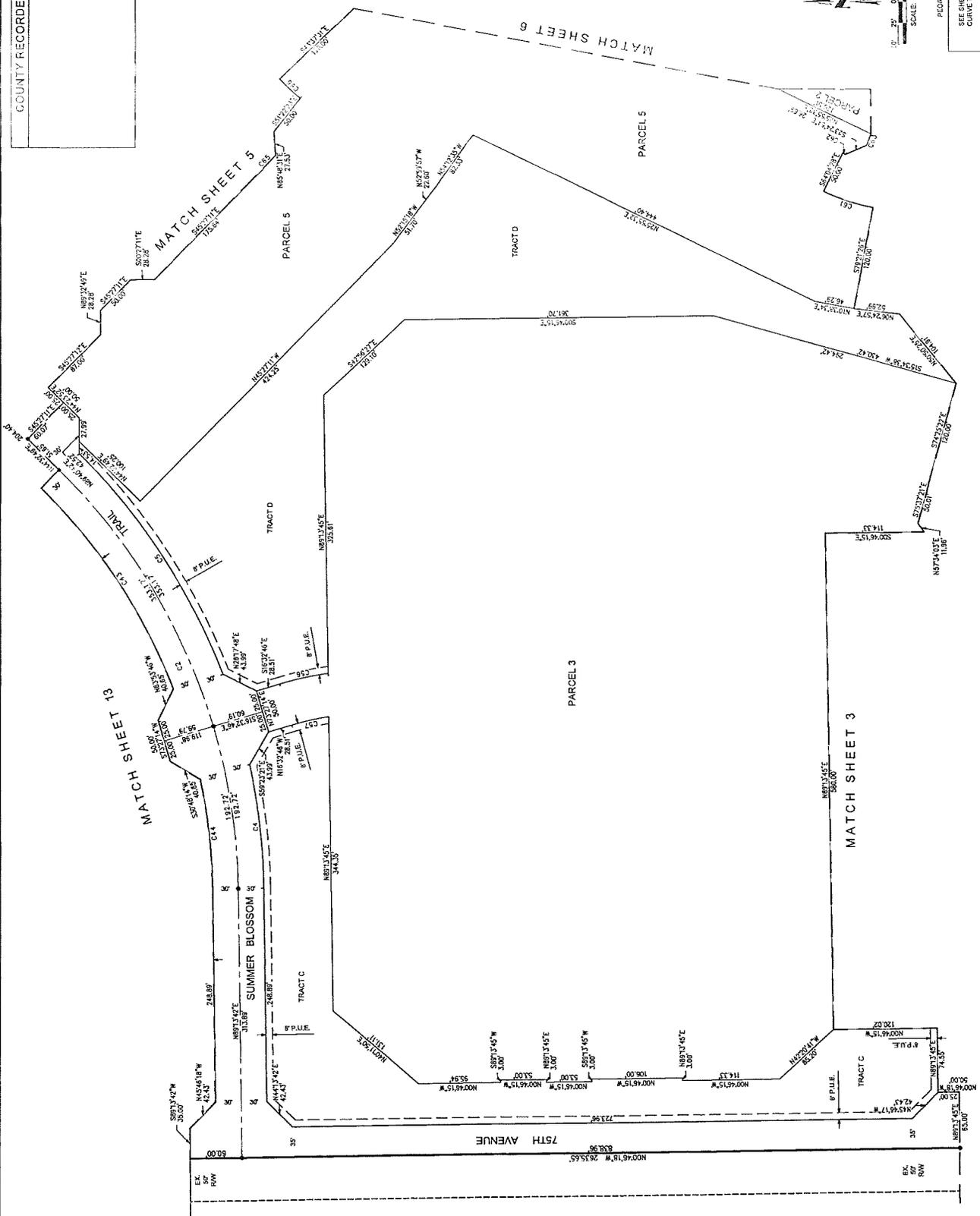
Exhibit 1: Master Final Plat

Exhibit 2: Vicinity Map

Contact Name and Number:

Jodi Breyfogle, PE: 623-773-7577

COUNTY RECORDER



COUNTY RECORDER

CURVE TABLE

NO.	CHORD	ARC	ANGLE	CHORD BEARING	ARC BEARING
1	400.00	406.02	07.84°	S 89° 51' 20" W	S 89° 51' 20" W
2	700.00	644.40	40.54°	S 67° 07' 53" W	S 67° 07' 53" W
3	675.00	648.01	07.12°	S 89° 51' 20" W	S 89° 51' 20" W
4	735.00	609.93	07.41°	S 89° 51' 20" W	S 89° 51' 20" W
5	645.00	603.54	07.42°	S 89° 51' 20" W	S 89° 51' 20" W
6	735.00	609.93	07.41°	S 89° 51' 20" W	S 89° 51' 20" W
7	675.00	648.01	07.12°	S 89° 51' 20" W	S 89° 51' 20" W
8	700.00	644.40	40.54°	S 67° 07' 53" W	S 67° 07' 53" W
9	400.00	406.02	07.84°	S 89° 51' 20" W	S 89° 51' 20" W
10	700.00	644.40	40.54°	S 67° 07' 53" W	S 67° 07' 53" W
11	675.00	648.01	07.12°	S 89° 51' 20" W	S 89° 51' 20" W
12	735.00	609.93	07.41°	S 89° 51' 20" W	S 89° 51' 20" W
13	645.00	603.54	07.42°	S 89° 51' 20" W	S 89° 51' 20" W
14	735.00	609.93	07.41°	S 89° 51' 20" W	S 89° 51' 20" W
15	675.00	648.01	07.12°	S 89° 51' 20" W	S 89° 51' 20" W
16	700.00	644.40	40.54°	S 67° 07' 53" W	S 67° 07' 53" W
17	400.00	406.02	07.84°	S 89° 51' 20" W	S 89° 51' 20" W
18	700.00	644.40	40.54°	S 67° 07' 53" W	S 67° 07' 53" W
19	675.00	648.01	07.12°	S 89° 51' 20" W	S 89° 51' 20" W
20	735.00	609.93	07.41°	S 89° 51' 20" W	S 89° 51' 20" W
21	645.00	603.54	07.42°	S 89° 51' 20" W	S 89° 51' 20" W
22	735.00	609.93	07.41°	S 89° 51' 20" W	S 89° 51' 20" W
23	675.00	648.01	07.12°	S 89° 51' 20" W	S 89° 51' 20" W
24	700.00	644.40	40.54°	S 67° 07' 53" W	S 67° 07' 53" W
25	400.00	406.02	07.84°	S 89° 51' 20" W	S 89° 51' 20" W
26	700.00	644.40	40.54°	S 67° 07' 53" W	S 67° 07' 53" W
27	675.00	648.01	07.12°	S 89° 51' 20" W	S 89° 51' 20" W
28	735.00	609.93	07.41°	S 89° 51' 20" W	S 89° 51' 20" W
29	645.00	603.54	07.42°	S 89° 51' 20" W	S 89° 51' 20" W
30	735.00	609.93	07.41°	S 89° 51' 20" W	S 89° 51' 20" W
31	675.00	648.01	07.12°	S 89° 51' 20" W	S 89° 51' 20" W
32	700.00	644.40	40.54°	S 67° 07' 53" W	S 67° 07' 53" W
33	400.00	406.02	07.84°	S 89° 51' 20" W	S 89° 51' 20" W
34	700.00	644.40	40.54°	S 67° 07' 53" W	S 67° 07' 53" W
35	675.00	648.01	07.12°	S 89° 51' 20" W	S 89° 51' 20" W
36	735.00	609.93	07.41°	S 89° 51' 20" W	S 89° 51' 20" W
37	645.00	603.54	07.42°	S 89° 51' 20" W	S 89° 51' 20" W
38	735.00	609.93	07.41°	S 89° 51' 20" W	S 89° 51' 20" W
39	675.00	648.01	07.12°	S 89° 51' 20" W	S 89° 51' 20" W
40	700.00	644.40	40.54°	S 67° 07' 53" W	S 67° 07' 53" W
41	400.00	406.02	07.84°	S 89° 51' 20" W	S 89° 51' 20" W
42	700.00	644.40	40.54°	S 67° 07' 53" W	S 67° 07' 53" W
43	675.00	648.01	07.12°	S 89° 51' 20" W	S 89° 51' 20" W
44	735.00	609.93	07.41°	S 89° 51' 20" W	S 89° 51' 20" W
45	645.00	603.54	07.42°	S 89° 51' 20" W	S 89° 51' 20" W
46	735.00	609.93	07.41°	S 89° 51' 20" W	S 89° 51' 20" W
47	675.00	648.01	07.12°	S 89° 51' 20" W	S 89° 51' 20" W
48	700.00	644.40	40.54°	S 67° 07' 53" W	S 67° 07' 53" W
49	400.00	406.02	07.84°	S 89° 51' 20" W	S 89° 51' 20" W
50	700.00	644.40	40.54°	S 67° 07' 53" W	S 67° 07' 53" W
51	675.00	648.01	07.12°	S 89° 51' 20" W	S 89° 51' 20" W
52	735.00	609.93	07.41°	S 89° 51' 20" W	S 89° 51' 20" W
53	645.00	603.54	07.42°	S 89° 51' 20" W	S 89° 51' 20" W
54	735.00	609.93	07.41°	S 89° 51' 20" W	S 89° 51' 20" W
55	675.00	648.01	07.12°	S 89° 51' 20" W	S 89° 51' 20" W
56	700.00	644.40	40.54°	S 67° 07' 53" W	S 67° 07' 53" W
57	400.00	406.02	07.84°	S 89° 51' 20" W	S 89° 51' 20" W
58	700.00	644.40	40.54°	S 67° 07' 53" W	S 67° 07' 53" W
59	675.00	648.01	07.12°	S 89° 51' 20" W	S 89° 51' 20" W
60	735.00	609.93	07.41°	S 89° 51' 20" W	S 89° 51' 20" W
61	645.00	603.54	07.42°	S 89° 51' 20" W	S 89° 51' 20" W
62	735.00	609.93	07.41°	S 89° 51' 20" W	S 89° 51' 20" W
63	675.00	648.01	07.12°	S 89° 51' 20" W	S 89° 51' 20" W
64	700.00	644.40	40.54°	S 67° 07' 53" W	S 67° 07' 53" W
65	400.00	406.02	07.84°	S 89° 51' 20" W	S 89° 51' 20" W
66	700.00	644.40	40.54°	S 67° 07' 53" W	S 67° 07' 53" W
67	675.00	648.01	07.12°	S 89° 51' 20" W	S 89° 51' 20" W
68	735.00	609.93	07.41°	S 89° 51' 20" W	S 89° 51' 20" W
69	645.00	603.54	07.42°	S 89° 51' 20" W	S 89° 51' 20" W
70	735.00	609.93	07.41°	S 89° 51' 20" W	S 89° 51' 20" W
71	675.00	648.01	07.12°	S 89° 51' 20" W	S 89° 51' 20" W
72	700.00	644.40	40.54°	S 67° 07' 53" W	S 67° 07' 53" W

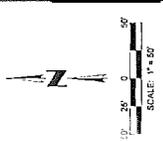
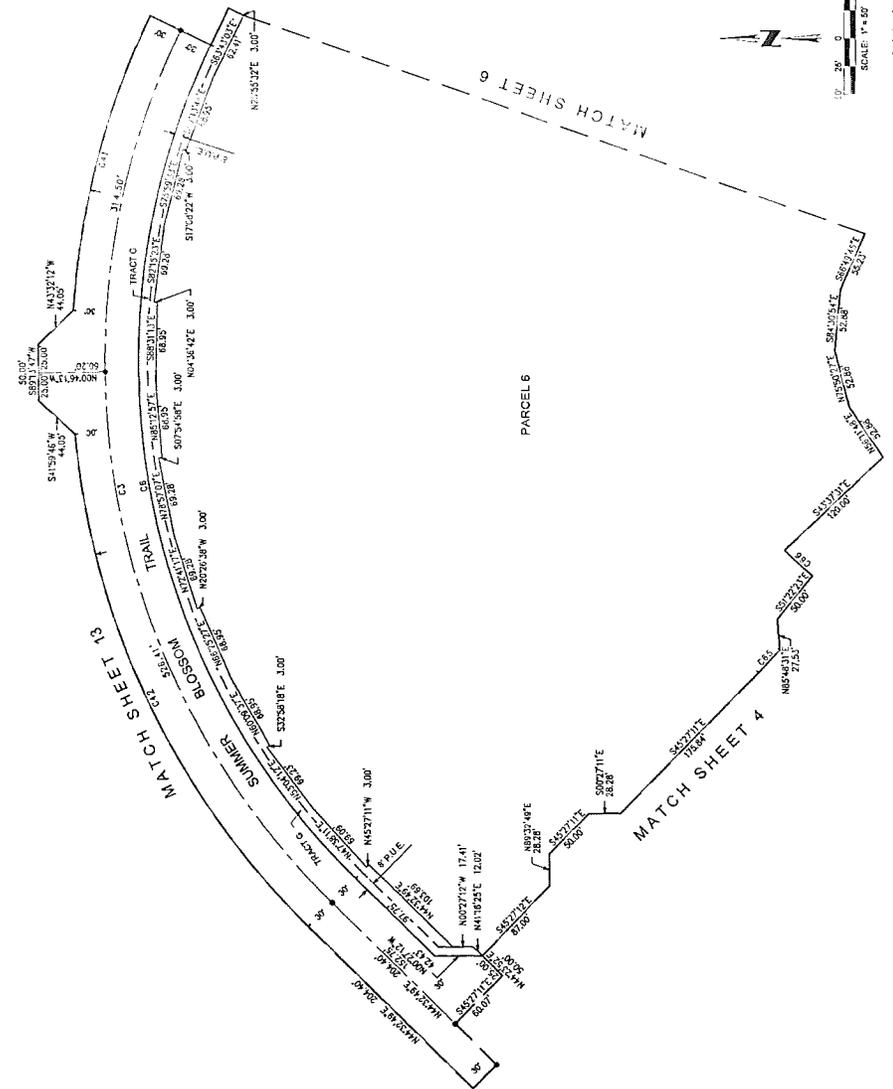
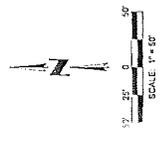
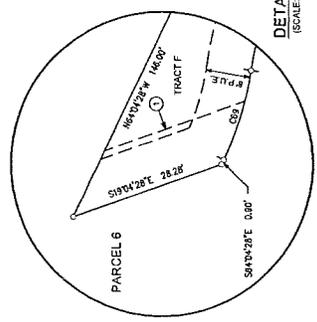
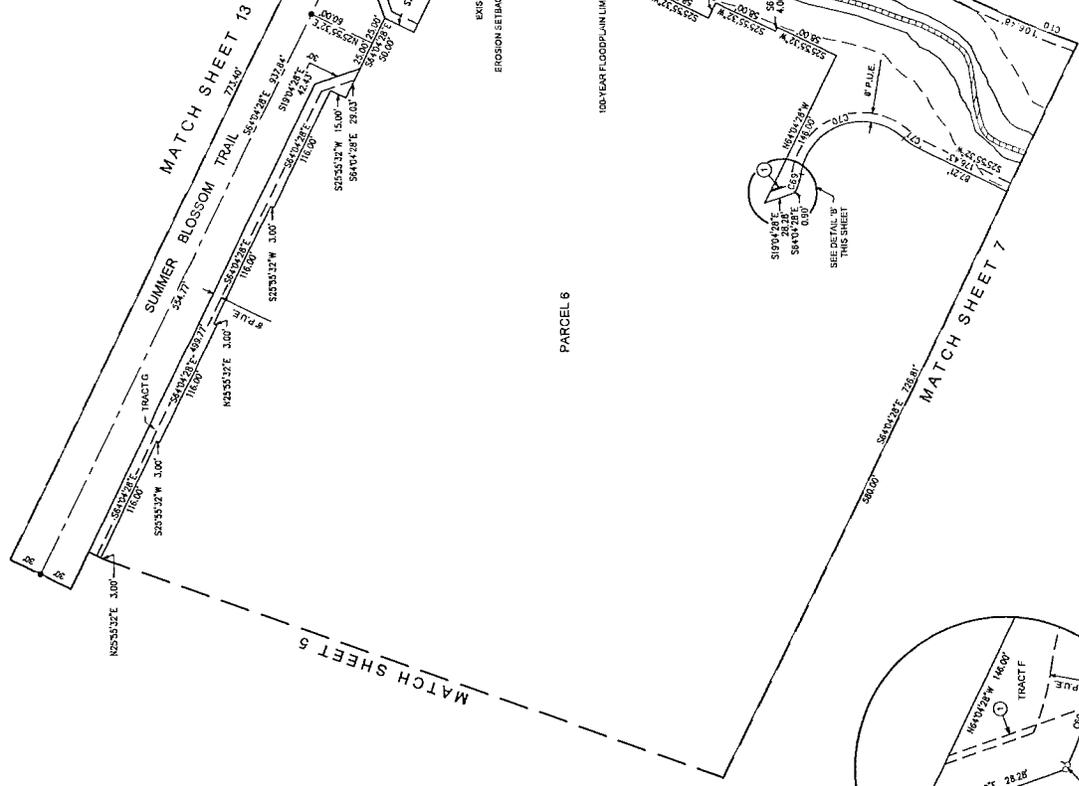
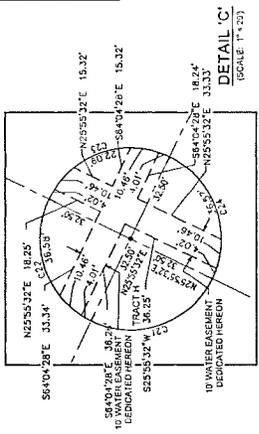


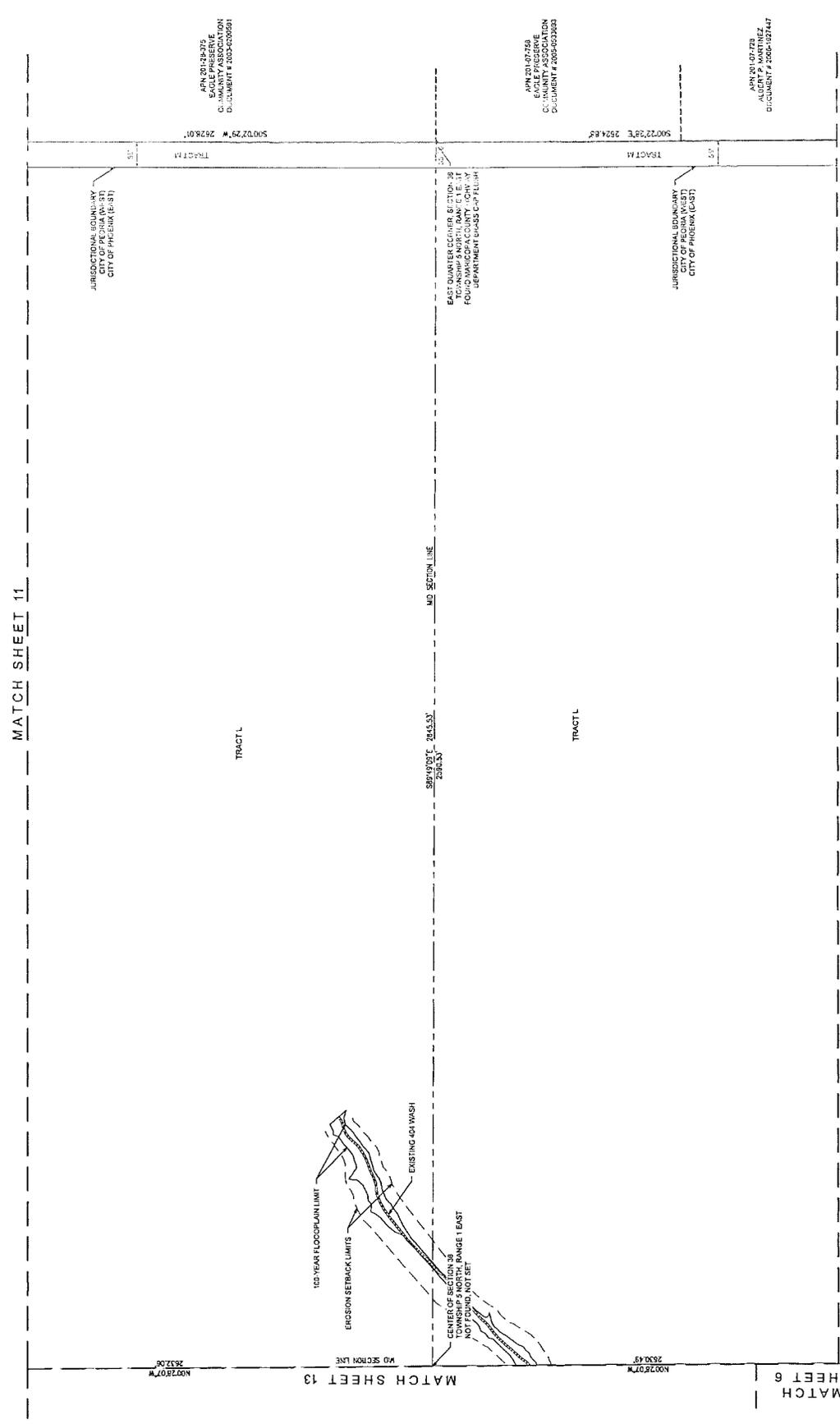
FIGURE NO. 544625
SEE SHEET 6 FOR
CURVE TABLE



COUNTY RECORDER



COUNTY RECORDER



APR 2014 24275
 EAGLE PRESERVE
 C. JIMMIEY ASSOCIATION
 DOCUMENT # 2008-020001

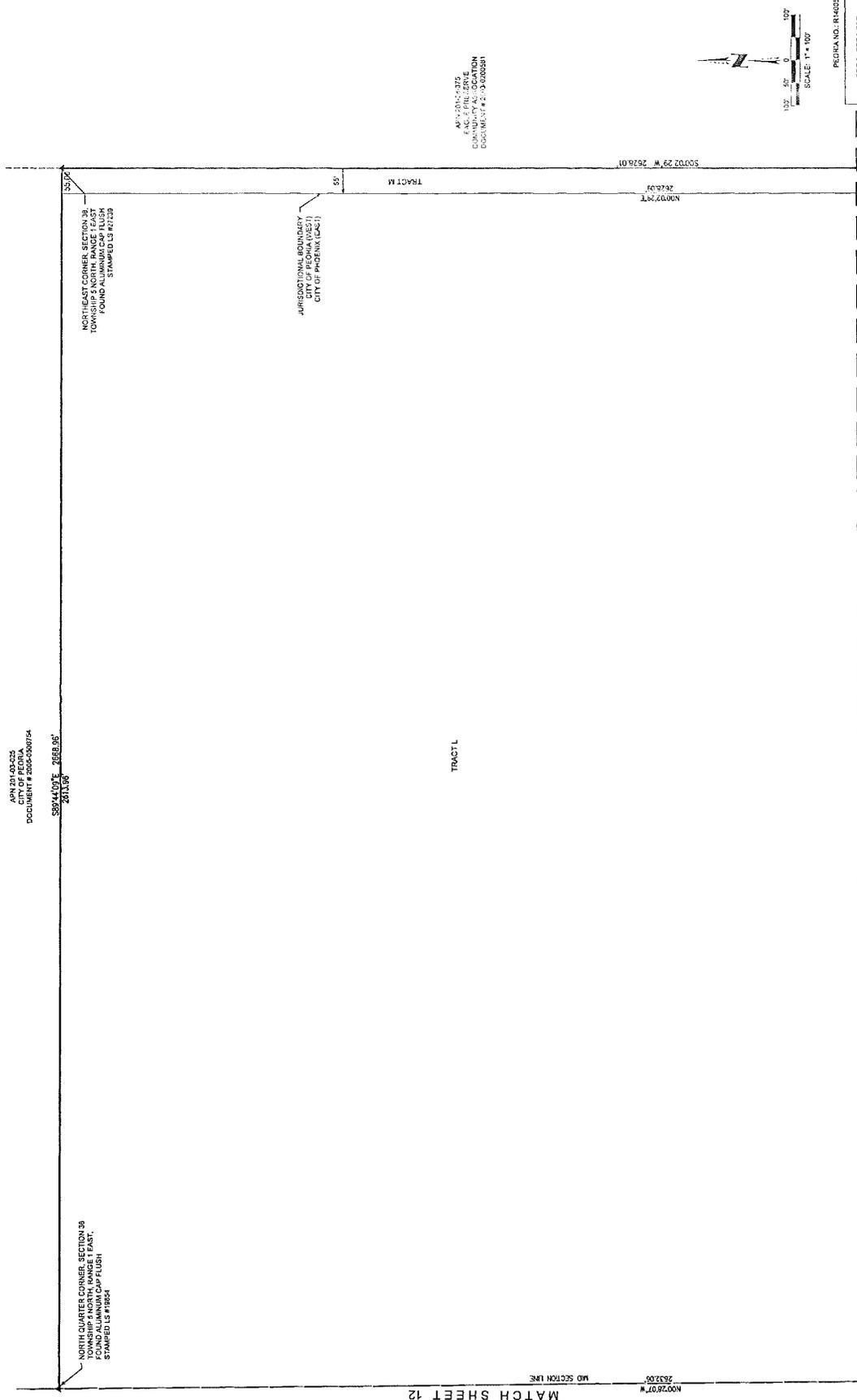
APR 2014 07259
 EAGLE PRESERVE
 C. JIMMIEY ASSOCIATION
 DOCUMENT # 2008-020003

APR 2014 07278
 ALBERT P. MARTINEZ
 DOCUMENT # 2008-027447

NO.	REVISION	DATE



COUNTY RECORDER



APN: 260-0-0376
 CITY OF PEORIA (02527)
 COMMUNITY ASSOCIATION
 DOCUMENT # 2010-000891

APN: 260-0-0325
 CITY OF PEORIA
 DOCUMENT # 2005-000754

SPAN DATE: 2008.05
 2010.06

NORTH QUARTER CORNER, SECTION 36
 TOWNSHIP 12N, RANGE 12E, COUNTY OF MARICOPA, ARIZONA
 FOUND ALUMINUM CAP FLUSH
 STAMPED LS #1854

NORTH EAST CORNER, SECTION 36
 TOWNSHIP 12N, RANGE 12E, COUNTY OF MARICOPA, ARIZONA
 FOUND ALUMINUM CAP FLUSH
 STAMPED LS #2128

JURISDICTIONAL BOUNDARY
 CITY OF PEORIA (02527)
 CITY OF PHOENIX (02511)

MATCH SHEET 12

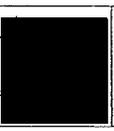
MATCH SHEET 10



4550 North 128th Street
 Phoenix, Arizona 85014
 www.cvl.com

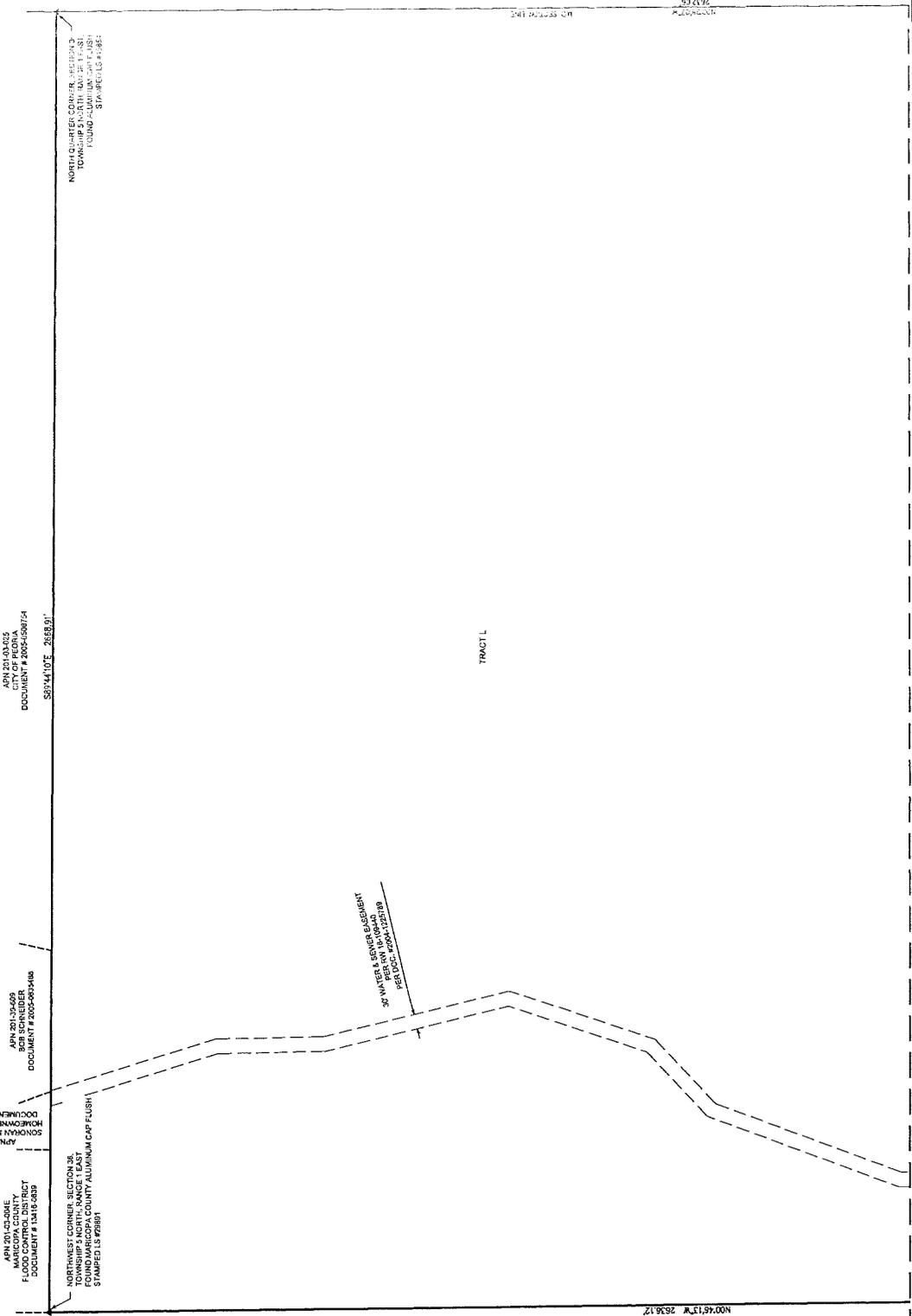
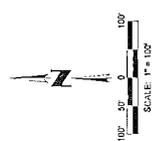
NO.	REVISION	DATE

MASTER FINAL PLAN
 ALORAVITA PHASE 1
 PEORIA, ARIZONA



12 SHEET OF 13
 SEE SHEET 6 FOR CURVE TABLE

COUNTY RECORDER



NORTHWEST CORNER SECTION 36,
 TOWNSHIP 35 NORTH, RANGE 17 WEST,
 COUNTY OF MARICOPA, ARIZONA
 FOUND MARICOPA COUNTY PLUMBLIN CAP FLUSH
 STAMPED IS #78891

NORTH QUARTER CORNER SECTION 36,
 TOWNSHIP 35 NORTH, RANGE 17 WEST,
 COUNTY OF MARICOPA, ARIZONA
 FOUND MARICOPA COUNTY PLUMBLIN CAP FLUSH
 STAMPED IS #78891

APR 2011-03-03
 MARICOPA COUNTY
 FLOOD CONTROL DISTRICT
 DOCUMENT # 15415-0039

APR 2011-03-03
 MARICOPA COUNTY
 FLOOD CONTROL DISTRICT
 DOCUMENT # 15415-0039

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 FLOOD CONTROL DISTRICT
 DOCUMENT # 15415-0039

APR 2011-03-03
 MARICOPA COUNTY
 FLOOD CONTROL DISTRICT
 DOCUMENT # 15415-0039

30" WATER & SEWER EASEMENT
 PER ORD. #2004-125718B
 PER DEC. #2004-125718B

TRACT L

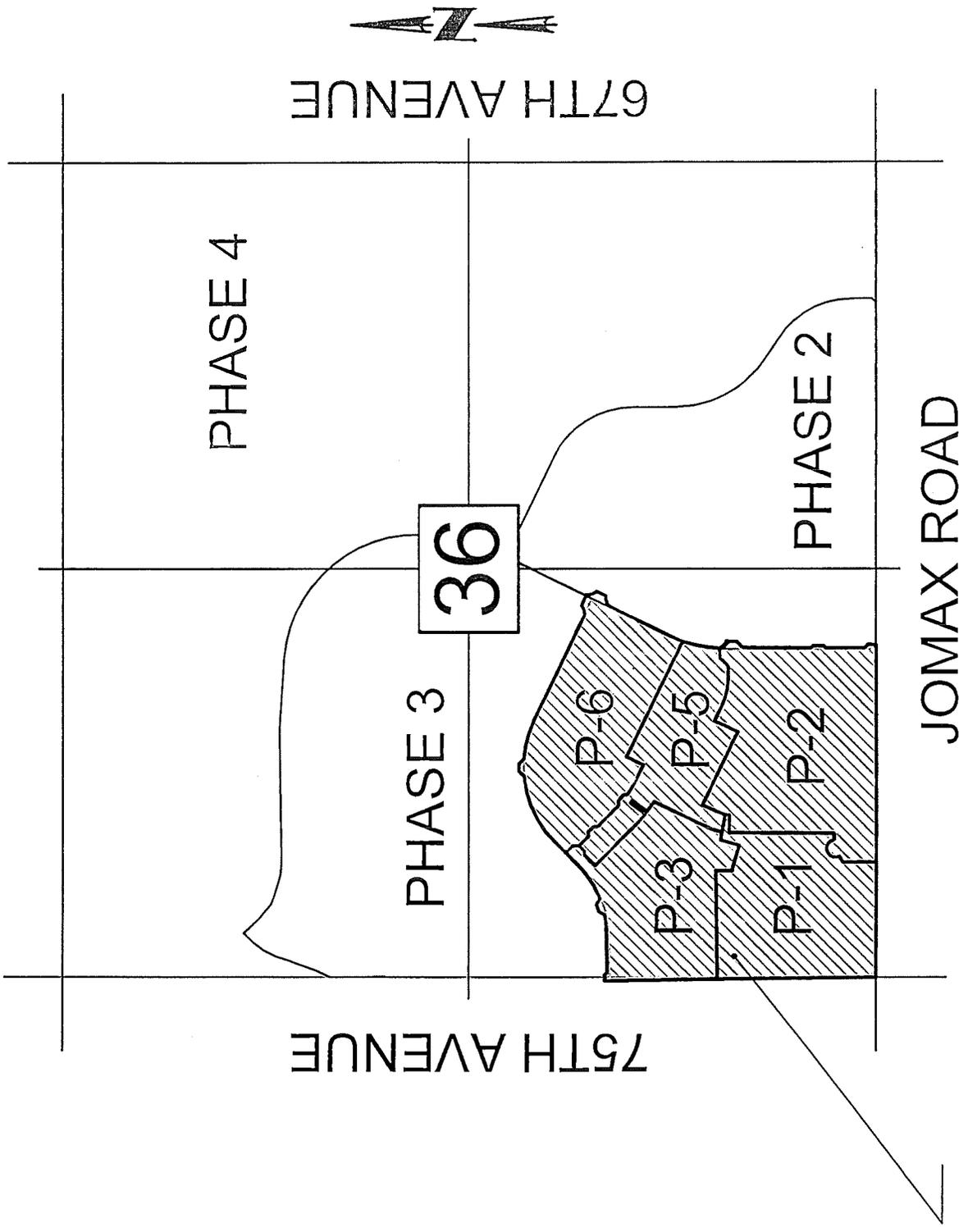
MATCH SHEET 11

MATCH SHEET 13

NO. 15415-0039 2636.12

APR 2011-03-03
 MARICOPA COUNTY
 FLOOD CONTROL DISTRICT
 DOCUMENT # 15415-0039

ALORAVITA SUBDIVISION



THIS SITE
PHASE 1

VICINITY MAP

N.T.S.

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 22C

Date Prepared: August 28, 2014

Council Meeting Date: October 7, 2014

TO: Carl Swenson, City Manager

FROM: Scott Whyte, Economic Development Services Director

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Final Plat, Aloravita Phase 1 - Parcel 1, 75th Avenue and Jomax Road (Project No. R140053)

Purpose:

This is a request for City Council to approve the Final Plat for Aloravita Phase 1 - Parcel 1, located on 75th Avenue and Jomax 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 and sewer service area. This Final Plat creates a total of 65 new lots

within the Aloravita Planned Community District. All internal roadways are public and will be maintained by the City.

The Master Final Plat for Aloravita dedicated the major roadway network and established the overall parcel boundaries. As each parcel is ready to develop, it is necessary to replat that parcel, to dedicate the local roadways and establish the individual lots.

Previous Actions:

The Master Final Plat for Aloravita is on the agenda for the City Council meeting on October 7th, and will be recorded prior to this parcel Final Plat. The preliminary plat for this parcel was approved on September 2, 2014. There are no significant changes from the preliminary plat 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: 623-773-7577

FINAL PLAT FOR "ALORAVITA PHASE 1 - PARCEL 1"

BEING A SUBDIVISION OF PARCEL 1 OF A MASTER FINAL PLAT FOR "ALORAVITA PHASE 1" RECORDED AS BOOK _____ OF MAPS, PAGE _____ RECORDS OF MARICOPA COUNTY, ARIZONA, LYING WITHIN THE SOUTHWEST QUARTER OF SECTION 38, TOWNSHIP 5 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, CITY OF PEORIA, MARICOPA COUNTY, ARIZONA

COUNTY RECORDER



4550 NORTH 12th Street
Phoenix, Arizona 85014
902-284-8531
www.cml.com

NO.	REVISION	DATE

Coe & Van Luo Consultants, Inc.

ALORAVITA PHASE 1 - PARCEL 1
FINAL PLAT

PEORIA NO.: R00000
1 SHEET
OF 3
DATE: 01-03-2011
SCALE: 5/8" = 1' - 0"

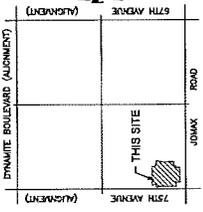
GROSS AREA = 13,954 ACRES
SEE SHEET 2 FOR CURVE TABLE AND LOT AREA TABLE

OWNER / DEVELOPER

ALORAVITA, LLC
27417 A, 80TH LANE
PEORIA, AZ 85305
CONTACT: SONEY ALLOP

ENGINEER

C&L CONSULTANTS
448 NORTH 12TH STREET
PHOENIX, ARIZONA 85014
FAX: (602) 284-8531
CONTACT: RYAN WEED



SITE AREA

807,428 SQUARE FEET OR 13.954 ACRES

NOTES

- THE SUBDIVISION IS SUBJECT TO MAINTENANCE IMPROVEMENT DISTRICT (MID) _____ AND STREET LIGHT IMPROVEMENT DISTRICT (SLID) _____.
- NO CONSTRUCTION OF ANY KIND SHALL BE CONSTRUCTED OR PLACED WITHIN THE UTILITY EASEMENTS, EXCEPT UTILITIES, WOOD, WIRE OR REMOVABLE SECTION TYPE FENCING UNDER PERMITS. ANY OTHER CONSTRUCTION SHALL NOT BE PERMITTED TO REPLACE ANY OBSTRUCTION OR PLANTING THAT MUST BE REMOVED DURING THE COURSE OF MAINTENANCE, CONSTRUCTION OR RECONSTRUCTION.
- ALL NEW AND EXISTING UTILITY, ELECTRICAL FACILITIES LESS THAN 10KV, CABLE AND TELEVISION FACILITIES SHALL BE INSTALLED UNDERGROUND UNLESS OTHERWISE INSTALLED UNDERGROUND AS PART OF THE STREET IMPROVEMENTS.
- MAINTENANCE OF SURFACE AND UNDERGROUND DRAINAGE FACILITIES WITHIN ALL TRACTS EASEMENTS AND RIGHTS-OF-WAY SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION.
- ALL LOT CORNERS SHALL BE MONUMENTED WITH 1/2" REBAR AND CAPPED OR TAGGED BEARING THE REGISTRATION NUMBER OF THE SURVEYOR RESPONSIBLE FOR THEIR PLACEMENT.
- SOILS, FENCES, WALLS, UTILITY COBES, STREET MARKERS, SIGNAGE, TREES OR PLANTS PERMITTED WITHIN VIEW EASEMENTS OR THE SHORT DISTANCE TRAVELER, NO LIMBS, LEAVES, NEEDLES OR OTHER VOLATILES TO BE ALLOWED TO ACCUMULATE TO OBSTRUCT 25% OF THE VISIBILITY WHEN COMBINED WITH OTHER OBSTRUCTIONS.
- THIS SUBDIVISION IS LOCATED WITHIN THE CITY OF PEORIA WATER SERVICE AREA AND HAS BEEN DEBROWATED AS HAVING A 100-YEAR ASSURED WATER SUPPLY.
- THIS SUBDIVISION IS LOCATED WITHIN THE CITY OF PEORIA SEWER SERVICE AREA.
- THIS SUBDIVISION IS LOCATED WITHIN THE VICINITY OF A MILITARY AIRPORT.
- THIS SUBDIVISION IS LOCATED IN THE VICINITY OF A DESIGNATED TRUCK ROUTE. THE STREET(S) IS(ARE) DESIGNATED AS A TRUCK ROUTE BY THE CITY OF PEORIA.
- THIS SUBDIVISION IS LOCATED IN THE VICINITY OF A ROCK QUARRY (OR AERIAL OPERATION).
- NO STRUCTURE OF ANY KIND BE CONSTRUCTED OR ANY VEGETATION BE PLANTED NOR BE ALLOWED TO GROW WITHIN THE DRAINAGE EASEMENT OR TRACT WHICH WOULD IMPERE THE FLOW OF WATER OVER, UNDER, OR THROUGH THE EASEMENT OR TRACT.
- AN ASSOCIATION, INCLUDING ALL PROPERTY OWNERS IN THE DEVELOPMENT, WILL BE FORMED TO MAINTAIN AND MANAGE THE COMMON AREAS AND LANDSCAPED AREAS TO BE NOTED AS "TRACTS OR EASEMENTS INCLUDING LANDSCAPED AREAS AND DRAINAGE FACILITIES" IN ACCORDANCE WITH APPROVED PLANS.
- HILLSIDE LOTS WILL REQUIRE INDIVIDUAL HILLSIDE DEVELOPMENT REVIEW BY THE CITY'S PLANNING DEPARTMENT PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
- DEVELOPMENT AND USE OF THIS SITE WILL CONFORM TO ALL APPLICABLE CODES AND ORDINANCES.
- EACH LOT IN THIS SUBDIVISION IS PERMITTED ONE DWELLING UNIT FOR A TOTAL OF 86 DWELLINGS WITHIN THE ENTIRE SUBDIVISION.
- TRAFFIC: THIS APPLIES TO LOTS 2, 3, 4, 5, 6, 9, 10 AND 61 (").

APPROVAL

APPROVED BY THE MAYOR AND CITY COUNCIL OF PEORIA, ARIZONA ON THIS _____ DAY OF _____, 2011.

BY: _____ DATE _____
MAYOR

ATTEST: _____ DATE _____
CITY CLERK

FOR CITY ENGINEER _____ DATE _____

CERTIFICATION

I, RICHARD G. ALLOP, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA. THAT THIS MAP, CONSISTING OF THREE (3) SHEETS, CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE UNDER MY SUPERVISION AND THAT THE MONUMENTS SHOWN ON THIS MAP ARE ACTUALLY PLACED AS SHOWN. THAT ALL MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE SET AS SHOWN, THAT THEIR POSITIONS ARE CORRECTLY SHOWN AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE REPRODUCED.

BY: _____
RICHARD G. ALLOP
REGISTRATION NUMBER 33981
1000 N. CENTRAL AVENUE
PHOENIX, ARIZONA 85014
(602) 284-8531
CALLOP@CML.COM

DEDICATION

THE UNDERSIGNED ALORAVITA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, HAS CAUSED THIS DEED TO BE AFFIXED AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF THE UNDERSIGNED SIGNER THEREUNTO SET FORTH HEREIN THIS _____ DAY OF _____, 2011.

BY: _____
ALORAVITA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY

DEDICATION ACKNOWLEDGEMENT

STATE OF ARIZONA } ss
COUNTY OF MARICOPA }
ON THIS _____ DAY OF _____, 2011, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC HAVING FOR SAID STATE, RESIDENCE IN PEORIA, ARIZONA, TO ME, PRODUCED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ASSIGNED AND SIGNED BY HIS/HER SIGNATURE ON THE INSTRUMENT THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC _____

ALORAVITA HOMEOWNERS ASSOCIATION RATIFICATION AND CONSENT

STATE OF ARIZONA } ss
COUNTY OF MARICOPA }
THE UNDERSIGNED HEREBY RATIFIES AND CONSENTS TO THIS PLAT, INCLUDING ITS MAINTENANCE OBLIGATIONS AS SET FORTH HEREIN.

ALORAVITA HOMEOWNERS ASSOCIATION, AN ARIZONA NON PROFIT CORPORATION
BY: _____
ITS: _____

ALORAVITA HOMEOWNERS ASSOCIATION RATIFICATION AND CONSENT ACKNOWLEDGEMENT

ON THIS _____ DAY OF _____, 2011, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED _____
WHO REPRESENTS AND REPRESENTS PERSONALLY KNOWN TO ME (OR PROVIDED TO ME BY INSTRUMENT) THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME IN HIS/HER WHOLE PERSONAL CAPACITY AND IN FULL KNOWLEDGE OF THE CONTENTS AND EFFECTS THEREOF, OR THE ENTITY UPON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC _____

DEDICATION

STATE OF ARIZONA } ss
COUNTY OF MARICOPA }
KNOW ALL PERSONS BY THESE PRESENTS:
THAT ALORAVITA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, DOES HEREBY PUBLISH THIS FINAL PLAT FOR "ALORAVITA PHASE 1 - PARCEL 1", BEING A SUBDIVISION OF PARCEL 1 OF A MASTER FINAL PLAT FOR "ALORAVITA PHASE 1", RECORDS OF MARICOPA COUNTY, ARIZONA, LYING WITHIN THE SOUTHWEST QUARTER OF SECTION 38, TOWNSHIP 5 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, CITY OF PEORIA, ARIZONA, AND FOR THE PLAT OF SAID "ALORAVITA PHASE 1 - PARCEL 1" THIS PLAT, AS AND FOR THE PLAT OF SAID "ALORAVITA PHASE 1 - PARCEL 1" AND THE LOCATION AND DIMENSIONS OF THE LOTS, TRACTS, EASEMENTS AND STREETS CONSTITUTING SAME, AND THAT EACH LOT, TRACT, EASEMENT AND STREET SHALL BE DEBROWATED TO THE CITY OF PEORIA FOR USE, AS SUCH, ON SAID PLAT AND HEREBY DEDICATES TO THE CITY OF PEORIA FOR USE, AS SUCH, THE STREETS AS SHOWN ON SAID PLAT AND INCLUDED IN THE ABOVE DESCRIBED PREMISES. EASEMENTS ARE DEDICATED FOR THE PURPOSES SHOWN.

ALORAVITA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HEREBY DEDICATES TO THE CITY OF PEORIA FOR USE, AS SUCH, ON SAID PLAT AND HEREBY DEDICATES TO THE CITY OF PEORIA FOR USE, AS SUCH, THE STREETS AS SHOWN ON SAID PLAT AND INCLUDED IN THE ABOVE DESCRIBED PREMISES. EASEMENTS ARE DEDICATED FOR THE PURPOSES SHOWN.

PUBLIC UTILITY EASEMENTS (PUE) ARE DEDICATED TO THE CITY OF PEORIA FOR USE AS SUCH, ON SAID PLAT AND HEREBY DEDICATES TO THE CITY OF PEORIA FOR USE, AS SUCH, THE STREETS AS SHOWN ON SAID PLAT AND INCLUDED IN THE ABOVE DESCRIBED PREMISES. EASEMENTS ARE DEDICATED FOR THE PURPOSES SHOWN.

THE CITY OF PEORIA IS HEREBY GIVEN AN EASEMENT FOR MAINTENANCE OF LANDSCAPING, RETENTION AND DRAINAGE FACILITIES ON TRACT E. THIS EASEMENT MAY BE EXERCISED BY THE CITY OF PEORIA FOR THE PURPOSES OF MAINTENANCE AND OPERATION OF THE LANDSCAPING, RETENTION AND DRAINAGE FACILITIES, AS LONG AS THE HOMEOWNERS ASSOCIATION OF SAID TRACTS, EASEMENTS AND DRAINAGE FACILITIES, REGARDESS OF THE DEDICATION OF THE EASEMENT.

THE OWNER HEREBY GRANTS TO THE CITY OF PEORIA, AN EASEMENT FOR MAINTENANCE OF ON-SITE RETENTION BARRIERS, PIPE STORAGE SYSTEMS; OR ANY OTHER FACILITIES NECESSARY TO MAINTAIN AND OPERATE SUCH FACILITIES, AND APPROVED DRAINAGE AND DRAINAGE PLAN. THIS EASEMENT MAY BE EXERCISED BY THE CITY OF PEORIA ONLY AT SUCH TIME THAT THE PROPERTY CENTER OWNER OR ASSOCIATION HAS BEEN ADVISED BY THE CITY OF PEORIA THAT SUCH FACILITIES TO PROVIDE THE REQUIRED MAINTENANCE AND OPERATION AND THE CITY HAS DETERMINED THAT LACK OF SUCH MAINTENANCE AND OPERATION CONSTITUTE A PUBLIC SAFETY HAZARD. THE CITY OF PEORIA SHALL BE RESPONSIBLE FOR PROVIDING ALL REQUIRED MAINTENANCE OF SUCH FACILITIES REGARDESS OF THE DEDICATION OF THE EASEMENT.

TO HAVE AND TO HOLD THE SAID EASEMENT UNTO THE CITY OF PEORIA, AND UNTO ITS SUCCESSORS, HEIRS, EXECUTORS, ADMINISTRATORS, ASSIGNS, AND ASSIGNEES, OF PEORIA'S DISCRETION TO ALLOW OTHER UTILITIES TO UTILIZE SUCH EASEMENT, AND HER EASEMENT OF UTILITIES SUBJECT TO ARTICLES 11, 12, AND 14.

AND THE GRANTOR HEREBY COVENANTS THAT ON PARCELS OF LAND THAT IT HAS A GOOD AND LAWFUL RIGHT TO SELL AND CONVEY IT, AND THAT IT WILL WARRANT THE TITLE AND QUIET POSSESSION THEREOF AGAINST THE LAWFUL CLAIM OF ALL PERSONS.

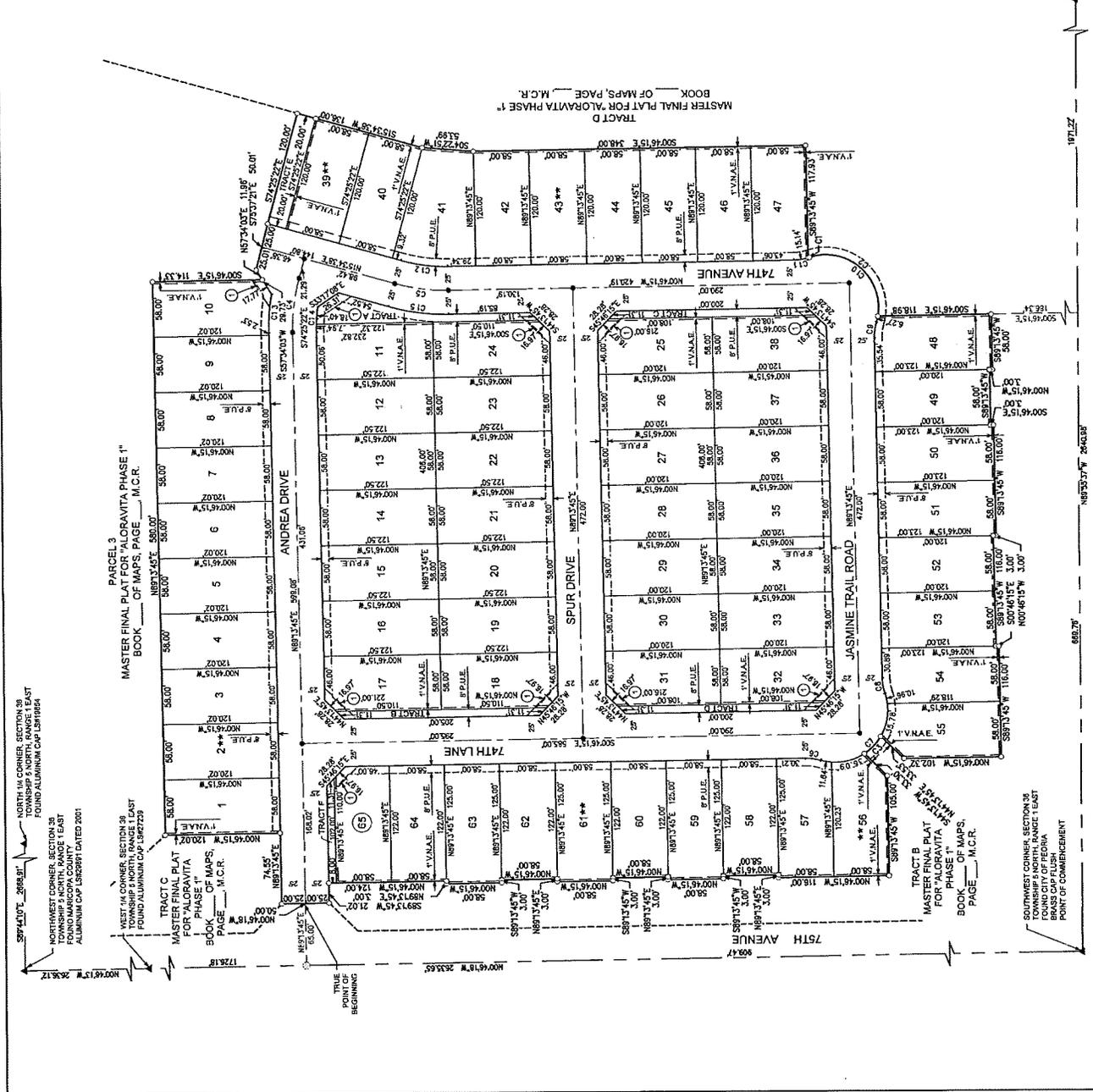
- THE SAID EASEMENT TO INCLUDE THE RIGHT TO CUT BACK AND TRIM SUCH PORTION OF THE BRANCHES AND TOPS OF THE TREES NOW GROWING OR TO BE PLANTED ON SAID EASEMENT, AS NECESSARY TO PREVENT THE SAME FROM INTERFERING WITH THE EFFICIENT MAINTENANCE AND OPERATION OF SAID UTILITY LINES.
- THE CITY OF PEORIA SHALL NOT BE RESPONSIBLE FOR REPLACING ANY PORTION OF THE BRANCHES AND TOPS OF THE TREES NOW GROWING OR TO BE PLANTED ON SAID EASEMENT, EXCEPT AS NOTED HEREIN.
- THE CITY OF PEORIA WILL MAKE REASONABLE EFFORTS TO PROMPTLY RESTORE ASPHALT CONCRETE PAVEMENT SURFACES.
- GRANTOR, ITS SUCCESSORS OR ASSIGNS AT ITS SOLE COST, SHALL BE RESPONSIBLE FOR PROMPTLY REPLACING ANY DAMAGED OR DESTROYED ASPHALT CONCRETE PAVEMENT SURFACES IN THE EASEMENT BY GRANTOR OR ITS SUCCESSORS OR ASSIGNS.

IN THE EVENT THE RIGHT, PRIVILEGE AND EASEMENT HEREBY GRANTED SHALL BE ABANDONED AND PERMANENTLY CEASED TO BE USED FOR THE PURPOSES HEREBY GRANTED, THE GRANTOR SHALL CEASE AND REVERT TO THE GRANTOR OR GRANTOR'S HEIRS OR ASSIGNS.

COUNTY RECORDER



SEE SHEET 2 FOR CURVE
TABLE AND LOT AREA TABLE



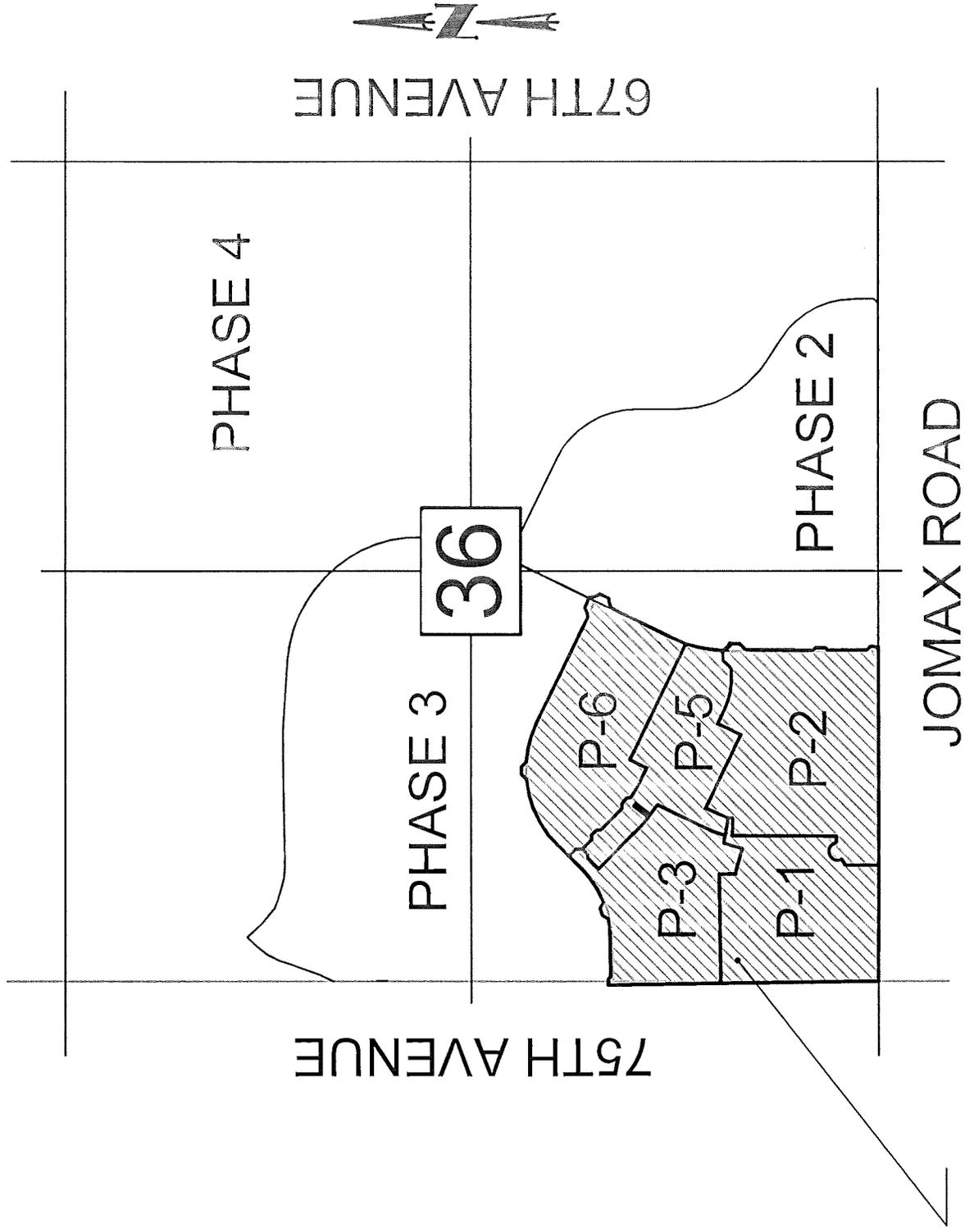
NORTH 1/4 CORNER, SECTION 38
TOWNSHIP 5 NORTH, RANGE 1 EAST
FOUND ALUMINUM CAP 1578784

NORTHEAST CORNER, SECTION 38
TOWNSHIP 5 NORTH, RANGE 1 EAST
FOUND MARICOPA COUNTY
ALUMINUM CAP 158971 DATED 2001

WEST 1/4 CORNER, SECTION 38
TOWNSHIP 5 NORTH, RANGE 1 EAST
FOUND ALUMINUM CAP 1587239

SOUTHWEST CORNER, SECTION 38
TOWNSHIP 5 NORTH, RANGE 1 EAST
FOUND CITY OF PEORIA
POINT OF COMMENCEMENT

ALORAVITA SUBDIVISION



THIS SITE
PHASE 1

VICINITY MAP

N.T.S.

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 23C

Date Prepared: August 28, 2014

Council Meeting Date: October 7, 2014

TO: Carl Swenson, City Manager

FROM: Scott Whyte, Economic Development Services Director

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Final Plat, Aloravita Phase 1 - Parcel 2, 75th Avenue and Jomax Road (Project No. R140054)

Purpose:

This is a request for City Council to approve the Final Plat for Aloravita Phase 1 - Parcel 2, located on 75th Avenue and Jomax 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 and sewer service area. This Final Plat creates a total of 65 new lots

within the Aloravita Planned Community District. All internal roadways are public and will be maintained by the City.

The Master Final Plat for Aloravita dedicated the major roadway network and established the overall parcel boundaries. As each parcel is ready to develop, it is necessary to replat that parcel, to dedicate the local roadways and establish the individual lots.

Previous Actions:

The Master Final Plat for Aloravita is on the agenda for the City Council meeting on October 7th, and will be recorded prior to this parcel Final Plat. The preliminary plat for this parcel was approved on September 2, 2014. There are no significant changes from the preliminary plat 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: 623-773-7577

NO.	REVISION	DATE

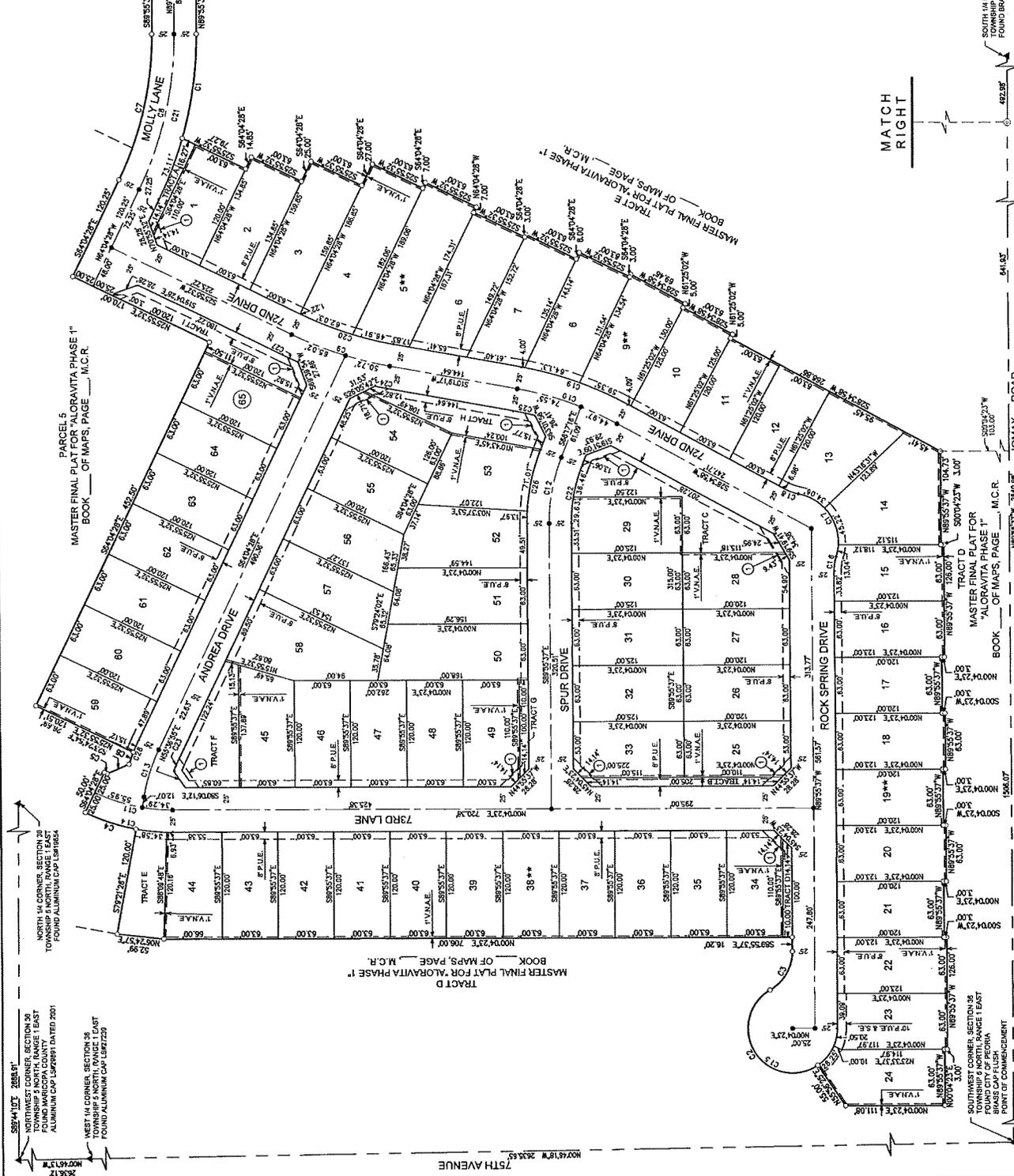
Coe & Van Loo Consultants, Inc.

ALORAVITA PHASE 1 - PARCEL 2

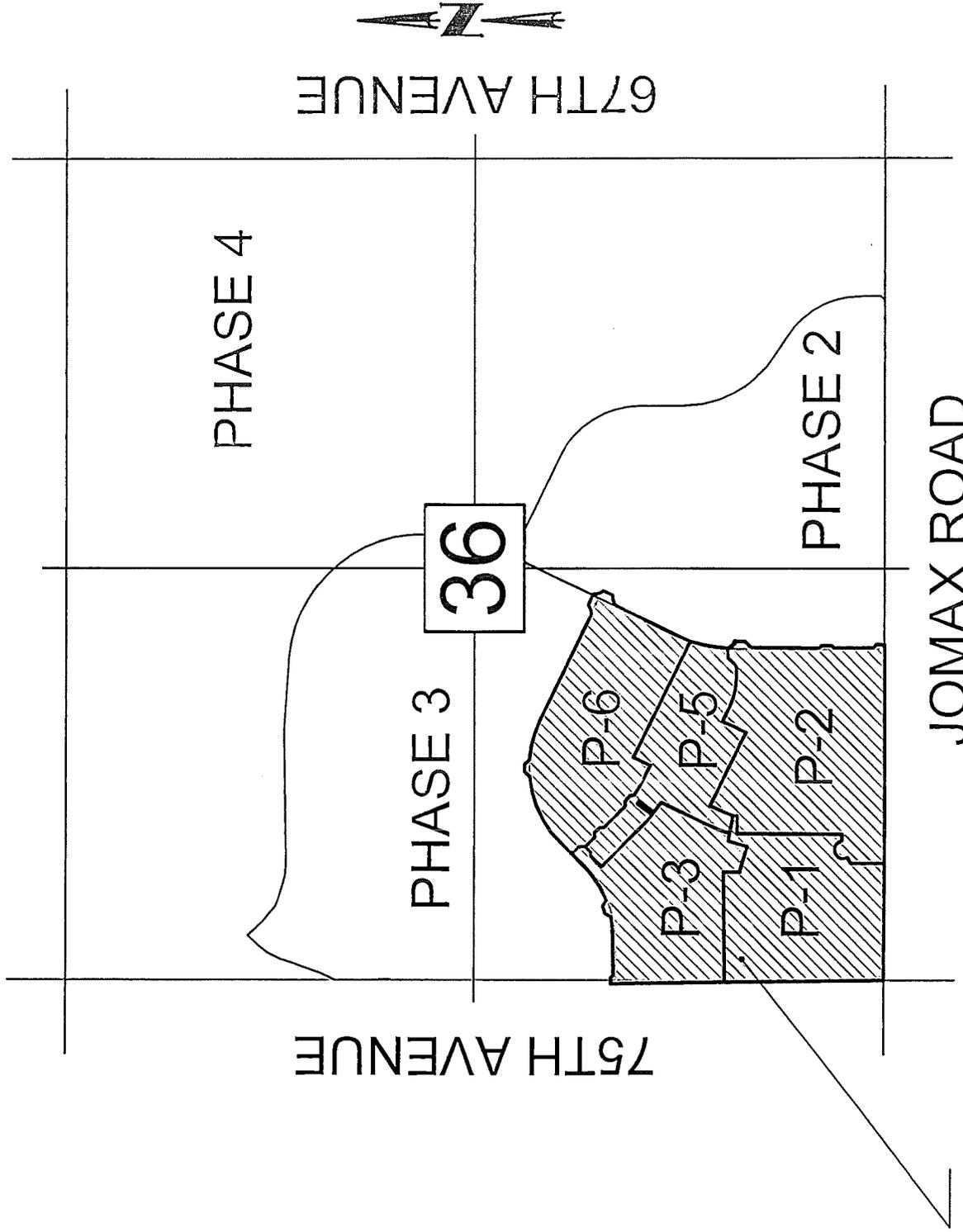
FINAL PLAT

3 SHEET OF 3
REVISION NO. 000000X
SCALE 1" = 40'
SEE SHEET 2 FOR CURVE TABLE AND LOT AREA TABLE

COUNTY RECORDER



ALORAVITA SUBDIVISION



THIS SITE
PHASE 1

VICINITY MAP

N.T.S.

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 24C

Date Prepared: August 28, 2014

Council Meeting Date: October 7, 2014

TO: Carl Swenson, City Manager

FROM: Scott Whyte, Economic Development Services Director

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Final Plat, Aloravita Phase 1 - Parcel 3, 75th Avenue and Jomax Road (Project No. R140055)

Purpose:

This is a request for City Council to approve the Final Plat for Aloravita Phase 1 - Parcel 3, located on 75th Avenue and Jomax 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 and sewer service area. This Final Plat creates a total of 59 new lots

within the Aloravita Planned Community District. All internal roadways are public and will be maintained by the City.

The Master Final Plat for Aloravita dedicated the major roadway network and established the overall parcel boundaries. As each parcel is ready to develop, it is necessary to replat that parcel, to dedicate the local roadways and establish the individual lots.

Previous Actions:

The Master Final Plat for Aloravita is on the agenda for the City Council meeting on October 7th, and will be recorded prior to this parcel Final Plat. The preliminary plat for this parcel was approved on September 2, 2014. There are no significant changes from the preliminary plat 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):

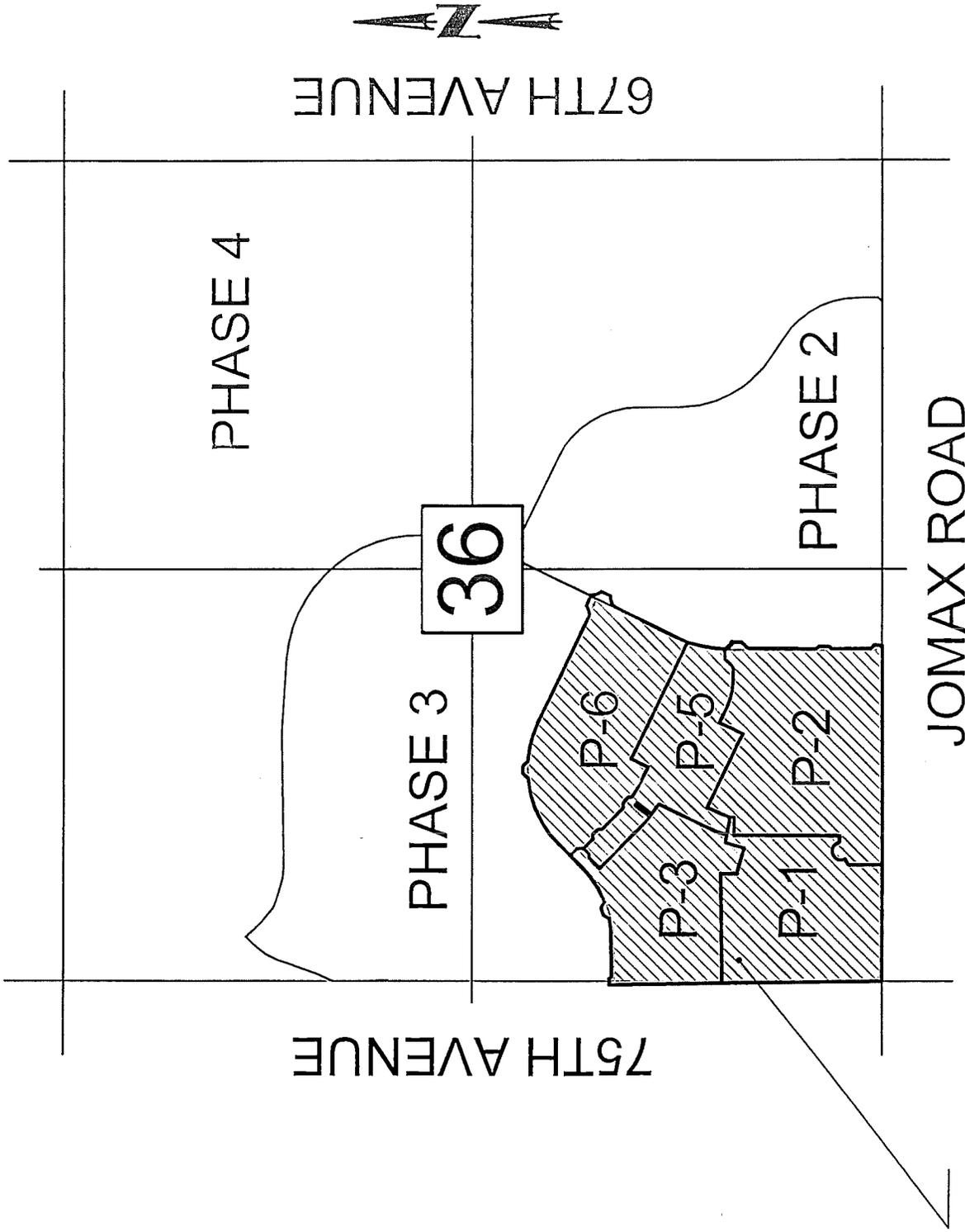
Exhibit 1: Final Plat

Exhibit 2: Vicinity Map

Contact Name and Number:

Jodi Breyfogle, PE: 623-773-7577

ALORAVITA SUBDIVISION



THIS SITE
PHASE 1

VICINITY MAP

N.T.S.

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 25C

Date Prepared: August 28, 2014

Council Meeting Date: October 7, 2014

TO: Carl Swenson, City Manager

FROM: Scott Whyte, Economic Development Services Director

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Final Plat, Aloravita Phase 1 - Parcel 5, 75th Avenue and Jomax Road (Project No. R140057)

Purpose:

This is a request for City Council to approve the Final Plat for Aloravita Phase 1 - Parcel 5, located on 75th Avenue and Jomax 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 and sewer service area. This Final Plat creates a total of 59 new lots

within the Aloravita Planned Community District. All internal roadways are public and will be maintained by the City.

The Master Final Plat for Aloravita dedicated the major roadway network and established the overall parcel boundaries. As each parcel is ready to develop, it is necessary to replat that parcel, to dedicate the local roadways and establish the individual lots.

Previous Actions:

The Master Final Plat for Aloravita is on the agenda for the City Council meeting on October 7th, and will be recorded prior to this parcel Final Plat. The preliminary plat for this parcel was approved on September 2, 2014. There are no significant changes from the preliminary plat 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):

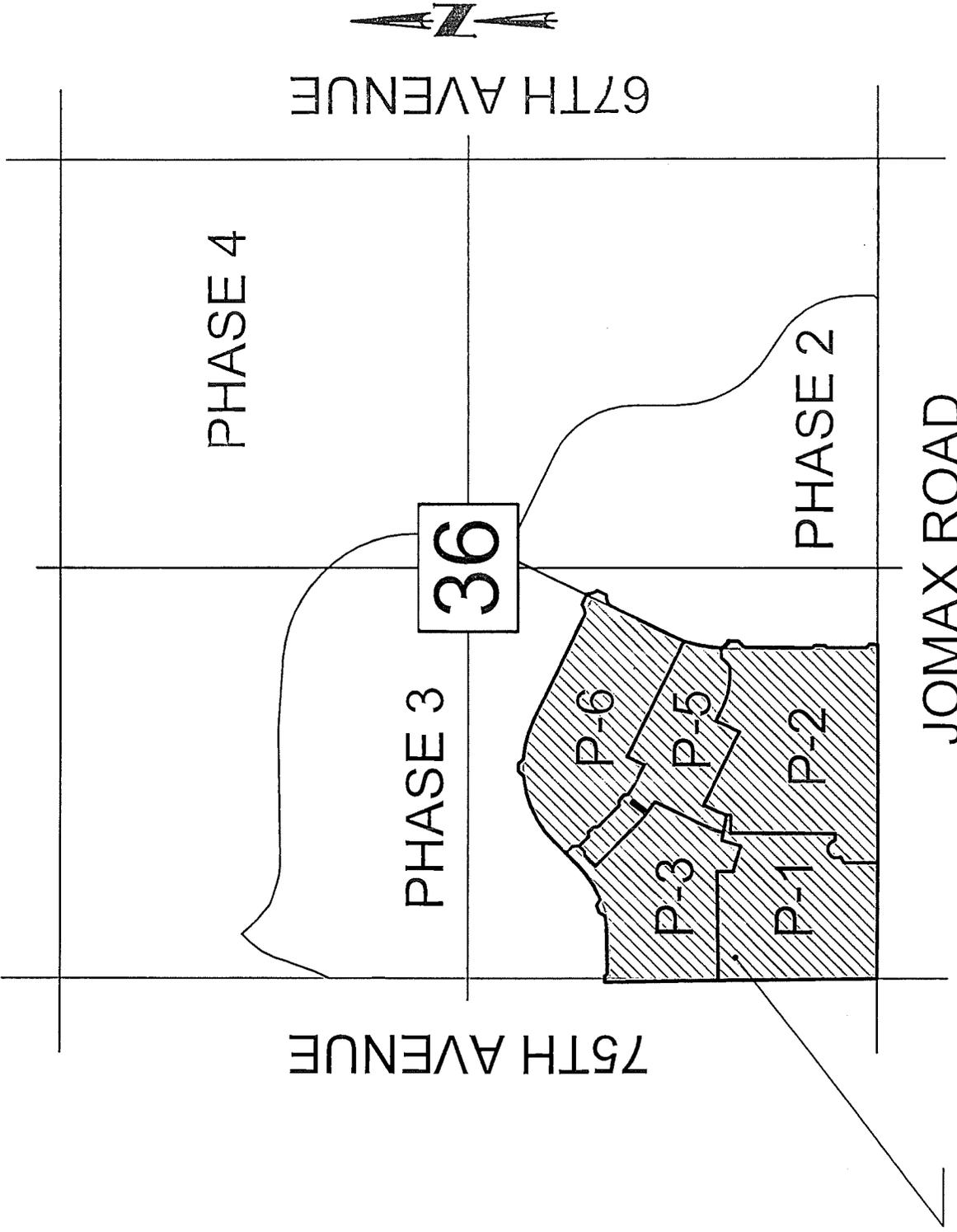
Exhibit 1: Final Plat

Exhibit 2: Vicinity Map

Contact Name and Number:

Jodi Breyfogle, PE: 623-773-7577

ALORAVITA SUBDIVISION



THIS SITE
PHASE 1

VICINITY MAP

N.T.S.

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 26C

Date Prepared: August 28, 2014

Council Meeting Date: October 7, 2014

TO: Carl Swenson, City Manager

FROM: Scott Whyte, Economic Development Services Director

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Final Plat, Aloravita Phase 1 - Parcel 6, 75th Avenue and Jomax Road (Project No. R140058)

Purpose:

This is a request for City Council to approve the Final Plat for Aloravita Phase 1 - Parcel 6, located on 75th Avenue and Jomax 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 and sewer service area. This Final Plat creates a total of 74 new lots

within the Aloravita Planned Community District. All internal roadways are public and will be maintained by the City.

The Master Final Plat for Aloravita dedicated the major roadway network and established the overall parcel boundaries. As each parcel is ready to develop, it is necessary to replat that parcel, to dedicate the local roadways and establish the individual lots.

Previous Actions:

The Master Final Plat for Aloravita is on the agenda for the City Council meeting on October 7th, and will be recorded prior to this parcel Final Plat. The preliminary plat for this parcel was approved on September 2, 2014. There are no significant changes from the preliminary plat 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: 623-773-7577

LOCAL TO LOCAL STREET INTERSECTIONS
SHOULD BE MARKED WITH 30" X 30" SIGN
NO OBJECT WITHIN MOBILITY TRIANGLES
MAY EXCEED 30" IN HEIGHT.
NOTE: CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF PEORIA
SETBACKS
BUILDING SETBACKS SHALL BE 5 FEET
FRONT SETBACK SHALL BE 5 FEET
SIDE SETBACK SHALL BE 5 FEET
REAR SETBACK SHALL BE 5 FEET



TRACT USE	TOTAL NUMBER OF LOTS	TOTAL NUMBER OF TRACTS (A-B)	GROSS RESIDENTIAL DENSITY	LAND USE
RESIDENTIAL	74	2	1.49	RESIDENTIAL

TRACT AREAS	DESCRIPTION
TRACT A = 0.028 ACRES	LANDSCAPE, P.U.E. LIVE
TRACT B = 0.028 ACRES	LANDSCAPE, P.U.E. LIVE
TRACT C = 0.028 ACRES	LANDSCAPE, P.U.E. LIVE
TRACT D = 0.028 ACRES	LANDSCAPE, P.U.E. LIVE
TRACT E = 0.028 ACRES	LANDSCAPE, P.U.E. LIVE
TRACT F = 0.028 ACRES	LANDSCAPE, P.U.E. LIVE
TRACT G = 0.028 ACRES	LANDSCAPE, P.U.E. LIVE
TRACT H = 0.028 ACRES	LANDSCAPE, P.U.E. LIVE
TRACT I = 0.028 ACRES	LANDSCAPE, P.U.E. LIVE
TRACT J = 0.028 ACRES	LANDSCAPE, P.U.E. LIVE
TRACT K = 0.028 ACRES	LANDSCAPE, P.U.E. LIVE
TRACT L = 0.028 ACRES	LANDSCAPE, P.U.E. LIVE
TRACT M = 0.028 ACRES	LANDSCAPE, P.U.E. LIVE
TRACT N = 0.028 ACRES	LANDSCAPE, P.U.E. LIVE
TRACT O = 0.028 ACRES	LANDSCAPE, P.U.E. LIVE
TRACT P = 0.028 ACRES	LANDSCAPE, P.U.E. LIVE
TRACT Q = 0.028 ACRES	LANDSCAPE, P.U.E. LIVE
TRACT R = 0.028 ACRES	LANDSCAPE, P.U.E. LIVE
TRACT S = 0.028 ACRES	LANDSCAPE, P.U.E. LIVE
TRACT T = 0.028 ACRES	LANDSCAPE, P.U.E. LIVE
TRACT U = 0.028 ACRES	LANDSCAPE, P.U.E. LIVE
TRACT V = 0.028 ACRES	LANDSCAPE, P.U.E. LIVE
TRACT W = 0.028 ACRES	LANDSCAPE, P.U.E. LIVE
TRACT X = 0.028 ACRES	LANDSCAPE, P.U.E. LIVE
TRACT Y = 0.028 ACRES	LANDSCAPE, P.U.E. LIVE
TRACT Z = 0.028 ACRES	LANDSCAPE, P.U.E. LIVE

LAND USE AREAS	SQUARE FEET	ACRES
TOTAL AREA OF LOTS	942,181	21.67
TOTAL AREA OF TRACTS (A-E)	6,181	0.14
TOTAL AREA OF STREETS	7,628	0.17
TOTAL GROSS AREA	1,055,990	24.08

TRACT	AREA (SQ. FT.)	AREA (ACRES)	PERCENTAGE OF TOTAL GROSS AREA
1	10,000	0.23	0.95%
2	10,000	0.23	0.95%
3	10,000	0.23	0.95%
4	10,000	0.23	0.95%
5	10,000	0.23	0.95%
6	10,000	0.23	0.95%
7	10,000	0.23	0.95%
8	10,000	0.23	0.95%
9	10,000	0.23	0.95%
10	10,000	0.23	0.95%
11	10,000	0.23	0.95%
12	10,000	0.23	0.95%
13	10,000	0.23	0.95%
14	10,000	0.23	0.95%
15	10,000	0.23	0.95%
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19	10,000	0.23	0.95%
20	10,000	0.23	0.95%
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89	10,000	0.23	0.95%
90	10,000	0.23	0.95%
91	10,000	0.23	0.95%
92	10,000	0.23	0.95%
93	10,000	0.23	0.95%
94	10,000	0.23	0.95%
95	10,000	0.23	0.95%
96	10,000	0.23	0.95%
97	10,000	0.23	0.95%
98	10,000	0.23	0.95%
99	10,000	0.23	0.95%
100	10,000	0.23	0.95%

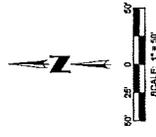
Coe & Van Loo Consultants, Inc.
4550 NORTH 12TH STREET
PEORIA, ARIZONA 85014
WWW.CCVL.COM

LEGAL DESCRIPTION
THAT PART OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 1 EAST OF THE 6TH AND 8TH RIVERS MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE CITY OF PEORIA BRASS CAP FLUSH MARKING THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 30 BEARS NORTH 07°46'16" WEST, A DISTANCE OF 2,035.65 FEET;
THENCE SOUTH 89°25'27" EAST, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 30, A DISTANCE OF 2,148.96 FEET;
THENCE NORTH 89°25'27" EAST, DEPARTING SAID SOUTH LINE, A DISTANCE OF 1,009.24 FEET TO THE BEGINNING OF A TANGENT CURVE OF 900.00 FOOT RADIUS, CONCAVE SOUTHWESTERLY,
25.51°P, A DISTANCE OF 460.68 FEET,
THENCE NORTH 29°52'27" WEST, A DISTANCE OF 294.4 FEET;
THENCE NORTH 89°25'27" WEST, A DISTANCE OF 294.4 FEET;
BEGINNING.

CURVE TABLE
(NOT TO SCALE)

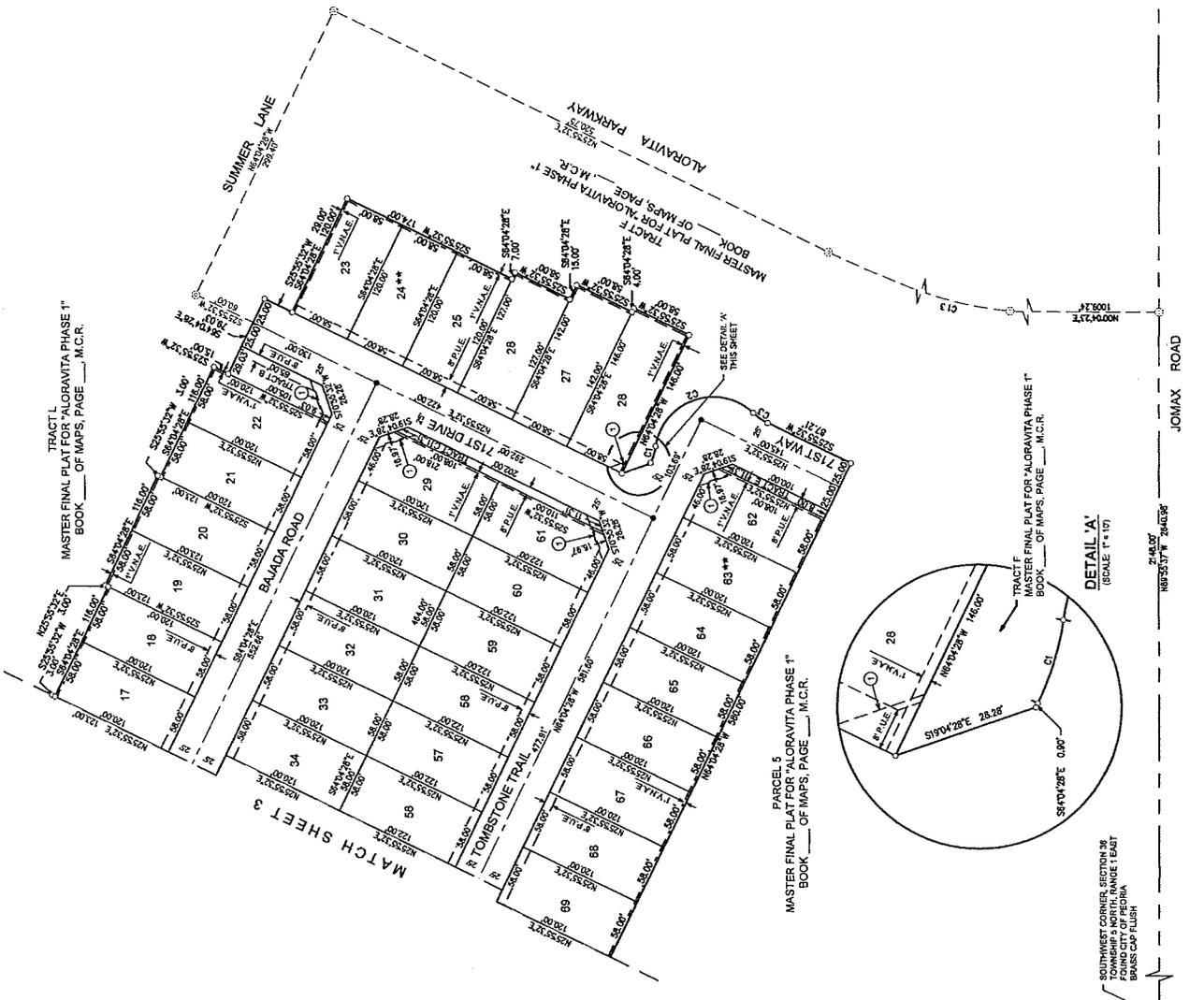
NO.	BEARING	ANGLE	CHORD	CHORD-BEARING
1	S 89°25'27" E	18.54	0.72	0.70
2	S 89°25'27" E	18.54	0.72	0.70
3	S 89°25'27" E	18.54	0.72	0.70
4	S 89°25'27" E	18.54	0.72	0.70
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72	S 89°25'27" E	18.54	0.72	0.70
73	S 89°25'27" E	18.54	0.72	0.70
74	S 89°25'27" E	18.54	0.72	0.70
75	S 89°25'27" E	18.54	0.72	0.70
76	S 89°25'27" E	18.54	0.72	0.70
77	S 89°25'27" E	18.54	0.72	0.70
78	S 89°25'27" E	18.54	0.72	0.70
79	S 89°25'27" E	18.54	0.72	0.70
80	S 89°25'27" E	18.54	0.72	0.70
81	S 89°25'27" E	18.54	0.72	0.70
82	S 89°25'27" E	18.54	0.72	0.70
83	S 89°25'27" E	18.54	0.72	0.70
84	S 89°25'27" E	18.54	0.72	0.70
85	S 89°25'27" E	18.54	0.72	0.70
86	S 89°25'27" E	18.54	0.72	0.70
87	S 89°25'27" E	18.54	0.72	0.70
88	S 89°25'27" E	18.54	0.72	0.70
89	S 89°25'27" E	18.54	0.72	0.70
90	S 89°25'27" E	18.54	0.72	0.70
91	S 89°25'27" E	18.54	0.72	0.70
92	S 89°25'27" E	18.54	0.72	0.70
93	S 89°25'27" E	18.54	0.72	0.70
94	S 89°25'27" E	18.54	0.72	0.70
95	S 89°25'27" E	18.54	0.72	0.70
96	S 89°25'27" E	18.54	0.72	0.70
97	S 89°25'27" E	18.54	0.72	0.70
98	S 89°25'27" E	18.54	0.72	0

COUNTY RECORDER



LOT NUMBER	AREA (SQUARE FEET)
1	6,823
2	6,850
3	7,237
4	7,278
5	7,263
6	7,110
7	7,110
8	7,203
9	7,203
10	7,210
11	7,210
12	7,210
13	7,203
14	7,189
15	7,134
16	6,800
17	6,800
18	6,800
19	7,134
20	7,134
21	6,800
22	6,800
23	6,800
24	6,800
25	6,800
26	6,800
27	6,800
28	6,800
29	6,800
30	6,800
31	6,800
32	6,800
33	6,800
34	6,800
35	6,800
36	6,800
37	7,473
38	6,817

LOT NUMBER	AREA (SQUARE FEET)
39	6,872
40	6,114
41	9,143
42	9,113
43	8,971
44	9,143
45	7,247
46	8,306
47	8,306
48	8,306
49	8,290
50	9,403
51	9,378
52	9,388
53	8,841
54	7,254
55	7,078
56	7,078
57	7,078
58	7,078
59	7,078
60	7,078
61	7,004
62	6,888
63	6,880
64	6,880
65	6,880
66	6,880
67	6,880
68	6,880
69	6,880
70	6,880
71	8,022
72	8,020
73	8,020
74	8,020
75	8,020
TOTAL	206,181

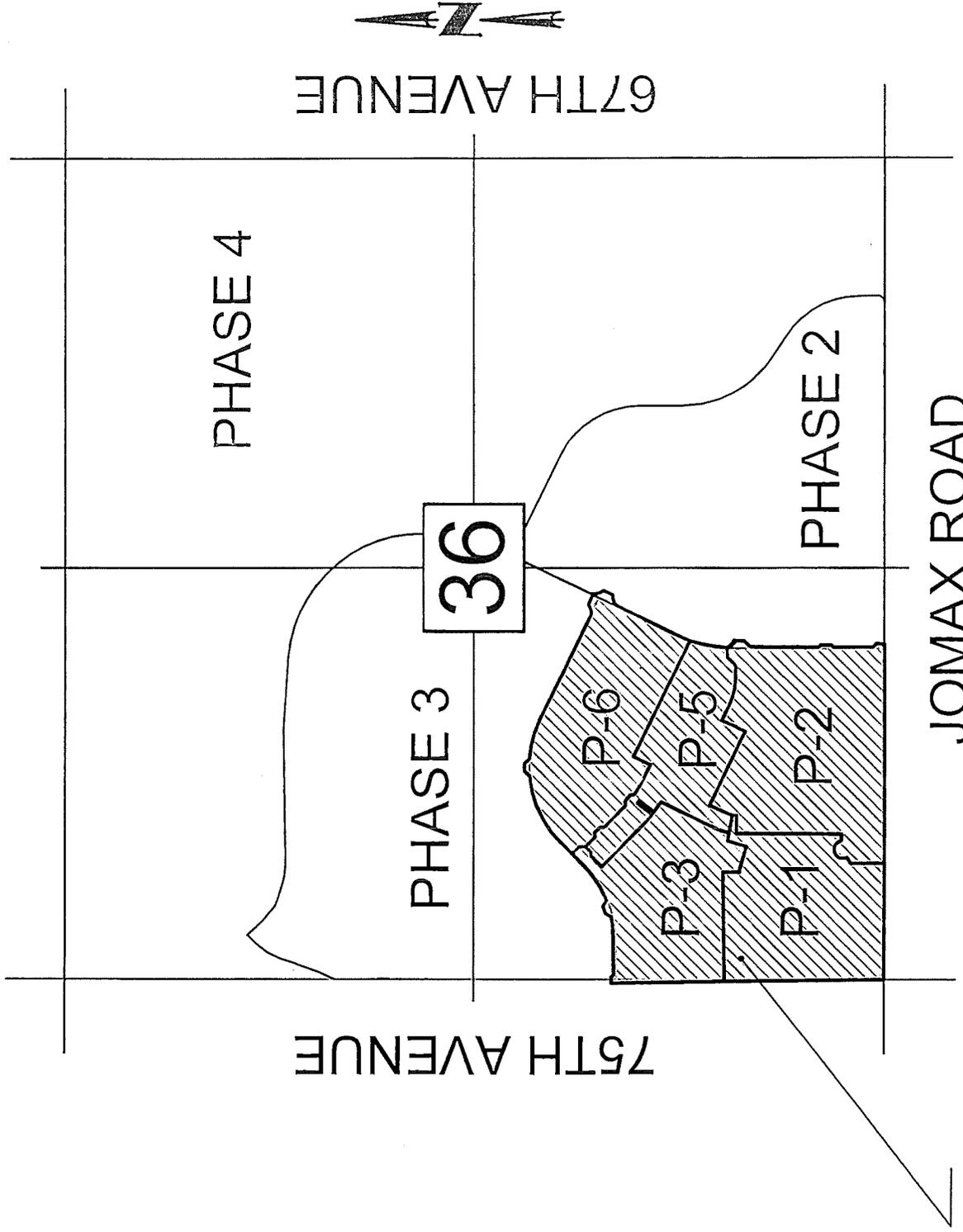


SOUTH 1/4 CORNER, SECTION 38
TOWNSHIP 9 NORTH, RANGE 1 EAST
PEORIA, ARIZONA
FOUND BRASS CAP FLUSH - N.I.S. 33851

DETAIL 'A'
(SCALE: 1" = 10')

SOUTHWEST CORNER, SECTION 38
TOWNSHIP 9 NORTH, RANGE 1 EAST
PEORIA, ARIZONA
FOUND BRASS CAP FLUSH

ALORAVITA SUBDIVISION



THIS SITE
PHASE 1

VICINITY MAP

N.T.S.

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 27C

Date Prepared: September 3, 2014

Council Meeting Date: October 7, 2014

TO: Carl Swenson, City Manager

FROM: Scott Whyte, Economic Development Services Director

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Amended Map of Private Tract Dedication, Blackstone Drive and Sunrise Point,
(Project No. R040091C)

Purpose:

This is a request for City Council to approve an Amended Map of Private Tract Dedication of Blackstone Drive and Sunrise Point, and authorize the Mayor and City Clerk to sign and record the Amended Map of Private Tract Dedication with the Maricopa County Recorder's Office subject to the following stipulations:

1. In the event that the Amended Map of Private Tract Dedication is not recorded within 60 days of Council approval, the Amended Map of Private Tract Dedication 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 Amended Map of Private Tract Dedication is to amend the tracts adjacent to private collector roadways in the Vistancia development. This is necessary to align the roadways tracts with the proposed parcels adjacent to these roadways.

Previous Actions:

The Map of Private Tract Dedication of Blackstone Drive and Sunrise Point was recorded in Book 768 Page 42.

Options:

A: The Amended Map of Private Tract Dedication has been approved through the Economic Development Services Department. An option would be to not accept the proposed Amended Map of Private Tract Dedication; although it should be noted that not approving the Amended

Map of Private Tract Dedication will prevent the Developer from developing the adjacent parcels as currently proposed.

B: The other option would be to formally approve the Amended Map of Private Tract Dedication and allow the adjacent parcels to be developed.

Staff's Recommendation:

Staff recommends the approval and subsequent recordation of the attached Amended Map of Private Tract Dedication.

Fiscal Analysis:

There is no direct budgetary impact to the City to approve the Amended Map of Private Tract Dedication.

Narrative:

The acceptance of this Amended Map of Private Tract Dedication by City Council will allow the developer to move forward in developing this property.

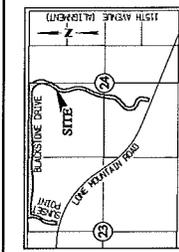
Exhibit(s):

Exhibit 1: Amended Map of Private Tract Dedication

Exhibit 2: Vicinity Map

Contact Name and Number:

Jodi Breyfogle, PE: 623-773-7577



VICINITY MAP 44-715

AMENDED MAP OF PRIVATE TRACT DEDICATION "BLACKSTONE DRIVE & SUNRISE POINT" PEORIA, ARIZONA

AN AMENDMENT OF THE MAP OF PRIVATE TRACT DEDICATION OF BLACKSTONE DRIVE & SUNRISE POINT RECORDED IN BOOK 763 OF MAPS, PAGE 42, MCR, AND A PORTION OF SECTION 23 AND SECTION 24, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

NOTES: 1. THIS AMENDED MAP OF PRIVATE TRACT DEDICATION IS SUBJECT TO SEVERAL MAINTENANCE THROUGHOUT DISTRICTS AND THE REMEDIATION THEREOF...

2. NO CONSTRUCTION OF ANY KIND SHALL BE CONSTRUCTED OR PLACED WITHIN THE UTILITY EASEMENT EXCEPT UTILITIES, WATER, WIRE, OR EXCEPT GRASS OR SHADES. NO TREES SHALL BE FURTHER UNDEVELOPED...

3. ALL NEW AND EXISTING UTILITY, ELECTRICITY, TELEPHONE LINES, WATER OR SANITARY SEWER LINES, SHALL BE INSTALLED UNDERGROUND AS PART OF THE SHEET IMPROVEMENTS...

4. MAINTENANCE OF SPACE AND UNDERGROUND DRAINAGE FACILITIES SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS...

5. THE AMENDED MAP OF PRIVATE TRACT DEDICATION IS LOCATED WITHIN THE CITY OF PEORIA WATER SERVICE AREA, AND HAS BEEN DESIGNATED AS A 10-YEAR ASSURED WATER SUPPLY...

6. NO STRUCTURE OF ANY KIND BE CONSTRUCTED OR ANY REVISION THEREOF BE MADE TO BE LOCATED WITHIN THE UTILITY EASEMENT OR THROUGH THE EASEMENT OR TRACT...

7. TO ADD THE PARCELS NORTH OF BLACKSTONE DRIVE INTO THE AMENDED TRACT...

8. TO MODIFY THE AMENDED TRACT NEAR THE SECTION LINE OF SURGEY TOWN AND TULSA TRACT...

9. TO ADD THE PARCELS NORTH OF BLACKSTONE DRIVE INTO THE AMENDED TRACT...

10. TO ADD THE PARCELS NORTH OF BLACKSTONE DRIVE INTO THE AMENDED TRACT...

11. THIS AMENDED MAP OF PRIVATE TRACT DEDICATION IS LOCATED WITHIN THE CITY OF PEORIA WATER SERVICE AREA, AND HAS BEEN DESIGNATED AS A 10-YEAR ASSURED WATER SUPPLY...

12. NO STRUCTURE OF ANY KIND BE CONSTRUCTED OR ANY REVISION THEREOF BE MADE TO BE LOCATED WITHIN THE UTILITY EASEMENT OR THROUGH THE EASEMENT OR TRACT...

13. TO ADD THE PARCELS NORTH OF BLACKSTONE DRIVE INTO THE AMENDED TRACT...

RECORD DOCUMENT: MAP OF PRIVATE TRACT DEDICATION OF BLACKSTONE DRIVE & SUNRISE POINT, BOOK 763, PAGE 42, MCR, REC. 10/18/10, REC. 10/18/10, REC. 10/18/10

SHEET INDEX: SHEET 1 COVER, SHEET 2 LEGAL DESCRIPTION AND MOMENT NOTES, SHEET 3 MET AND SHEET INDEX AND LEGAL TABLES, SHEETS 4-11 TYPICAL, WIDTH PLAN SHEETS, SHEET 12 CURVE TABLES

STATEMENT OF RE-PLAT: THE PURPOSE OF THIS AMENDED PLAT IS TO: 1. TO CREATE NEW TRACT LINES FOR AND BOUNDARIES, 2. TO ADD THE PARCELS NORTH OF BLACKSTONE DRIVE INTO THE AMENDED TRACT, 3. TO MODIFY THE AMENDED TRACT NEAR THE SECTION LINE OF SURGEY TOWN AND TULSA TRACT...

FLOOD PLAN: THIS AMENDED MAP OF PRIVATE TRACT DEDICATION IS LOCATED WITHIN THE CITY OF PEORIA WATER SERVICE AREA, AND HAS BEEN DESIGNATED AS A 10-YEAR ASSURED WATER SUPPLY...

LEGEND: FROM MOMENT AS NOTED, SET CORNER OF THIS PLAT PER: 1. UNDESIGNED, 2. MEASURED, 3. RECORDED, 4. SURVEY EASEMENT, 5. WATER & SEWER EASEMENT, 6. PUBLIC UTILITY EASEMENT, 7. RIGHT-OF-WAY, 8. MARICOPA COUNTY EASEMENT, 9. PLAT BOUNDARY LINE, 10. TRACT LINE, 11. SECTION LINE, 12. CENTER LINE, 13. MATCH LINE, 14. ADJACENT LINE

DEVELOPER: DEVISTANCIA, 8720 North Scottsdale Road, Suite 250, Scottsdale, AZ 85263, 480-458-2018

PREPARED BY: GOODWIN MARSHALL, CIVIL ENGINEERS - PLANNERS - SURVEYORS, 6008 West Bay Road, Suite 15, Chandler, Arizona 85226, (602) 716-2165

SURVEYED BY: (Blank space for surveyor name)

ACKNOWLEDGMENT: I HEREBY SET MY HAND AND OFFICIAL SEAL AS COMMISSION EXPRES...

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LEGAL DESCRIPTION

All that certain lot, tract, or parcel of land, being of the Map of Private Tract, Dedication of Block 24 of Sunrise Park recorded in Book 17, Page 42, Map and being a portion of the same, more particularly described as follows: ...

LEGAL DESCRIPTION (CONT.)

THENCE South 69 deg. 47 min. 39 sec. West, a distance of 13.94 feet, ...

LEGAL DESCRIPTION (CONT.)

THENCE South 88 deg. 03 min. 05 sec. East, a distance of 164.65 feet to a Point of Curvature of a circular curve to the right, having a radius of 16.69 feet, ...

LEGAL DESCRIPTION (CONT.)

THENCE a westerly direction along said curve to the right, a distance of 43.01 feet to a Point of Curvature of a circular curve to the right, having a radius of 10.36 feet, ...

AMENDED MAP OF PRIVATE TRACT DEDICATION

MONUMENT NOTES

- 1) STATE QUANTITY OF CONCRETE FOUND AT SECTION 23, FOUND TO BE 200.00 YDS. 2) FOUND CITY OF PIEDRA BLANCA DAP FLUSH ...

R040091C SHEET 2 OF 12

PREPARED BY: GOODWIN MARSHALL



CONCRETE - REINFORCED - SURVEYING

8000 West Bay Road, Suite 15, Chandler, Arizona 85226, (602) 726-7885

REVISED 3/21/2015

REVISED 6/20/2015

Main body of the document containing numerous 'THENCE' statements and monument notes, such as 'THENCE North 11 deg. 00 min. 00 sec. East, a distance of 21.00 feet' and 'THENCE a westerly direction along said curve to the right, a distance of 43.01 feet'.

TRACT SUMMARY TABLE

TRACT	AREA (SQ. FT.)	USAGE	MAINTENANCE RESPONSIBILITY
A-1	24091	C.A., L.S., O.S., P.R., S.E., W.E.	H.O.A.
A-2	32772	C.A., L.S., O.S., P.R., S.E., W.E.	H.O.A.
A-3	32772	C.A., L.S., O.S., P.R., S.E., W.E.	H.O.A.
A-4	35432	C.A., L.S., O.S., P.R., S.E., W.E.	H.O.A.
A-5	40353	C.A., L.S., O.S., P.R., S.E., W.E.	H.O.A.
A-6	64435	C.A., L.S., O.S., P.R., S.E., W.E.	H.O.A.
A-7	64435	C.A., L.S., O.S., P.R., S.E., W.E.	H.O.A.
A-8	109943	C.A., L.S., O.S., P.R., S.E., W.E.	H.O.A.
A-9	481	C.A., L.S., O.S., P.R., S.E., W.E.	H.O.A.
A-10	238485	C.A., L.S., O.S., P.R., S.E., W.E.	H.O.A.
B	4186	C.A., L.S., O.S., P.U.E., U.V.E.	H.O.A.
D-1	187	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
D-2	19497	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
D-3	2281	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
E-1	6569	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
E-2	6569	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
E-3	86029	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
E-4	25242	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
F-1	26944	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
F-2	25689	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
F-3	23071	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
G-1	27894	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
G-2	28548	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
H	30407	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
I	33748	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
J	10407	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
K	10407	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
L	9944	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
M-1	8442	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
M-2	2972	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
N	785	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
O	10086	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
P	16234	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
Q	18243	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
R	18243	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
S	18243	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
T-1	829	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
T-2	1787	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
T-3	34343	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
U	32221	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
V	2416	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
W-1	7928	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
W-2	5768	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
X-1	32504	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
X-2	32504	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
X-3	32504	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
Y	72	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
Z-1	816	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
Z-2	24	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
Z-3	24	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
AA-1	5235	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
AA-2	779	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
BB-1	311	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
CC-1	236	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
CC-2	236	C.A., D.E., L.S., O.S., P.U.E., U.V.E., W.E.	H.O.A.
DD	72789	C.A., L.S., O.S.	H.O.A.
EE	31745	C.A., L.S., O.S.	H.O.A.
FF	31745	C.A., L.S., O.S.	H.O.A.
TTOTAL	1,393,544	TOTAL AREA OF TRACTS (SQ. FT.)	

LAND USAGE LEGEND

C.A. COMMON AREA
L.S. LANDSCAPE
O.S. OPEN SPACE
P.U.E. PUBLIC UTILITY EASEMENT
U.V.E. UNOBTAINED VIEW EASEMENT
W.E. WATER EASEMENT

MAINTENANCE LEGEND

H.O.A. BLACKSTONE AT VISTACHA COMMUNITY ASSOCIATION

SURVEYED BY:
ASAM
ASBESTOS SURVEYING & TESTING

2411 W. Norman, Suite 110
Phoenix, AZ 85021
(602) 246-1919

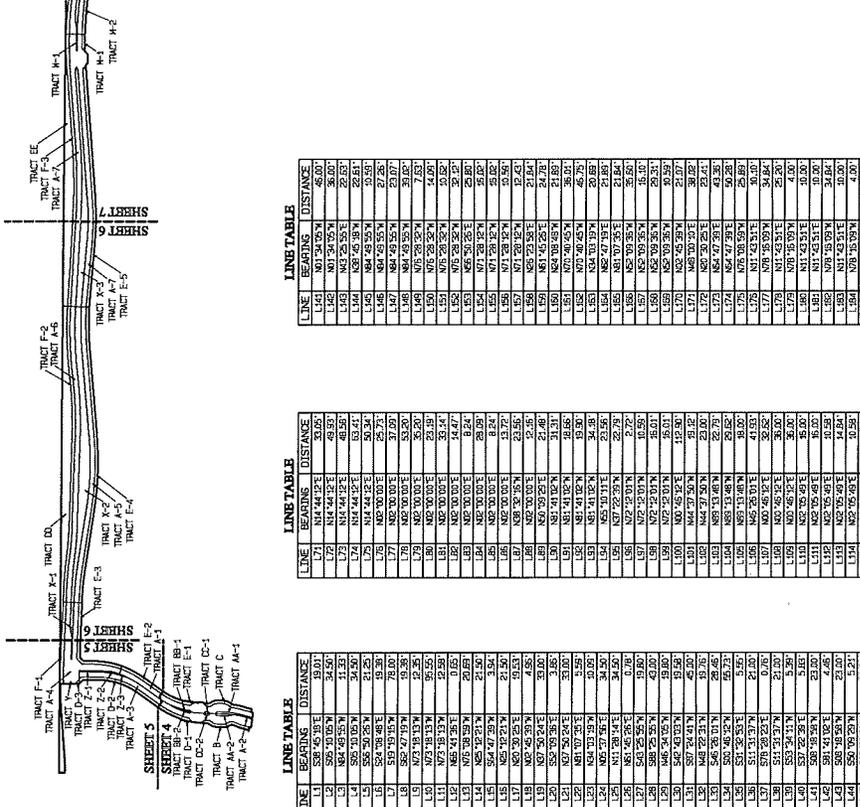
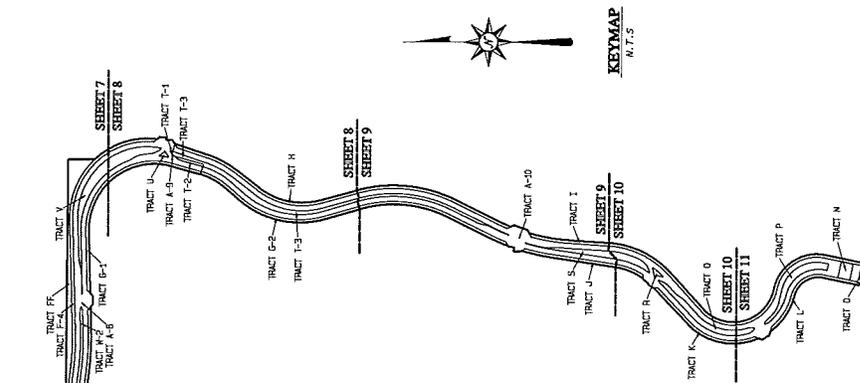
PREPARED BY:
GOODWIN MARSHALL
CIVIL ENGINEERS - PLANNERS - SURVEYORS

6608 West Bay Road, Suite 15
Chandler, Arizona 85226
(602) 218-7285

R040091C SHEET 3 OF 12

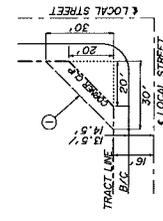
EXPIRES 3/31/2015

EXPIRES 6/30/2015



LINE TABLE

LINE	BEARINGS	DISTANCE
L1	S88°45'00"E	19.01
L2	S89°10'00"W	34.50
L3	S84°45'00"W	31.53
L4	S84°45'00"W	48.56
L5	S88°45'00"W	21.25
L6	S88°45'00"W	25.74
L7	S82°00'00"E	37.09
L8	S82°00'00"E	33.20
L9	S82°00'00"E	33.20
L10	S82°00'00"E	33.20
L11	S82°00'00"E	33.20
L12	S82°00'00"E	33.20
L13	S82°00'00"E	33.20
L14	S82°00'00"E	33.20
L15	S82°00'00"E	33.20
L16	S82°00'00"E	33.20
L17	S82°00'00"E	33.20
L18	S82°00'00"E	33.20
L19	S82°00'00"E	33.20
L20	S82°00'00"E	33.20
L21	S82°00'00"E	33.20
L22	S82°00'00"E	33.20
L23	S82°00'00"E	33.20
L24	S82°00'00"E	33.20
L25	S82°00'00"E	33.20
L26	S82°00'00"E	33.20
L27	S82°00'00"E	33.20
L28	S82°00'00"E	33.20
L29	S82°00'00"E	33.20
L30	S82°00'00"E	33.20
L31	S82°00'00"E	33.20
L32	S82°00'00"E	33.20
L33	S82°00'00"E	33.20
L34	S82°00'00"E	33.20
L35	S82°00'00"E	33.20
L36	S82°00'00"E	33.20
L37	S82°00'00"E	33.20
L38	S82°00'00"E	33.20
L39	S82°00'00"E	33.20
L40	S82°00'00"E	33.20
L41	S82°00'00"E	33.20
L42	S82°00'00"E	33.20
L43	S82°00'00"E	33.20
L44	S82°00'00"E	33.20
L45	S82°00'00"E	33.20
L46	S82°00'00"E	33.20
L47	S82°00'00"E	33.20
L48	S82°00'00"E	33.20
L49	S82°00'00"E	33.20
L50	S82°00'00"E	33.20
L51	S82°00'00"E	33.20
L52	S82°00'00"E	33.20
L53	S82°00'00"E	33.20
L54	S82°00'00"E	33.20
L55	S82°00'00"E	33.20
L56	S82°00'00"E	33.20
L57	S82°00'00"E	33.20
L58	S82°00'00"E	33.20
L59	S82°00'00"E	33.20
L60	S82°00'00"E	33.20
L61	S82°00'00"E	33.20
L62	S82°00'00"E	33.20
L63	S82°00'00"E	33.20
L64	S82°00'00"E	33.20
L65	S82°00'00"E	33.20
L66	S82°00'00"E	33.20
L67	S82°00'00"E	33.20
L68	S82°00'00"E	33.20
L69	S82°00'00"E	33.20
L70	S82°00'00"E	33.20



NOTE: PERTAINS TO ALL LOCAL UNCONTROLLED INTERSECTIONS

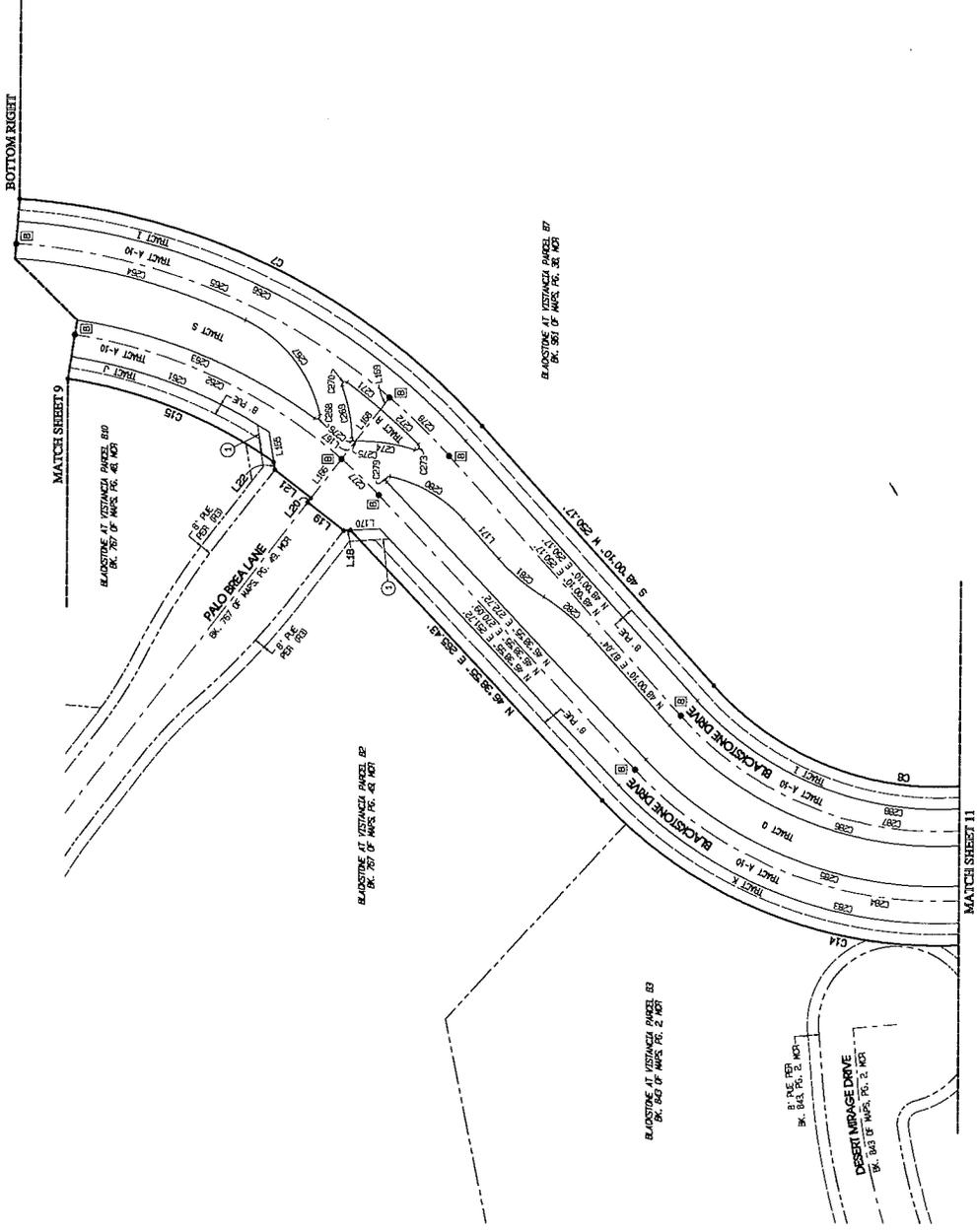
① = 30' X 40' UNOBTAINED VIEW EASEMENT

N.T.S.

R040091C SHEET 3 OF 12

EXPIRES 3/31/2015

EXPIRES 6/30/2015



BOTTOM RIGHT

MATCH SHEET 9
BLASTSTONE AT VISTANCA PARKER DRD
BK. 750 OF MAPS PG. 48, MOI

PALO BELLE LANE
BK. 750 OF MAPS PG. 48, MOI

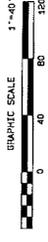
BLASTSTONE AT VISTANCA PARKER DRD
BK. 750 OF MAPS PG. 48, MOI

BLASTSTONE AT VISTANCA PARKER DRD
BK. 750 OF MAPS PG. 48, MOI

BLASTSTONE AT VISTANCA PARKER DRD
BK. 750 OF MAPS PG. 2, MOI

DESERT MIDGE DRIVE
BK. 750 OF MAPS PG. 2, MOI

MATCH SHEET 11



AMENDED MAP OF PRIVATE TRACT DEDICATION
BLACKSTONE DRIVE & SURPASS POINT

W:\103704 - Vistanc - A3\CGO\MAP\PTD\MPTD\p99 Print1 - Mod Aug 27 09 27 10 2014

R040091C SHEET 10 OF 12

SURVEYED BY:

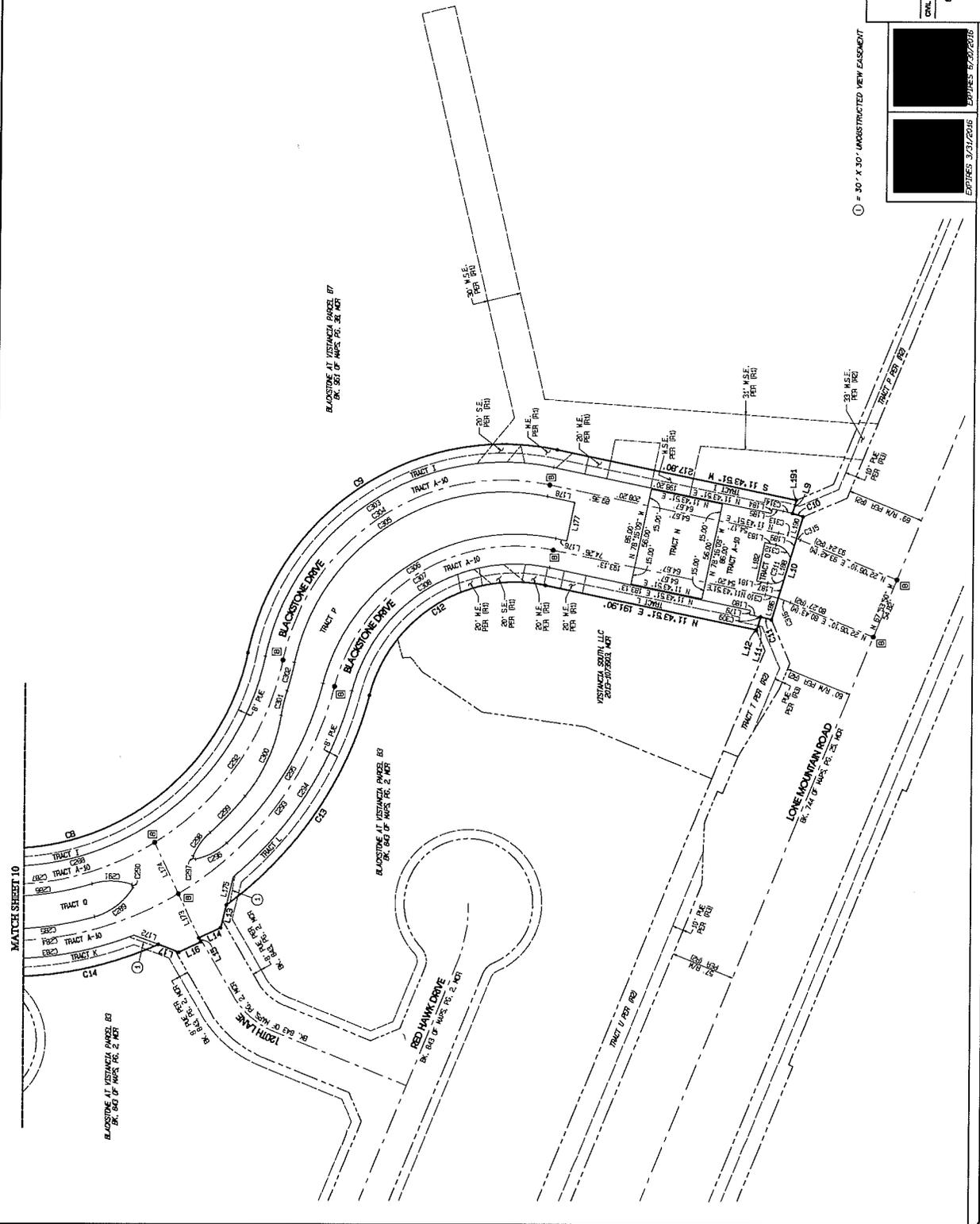


PREPARED BY:
GOODWIN MARSHALL & ASSOCIATES
CIVIL ENGINEERS - PLANNERS - ARCHITECTS
8000 West Ray Road, Suite 15
Chandler, Arizona 85226
(602) 218-7266



EXPIRES 3/31/2015

① = 30' X 30' UNSTRUCTURED VIEW EASEMENT
EXPIRES 6/30/2016



MATCH SHEET 10

BLAIRSTONE AT VISTANZA PARCEL E3
BK. 563 OF MAPS PG. 2, MFR

BLAIRSTONE AT VISTANZA PARCEL E3
BK. 563 OF MAPS PG. 2, MFR

RED HAWK DRIVE
BK. 563 OF MAPS PG. 2, MFR

LOVE MOUNTAIN ROAD
BK. 747 OF MAPS PG. 23, MFR

BLAIRSTONE AT VISTANZA PARCEL B7
BK. 561 OF MAPS PG. 28, MFR

30' M.S.E.
PER 10'

31' M.S.E.
PER 10'

33' M.S.E.
PER 10'

① = 30' X 30' UNOBTAINED VIEW EASEMENT

R040091C SHEET 11 OF 12

PREPARED BY:

**GOODWIN
MARSHALL &
ASSOCIATES**
PLANNING - ENGINEERS

6600 West Ray Road, Suite 15
Chandler, Arizona 85226
(602) 218-7285



2411 N. Alhambra, Suite 110
Phoenix, Arizona 85016
(602) 248-8819



EXPIRES 3/31/2016 EXPIRES 12/31/2016

CURVE TABLE

Table with columns: CURVE, RADIUS, ARC, DELTA, CHORD BEARINGS, CHORD. Contains curve data for stations 100+00 to 100+99.99.

CURVE TABLE

Table with columns: CURVE, RADIUS, ARC, DELTA, CHORD BEARINGS, CHORD. Contains curve data for stations 101+00 to 101+99.99.

CURVE TABLE

Table with columns: CURVE, RADIUS, ARC, DELTA, CHORD BEARINGS, CHORD. Contains curve data for stations 102+00 to 102+99.99.

CURVE TABLE

Table with columns: CURVE, RADIUS, ARC, DELTA, CHORD BEARINGS, CHORD. Contains curve data for stations 103+00 to 103+99.99.

CURVE TABLE

Table with columns: CURVE, RADIUS, ARC, DELTA, CHORD BEARINGS, CHORD. Contains curve data for stations 104+00 to 104+99.99.

CURVE TABLE

Table with columns: CURVE, RADIUS, ARC, DELTA, CHORD BEARINGS, CHORD. Contains curve data for stations 105+00 to 105+99.99.

PREPARED BY:

GOODWIN MARSHALL & ASSOCIATES, INC. 6000 West Bay Road, Suite 15 Chandler, Arizona 85226 (602) 246-2828

SURVEYED BY:



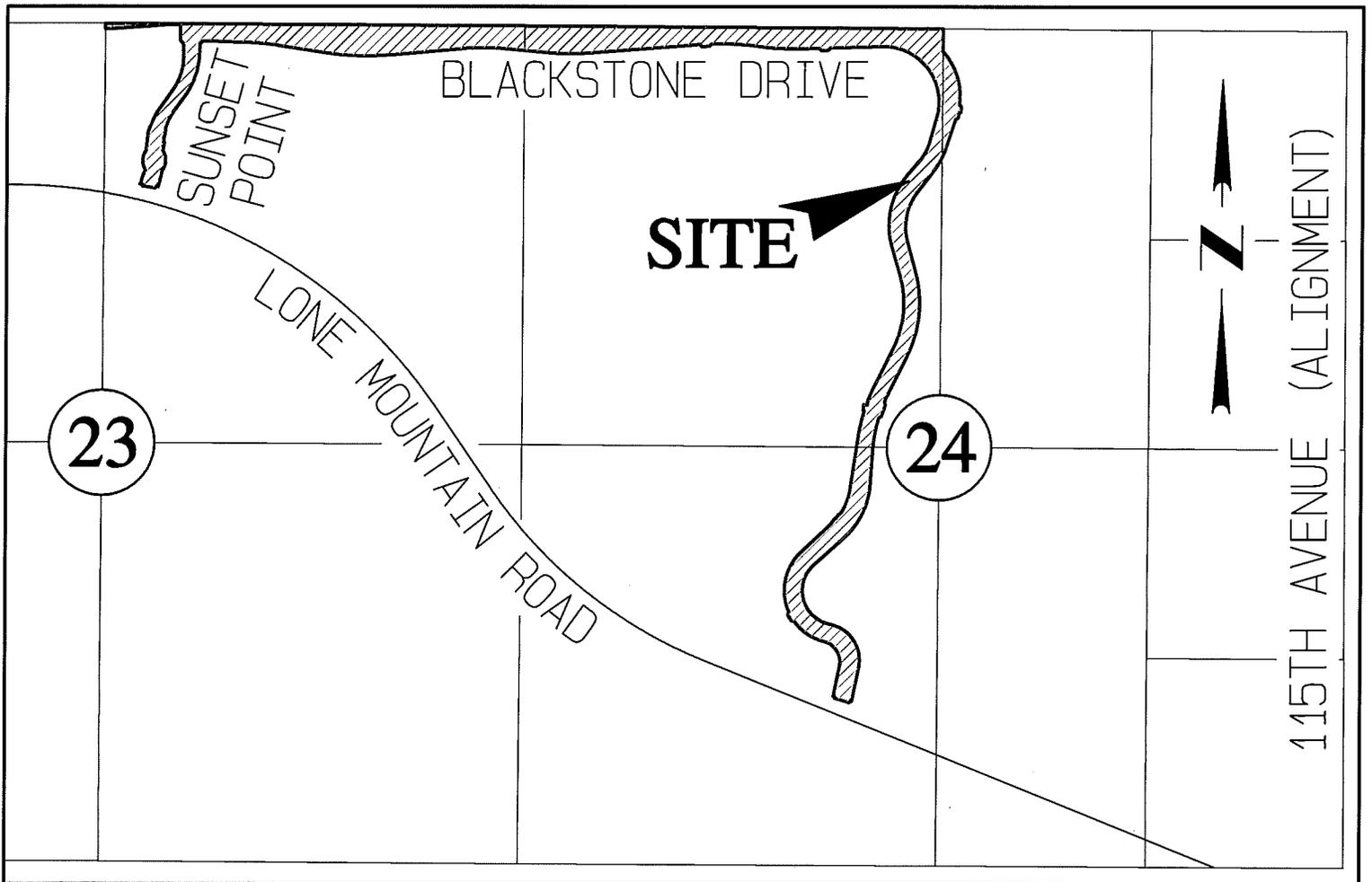
2411 W. Northern Ave., Suite 110 Phoenix, Arizona 85021 (602) 246-9810

R040091C SHEET 12 OF 12

APPRISES 5/27/2016

APPRISES 5/27/2016

AMENDED MAP OF PRIVATE TRACT DEDICATION BLACKSTONE DRIVE & SURPLUS POINT



VICINITY MAP

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 28C

Date Prepared: September 3, 2014

Council Meeting Date: October 7, 2014

TO: Carl Swenson, City Manager

FROM: Scott Whyte, Economic Development Services Director

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Final Plat, Trilogy West Phase 1 - Parcel C40, Upcountry Way and Vistancia Blvd (Project No. R140016)

Purpose:

This is a request for City Council to approve a Final Plat of Trilogy West Phase 1 - Parcel C40, located on Upcountry Way west of Vistancia Blvd, 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 96 new lots within

the Trilogy West development. All internal roadways are private and will be maintained by the HOA.

In September 2014, the City Council approved the Master Final Plat for Trilogy West Phase 1, creating all of the individual parcels and the roadways for the master subdivision. The Replats are necessary to further subdivide each parcel into individual lots, tracts, and internal roadways for development.

Previous Actions:

The preliminary plat was reviewed by the City and completed in February 2014 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

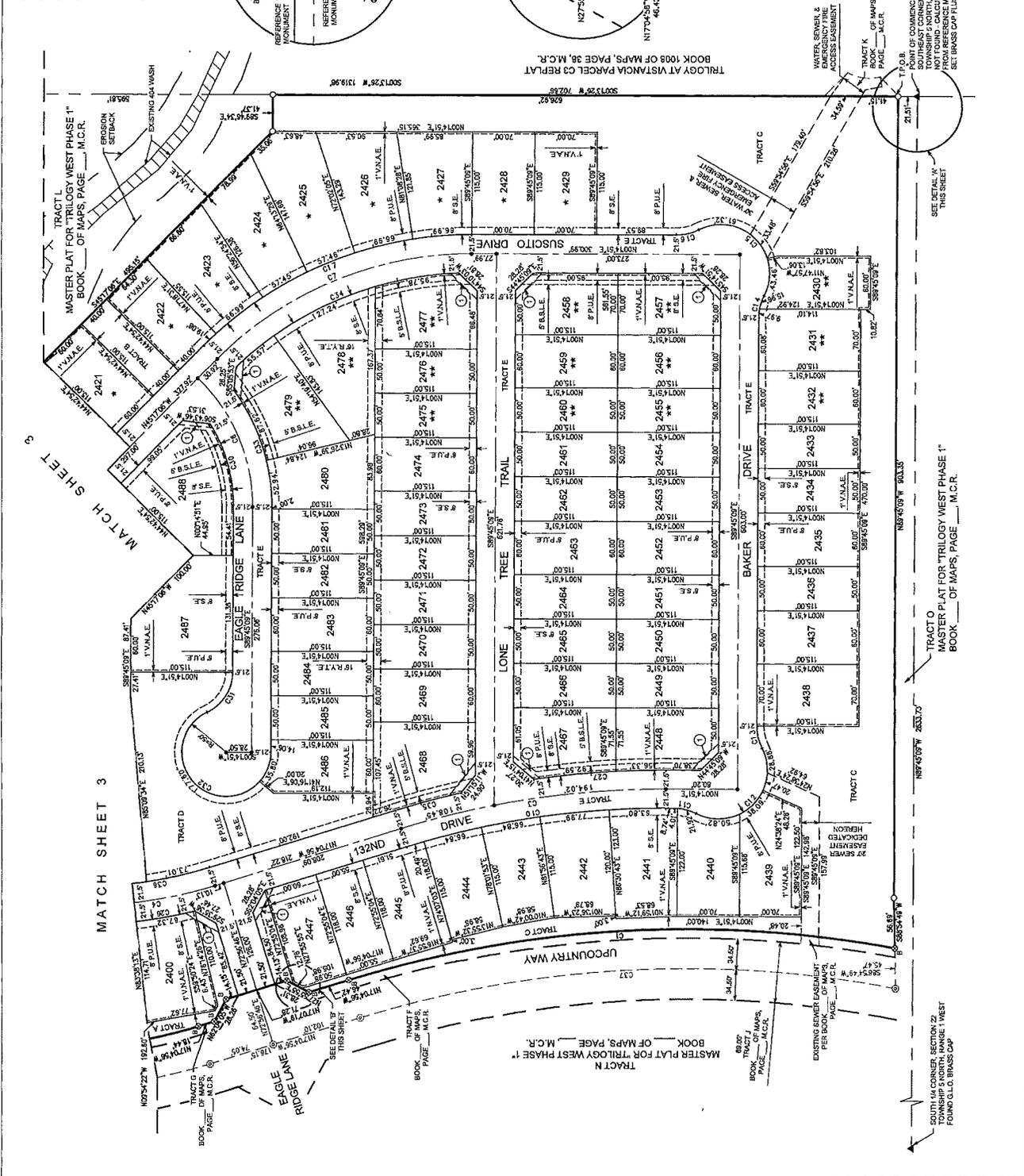
Exhibit 2: Vicinity Map

Exhibit 3: Location Map

Contact Name and Number:

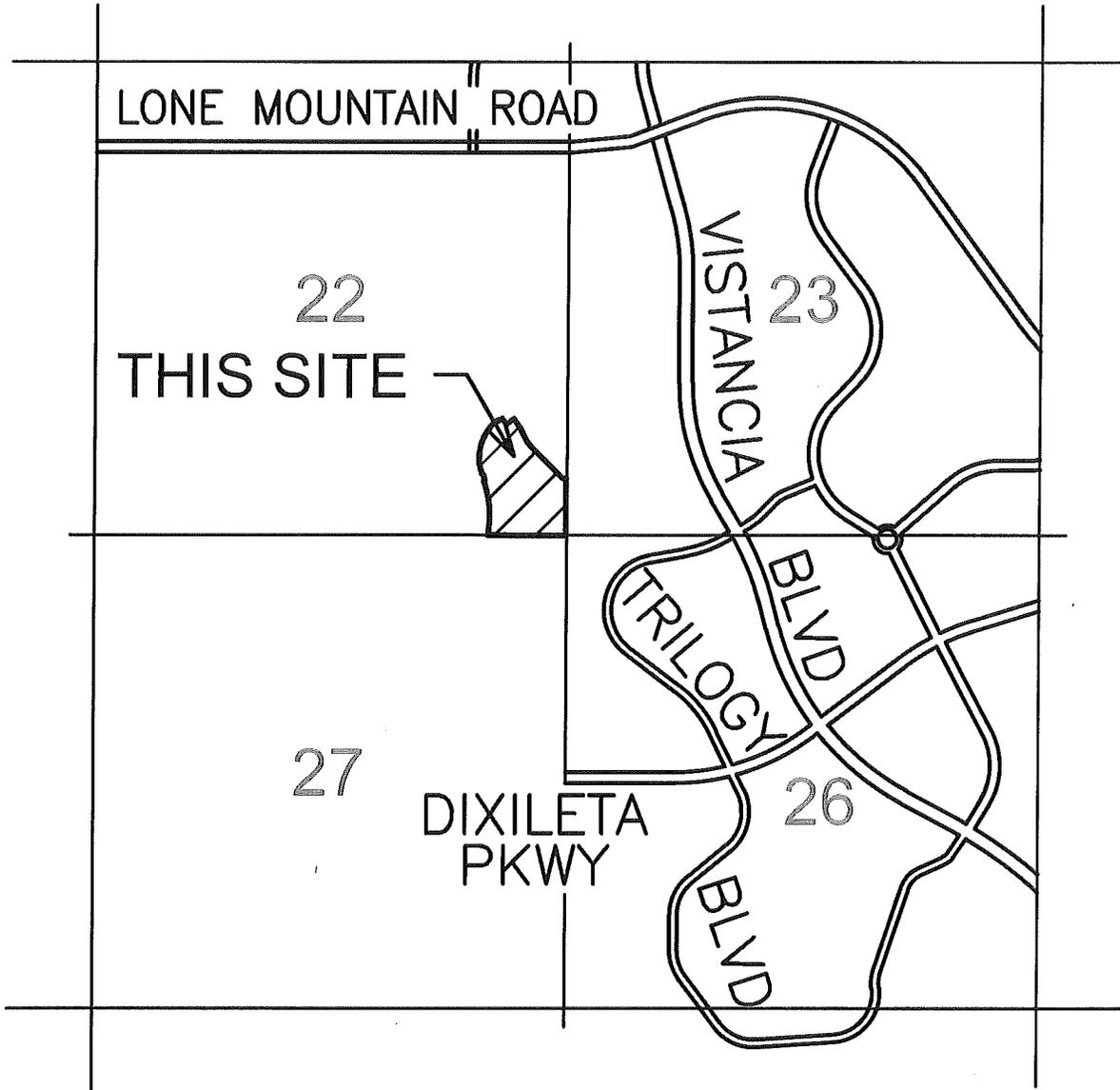
Jodi Breyfogle, PE: 623-773-7577

NO.	REVISION	DATE



COUNTY RECORDER

POINT OF COMMENCEMENT FOR TRILGY WEST PHASE 1
 TOWNSHIP 5 NORTH, RANGE 1 WEST
 FOUND G.L.O. BRASS CAP



VICINITY MAP

(NOT-TO-SCALE)

FUTURE
PHASE 4

PARCEL
C41

VISTANCIA BLVD.

PARCEL
C42

PARCEL
C40



LOCATION MAP

(N.T.S.)

FUTURE
PHASE 3

FUTURE
PHASE 2

DIXILETA PARKWAY

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 29C

Date Prepared: September 2, 2014

Council Meeting Date: October 7, 2014

TO: Carl Swenson, City Manager

FROM: Scott Whyte, Economic Development Services Director

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Replat for Lot 4 DV 83 Subdivision, on Deer Valley Road west of 83rd Avenue
(Project No. R140046)

Purpose:

This is a request for City Council to approve the Replat for Lot 4 DV 83 Subdivision located on Deer Valley Road west of 83rd Avenue, and authorize the Mayor and City Clerk to sign and record the Replat 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 Replat.
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 Replat.
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 Replat.
4. In the event that the Replat is not recorded within 60 days of Council approval, the Replat will become void. The developer may request re-approval from the City, with the understanding that the City has the option of imposing additional requirements or stipulations.

Background/Summary:

The developer has requested this Replat in order to divide one commercial lot into three lots, to facilitate development. This development is within the Rose Valley Water service area and the

City of Peoria's sewer service area. All internal drives are private and will be maintained by the owner.

Previous Actions:

This is a Replat of Lot 4 of the DV83 Subdivision, which was recorded in July 2004 in Book 695 Page 4.

Options:

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

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

Staff's Recommendation:

Staff recommends the approval and subsequent recordation of the attached Replat.

Fiscal Analysis:

There is no direct budgetary impact to the City to approve the Replat.

Narrative:

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

Exhibit(s):

Exhibit 1: Replat

Exhibit 2: Vicinity Map

Contact Name and Number:

Jodi Breyfogle, PE: 623-773-7577

BASIS OF BEARING

THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 15, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

BEARING - N 01°10'13" E

LEGAL DESCRIPTION

THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 15, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA RECORDED IN BOOK 685 OF MAPS, PAGE 4.

DEDICATION

COUNTY OF ARIZONA } SS
 COUNTY OF MARICOPA } SS

BY BEARING AS SHOWN, I HEREBY DEDICATE TO THE CITY OF PEORIA, ARIZONA, A REPLAT OF LOT 4 DV 83 SUBDIVISION AS RECORDED IN BOOK 685, PAGE 4 AND A PORTION OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA. AS SHOWN AND PLATTED HEREON AND HEREBY PUBLISHES THIS BEARING AS TRUE AND CORRECT. I HEREBY DECLARE THAT SAID REPLAT, ZONING, LOCATION AND GIVES THE DIMENSIONS OF THE LOTS, TRACTS, ALLEYS AND STREETS CONSTITUTING SAME, AND THAT EACH LOT, TRACT AND STREET SHALL BE INDIVIDUALLY AND SEPARATELY OWNED AND THAT THE REPLAT, TRACT AND STREET REPLAT AND HEREBY DEDICATED TO THE CITY OF PEORIA FOR USE, AS SUCH, THE STREETS AS SHOWN ON THIS REPLAT AND INCLUDED IN THE ABOVE DESCRIBED PREMISES, EASEMENTS ARE DEDICATED FOR THE USE AND BENEFIT OF THE CITY OF PEORIA, ARIZONA, AND SHALL REMAIN IN FULL FORCE AND EFFECT WITH THE RECORDED REPLAT OF THIS RE-PLAT.

PUBLIC UTILITY EASEMENTS (P.U.E.) ARE DEDICATED TO THE CITY OF PEORIA FOR USE AS SUCH. THE MAINTENANCE OF JANICOURING WITH THE RIGHT OF WAY SHALL BE THE RESPONSIBILITY OF THE FRONTING PROPERTY OWNER.

BY: _____ DATE: _____

TITLE: _____

ACKNOWLEDGMENT

COUNTY OF ARIZONA } SS
 COUNTY OF MARICOPA } SS

THIS DOCUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2014, FOR AND ON BEHALF OF BY EBSD LLC, AN ARIZONA LIMITED LIABILITY COMPANY.

NOTARY PUBLIC, _____

MY COMMISSION EXPIRES _____

SYMBOL LEGEND (TYPICAL)

- BRASS CAP FLUSH (OR AS NOTED)
- FOUND REBAR (OR AS NOTED)
- SET 1/2" REBAR W/ CAP (S.F. 3/855) (OR AS NOTED)

LINETYPE LEGEND (TYPICAL)

- PLAT BOUNDARY
- EASEMENT (AS NOTED)

"LOT 4 DV 83 SUBDIVISION"

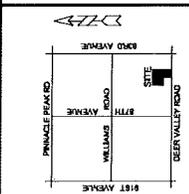
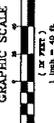
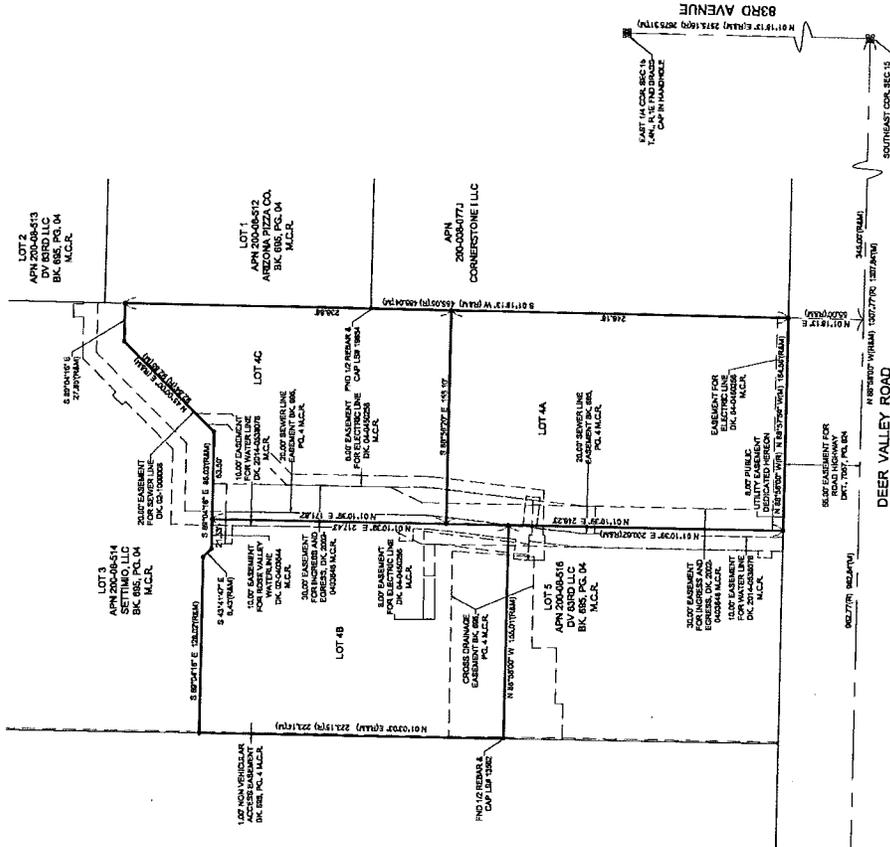
BEING A REPLAT OF LOT 4 OF DV83 SUBDIVISION AS RECORDED IN BOOK 685, PAGE 4 AND A PORTION OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

FLOOD ZONE

ALL AREAS OF THE SUBJECT PARCEL LIE IN ZONE "X" ACCORDING TO THE CURRENT FLOOD INSURANCE RATE MAP NUMBER 040121262L, REVISION DATE OCTOBER 16, 2012. ZONE "X" IS OCCUPIED AS AREAS OF 2% ANNUAL CHANCE FLOOD AREAS OF 1% ANNUAL CHANCE FLOOD AREAS. THE FLOOD ZONE IS SHOWN IN SHADING. THE FLOOD ZONE IS 1 SQUARE MILE AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

LOT AREA TABLE

LOT	AREA(SF)	AREA(A/C)
1A	36,117.248	0.827
1B	34,518.146	0.79
1C	30,705.84	0.70
TOTAL	101,341.238	2.34



VICINITY MAP
N.T.S.

NOTES

- NO CONSTRUCTION OF ANY KIND SHALL BE CONSIDERED OR ALLOWED WITHIN THE UTILITY EASEMENTS, EXCEPT UTILITIES, WOOD, WIRE, OR REMOVAL THEREOF. ANY CONSTRUCTION OF ANY KIND SHALL BE CONSIDERED AS REQUIRED TO REPLACE ANY OBSTRUCTION OR PLANTING THAT MUST BE REMOVED DURING THE COURSE OF MAINTENANCE, CONSTRUCTION OR RECONSTRUCTION.
- ALL NEW AND EXISTING UTILITY, ELECTRICAL FACILITIES LESS THAN 48 VOLT, SHALL BE INSTALLED UNDERGROUND AS PART OF THE STREET IMPROVEMENTS.
- MAINTENANCE OF SURFACE AND UNDERGROUND EASEMENTS SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER.
- ALL LOT OWNERS SHALL BE MONUMENTED WITH "K" REBAR AND CAPED OR TAGGED BEARING THE REGISTRATION NUMBER OF THE SURVEYOR RESPONSIBLE FOR THEIR PLACEMENT.
- STOPS, FENCES, WALLS, UTILITY BOXES, STRUCTURES, SPRINKLERS, HEDGES OR OTHER OBSTRUCTIONS SHALL NOT BE PLACED WITHIN THE UTILITY EASEMENTS UNLESS THEY ARE PERMITTED WITHIN THE UTILITY EASEMENTS OR THE FRONT YARD SETBACKS. NO LIMBS, LEAVES, NEEDLES OR OTHER FOLIAGE ABOVE 60 INCHES IN HEIGHT SHALL BE PERMITTED TO GROW WITHIN THE UTILITY EASEMENTS OR TO OBSTRUCT 20% OF THE VISIBILITY WHICH COMBINED WITH OTHER OBSTRUCTIONS.
- THIS SUBDIVISION IS LOCATED WITHIN THE DEER VALLEY WATER COMPANY WATER SERVICE AREA AND HAS A CERTIFICATE OF ASSURED WATER.
- THIS SUBDIVISION IS LOCATED WITHIN THE CITY OF PEORIA SEWER SERVICE AREA.
- THIS SUBDIVISION IS LOCATED WITHIN THE VICINITY OF A MILITARY AIRPORT. NO STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED OR ANY OBJECT SHALL BE PLANTED WHICH WOULD IMPERIL THE ELEVATION OF ASSURED WATER, UNLESS OR THROUGH THE EASEMENT OF TRACT.

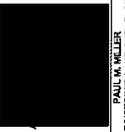
APPROVALS

APPROVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF PEORIA, ARIZONA.
 ON THIS _____ DAY OF _____, 2014

MAYOR _____ DATE _____
 ATTEST, CITY CLERK _____ DATE _____
 CITY ENGINEER _____ DATE _____

LAND SURVEYORS CERTIFICATION

I, THE SURVEYOR, CERTIFY THAT THE SURVEY OF THE PREMISES DESCRIBED AND SHOWN ON THIS REPLAT WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN. THAT THE MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE PLACED AND THAT THE MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

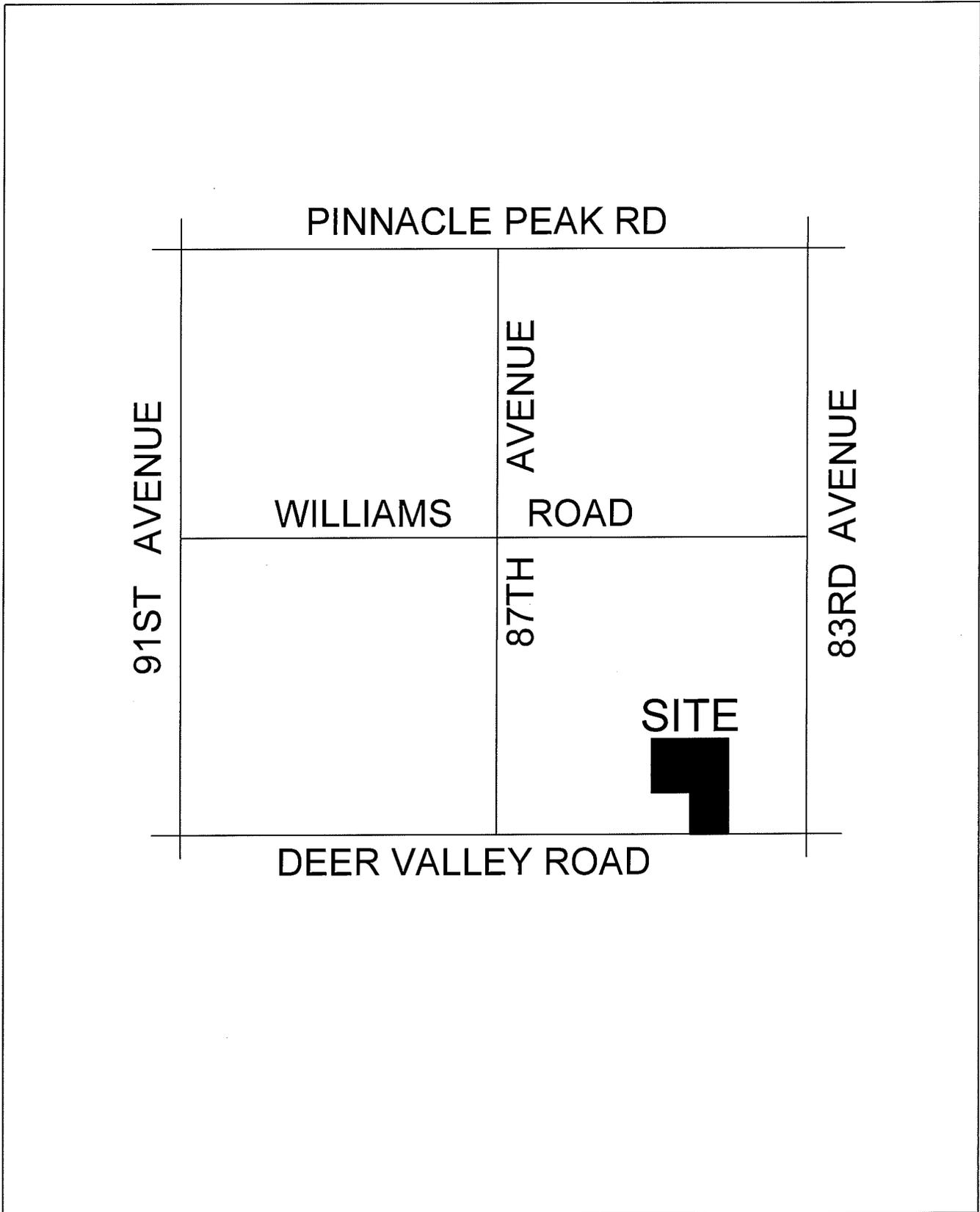


PAUL W. MILLER
 REGISTERED LAND SURVEYOR
 REGISTRATION NO. 24589, AZ

R140046

REVISIONS:

REV. 1	
REV. 2	
REV. 3	
REV. 4	
DATE: 02/09/14	
SCALE: N/A	
JOB NO.	14-014
	1 of 1



	<p>Replat of Lot 4 DV83 Subdivision NWC Deer Valley Road and 83rd Avenue Peoria, Arizona</p>	<p>Project Number: DV83PEA/13032 Scale: NTS</p>
	<p>TRAPEZIUM CONSULTING GROUP LLC 7898 E Acoma Drive, Suite 100, Scottsdale, AZ 85260 480-483-1500</p>	

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 30C

Date Prepared: September 3, 2014

Council Meeting Date: October 7, 2014

TO: Carl Swenson, City Manager

FROM: Scott Whyte, Economic Development Services Director

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Replat, Trilogy at Vistancia – Parcel C3 – Tract K Amended, Trilogy Blvd & Vistancia Blvd (Project No. R07007D)

Purpose:

This is a request for City Council to approve a Replat of Trilogy at Vistancia - Parcel C3 – Tract K Amended, located on Trilogy Blvd and Vistancia Blvd, and authorize the Mayor and City Clerk to sign and record the Replat with the Maricopa County Recorder's Office subject to the following stipulations:

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

Background/Summary:

The purpose of the Replat is to dedicate necessary water and sewer easements over an existing tract within a residential subdivision. There are no additional lots being created with this replat. This development is within the City's water\sewer service area.

Previous Actions:

The Final Plat for Trilogy at Vistancia Parcel C3 was first recorded in February 2008 in Book 978, Page 44. The Replat of Trilogy at Vistancia Parcel C3 was recorded in October 2008 in Book 1008, Page 38.

Options:

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

B: The other option would be to formally approve the Replat and allow adjacent land to be developed.

Staff's Recommendation:

Staff recommends the approval and subsequent recordation of the attached Replat.

Fiscal Analysis:

There is no direct budgetary impact to the City to approve the Replat.

Narrative:

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

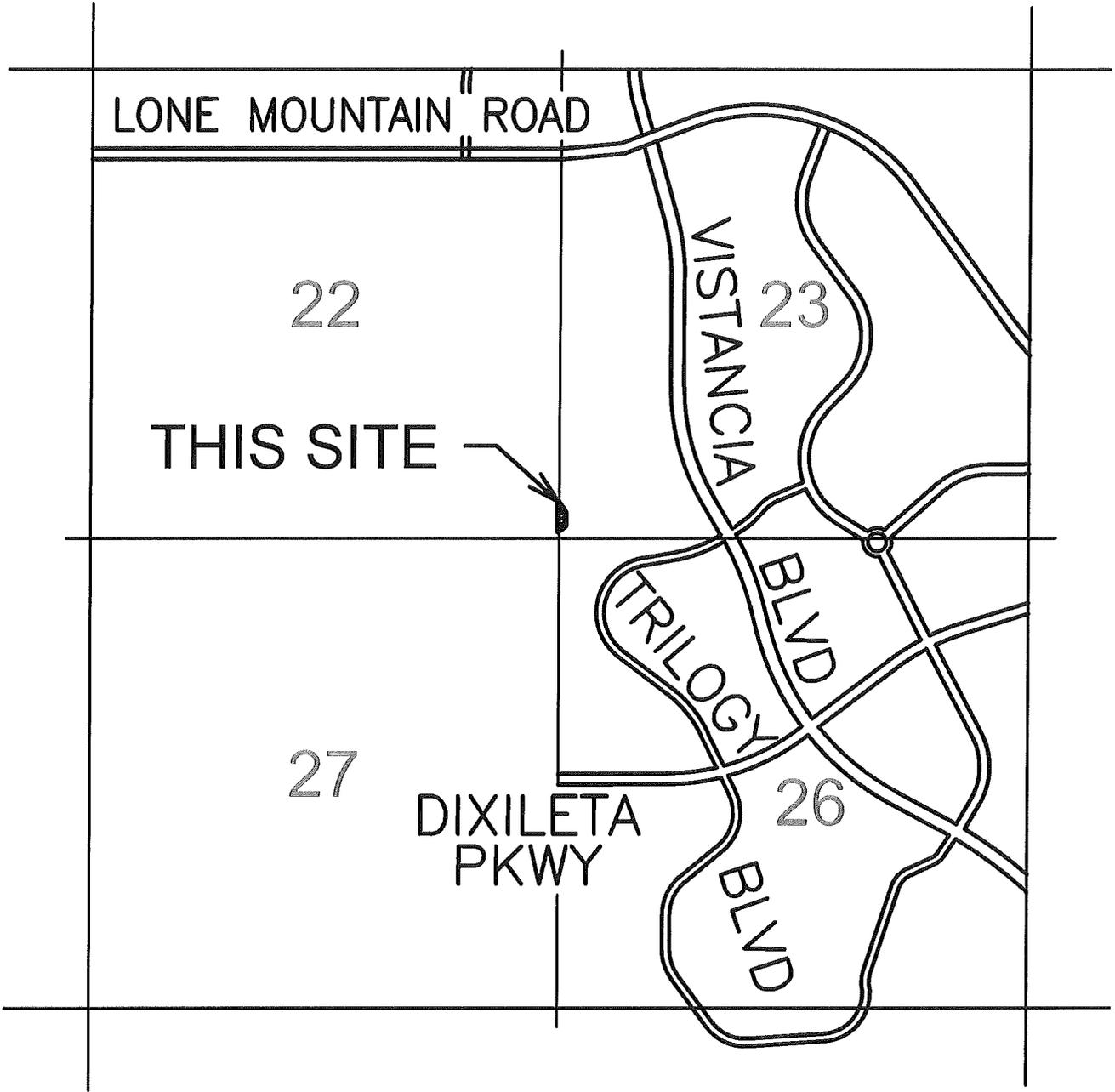
Exhibit(s):

Exhibit 1: Replat

Exhibit 2: Vicinity Map

Contact Name and Number:

Jodi Breyfogle, PE: 623-773-7577



VICINITY MAP

(NOT-TO-SCALE)

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 31R

Date Prepared: September 23, 2014

Council Meeting Date: October 7, 2014

TO: Carl Swenson, City Manager

FROM: Brent Mattingly, Finance Director

THROUGH: Jeff Tyne, Deputy City Manager

SUBJECT: Public Hearing: Proposed Recommendations by the City to the Arizona State Liquor Board for New Wine and Beer Liquor License.

Purpose:

Pursuant to Arizona Law the City must recommend to the State Liquor Board for approval, applications to sell alcoholic beverages in the City. The Standard for the recommendation is whether the best interest of the community will be served by the issuance of these licenses and whether the public convenience is served.

Background/Summary:

Jamal G. Sarkis, Agent for Spanky's Smoke Shop, has applied for a New Wine and Beer Liquor License (Series 10) located at 8868 W. Bell Road #103.

The public hearing notice was posted for at least 20 days, and no comments were received during the posting period. All Departments reviewed the license application according to State law.

Previous Actions:

In October 2012, the Mayor and Council recommended approval to the Arizona State Liquor Board for Spanky's Smoke Shop for a New Wine and Beer Liquor License (Series 10) located at 8868 W. Bell Road #103. The shop was sold and the new owner is applying for a Series 10 liquor license into his name.

Options:

A: Recommend approval to the Arizona State Liquor Board for a New Wine and Beer Liquor License (Series 10) located at 8868 W. Bell Road #103, Jamal G. Sarkis, Applicant, LL#20010581.

B: Recommend denial to the Arizona State Liquor Board for a New Wine and Beer Liquor License (Series 10) located at 8868 W. Bell Road #103, Jamal G. Sarkis, Applicant, LL#20010581.

Staff's Recommendation:

The Mayor and Council recommend denial to the Arizona State Liquor Board for a New Wine and Beer Liquor License (Series 10) for Spanky's Smoke Shop, located at 8868 W. Bell Road #103, Jamal G. Sarkis, Applicant, LL#20010581. The recommendation of denial is based on concerns discovered by the Police Department during its investigation of the application. The Peoria Police Department is recommending the denial based upon the applicant's qualifications and reliability.

Fiscal Analysis:

The item has no financial implications.

Narrative:

The appropriate fees have been paid and the applicant has been advised that a representative needs to be present at the meeting to answer any questions that the Council or public may have.

Exhibit 1: Liquor License Applications.

14 JUN 13 10:11 AM AZLIC #1323

Arizona Department of Liquor Licenses and Control
800 West Washington, 5th Floor
Phoenix, Arizona 85007
www.azliquor.gov
602-542-5141

APPLICATION FOR LIQUOR LICENSE

TYPE OR PRINT WITH BLACK INK

Notice: Effective Nov. 1, 1997, All Owners, Agents, Partners, Stockholders, Officers, or Managers actively involved in the day to day operations of the business must attend a Department approved liquor law training course or provide proof of attendance within the last five years. See page 5 of the Liquor Licensing requirements.

SECTION 1 This application is for a:

- MORE THAN ONE LICENSE
- INTERIM PERMIT *Complete Section 8*
- NEW LICENSE *Complete Sections 2, 3, 4, 13, 14, 15, 16*
- PERSON TRANSFER (Bars & Liquor Stores ONLY)
Complete Sections 2, 3, 4, 11, 13, 15, 16
- LOCATION TRANSFER (Bars and Liquor Stores ONLY)
Complete Sections 2, 3, 4, 12, 13, 15, 16
- PROBATE/WILL ASSIGNMENT/DIVORCE DECREE
Complete Sections 2, 3, 4, 9, 13, 16 (fee not required)
- GOVERNMENT *Complete Sections 2, 3, 4, 10, 13, 15, 16*

SECTION 2 Type of ownership:

- J.T.W.R.O.S. *Complete Section 6*
- INDIVIDUAL *Complete Section 6*
- PARTNERSHIP *Complete Section 6*
- CORPORATION *Complete Section 7*
- LIMITED LIABILITY CO. *Complete Section 7*
- CLUB *Complete Section 8*
- GOVERNMENT *Complete Section 10*
- TRUST *Complete Section 6*
- OTHER (Explain) _____

SECTION 3 Type of license and fees LICENSE #(s): 10076552

1. Type of License(s): #10 Beer and Wine
2. Total fees attached: \$ 222 Department Use Only

APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE.
The fees allowed under A.R.S. 44-6852 will be charged for all dishonored checks.

SECTION 4 Applicant

1. Owner/Agent's Name: Ms. SARKIS Jamal George
(Insert one name ONLY to appear on license) Last First Middle #1071761
2. Corp./Partnership/L.L.C.: SSAS, LLC
(Exactly as it appears on Articles of Inc. or Articles of Org.) #1052529
3. Business Name: Spanky's Smoke Shop
(Exactly as it appears on the exterior of premises) #1048763
4. Principal Street Location: 8868 W. Bell Road Phoenix AZ Maricopa 85382
(Do not use PO Box Number) County Zip
5. Business Phone: 623-215-6660 Daytime Phone: [REDACTED] Email: agsarkis@yahoo.com
6. Is the business located within the incorporated limits of the above city or town? YES NO
7. Mailing Address: 8868 W. Bell Road Phoenix AZ 85382
City State Zip
8. Price paid for license only bar, beer and wine, or liquor store: Type _____ \$ _____ Type _____ \$ _____

DEPARTMENT USE ONLY

Fees: 100 100 22 222
Application Interim Permit Site Inspection Finger Prints \$ 222
TOTAL OF ALL FEES

Is Arizona Statement of Citizenship & Alien Status For State Benefits complete? YES NO

Accepted by: SG Date: 6/13/14 Lic. # 10076552

SECTION 5 Interim Permit:

1. If you intend to operate business when your application is pending you will need an Interim Permit pursuant to A.R.S. 4-203.01. 14 JUN 13 Lic. Lic. # 323
2. There **MUST** be a valid license of the same type you are applying for currently issued to the location.
3. Enter the license number currently at the location. 10076321
4. Is the license currently in use? YES NO If no, how long has it been out of use? _____

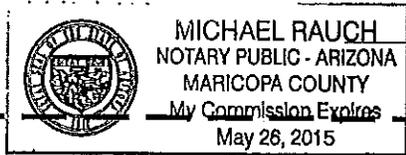
ATTACH THE LICENSE CURRENTLY ISSUED AT THE LOCATION TO THIS APPLICATION.

I, Anthony G. Sarkis, declare that I am the CURRENT OWNER, AGENT, CLUB MEMBER, PARTNER, MEMBER, STOCKHOLDER, or OFFICER (circle the title which applies) of the stated license and location.

State of Arizona County of Maricopa

X _____ The foregoing instrument was acknowledged before me this _____

My commission expires on: May 26 2015 12 day of June, 2014
Day Month Year



(Signature of NOTARY PUBLIC)

SECTION 6 Individual or Partnership Owners:

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$22 PROCESSING FEE FOR EACH CARD.

1. Individual:

Last	First	Middle	% Owned	Mailing Address	City State Zip
SARKIS	JAMAL G.		100	_____	_____

Partnership Name: (Only the first partner listed will appear on license) _____

General-Limited	Last	First	Middle	% Owned	Mailing Address	City State Zip
<input type="checkbox"/>						
<input type="checkbox"/>						
<input type="checkbox"/>						
<input type="checkbox"/>						

) Y R A S S E C E N F I T

2. Is any person, other than the above, going to share in the profits/losses of the business? YES NO
If Yes, give name, current address and telephone number of the person(s). Use additional sheets if necessary.

Last	First	Middle	Mailing Address	City, State, Zip	Telephone#

STATE OF ARIZONA
DEPARTMENT OF LIQUOR LICENSES
AND CONTROL
ALCOHOLIC BEVERAGE LICENSE
License 10076321

Issue Date: 12/5/2012

Expiration Date: 12/31/2014

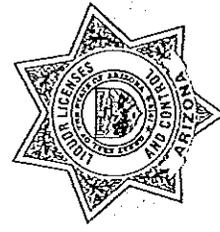
Issued To:
MATTHEW JAMES WHITE, Agent
MACH TRADING CO LLC, Owner

Beer & Wine Store

Location:
SPANKY'S SMOKE SHOP
8868 W BELL RD #103
PEORIA, AZ 85382

Mailing Address:

MATTHEW JAMES WHITE
MACH TRADING CO LLC
SPANKY'S SMOKE SHOP
4433 W VAN BUREN ST #5
PHOENIX, AZ 85043



POST THIS LICENSE IN A CONSPICUOUS PLACE

SECTION 7 Corporation/Limited Liability Co.:

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$22 PROCESSING FEE FOR EACH CARD.

14 JUN 13 Lic. Lic. # 3 23

- CORPORATION Complete questions 1, 2, 3, 5, 6, 7, and 8.
- L.L.C. Complete 1, 2, 4, 5, 6, 7, and 8.

1. Name of Corporation/L.L.C.: JSAS, LLC
(Exactly as it appears on Articles of Incorporation or Articles of Organization)
2. Date Incorporated/Organized: 3/26/14 State where Incorporated/Organized: Arizona
3. AZ Corporation Commission File No.: _____ Date authorized to do business in AZ: _____
4. AZ L.L.C. File No.: _____ Date authorized to do business in AZ: _____
5. Is Corp./L.L.C. Non-profit? YES NO
6. List all directors, officers and members in Corporation/L.L.C.:

AMENDMENT

Last	First	Middle	Title	Mailing Address	City State Zip
SARKIS	Jamal	George	member	[REDACTED]	[REDACTED]

(ATTACH ADDITIONAL SHEET IF NECESSARY)

7. List stockholders who are controlling persons or who own 10% or more:

Last	First	Middle	% Owned	Mailing Address	City State Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

8. If the corporation/L.L.C. is owned by another entity, attach a percentage of ownership chart, and a director/officer/member disclosure for the parent entity. Attach additional sheets as needed in order to disclose personal identities of all owners.

SECTION 8 Club Applicants:

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$22 PROCESSING FEE FOR EACH CARD.

1. Name of Club: _____ Date Chartered: _____
(Exactly as it appears on Club Charter or Bylaws) (Attach a copy of Club Charter or Bylaws)
2. Is club non-profit? YES NO
3. List officer and directors:

Last	First	Middle	Title	Mailing Address	City State Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

SECTION 7 Corporation/Limited Liability Co.:

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$22 PROCESSING FEE FOR EACH CARD.

CORPORATION Complete questions 1, 2, 3, 5, 6, 7, and 8.

L.L.C. Complete 1, 2, 4, 5, 6, 7, and 8.

14 JUN 13 11:47 AM 323

1. Name of Corporation/L.L.C.: Sparky's Smoke Shop JSAS, LLC
(Exactly as it appears on Articles of Incorporation or Articles of Organization)

2. Date Incorporated/Organized: 3/26/14 ~~3/26/2014~~ State where Incorporated/Organized: ARIZONA

3. AZ Corporation Commission File No.: _____ Date authorized to do business in AZ: 3/25/14

4. AZ L.L.C. File No.: 19142260 Date authorized to do business in AZ: 3/27/14

5. Is Corp./L.L.C. Non-profit? YES NO

6. List all directors, officers and members in Corporation/L.L.C.:

Last	First	Middle	Title	Mailing Address	City State Zip
SARKIS	Jamal	George	Member owner	[REDACTED]	[REDACTED]

(ATTACH ADDITIONAL SHEET IF NECESSARY)

7. List stockholders who are controlling persons or who own 10% or more:

Last	First	Middle	% Owned	Mailing Address	City State Zip
SARKIS	Jamal	George	100%	[REDACTED]	[REDACTED]

(ATTACH ADDITIONAL SHEET IF NECESSARY)

8. If the corporation/L.L.C. is owned by another entity, attach a percentage of ownership chart, and a director/officer/member disclosure for the parent entity. Attach additional sheets as needed in order to disclose personal identities of all owners.

SECTION 8 Club Applicants:

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$22 PROCESSING FEE FOR EACH CARD.

1. Name of Club: _____ Date Chartered: _____
(Exactly as it appears on Club Charter or Bylaws) (Attach a copy of Club Charter or Bylaws)

2. Is club non-profit? YES NO

3. List officer and directors:

Last	First	Middle	Title	Mailing Address	City State Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

SECTION 9 Probate, Will Assignment or Divorce Decree of an existing Bar or Liquor Store License:

1. Current Licensee's Name: _____
(Exactly as it appears on license) 14 JUN 18 04. DE. PM 3 23 First _____ Middle _____
2. Assignee's Name: _____
Last _____ First _____ Middle _____
3. License Type: _____ License Number: _____ Date of Last Renewal: _____
4. ATTACH TO THIS APPLICATION A CERTIFIED COPY OF THE WILL, PROBATE DISTRIBUTION INSTRUMENT, OR DIVORCE DECREE THAT SPECIFICALLY DISTRIBUTES THE LIQUOR LICENSE TO THE ASSIGNEE TO THIS APPLICATION.

SECTION 10 Government: (for cities, towns, or counties only)

1. Governmental Entity: _____
2. Person/designee: _____
Last _____ First _____ Middle _____ Contact Phone Number _____

A SEPARATE LICENSE MUST BE OBTAINED FOR EACH PREMISES FROM WHICH SPIRITUOUS LIQUOR IS SERVED.

SECTION 11 Person to Person Transfer:

Questions to be completed by CURRENT LICENSEE (Bars and Liquor Stores ONLY-Series 06,07, and 09).

1. Current Licensee's Name: _____ Entity: _____
(Exactly as it appears on license) Last _____ First _____ Middle _____ (Indiv., Agent, etc.)
2. Corporation/L.L.C. Name: _____
(Exactly as it appears on license)
3. Current Business Name: _____
(Exactly as it appears on license)
4. Physical Street Location of Business: Street _____
City, State, Zip _____
5. License Type: _____ License Number: _____
6. If more than one license to be transferred: License Type: _____ License Number: _____
7. Current Mailing Address: _____
(Other than business) Street _____
City, State, Zip _____
8. Have all creditors, lien holders, interest holders, etc. been notified of this transfer? YES NO
9. Does the applicant intend to operate the business while this application is pending? YES NO If yes, complete Section 5 of this application, attach fee, and current license to this application.

10. I, _____, hereby authorize the department to process this application to transfer the
(print full name)
privilege of the license to the applicant, provided that all terms and conditions of sale are met. Based on the fulfillment of these conditions, I certify that the applicant now owns or will own the property rights of the license by the date of issue.

I, _____, declare that I am the CURRENT OWNER, AGENT, MEMBER, PARTNER
(print full name)
STOCKHOLDER, or LICENSEE of the stated license. I have read the above Section 11 and confirm that all statements are true, correct, and complete.

(Signature of CURRENT LICENSEE)

State of _____ County of _____
The foregoing instrument was acknowledged before me this

Day Month Year

My commission expires on: _____

(Signature of NOTARY PUBLIC)

SECTION 12 Location to Location Transfer: (Bars and Liquor Stores ONLY)

APPLICANTS CANNOT OPERATE UNDER A LOCATION TRANSFER UNTIL IT IS APPROVED BY THE STATE JUN 13 Lic. Lic. # 3123

1. Current Business: Name _____
(Exactly as it appears on license) Address _____
2. New Business: Name _____
(Physical Street Location) Address _____
3. License Type: _____ License Number: _____
4. If more than one license to be transferred: License Type: _____ License Number: _____
5. What date do you plan to move? _____ What date do you plan to open? _____

SECTION 13 Questions for all in-state applicants excluding those applying for government, hotel/motel, and restaurant licenses (series 5, 11, and 12):

A.R.S. § 4-207 (A) and (B) state that no retailer's license shall be issued for any premises which are at the time the license application is received by the director, within three hundred (300) horizontal feet of a church, within three hundred (300) horizontal feet of a public or private school building with kindergarten programs or grades one (1) through (12) or within three hundred (300) horizontal feet of a fenced recreational area adjacent to such school building. The above paragraph DOES NOT apply to:

- a) Restaurant license (§ 4-205.02)
- b) Hotel/motel license (§ 4-205.01)
- c) Government license (§ 4-205.03)
- d) Fenced playing area of a golf course (§ 4-207(B)(5))

AMENDMENT

1. Distance to nearest school: _____ ft. Name of school _____
Address _____
City, State, Zip _____
2. Distance to nearest church: _____ ft. Name of church _____
Address _____
City, State, Zip _____
3. I am the: Lessee Sublessee Owner Purchaser (of premises)
4. If the premises is leased give lessors: Name _____
Address _____
City, State, Zip _____
- 4a. Monthly rental/lease rate \$ 2,785 What is the remaining length of the lease ___ yrs. ___ mos.
- 4b. What is the penalty if the lease is not fulfilled? \$ _____ or other _____
(give details - attach additional sheet if necessary)
5. What is the total **business** indebtedness for this license/location excluding the lease? \$ _____
Please list lenders you owe money to.

Last	First	Middle	Amount Owed	Mailing Address	City State	Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

6. What type of business will this license be used for (be specific)? _____

SECTION 12 Location to Location Transfer: (Bars and Liquor Stores ONLY)

APPLICANTS CANNOT OPERATE UNDER A LOCATION TRANSFER UNTIL IT IS APPROVED BY THE STATE 14 JUN 13 Lic. Lic. # 3 23

1. Current Business: Name _____
(Exactly as it appears on license) Address _____
2. New Business: Name _____
(Physical Street Location) Address _____
3. License Type: _____ License Number: _____
4. If more than one license to be transferred: License Type: _____ License Number: _____
5. What date do you plan to move? _____ What date do you plan to open? _____

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- a) Restaurant license (§ 4-205.02)
- b) Hotel/motel license (§ 4-205.01)
- c) Government license (§ 4-205.03)
- d) Fenced playing area of a golf course (§ 4-207 (B)(5))

1. Distance to nearest school: 3000 ft. Name of school Apache Elementary
Address 8633 W. John Cabot Rd. Peoria AZ 85382
City, State, Zip
2. Distance to nearest church: 1,715 ft. Name of church Apache Christian Church
Address 8615 W. Kelton Ln. Peoria AZ 85382
City, State, Zip
3. I am the: Lessee Sublessee Owner Purchaser (of premises)
4. If the premises is leased give lessors: Name Nix Bell Group
Address 2,785 ~~8868~~ W. Bell Rd. Peoria AZ 85382
City, State, Zip
- 4a. Monthly rental/lease rate \$ ~~2,900~~ What is the remaining length of the lease 3 yrs. 3 mos.
- 4b. What is the penalty if the lease is not fulfilled? \$ remaining rent or other _____
(give details - attach additional sheet if necessary)
5. What is the total business indebtedness for this license/location excluding the lease? \$ 0
Please list lenders you owe money to.

Last	First	Middle	Amount Owed	Mailing Address	City State	Zip
None						

(ATTACH ADDITIONAL SHEET IF NECESSARY)

6. What type of business will this license be used for (be specific)? Retail tobacco, beer, cigarettes and tobacco products

SECTION 13 - continued

AMENDMENT

7. Has a license or a transfer license for the premises on this application been denied by the state within the past one (1) year? YES NO If yes, attach explanation. 14 JUN 13 Lic. Lic. # 3123

8. Does any spirituous liquor manufacturer, wholesaler, or employee have any interest in your business? YES NO

9. Is the premises currently licensed with a liquor license? YES NO If yes, give license number and licensee's name:

License # _____ (exactly as it appears on license) Name Matthew James White

SECTION 14 Restaurant or hotel/motel license applicants:

1. Is there an existing restaurant or hotel/motel liquor license at the proposed location? YES NO
If yes, give the name of licensee, Agent or a company name:

_____ and license #: _____
Last First Middle

2. If the answer to Question 1 is YES, you may qualify for an Interim Permit to operate while your application is pending; consult A.R.S. § 4-203.01; and complete SECTION 5 of this application.

3. All restaurant and hotel/motel applicants must complete a Restaurant Operation Plan (Form LIC0114) provided by the Department of Liquor Licenses and Control.

4. As stated in A.R.S. § 4-205.02.G.2, a restaurant is an establishment which derives at least 40 percent of its gross revenue from the sale of food. Gross revenue is the revenue derived from all sales of food and spirituous liquor on the licensed premises. By applying for this hotel/motel restaurant license, I certify that I understand that I must maintain a minimum of 40 percent food sales based on these definitions and have included the Restaurant Hotel/Motel Records Required for Audit (form LIC 1013) with this application.

applicant's signature

As stated in A.R.S. § 4-205.02 (B), I understand it is my responsibility to contact the Department of Liquor Licenses and Control to schedule an inspection when all tables and chairs are on site, kitchen equipment, and, if applicable, patio barriers are in place on the licensed premises. With the exception of the patio barriers, these items are not required to be properly installed for this inspection. Failure to schedule an inspection will delay issuance of the license. If you are not ready for your inspection 90 days after filing your application, please request an extension in writing, specify why the extension is necessary, and the new inspection date you are requesting. To schedule your site inspection visit www.azliquor.gov and click on the "Information" tab.

applicants initials

SECTION 15 Diagram of Premises: (Blueprints not accepted, diagram must be on this form)

1. Check ALL boxes that apply to your business:

- Entrances/Exits
- Liquor storage areas
- Patio: Contiguous
- Service windows
- Drive-in windows
- Non Contiguous

2. Is your licensed premises currently closed due to construction, renovation, or redesign? YES NO
If yes, what is your estimated opening date? _____
month/day/year

3. Restaurants and hotel/motel applicants are required to draw a detailed floor plan of the kitchen and dining areas including the locations of all kitchen equipment and dining furniture. Diagram paper is provided on page 7.

4. The diagram (a detailed floor plan) you provide is required to disclose only the area(s) where spirituous liquor is to be sold, served, consumed, dispensed, possessed, or stored on the premises unless it is a restaurant (see #3 above).

5. Provide the square footage or outside dimensions of the licensed premises. Please do not include non-licensed premises, such as parking lots, living quarters, etc.

As stated in A.R.S. § 4-207.01(B), I understand it is my responsibility to notify the Department of Liquor Licenses and Control when there are changes to boundaries, entrances, exits, added or deleted doors, windows or service windows, or increase or decrease to the square footage after submitting this initial drawing.

applicants initials

SECTION 13 - continued

7. Has ~~any~~ license or a transfer license for the premises on this application been denied by the state within the past one (1) year?
 YES NO If yes, attach explanation.

8. Does any spirituous liquor manufacturer, wholesaler, or employee have any interest in your business? YES NO

9. Is the premises currently licensed with a liquor license? YES NO If yes, give license number and licensee's name:

License # 10076321 (exactly as it appears on license) Name Sparky's Smoke Shop Matthew James White

SECTION 14 Restaurant or hotel/motel license applicants:

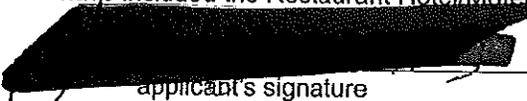
1. Is there an existing restaurant or hotel/motel liquor license at the proposed location? YES NO
If yes, give the name of licensee, Agent or a company name:

_____ and license #: _____
Last First Middle

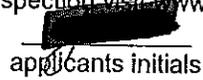
2. If the answer to Question 1 is YES, you may qualify for an Interim Permit to operate while your application is pending; consult A.R.S. § 4-203.01; and complete SECTION 5 of this application.

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applicant's signature

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applicant's initials

SECTION 15 Diagram of Premises: (Blueprints not accepted, diagram must be on this form)

1. Check ALL boxes that apply to your business:

- Entrances/Exits
- Liquor storage areas
- Patio: Contiguous
- Service windows
- Drive-in windows
- Non Contiguous

2. Is your licensed premises currently closed due to construction, renovation, or redesign? YES NO
If yes, what is your estimated opening date?

_____ month/day/year

3. Restaurants and hotel/motel applicants are required to draw a detailed floor plan of the kitchen and dining areas including the locations of all kitchen equipment and dining furniture. Diagram paper is provided on page 7.

4. The diagram (a detailed floor plan) you provide is required to disclose only the area(s) where spirituous liquor is to be sold, served, consumed, dispensed, possessed, or stored on the premises unless it is a restaurant (see #3 above).

5. Provide the square footage or outside dimensions of the licensed premises. Please do not include non-licensed premises, such as parking lots, living quarters, etc.

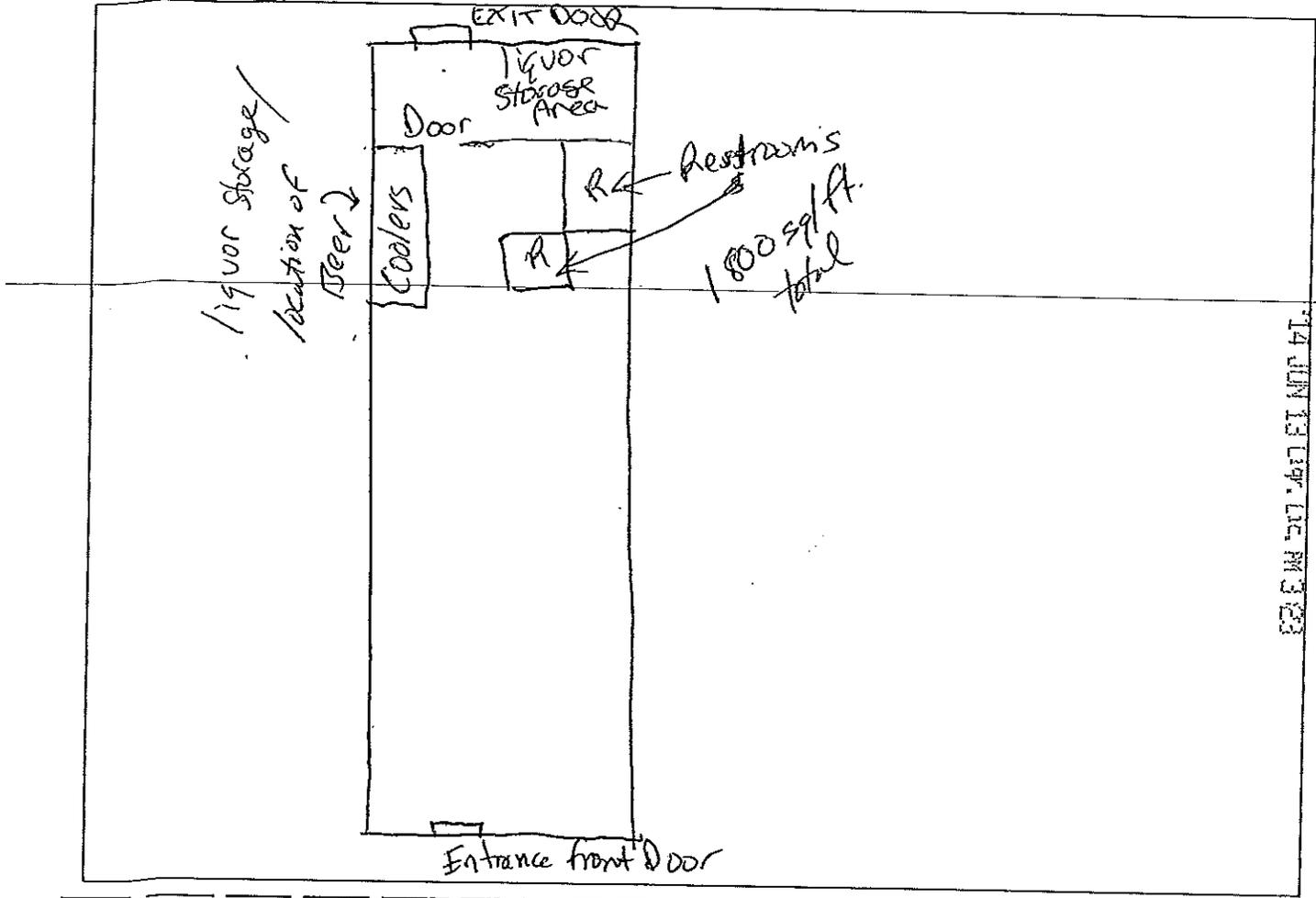
As stated in A.R.S. § 4-207.01(B), I understand it is my responsibility to notify the Department of Liquor Licenses and Control when there are changes to boundaries, entrances, exits, added or deleted doors, windows or service windows, or increase or decrease to the square footage after submitting this initial drawing.


applicant's initials

SECTION 15 Diagram of Premises

4. In this diagram please show only the area where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored. It must show all entrances, exits, interior walls, bars, bar stools, hi-top tables, dining tables, dining chairs, the kitchen, dance floor, stage, and game room. Do not include parking lots, living quarters, etc. When completing diagram, North is up ↑.

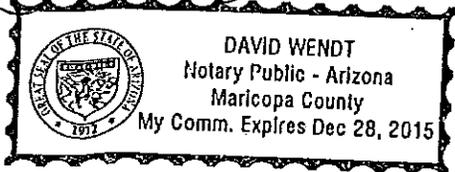
If a legible copy of a rendering or drawing of your diagram of premises is attached to this application, please write the words "diagram attached" in box provided below.



SECTION 16 Signature Block

I, Jamal George Sarkis, hereby declare that I am the OWNER/AGENT filing this application as stated in Section 4, Question 1. I have read this application and verify all statements to be true, correct and complete.

[Redacted signature]
Signature of applicant listed in Section 4, Question 1



State of Arizona County of Maricopa

The foregoing instrument was acknowledged before me this 12th of June, 2014
Day Month Year

[Redacted signature]
signature of NOTARY PUBLIC

My commission expires on: 28th Dec 2015
Day Month Year

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 32R

Date Prepared: August 25, 2014

Council Meeting Date: October 7, 2014

TO: Carl Swenson, City Manager

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

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

SUBJECT: Case Z04-19A.7 – Park West PAD Amendment

Purpose:

This is a request for City Council to hold a Public Hearing to consider a request for a major amendment to the Park West Planned Area Development (PAD) zoning pertaining to allowable uses on Parcel 1 and 3; modification to Loop 101 freeway sign standards; and integration of a development option that enables 369 multi-family units on Parcel 1 and a secondary education facility on Parcel 3.

As of the date of this report, Staff has received a petition with 139 signatures in support (118 residential, 21 businesses) of the proposal and a letter from PUSD in support. No correspondence has been received in opposition.

Background/Summary:

Please note that that this report is a summary of the proposal and analysis. Additional detail, including supporting documentation, is available in the attached Staff Report to the Planning & Zoning Commission (August 21, 2014).

Park West is a 74.17 acre mixed-use “urban lifestyle center” located at the northwest corner of Northern Avenue and the Loop 101. The center integrates existing and planned uses including commercial, multi-family residential, employment, hospitality and institutional uses within a walkable, “main-street” development form. The primary entry at Northern Avenue is signaled with three (3) secondary entry points along 99th Avenue which frames the center along the western boundary. A 330’ SRP powerline corridor is part of the center and provides physical separation between parking areas and the existing single-family residential neighborhoods to the north.

Previous Land Use Actions

The land use and entitlement history is summarized as follows:

- In 2001, with the adoption and voter ratification of the General Plan, the site was designated as *Mixed-Use* in recognition of the property's significant location as a gateway to the City from the Loop 101 freeway.
- In 2004, the City Council approved *Ordinance 04-202* establishing the Planned Area Development (PAD) zoning on the property. The PAD Zoning was structured to facilitate the project vision as a main-street style mixed-use lifestyle center integrating commercial, residential and employment uses.
- In 2005, the City Council approves a Major PAD Amendment through *Ordinance 05-60*. This amendment added the 330' wide SRP power line corridor to the PAD for the limited purposes of parking, lighting, landscaping and retention.
- There was significant neighborhood interest in the 2005 amendment resulting in several stipulated conditions to ensure a compatible transition along the "edge" separating the center from the neighborhoods to the north. Some of the major restrictions included a 100' parking setback, 80' landscape buffer, 270' driveway setback along 99th, Maintenance and Security Plan and restriction on access from 95th Avenue. All conditions have been put in place.
- In 2007, the City Council approved a second Major PAD Amendment through *Ordinance 07-27* pertaining to Parcel 3 located along the Loop 101. That amendment enabled a development program for Parcel 3 that included a 9-story office building, 10-story hotel/residential condo, 4-story residential condo and structured parking.
- Due to economic conditions, Parcel 3 never developed as envisioned; however, the entitlement remains in place for the parcel.

Today, the center is partially constructed and consists of existing retail and commercial uses anchored by a Harkins Theater on Parcel 1. Several vacant pads remain. Parcel 2 was developed as a 254-unit multi-family residential complex. Parcel 3 adjacent to the Loop 101 corridor remains vacant.

Proposed PAD Amendment

The applicant, Howard Hughes Corporation, owns Parcel 1 (retail) and Parcel 3 (vacant) and is seeking to amend the PAD Zoning with respect to the aforementioned parcels. With this amendment, the applicant is proposing to [Refer to P&Z Report for more information]:

- Amend the land use table to permit multi-family residential use on Parcel 1; and
- Amend the land use table to permit post-secondary education/college on Parcel 3; and
- Amend the land use table to permit various convention/exhibition and recreational uses as an accessory use on Parcel 1; and

- Modest change to the existing allowances for two (2) Loop 101 freeway monument signs from 48’ to 60’ in height and from 240 SF to 300 SF in area. The signs will not be digital; and
- Retain the existing 2007 PAD development option as “Option 1”; and
- Provide the flexibility for an alternative design concept (“Option 2”) through integration of 369 multi-family residential units above ground-floor commercial on Parcel 1 and a potential higher-education institution on Parcel 3; and
- Various minor housekeeping (text) changes.

Ancillary uses such as exhibition and convention centers and outdoor recreation uses including tennis and racquet clubs and similar uses are viewed as important elements to attract and support higher-end full-service hotels and higher-end multi-family uses. The potential higher education uses on Parcel 3 associated with Option 2 integrated with multi-family uses on Parcel 1 within the Park West development will promote a vibrant, healthy and sustainable mixed-use development that will support and encourage existing and future retail uses. Additionally, fully enabling employment, institutional and residential uses across the project will help to “flatten” peak times (e.g. restaurant dinner rush) and provide sustained activity throughout the day.

New Development Option 2

With this amendment, the applicant is proposing to retain the existing 2007 development option (“Option 1”) and provide the flexibility for an alternative design concept (“Option 2”) that promotes true vertically-integrated mixed use through integration of 369 multi-family residential units above ground-floor commercial on Parcel 1 and a potential higher-education institution on Parcel 3. Both options would be available in the PAD. The multi-family residential units on Parcel 1 would provide their respective required parking facilities within each building. Table 1 below summarizes the alternative Option 2.

Table 1: Alternative Development Program – (“Option 2”)

	Parcel 1 “Retail Hub”	Parcel 2 “Residential Parcel”	Parcel 3 “Office/Hotel Parcel”	TOTAL
Acreage	46.02	11.87	15.35	73.2
Building Area	710,800 SF	256,278 SF	139,750 SF	1.1 million SF
- Retail	305,582			
- MFR	405,218			
Residential Units	369	254	0	623
Hotel Keys	0	0	0	0
Parking Provided	2,101 spaces	421 spaces	713 spaces	3,235

An updated Traffic Impact Analysis (TIA) was prepared by Kimley-Horn and Associates, Inc. The TIA analyzed and compared conditions from the approved 2007 PAD in effect today (“Option 1”) with the changes in land use contemplated by Option 2 and this amendment. The potential change in trip generation has been calculated to generate fewer total daily trips than the

existing, approved PAD plan. The daily trip generation under the proposed amendment is 198 trips *lower* than the total daily trips generated by the currently approved PAD plan. Additionally, the TIA finds that the change in land use assumptions for Parcels 1 and 3 does *not* dramatically change the level of service (LOS) for the signalized intersections of Northern, 99th, 98th and the Loop 101 interchange and all are expected to operate at an acceptable LOS at build-out of the project. Finally, the TIA found that adequate level of service can be provided without the construction of the previously proposed southbound frontage road on the Loop 101 adjacent to the eastern edge of the site under any of the land use scenarios.

Freeway Monument Signage Standards

The application is seeking modest adjustments to the existing allowances for two (2) freeway monument signs along the Loop 101. To be clear, the signs are standard freeway monument signs and do not have any digital elements. In addition, associated renderings have been added to the PAD so that the design intent and concept is clear for freeway sign permits. The modest increase in sign height and area is consistent with the siting and regulatory structure provided through the comprehensive sign plan provisions in the Zoning Ordinance. Table 2 compares the proposed modifications to the freeway sign allowances with the existing PAD.

Table 2: Proposed Freeway Sign development Standards

	Existing PAD	Amended PAD
Freeway Signs permitted ¹	2	2
Maximum Area per sign face	200 SF (240 SF) ²	300 SF
Maximum Sign Height	45 feet (48 SF) ³	60 feet

¹ One (1) freeway sign is permitted on Northern Avenue within 100 feet of the Loop 101 ROW; and one (1) freeway sign is permitted along the Loop 101 frontage.
² An additional 20% of sign area is permitted for center identification; hence the actual maximum sign area is 240 SF per sign face.
³ An additional 3’ in height is permitted for architectural embellishments or elements which incorporate project features; hence the the actual maximum sign height is 48 feet.

Conformance with the Peoria General Plan

The Park West development is designated on the voter-approved General Plan as Mixed-Use. The Mixed-Use designation denotes areas where a horizontally-integrated (mix of uses across a site) or vertically-integrated mixture (mix of uses within a building) of land use types is promoted. Such developments exhibit functional, physical and thematic integration in the context of a pedestrian-oriented streetscape.

Since its inception, Park West has been envisioned as an important gateway into the City and occupies a key development site at the confluence of the Loop 101 and Northern Avenue. With the exception of Westgate, there are no other such development types offered in the West Valley. The potential integration of multi-family residential uses with retail on Parcel 1 along

with higher educational uses on Parcel 3 will cement Park West as a true destination-oriented mixed use development.

The proposal also advances several key General Plan goals and objectives:

- **Land Use Element Objective 1.F:** Promote sustainable developments that elevate community identity and convenience, reduce vehicular trips, minimize infrastructure needs, improve air quality and provide a diversity of uses.
- **Land Use Element Objective 1.G:** Promote mixed-use development templates to advance the City's sustainability efforts.
- **Land Use Element Objective 1.H:** Encourage the development or redevelopment of vacant or underutilized infill sites within the City.
- **Growth Areas Element Objective 1.A:** Direct attractive development into identified growth areas, creating dynamic urban pockets with diverse economic, housing, cultural and entertainment opportunities.
- **Growth Areas Element Objective 1.B:** Promote attractive public spaces and streets that reduce automobile dependency and enhance the function and character of the community.
- **Housing Element Policy 1.A.5:** Pursue strategies which encourage a mix of housing types that foster sustainable living and neighborhoods.
- **Environmental Resources Element Policy 1.A.7:** Encourage land use configurations in all new or revitalized development projects that minimize vehicle trips and trip lengths.

Staff therefore finds the proposal to be in conformance with the General Plan and advance the mixed-use designation intended for the site.

Citizen Participation

As with all Rezones and Major PAD Amendments, a citizen participation component is required. The applicant conducted a neighborhood meeting on November 18, 2013 at the Ramada Inn located at 8955 West Grand Avenue. Approximately twenty (20) people attended the meeting including city staff and the Councilperson Leone. Some attendees expressed concerns regarding (a) impacts of multi-family residences regarding increase in population, reduced property values, noise, additional traffic, and parking issues; (b) vehicular speeding around the nearby school; and (c) the need for a sound wall.

The applicant also walked door-to-door within the area and solicited signatures in support of the proposal. As of the date of this printing, the applicant has provided 139 petitions in support of this request, which includes 118 residences and 21 businesses. A generalized map indicating supporting residences has been included as part of the Citizen Participation Report. The 118 residential signatures in support were from the immediate residential area north of Park West.

The Peoria Unified School District (PUSD) has also provided a letter in support of the proposal citing the Developer's willingness to enter into a Developer Assistance Agreement to help offset the impacts to affected schools.

Except as identified above, no phone calls, emails or other correspondence in support or opposition has been received by staff from case submittal.

Planning & Zoning Commission (August 21, 2014)

There were three (3) members of the public present to speak on this case:

- One speaker voiced support but did have concerns with the height of the multi-family units on Parcel 1, type of tenants and the need for a sidewalk along 99th from Olive to the development.
- One speaker voiced support as a business owner in Park West.
- One speaker voiced opposition citing concerns with additional traffic on 99th and Olive and the height of the multi-family buildings on Parcel 1.

The Planning & Zoning Commission voted unanimously to recommend approval of the proposal to the City Council with a new added condition.

The existing zoning entitlement for Park West provides for an *existing* height allowance of eighty (80) feet on Parcel 1 for buildings. To that end, staff did not recommend any height restriction as the proposed multi-family mixed-use building would be well within that standard.

However, the Commission sought to address the concerns held by two of the speakers pertaining to the potential height of the multi-family mixed-use buildings and added new Stipulation #9 which restricted the maximum height of multi-family mixed-use buildings(s) as provided in Development Option 2 to four (4) stories.

Key Findings

Based on the following key findings, staff recommended support of the proposal:

- This amendment to the PAD zoning is in conformance with the Mixed-Use land use designation and advances several goals and policies referenced thereto; and
- The proposed amendment is deemed in conformance with the Peoria General Plan; and
- The proposed amendment advanced the City's sustainability efforts as referenced in the Sustainability Action Plan by promoting a development form that minimizes trips, promotes walkability and public health and provides for a mix of land uses and lifestyle choices; and
- The proposed amendment to the PAD will result in a vibrant mixed-use development that is compatible with the area and promotes the economic vitality of the center.

Previous Actions:

A public hearing was held for this item at the August 21, 2014 Planning & Zoning Commission Meeting. The Planning & Zoning Commission unanimously recommended approval of this request with added Stipulation #9 as reflected in the attached Ordinance.

Options:

- A:** Approve as originally recommended by Staff with Conditions 1-8; or
- B:** Approve as recommended by the Planning & Zoning Commission with added Stipulation #9 limiting buildings with multi-family units on Parcel 1 to four (4) stories; or
- C:** Approve with modifications; or
- D:** Deny; or
- E:** Continue action to a date certain or indefinitely; or
- F:** Remand to the Planning & Zoning Commission for further consideration.

Staff's Recommendation:

Staff recommends the City Council concur with the Planning & Zoning Commission's August 21, 2014 unanimous recommendation to approve Case Z04-19A.7. Stipulation #9 was added by the Commission to address concerns of speakers in regards to the height for the proposed multi-family mixed-use buildings on Parcel 1. The existing PAD already permits maximum building height to be 80 feet on Parcels 1/2 and 110 feet on Parcel 3 respectively.

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 applicant may move forward with the development process through the Site Plan and construction plan review process.

Exhibit(s):

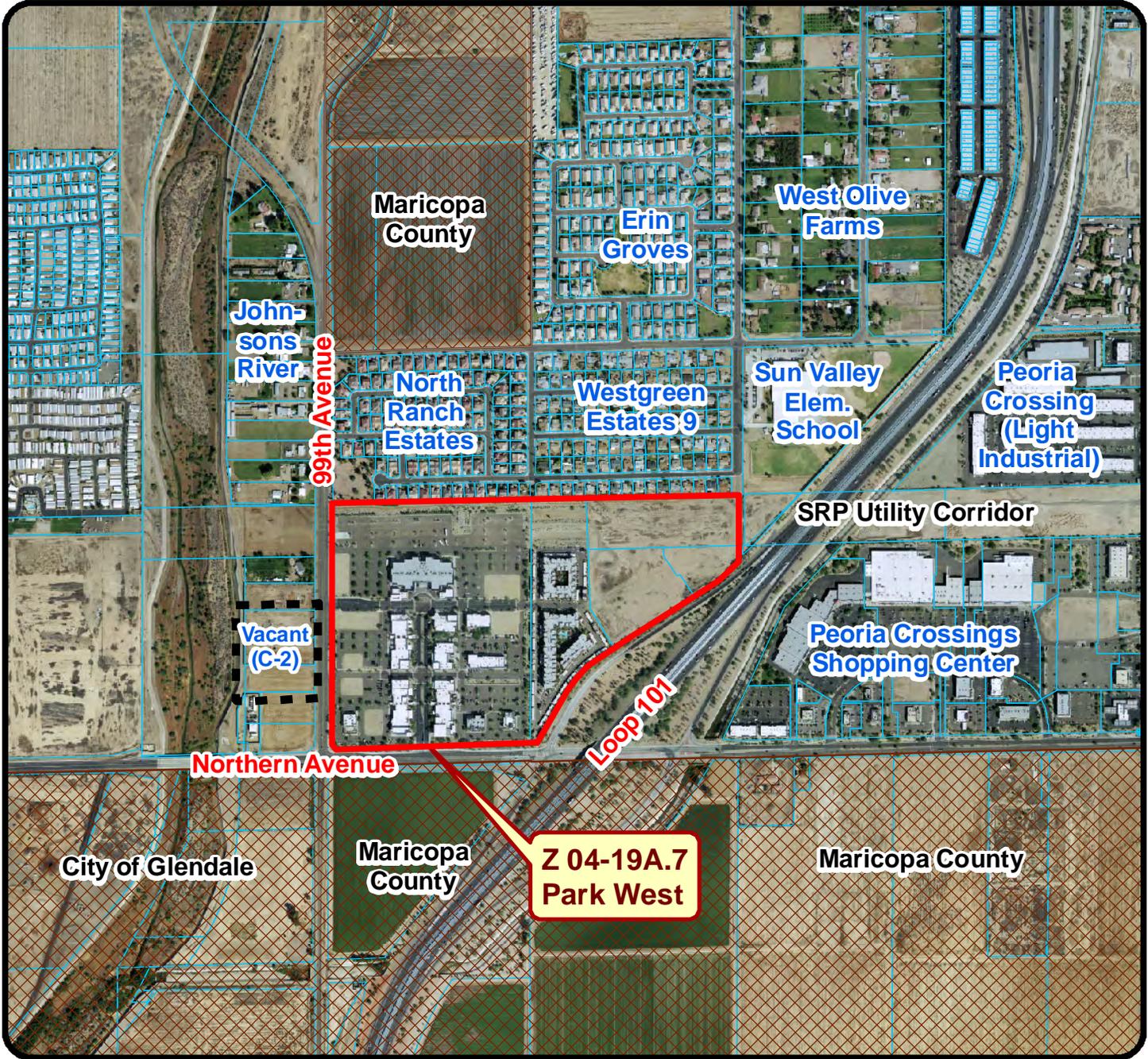
Exhibit 1: Vicinity Map

Exhibit 2: August 21, 2014 Planning and Zoning Commission Staff Report with Exhibits

Exhibit 3: Draft Ordinance

Contact Name and Number: Chris Jacques, AICP, Planning Director, x7609

Context Map



Z 04-19A.7 Park West PAD Amendment

Applicant: Parke West, LCC

Request: Amend the Park West PAD to allow for multi-family at Parcel 1, post-secondary education/college facility at Parcel 3, and revised freeway sign criteria.

Location: Northeast corner of 99th Avenue & Northern Avenue



Not to Scale



REZONING

REPORT TO THE PLANNING AND ZONING COMMISSION

CASE NUMBER: Z04-19A.7
DATE: August 21, 2014
AGENDA ITEM: 7R

Applicant: Parke West, LLC, a Delaware limited liability company.
 c/o Howard Hughes Corporation

Request: Major amendment to the Park West Planned Area Development (PAD) amending the permitted uses to allow multi-family residential on Parcel 1 (retail parcel) and higher education uses on Parcel 3 (vacant parcel); and revise the freeway sign design standards.

Development: Park West: Mixed-use lifestyle center ultimately incorporating commercial, employment, institutional and multi-family residential uses within an integrated 74.17 acre site.

Location: Park West is located at the northeast corner of 99th Avenue and Northern Avenue.

Site Acreage Approximately 74.17 acres.

Support / Opposition: The applicant has provided over 139 petitions in support of this request, including 118 residences and 21 businesses.

Recommendation: Recommend **APPROVAL** of Case Z04-19A.7 with stipulations to the City Council.

AREA CONTEXT

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

	LAND USE	GENERAL PLAN	ZONING
Subject Property	Park West Mixed-Use Development	Mixed-Use	Park West Planned Area Development (PAD)
North	SRP Power Line Easement, then Single-Family Residential	Park / Open Space, then Residential/Low (2-5 du/ac)	Single Family Residential (R1-8)
South	Northern Avenue, then field crops	City of Glendale Business Park	Maricopa County (Rural-43)
East	Loop 101 Freeway	Mixed Use	N/A (ADOT ROW – no zoning)
West	Single-family Residential and Vacant	Neighborhood Commercial, Residential/ Low (2-5 du/ac), and Park / Open Space	General Agricultural (AG) and Intermediate Commercial (C-2)

Land Use Background

1. The site was annexed into the City of Peoria on March 25, 1986 under Ordinance 86-21. Subsequently, the City Council adopted Ordinance 87-24 amending the zoning from AG (General Agricultural) to PI-1 (Planned Light Industrial), C-2 (Intermediate Commercial), and O-1 (Office Commercial) for a proposed garden office development.
2. In 2001, with the adoption and voter ratification of the General Plan, the site was re-designated to Mixed-Use in recognition of the property's significant location as a gateway to the City from the Loop 101 freeway.
3. In 2004, the City Council adopted Ordinance 04-202 rezoning the 74.17 acre site to Planned Area Development (PAD) to facilitate an "urban lifestyle center" consisting of a broad array of land uses including retail, multi-family residential, office, and hotel organized into a "main-street" style development template. The Park West PAD was originally organized into four (4) integrated development parcels (retail hub, multi-family, office and hotel) sharing common thematic features such as hardscape, street furniture, signage, color / material palette and others.
4. In 2005, the City Council adopted Ordinance 05-60, approving a major amendment to the existing PAD zoning. This amendment essentially added the 330' wide SRP power line corridor to the PAD for the limited purposes of parking, lighting, landscaping and retention. A Site Plan application was filed in tandem with the Rezone.
5. In 2007, the City Council adopted Ordinance 07-27, a second major amendment to the PAD zoning. This amendment consolidated Parcels 3 and 4 into one parcel (Parcel 3) and proposed to construct a 9-story office building, a 10-story hotel/residential condo building, a 4-story residential condominium, structured parking, and extension of surface parking into the SRP Easement (see Exhibit G, Option 1). In turn, the Site Plan was also amended.
6. Subsequent minor amendments have occurred since the original approval. The amendments amounted to minor modifications to include creating a land use table in the guidelines report and incorporation of sign standards into the PAD, including provisions for freeway signs.

PROJECT DESCRIPTION

Site and Project Details

7. Park West is a 74.17 acre mixed-use "urban lifestyle center" integrating existing and planned uses including commercial, multi-family residential, employment, hospitality and institutional uses within a walkable, main-street development form. The center is partially constructed and consists of three (3) development

parcels located at the northeast corner of 99th Avenue and Northern Avenue. The primary entrance to the development is at Northern Avenue, which is signalized. The site contains three additional access points along 99th Avenue, an arterial roadway. Contextually, the site is proximate to the Loop 101 freeway, with access at Northern Avenue.

8. With the adoption of Ordinance 07-27 in 2007 (Case Z04-19A.2), the City approved an amended PAD and Site Plan that provided for the following:

Table 2: Development Program – 2007 approved PAD (“Option 1” – Exhibit G)

	Parcel 1 “Retail Hub”	Parcel 2 “Residential Parcel”	Parcel 3 “Office/Hotel Parcel”	TOTAL
Acreage	46.02	11.87	15.35	73.2
Existing Use	Partial Commercial	Built-out MFR	Vacant	
Building Area	309,830 SF	256,278 SF	424,000 SF	990,108 SF
Residential Units	0	254	86	340
Hotel Keys	0	0	200	200
Parking Provided	2,038 spaces	421 spaces	1,325 spaces	3,784

9. With this amendment, the applicant is proposing to retain the existing 2007 development option (“Option 1”) and provide the flexibility for an alternative design concept (“Option 2”) that promotes true vertically-integrated mixed use through integration of 369 multi-family residential units above ground-floor commercial on Parcel 1 and a potential higher-education institution on Parcel 3. Both options would be available in the PAD. The multi-family residential units on Parcel 1 would provide their respective required parking facilities within each building. Table 3 below summarizes the alternative Option 2.

Table 3: Alternative Development Program – (“Option 2” – Exhibit G)

	Parcel 1 “Retail Hub”	Parcel 2 “Residential Parcel”	Parcel 3 “Office/Hotel Parcel”	TOTAL
Acreage	46.02	11.87	15.35	73.2
Building Area	710,800 SF	256,278 SF	139,750 SF	1.1 million SF
- Retail	305,582			
- MFR	405,218			
Residential Units	369	254	0	623
Hotel Keys	0	0	0	0
Parking Provided	2,101 spaces	421 spaces	713 spaces	3,235

10. Additionally, the applicant is proposing additional amendments to the Park West PAD Standards and Guidelines Report (Exhibit I). The additional amendments are summarized below:
 - (a) The “Listing of Permitted, Conditional, and Accessory Land Uses” table has been modified. Under the current PAD, these uses are not permitted per associated Parcel:
 - Parcel 1 – Add “Convention, Exhibition Centers and similar uses” as an accessory use.
 - Parcel 1 – Add “Outdoor Recreation including Tennis, Racquet Clubs, Miniature Golf, and similar uses” as an accessory use.
 - Parcel 1 – Add “Multi-Family Residential” as a permitted use.
 - Parcel 3 – Add “Post-Secondary Education, College Facility” as a permitted use.
 - (b) Modifications to the existing allowances for freeway signage to support commercial land uses on the property and address current and future visibility issues that impede the visibility of the property.
 - (c) Finally, there are various minor housekeeping items to keep the document current and functional.
11. Ancillary uses such as exhibition and convention centers and outdoor recreation uses including tennis and racquet clubs and similar uses are viewed as important elements to attract and support higher-end full-service hotels and higher-end multi-family uses. The potential higher education uses on Parcel 3 associated with Option 2 integrated with multi-family uses on Parcel 1 within the Park West development will promote a vibrant, healthy and sustainable mixed-use development that will support existing retail and encourage additional retail uses.
12. To realize a true mix and balance of uses in the development, the existing PAD aligns with the General Plan in limiting total residential gross floor area (GFA) to 30-60% of the total gross floor area at build-out. Based on the addition of a potential multi-family residential use at Parcel 1, the PAD contains new language to provide for an “Interim” GFA in the event a multi-family project presented itself prior to total project build-out. However, the maximum GFA was not modified, and remains at 30%-60%.
13. The “Project Phasing” section has been modified to allow the development to respond to market conditions. Currently the document defines specific dates that have since elapsed.
14. Freeway sign design standards have been modified to enhance project visibility along the Loop 101 and provide for clear destination recognition. In addition, specific design criteria with associated renderings have been added to the PAD so that the design intent and concept is clear for freeway sign permits (Exhibit E).

15. Table 4 compares the proposed modifications to the freeway sign allowances with the existing PAD.

Table 4: *Proposed Freeway Sign development Standards*

	Existing PAD	Amended PAD
Freeway Signs permitted ¹	2	2
Maximum Area per sign face	200 SF (240 SF) ²	300 SF
Maximum Sign Height	45 feet (48 SF) ³	60 feet

¹ One (1) freeway sign is permitted on Northern Avenue within 100 feet of the Loop 101 ROW; and one (1) freeway sign is permitted along the Loop 101 frontage.

² An additional 20% of sign area is permitted for center identification; hence the actual maximum sign area is 240 SF per sign face.

³ An additional 3' in height is permitted for architectural embellishments or elements which incorporate project features; hence the the actual maximum sign height is 48 feet.

DISCUSSION AND ANALYSIS

Conformance with the General Plan

16. The 74.17 acre Park West project is designated on the voter-approved General Plan as Mixed-Use (Exhibit B). The Mixed-Use designation denotes areas where a horizontally-integrated (mix of uses across a site) or vertically-integrated (mix of uses within a building) mixture of land use types is promoted. Such developments exhibit functional, physical and thematic integration in the context of a pedestrian-oriented streetscape. The land use designation is also intended to minimize the impacts traditionally associated with growth by providing housing, shopping and employment opportunities together in the same area.
17. Since its inception, Park West has been envisioned as an important gateway into the City and occupies a key development site at the confluence of the Loop 101 and Northern Avenue. With the exception of Westgate, there are no other such development types offered in the West Valley. The potential integration of multi-family residential uses with retail on Parcel 1 along with higher educational uses on Parcel 3 will cement Park West as a true destination-oriented mixed use development. The mix of uses is critical in promoting the health and sustainability of the development and insulate it from peak demand conditions. Staff therefore finds the proposal to be in conformance with the General Plan and advance the mixed-use designation intended for the site.
18. The proposal also advances several key General Plan goals and objectives:
- **Land Use Element Objective 1.F:** Promote sustainable developments that elevate community identity and convenience, reduce vehicular trips,

- minimize infrastructure needs, improve air quality and provide a diversity of uses.
- **Land Use Element Objective 1.G:** Promote mixed-use development templates to advance the City's sustainability efforts.
- **Land Use Element Objective 1.H:** Encourage the development or redevelopment of vacant or underutilized infill sites within the City.
- **Growth Areas Element Objective 1.A:** Direct attractive development into identified growth areas, creating dynamic urban pockets with diverse economic, housing, cultural and entertainment opportunities.
- **Growth Areas Element Objective 1.B:** Promote attractive public spaces and streets that reduce automobile dependency and enhance the function and character of the community.
- **Housing Element Policy 1.A.5:** Pursue strategies which encourage a mix of housing types that foster sustainable living and neighborhoods.
- **Environmental Resources Element Policy 1.A.7:** Encourage land use configurations in all new or revitalized development projects that minimize vehicle trips and trip lengths.

PAD Land Uses

19. The existing uses on the property include 254 units of multi-family residential, retail, and vacant parcels. These land uses have been in place for approximately seven (7) years and have proven compatible with area land uses. Including the opportunity for multi-family residences at Parcel 1 and for a college/university use at Parcel 3 will complement and enhance the existing land uses currently on site. Higher education land uses, multi-family uses, and full service hotels will provide a population base necessary to support existing development, and attract other retail users. Any new residential added to the property will not exceed the allowable GFA originally approved under the Park West PAD, and therefore, the integrity of a mixed use development will not be lost by a predominantly residential development. The additional residential may simply occur before final build-out of the property.
20. The proposed multi-family land uses will provide parking consistent with the currently approved standards for Park West in the existing PAD, which requires an average of 1.5 spaces for one and two bedroom units. Additionally, to promote the mixed-use development pattern, the required parking for multi-family land uses will be located below the multi-family units, and the multi-family buildings will include commercial land uses (retail, restaurants, etc.) at the street level (Exhibit G - Rendering). This parking and building design encourages pedestrian activity and interest at the street level.

Traffic Impact Analysis

21. An updated Traffic Impact Analysis (TIA) was prepared by Kimley-Horn and Associates, Inc. The TIA analyzed and compared conditions from the approved 2007 PAD in effect today ("Option 1") with the changes in land use contemplated by Option 2 and this amendment. The potential change in trip generation has been calculated to generate fewer total daily trips than the existing, approved

PAD plan. The daily trip generation under the proposed amendment is 198 trips *lower* than the total daily trips generated by the currently approved PAD plan. Additionally, the TIA finds that the change in land use assumptions for Parcels 1 and 3 does *not* dramatically change the level of service (LOS) for the signalized intersections of Northern, 99th, 98th and the Loop 101 interchange and all are expected to operate at an acceptable LOS at build-out of the project. Finally, the TIA found that adequate level of service can be provided without the construction of the previously proposed southbound frontage road on the Loop 101 adjacent to the eastern edge of the site under any of the land use scenarios.

Freeway Signage Standards

22. The configuration of the property, adjacent properties, and improvements including roadways, sound walls, and trees prevent visibility to the site from the primary access corridors, including the Loop 101 and Northern Avenue.
23. The proposed freeway sign's design reflects elements, colors, and materials found at Park West. The sign includes a large center identification panel intended to provide increased freeway visibility. It has a striking visual appeal with the agave element inset that breaks up the horizontal scale of the panel. Simple yet effective plane changes and varying sign panels break down the sign massing. The tenant signs are attached to a mesh that creates a visible, but interesting backdrop, which also deters a "lollipop" or top-heavy appearance. Consistent with the building mounted signage, corporate colors and logos are permitted. No electronic messaging boards are allowed anywhere on the sign.
24. Peoria's Sign Code under the Zoning Ordinance allows for freeway signs to be:
 - a maximum of 48 feet tall;
 - an allowable sign area of up to 240 square feet;
 - a minimum set back distance from residential of 200 feet; and,
 - a minimum sign separation distance of 200 feet.

However, the Zoning Ordinance allows for a 25% increase in sign area and height under the Comprehensive Sign Plan provision per Section 14-34-8.C. In this case, the proposed Park West standards are consistent with the Zoning Ordinance. The increased overall height to 60 feet and total square foot sign allowance of 300 feet meets the City of Peoria's maximum allowable standards. The proposed sign locations exceed the separation requirements both in terms of per sign and setback from residential to the north.

Public Participation Plan

25. As a requirement of the Rezoning application process, the applicant conducted a neighborhood meeting and provided a Citizen Participation Report (Exhibit H) detailing the results of the meeting. The applicant notified all property owners within a 1,000 foot radius of the site and all registered Homeowner's Associations within 1 mile for the required neighborhood meeting. This meeting was held on November 18, 2013 at the Ramada Inn located at 8955 West Grand Avenue.

Approximately twenty (20) people attended the meeting along with the applicant and City staff. The applicant presented the details of the proposed project and meeting attendees provided several comments/concerns regarding the plans. The applicant also walked door-to-door within the area and solicited signatures in support of the proposal. As of the date of this printing, the applicant has provided 139 petitions in support of this request, which includes 118 residences and 21 businesses. A generalized map indicating supporting residences has been included as part of the Citizen Participation Report (Exhibit H).

26. At the meeting, attendees expressed concerns regarding (a) impacts of multi-family residences regarding increase in population, reduced property values, noise, additional traffic, and parking issues; (b) vehicular speeding around the nearby school; and (c) the need for a sound wall.
27. With respect to the impacts due to an increase in population, the development team noted Park West has been designed to reduce traffic and to address parking issues by providing amenities within walking distance of residences. Additionally, increases in population should help with the success of retail and restaurant uses within Park West. Developing additional multi-family units to Park West will add to the vibrancy and activity at Park West. Adjacency to a vibrant, successful mixed-use center within walking distance will enhance the overall area.
28. The development team also noted all parking, roadway, and access requirements of the City of Peoria will be met or exceeded by Park West. In addition, if the multi-family uses are developed, the traffic study demonstrates that they will result in less overall traffic than the all-retail plan.
29. Regarding speeding near the elementary school, the team noted that the school is located deep within the adjacent neighborhood and it would likely be more convenient for parents within Park West to simply walk their children to school than drive out on to 99th and then drive through the neighborhood to reach the school. Additionally, there may be other traffic calming options available to address this concern.
30. Lastly, regarding the need for a sound wall, the development team noted there is a 330 foot SRP easement between Park West and the existing residential development. There is also a 6 foot high block wall on the northern boundary of the property, a multi-use trail, and an 80-foot landscape buffer located on the Park West parcel separating the neighbors from uses on Park West. Moreover, some neighbors indicated they would not support a higher wall because it would impede their views.

City Review

31. This request has been reviewed and commented on through the City's standard rezoning application review process. Recommended conditions of approval have been provided by the Planning, Site Development / Engineering, and Fire Safety

Department as provided in the *Conditions of Approval* portion of this report. The conditions of approval from the original zoning case and its successive amendments remain in place.

32. The existing site has well-defined retail corridors and multi-family land uses that provide a strong structure for the enhancement of the mixed-use development. The proposed additional land uses will add to this existing structure and support Park West as a regional influence and vibrant mixed-use development. Furthermore, enhanced signage is critical to ensure site users will have site identification and visibility necessary to ensure the success, continuation and expansion of their uses.

Public Notice

33. Public notice was provided in the manner prescribed under Section 14-39-6. Additionally, the site was posted with a sign meeting the size and content requirements prescribed by the Planning Division.

Proposition 207

34. The applicant has furnished a signed and notarized Proposition 207 Waiver for recordation pending the outcome of the City Council action.

FINDINGS AND RECOMMENDATION

Based on the following findings:

- This amendment to the PAD zoning is in conformance with the Mixed-Use land use designation and advances several goals and policies referenced thereto; and
- The proposed amendment is therefore deemed in conformance with the Peoria General Plan; and
- The proposed amendment advanced the City's sustainability efforts as referenced in the Sustainability Action Plan by promoting a development form that minimizes trips, promotes walkability and public health and provides for a mix of land uses and lifestyle choices; and
- The proposed amendment to the PAD will result in a vibrant mixed-use development that is compatible with the area and promotes the economic vitality of the center.

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

Recommend to the City Council approval of Case Z04-19A.7 subject to the following conditions:

1. The development shall be in substantial conformance to the amended Park West Planned Area Development Standards and Guidelines Report (Case Z04-19A.7) date stamped July 1, 2014.

2. The approval entered herein shall not negate any of the prior conditions contained or referenced within the original Case Z04-19 (*Villages at Northern*) or any successive amendments (Cases Z04-19A.1, Z04-19A.2, Z04-19A.3, Z04-19A.4, Z04-19A.5, and Z04-19A.6) except as modified within the PAD.
3. Signs require separate permit review and approval prior to installation unless otherwise specified in the PAD. No signs are approved with this request.
4. The development of Parcel 1 and Parcel 3 as contemplated within Option 2 of this PAD requires Site Plan Review approval prior to issuance of construction permits. The Site Plan shall be prepared in accordance with all relevant infrastructure and fire design requirements as required by the City.
5. The current fire department access locations meets the distance requirements of the existing project as constructed; however when Parcel 3 is developed, it appears that an additional fire access point will need to be provided which can be accomplished by connecting the project to 95th Avenue at the northeast corner of the development.
6. A Replat will be necessary to modify the water and/or sewer line easements, and to divide the parcels.
7. Pursuant to the approved waiver, all underground retention shown under the proposed building will need to be designed in such a manner that it does not affect the integrity of the building and foundations and must be designed to accommodate possible leaks/failure of existing underground storage tanks.
8. Transportation improvements for the development shall be provided in accordance with the Traffic Impact Analysis as approved by the City Engineer or as otherwise identified in the Development Agreement.

ATTACHMENTS

Exhibit A.1	Context Map
Exhibit A.2	Site Map
Exhibit B	General Plan Land Use Map
Exhibit C	Zoning Map
Exhibit D	Narrative Statement / Project Justification
Exhibit E	Freeway Sign Exhibits
Exhibit F	Proposed Conceptual Land Use Plans
Exhibit G	Proposed Conceptual Site Plan
Exhibit H	Citizen Participation Report
Exhibit I	Amended Park West PAD

Staff Report Z04-19A.7

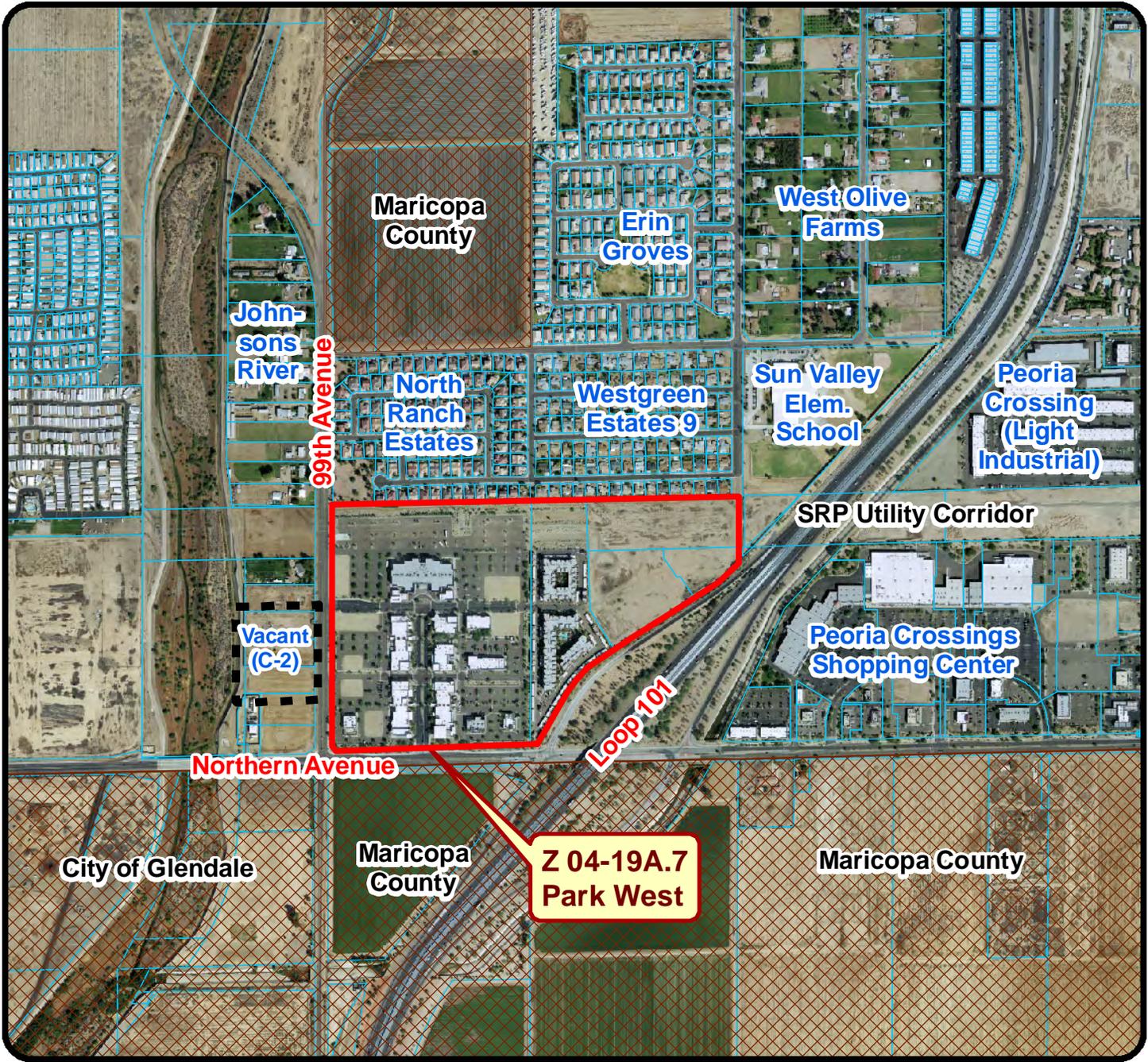
August 21, 2014

Page 11

Prepared by: Stacey Bridge-Denzak, RLA
Planner

Chris M. Jacques, AICP
Planning & Community Development Director

Context Map

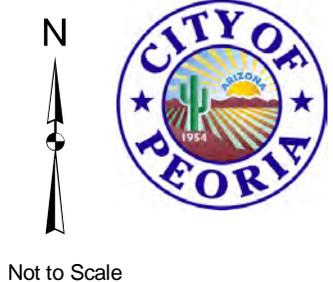


Z 04-19A.7 Park West PAD Amendment

Applicant: Parke West, LCC

Request: Amend the Park West PAD to allow for multi-family at Parcel 1, post-secondary education/college facility at Parcel 3, and revised freeway sign criteria.

Location: Northeast corner of 99th Avenue & Northern Avenue



Not to Scale

Site Map



Z 04-19A.7 Park West PAD Amendment

Applicant: Parke West, LCC

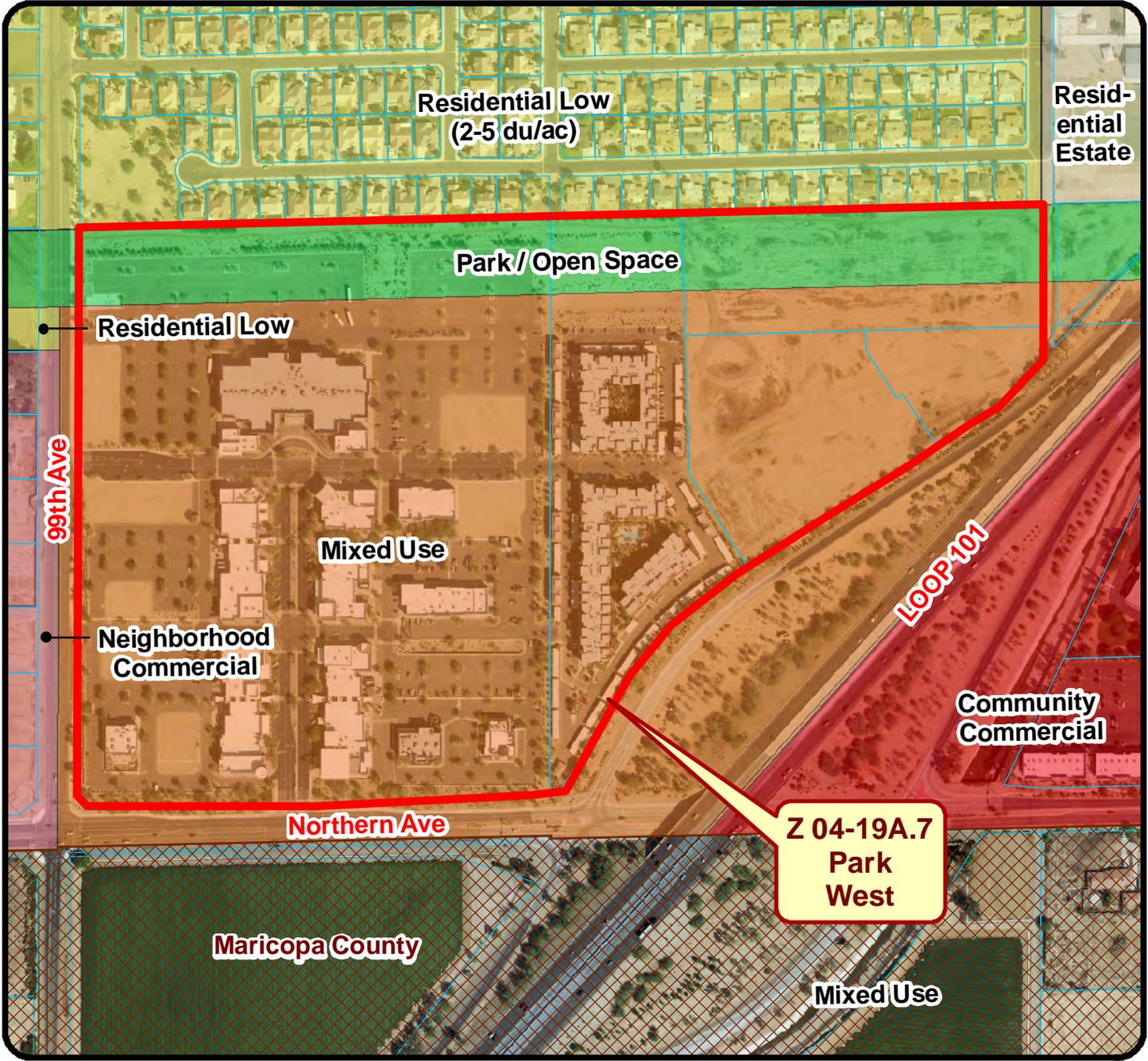
Request: Amend the Park West PAD to allow for multi-family at Parcel 1, post-secondary education/college facility at Parcel 3, and revised freeway sign criteria.

Location: Northeast corner of 99th Avenue & Northern Avenue



Not to Scale

General Plan Land Use Map

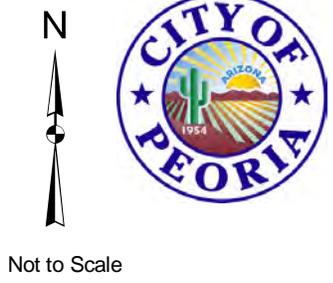


Z 04-19A.7 Park West PAD Amendment

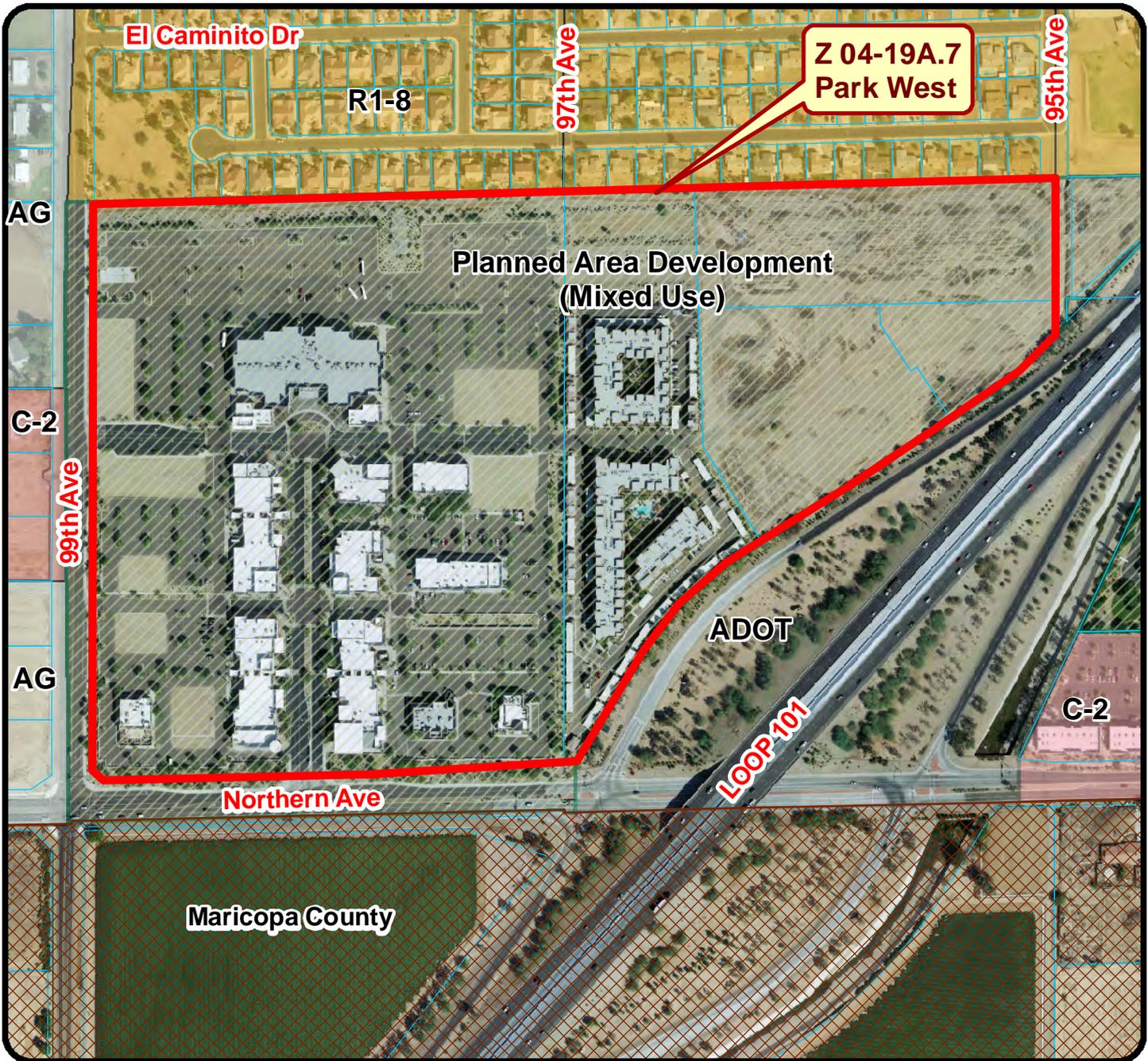
Applicant: Parke West, LCC

Request: Amend the Park West PAD to allow for multi-family at Parcel 1, post-secondary education/college facility at Parcel 3, and revised freeway sign criteria.

Location: Northeast corner of 99th Avenue & Northern Avenue



Zoning Map



Z 04-19A.7 Park West PAD Amendment

Applicant: Parke West, LCC

Request: Amend the Park West PAD to allow for multi-family at Parcel 1, post-secondary education/college facility at Parcel 3, and revised freeway sign criteria.

Location: Northeast corner of 99th Avenue & Northern Avenue



Not to Scale



Narrative Statement Project Justification PARK WEST

Prepared by:

**Greg Fitchitt
Parke West, LLC
c/o Howard Hughes Corporation
13355 Noel Road
22nd Floor
Dallas, Texas, 75240'
P: 972.232.2663**

**Heidi K. Short
Fennemore Craig
2394 East Camelback Road
Suite 600
Phoenix, Arizona 85016
P: 602.916.5494
E: hshort@fclaw.com**

Monday, May 19, 2014

Narrative Statement Project Justification

Attach a narrative statement which addresses the following questions. Additional information pertaining to the request may also be included, as appropriate. This information is requested to provide the staff, Commission and Council with the information necessary to fully evaluate the rezoning and development process.

1. What type of development and uses are proposed by the rezoning request?

The purpose of this application is to amend the existing Planned Area Development approval for Park West to allow for: (a) accessory land use elements that will attract and support higher end full-service hotels such as convention, exhibition centers and similar uses; (b) accessory land use elements that will support and encourage full service hotels and higher end multi-family uses such as outdoor recreation uses including tennis, racquet clubs, miniature golf and similar uses; (c) higher education and multi-family land uses on parcels 3 and 1, respectively within Park West to support a vibrant mixed-use development that will support existing retail and encourage additional retail uses; and (d) enhanced signage to support commercial land uses on the property and address visibility issues that current and future impede the visibility of the property.

2. State how your proposal is consistent with the Land Use Plan and other goals, policies and objectives (list each goal, policy and objective and how they are met) of the Peoria General Plan.

The property is within the Mixed Use land use designation of the City of Peoria General Plan Land Use Map. The proposed project is a true mixed use project that will include multi-family land uses integrated with retail, possible higher education uses and possible office land uses.

The proposed development is consistent with the goals, policies and objectives of the Peoria General Plan, including the following goals, polices and objectives:

2.B. Land Use Element Goals, Objectives and Policies

Policy 1.A.1: Promote planned developments where resources and infrastructure are in place to facilitate orderly and efficient growth.

The proposed development will complete the existing and well established mixed use project which includes multi-family uses, a theater and destination restaurants and retail uses. Thus, the necessary infrastructure is in place for this mixed use development. The proposed land uses will simply complete and enhance the existing land uses.

Policy 1.F.1: Develop a mixed-use zoning district consistent with the land use designation framework.

The proposed project is consistent with the existing land use map designation of “mixed use”. Additionally, the proposed additional land uses will enhance and support the existing mixed use development.

Policy 1.F.4: Encourage compact mixed-use developments using vertical orientation with connections to multi-modal transportation centers.

The proposed additional multi-family land uses will add a vertical element to the existing mix-use development and the proposed hotel and university land uses will enhance the destination characteristics of this project. The addition of the vertical element will also provide a more cohesive and urban feel to the existing project.

Policy 1.G.2: Integrate ‘place making’ design principles such as streetscape and building orientation, public spaces, multi-modal transportation options, walk ability and overall community appearance in all mixed-use developments.

As noted above, the proposed additional multi-family uses will provide a vertical element that will allow for an impressive and urban streetscape that will create public spaces in the heart of the retail and restaurant areas of the project. Additionally, the incorporation of multi-family uses within the retail and other commercial uses will enhance the walk ability of the project and support more pedestrian activity within the retail center.

3.B. Circulation Element Goals, Objectives and Policies

Policy 1.A.2: Encourage land development patterns that promote the operational efficiency of the existing and future transportation system.

The project is near the intersection of Northern Avenue and the Loop 101 and on the north side of the proposed Northern Parkway. Thus, the project is well

situated to provide much needed access for retail land uses, hotels, universities and multi-family housing. The inclusion of multi-family housing within the mixed use development will help moderate traffic trips generated from the property.

Policy 1.D.3: Enforce the goals and objectives of the Northern Parkway design concept report

The project will support and benefit from the goals and objectives of the Northern Parkway design concept report. As long as the project is given adequate signage to account for the mass of the Northern Parkway, the project will benefit from this additional access and the project design will not impact the proposed Northern Parkway design.

4.H. Economic Development Element Goals, Objectives and Policies

Policy 3.A.2: Explore opportunities to create mixed-use zones anchored by quality retail services

The project supports numerous economic development goals, objectives and policies. Among those goals, is the existing mixed-use development already anchored by quality retail, restaurant and entertainment uses. The proposed land uses will enhance these existing land uses and help attract new desired land uses to the project.

Policy 4.B.1: Partner with public and private entities to create a pedestrian-oriented, mixed-use environment with high quality retail, business, employment, and residential development supportive of a sustainable neighborhood economy.

This proposed project presents several opportunities for public private partnerships that will enhance the existing pedestrian-oriented mixed-use development that already includes quality retail, business and residential development. The proposed land uses will allow for more opportunities to include within the existing project more destination retail and restaurant uses along with hotel and office opportunities. The proposed project is a true mixed use development that will support a sustainable neighborhood (and regional) economy.

5.B. Growth Areas Element Goals, Objectives and Policies

Objective 1.A: Direct attractive development into identified growth areas, creating dynamic urban pockets with diverse economic, housing, cultural and entertainment opportunities.

The existing project directs development in this growth area of the City and provides diverse housing and entertainment opportunities. The proposed land uses will further these desired elements as well as allow for additional and more diversified housing opportunities, economic, commercial, educational, lodging, retail and entertainment elements.

Objective 1.B: Promote attractive public spaces and streets that reduce automobile dependency and enhance the function and character of the community.

The existing mixed-use development has established pedestrian corridors and public spaces that will be further defined and strengthened by the proposed additional land uses. This mixed-use development also allows residence within the community to eat and shop without leaving the project site.

Policy 1.B.2: Identify street improvements that promote pedestrian-oriented development including wider sidewalks, street furniture, landscaped medians, angled on-street parking where appropriate, and landscaped areas.

The existing mixed-use development and proposed land use additions feature development at a pedestrian scale including established pedestrian corridors with landscaped gathering areas.

Policy 1.B.3: Encourage street frontages that contribute to retail vitality; particularly, through the use and placement of buildings that create pedestrian areas visible from adjacent streets.

As noted above, the existing mixed-use development and proposed land use additions feature development at a pedestrian scale. Additionally, the proposed incorporation of multi-family uses with retail uses contributes to retail vitality and establishes pedestrian corridors within the project. This pedestrian-oriented design is visible from the entry points of the project.

Policy 2.A.3: Identify vacant and/or underutilized sites that can be targeted for economic growth.

The proposed additional land uses will assist with the completion of the already established mixed-use development. This development is poised for economic growth and can attract significant users and commercial concepts to the City. The proposed additional land uses and signage which will address visibility constraints of the site will help promote this development and growth.

3. Discuss your proposal's compatibility with the surrounding land use and zoning patterns Include a list of surrounding zoning designations, land uses and conditions.

The existing land uses on the property include multi-family, retail and vacant parcels. These land uses have been in use for approximately 7 years and are compatible with the residential uses to the north, the New River and vacant parcels to the west, the Loop 101 to the east and Northern Avenue to the south (which will soon include Northern Parkway). The proposed land uses will complement and enhance these existing land uses and include land use elements such as additional multi-family development and higher education uses that will add support for the existing land uses and allow for a vibrant mixed-use development that will firmly establish Park West as a premiere regional development.

The proposed multi-family land uses will provide parking consistent with the currently approved standards for Park West in the existing PAD which requires an average of 1.5 spaces for one and two bedroom units. Additionally, to promote the mixed-use development pattern, the required parking for multi-family land uses will be located under the multi-family units, and the multi-family buildings will include commercial land uses (retail, restaurants, etc.) at the street level. Please see “Park West – Color Aerial Site Plan – Ground Level” and “Park West –Rendered Perspective” in the drawing package for further detail. This parking and building design will encourage pedestrian activity and interest at the street level.

The potential change in trip generation resulting from the proposed change in land uses from commercial to residential at Parcel 1 has been calculated to generate fewer total daily trips than the existing, approved PAD plan. The daily trip generation under the proposed amendment to the existing PAD is 198 trips lower than the total daily trips generated by the currently approved PAD plan. The AM peak hour trips under the proposed amendment to the existing PAD would 75 trips higher and the PM peak hour trips would be 37 trips lower than the AM and PM hour trips under the existing land use assumptions for Parcels 1 and 3 under the existing approved PAD. Please see the Park West TIA dated September, 2013 as prepared by Kimley-Horn and reviewed by City Staff for further detail.

4. Indicate why the current zoning is not appropriate given the surrounding land use, zoning and factors which have changed since the current zoning was established.

The proposed modifications to the Planned Area Development will allow for land uses that will enhance the existing land uses on the property and support Park West as a premiere mixed-use development. Higher education land uses, multi-family uses and full service hotels will provide a population base necessary to support existing, and attract additional, retail users. The proposed signage will allow Park West to attract national and regional users that require enhanced

visibility and will support the business of the existing retailers currently at Park West.

5. Describe any proposed unique design consideration, beyond Zoning Ordinance requirements, which create compatibility between the proposed use and adjoining developments.

Existing trails and open space areas along the northern boundary of the development help ensure the existing (and proposed) development are and will be compatible with residential land uses located north of the property. The proposed additions to the Planned Area Development are specifically designed to support existing, and encourage additional, retail users and to create a unique and vibrant mixed-use development. The proposed multi-family uses will include design elements that will establish Park West as a true mixed-use development. These design elements include placement of multi-family living space located over retail and commercial space; accessory uses that support higher-end full service multi-family and hotel uses; and signage that includes enhanced design elements and is oriented away from residential land uses. The proposed design will establish a well defined mixed-use community with pedestrian elements, landscaping and corridors that will encourage pedestrian activity throughout the day and support an active and thriving mixed-use community.

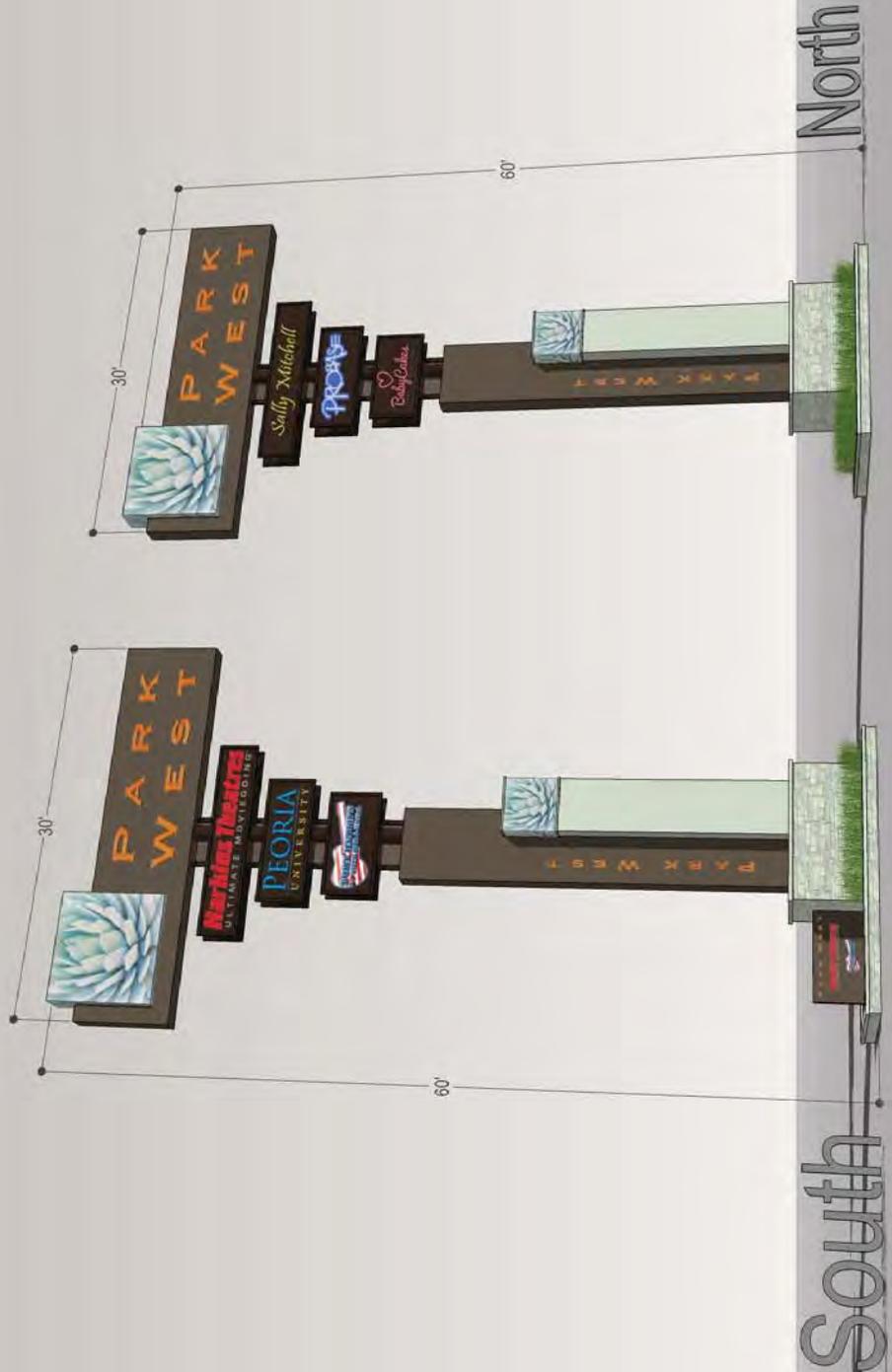
6. Provide general site information and describe unusual physical features or characteristics of the site which present opportunities or constraints for development.

The existing site has well defined retail corridors and multi-family land uses that provide a strong structure for the enhancement of the mixed-use development. The proposed additional land uses will add to this existing structure and support Park West as a regional influence and vibrant mixed use development. However, the site has unique visibility constraints which must be addressed with enhanced signage. The configuration of the property, adjacent properties and improvements including roadways, sound walls and trees prevent visibility to the site from the primary access corridors, including the Loop 101 and Northern Avenue. Additionally, the proposed Northern Parkway overpass, if constructed as currently designed, would completely block visibility of the site from the south and impede visibility from the east and west. Enhanced signage is critical to ensure site users will have site identification and visibility necessary to ensure the success, continuation and expansion of their uses.

7. Other than the requested rezoning approval, what other approval processes are required to accomplish the development proposal, i.e. variances, site plans, subdivision plats, conditional use permits,

comprehensive master plan amendments, State or County licensing or permits, etc.

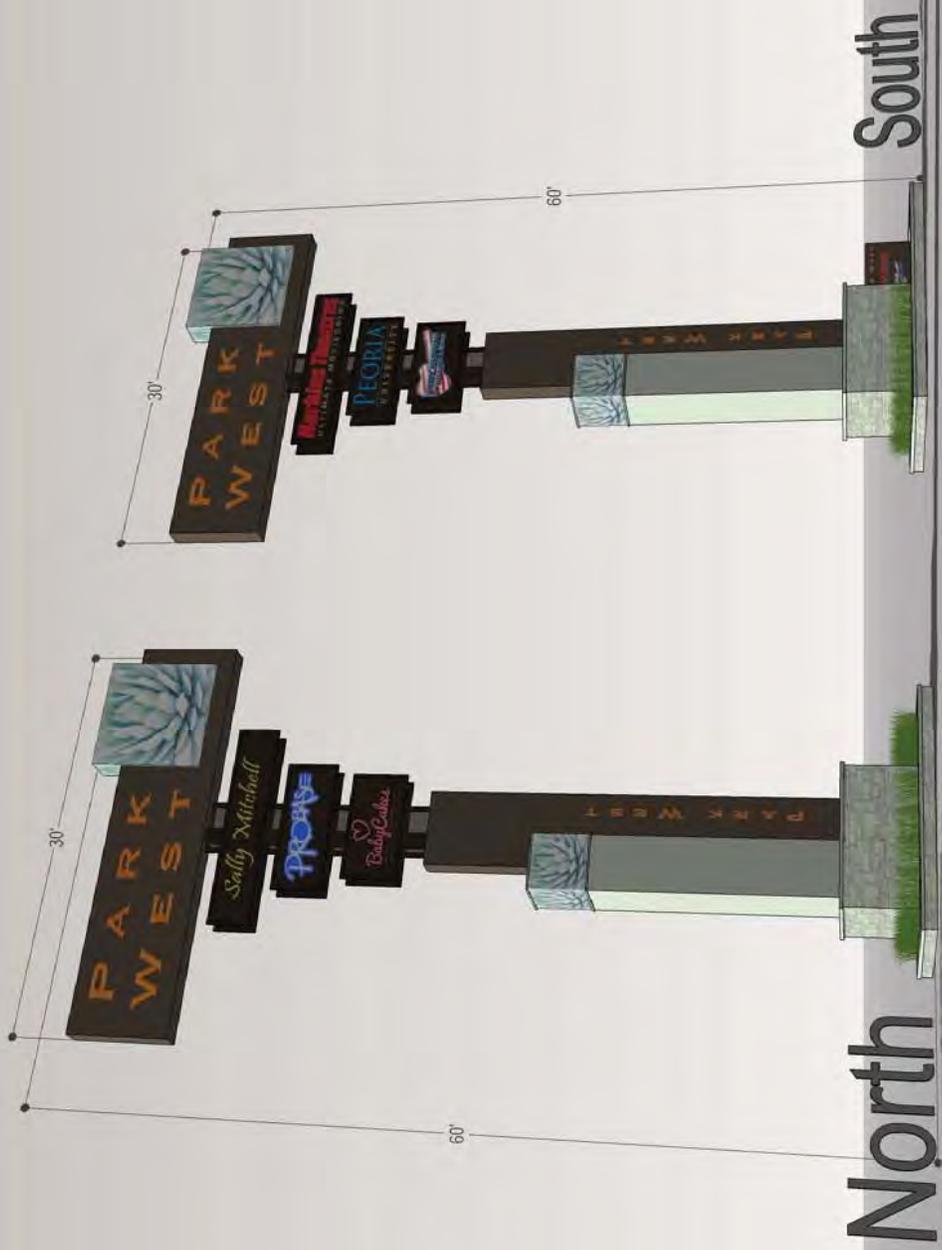
Future development of the site will require administrative site plan approvals as well as building permits and sign permits. Park west will also be processing an amendment and restatement of the Development Agreement for the property concurrent with the PAD Amendment. Other approvals are not anticipated at this time.



April 4, 2014



Park West - Highway Signage Front
N 99th Ave. & W Northern Ave., Peoria, Arizona

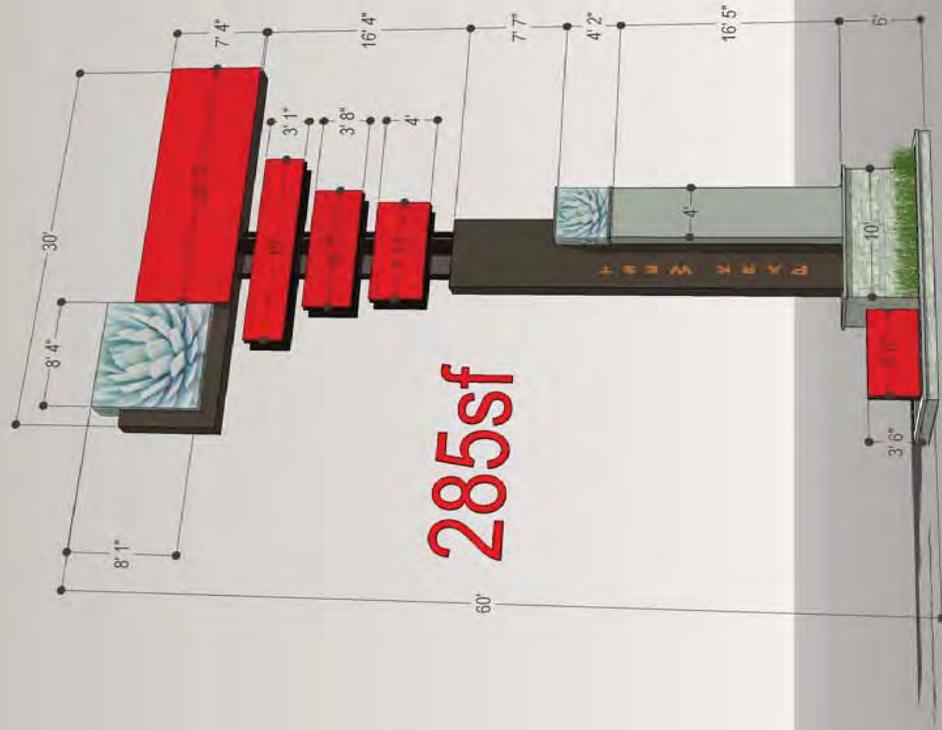


April 4, 2014



Park West - Highway Signage Back
 N 99th Ave. & W Northern Ave., Peoria, Arizona

North South

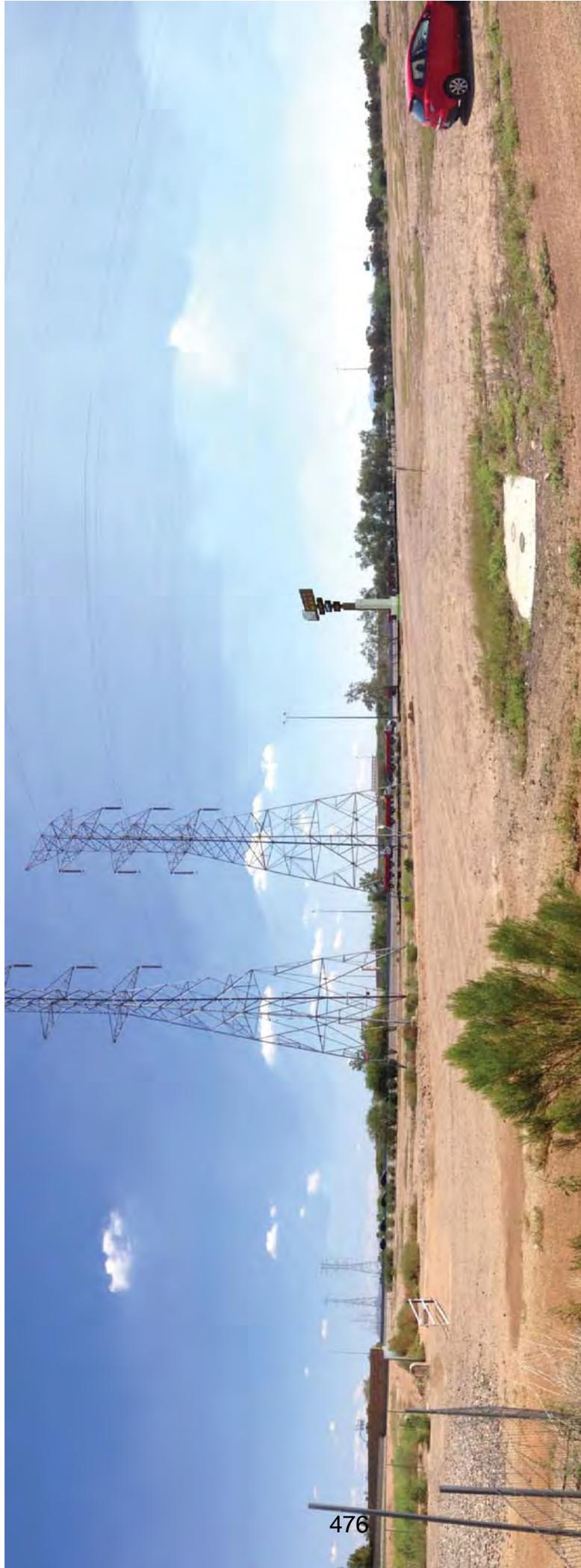


April 4, 2014



Park West - Highway Signage - Areas
N 99th Ave. & W Northern Ave., Peoria, Arizona

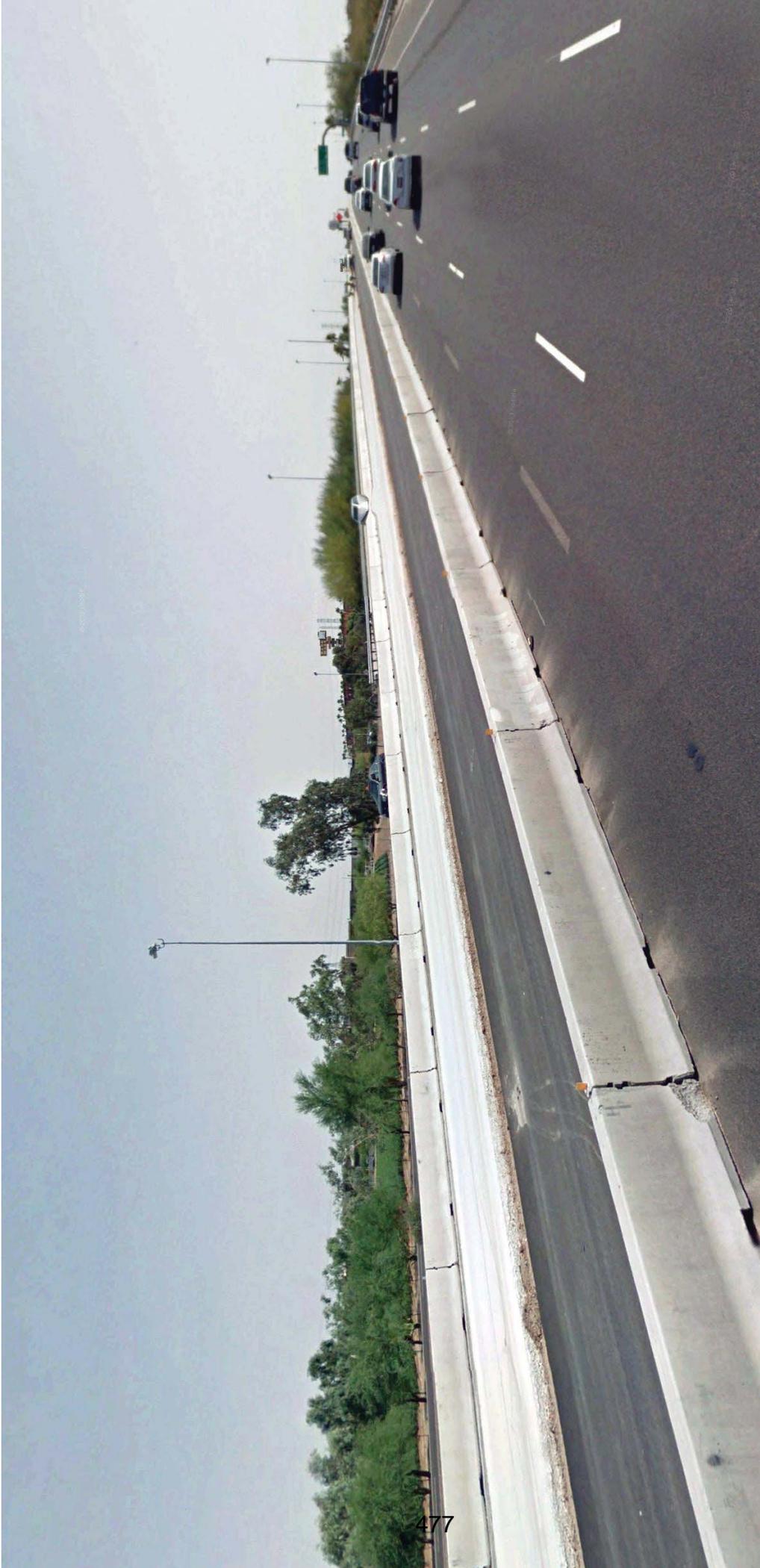




April 4, 2014



Park West - View From the Closest Residence
N 99th Ave. & W Northern Ave., Peoria, Arizona



April 4, 2014



Park West - Highway Signage - 1000' from Sign Traveling North
N 99th Ave. & W Northern Ave., Peoria, Arizona



April 4, 2014



Park West - Highway Signage - 700' from Sign Traveling North
N 99th Ave. & W Northern Ave., Peoria, Arizona



April 4, 2014



Park West - Highway Signage - 200' from Sign Traveling South
N 99th Ave. & W Northern Ave., Peoria, Arizona

EXHIBIT F



Office /
Education /
Hotel /
Residential /
Retail

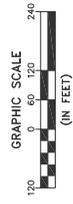
Residential /
Retail /
Hotel

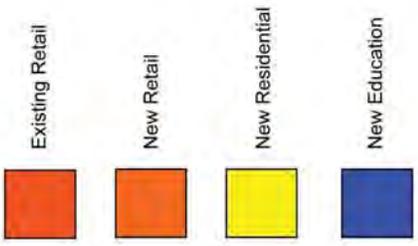
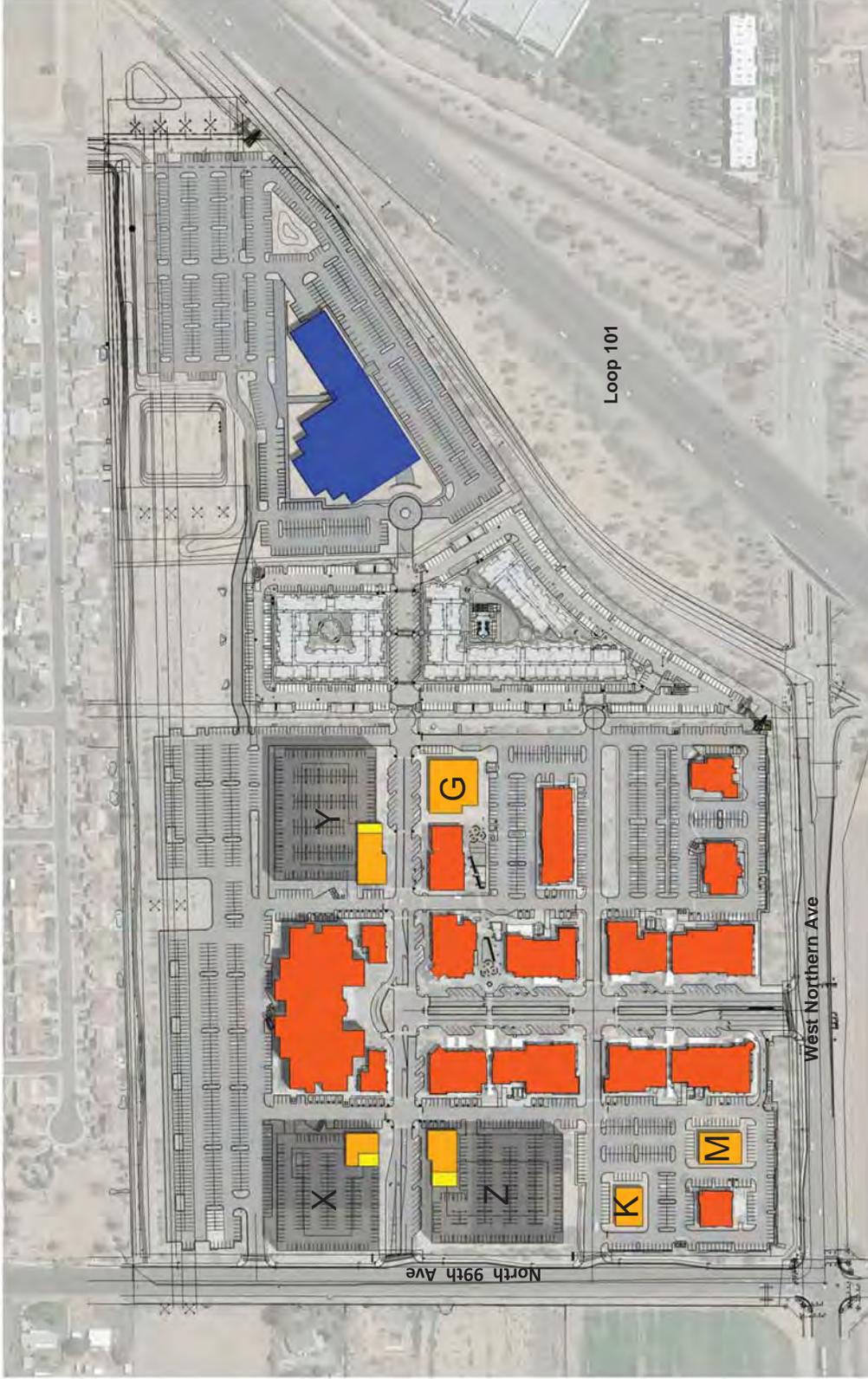
Retail /
Commercial

May 15, 2014



Park West - Conceptual Land Use Plan
N 99th Ave. & W Northern Ave., Peoria, Arizona





May 15, 2014



Park West - Color Aerial Site Plan - Ground Level
 N 99th Ave. & W Northern Ave., Peoria, Arizona





- Existing Retail
- New Retail
- New Residential
- New Education

May 15, 2014



Park West - Color Aerial Site Plan - Upper Level
 N 99th Ave. & W Northern Ave., Peoria, Arizona

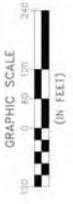
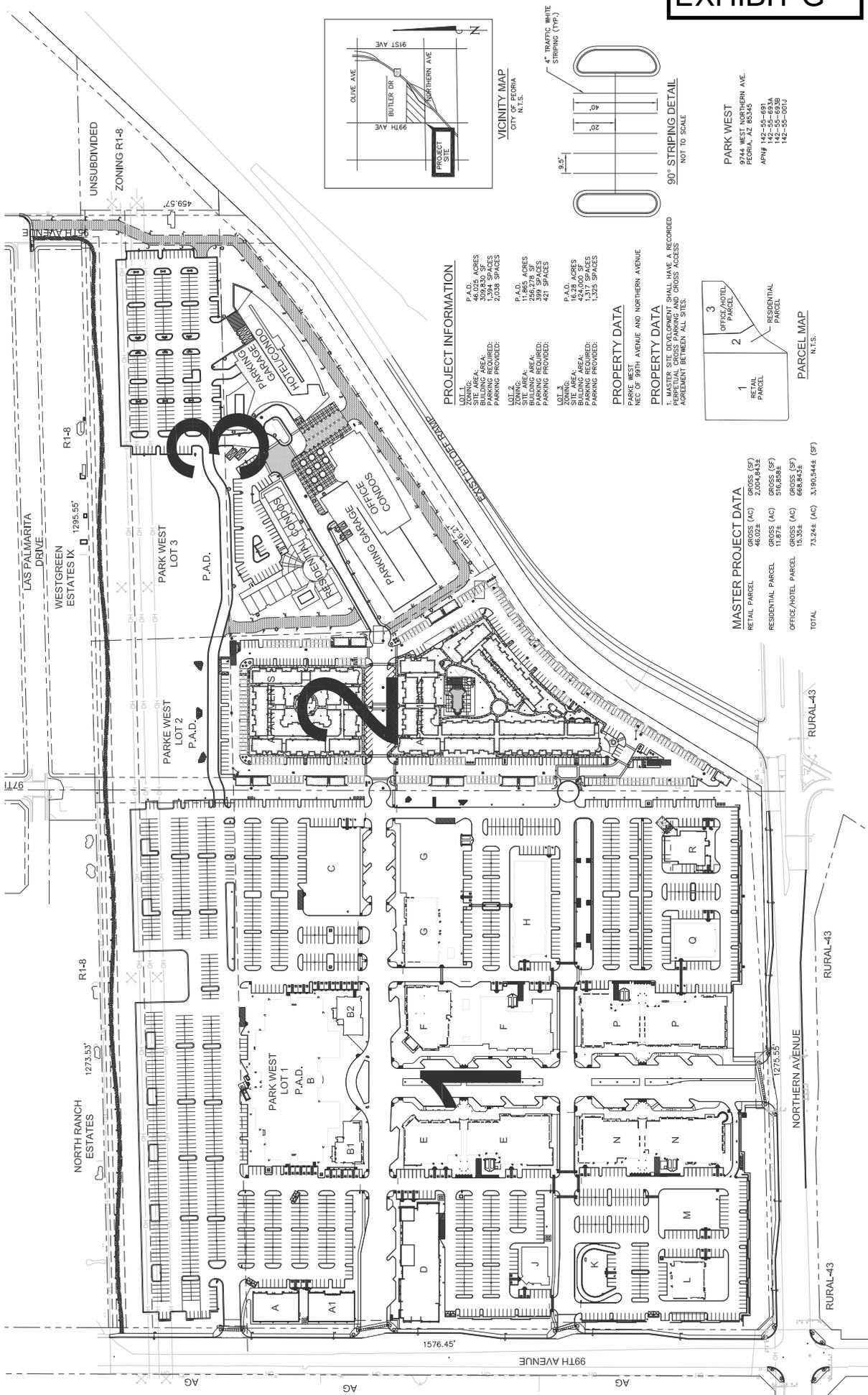


EXHIBIT G



PROJECT INFORMATION

LOT 1:
 ZONING: P.A.D.
 SITE AREA: 46,026 ACRES
 BUILDING AREA: 1,384,000 SF
 PARKING REQUIRED: 2,038 SPACES
 PARKING PROVIDED: 2,038 SPACES

LOT 2:
 ZONING: P.A.D.
 SITE AREA: 11,865 ACRES
 BUILDING AREA: 398,000 SF
 PARKING REQUIRED: 427 SPACES
 PARKING PROVIDED: 427 SPACES

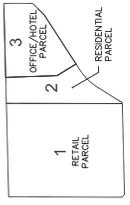
LOT 3:
 ZONING: P.A.D.
 SITE AREA: 16,236 ACRES
 BUILDING AREA: 424,000 SF
 PARKING REQUIRED: 1,325 SPACES
 PARKING PROVIDED: 1,325 SPACES

PROPERTY DATA

PARK WEST
 NEC OF 99TH AVENUE AND NORTHERN AVENUE

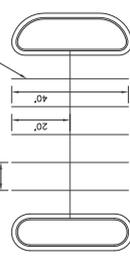
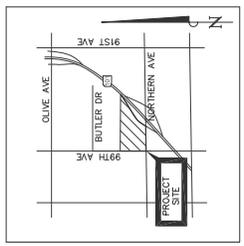
PROPERTY DATA

NEED FOR PERPETUAL CROSS PARKING AND CROSS ACCESS AGREEMENT BETWEEN ALL SITES.



MASTER PROJECT DATA

RETAIL PARCEL	GROSS (AC)	GROSS (SF)
1	11,872 (AC)	1,384,000 (SF)
2	16,236 (AC)	424,000 (SF)
3	73,244 (AC)	3,190,544 (SF)
TOTAL	101,352 (AC)	4,008,544 (SF)

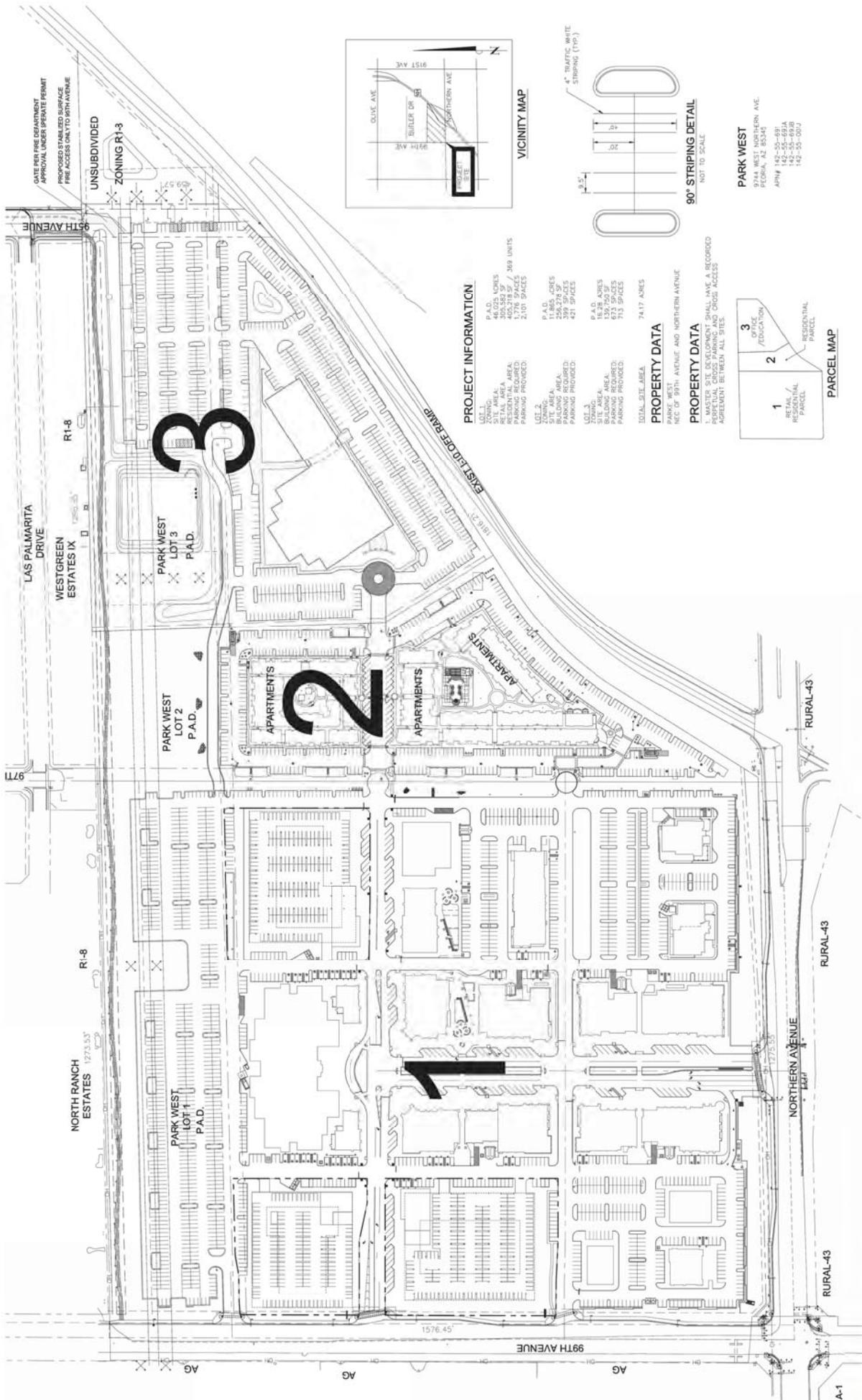


Park West - Conceptual - Option 1: 2007 Approved Site Plan

N 99th Ave. & W Northern Ave., Peoria, Arizona



May 15, 2014



PROJECT INFORMATION

LOT 1
 ZONING: R-1-8
 P.A.D. LINES: 300,584 SF
 RETAIL AREA: 1,052,719 SF
 RESIDENTIAL AREA: 1,052,719 SF
 PARKING PROVIDED: 2,109 SPACES

LOT 2
 ZONING: R-1-3
 P.A.D. LINES: 256,278 SF
 BUILDING AREA: 138,762 SF
 PARKING PROVIDED: 421 SPACES

LOT 3
 ZONING: R-1-3
 P.A.D. LINES: 138,762 SF
 BUILDING AREA: 138,762 SF
 PARKING PROVIDED: 713 SPACES

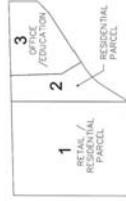
TOTAL SITE AREA: 74.17 ACRES

PROPERTY DATA

PARK WEST
 SEC 5 OF 99TH AVENUE AND NORTHERN AVENUE

PROPERTY DATA

1. MASTER SITE DEVELOPMENT SHALL HAVE A RECORDED AGREEMENT BETWEEN ALL SITES



PARCEL MAP

PARK WEST
 9744 WEST NORTHERN AVE.
 PEORIA, AZ 85345
 APN# 142-55-897
 142-55-898A
 142-55-007

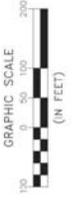
90° STRIPING DETAIL
 NOT TO SCALE

VICINITY MAP

Park West - Conceptual - Option 2: Multi-Family and University Site Plan
 N 99th Ave. & W Northern Ave., Peoria, Arizona



May 15, 2014



Lot 3 Program

Use	Classrooms	People	Tare Factor	Square Feet
Faculty		70 Employees	x 200 sf per person	= 14,000 sf
Administration		50 Employees	x 130 sf per person	= 6,500 sf
Auditoriums	2 Rooms x 200 students per room	= 400 Students	x 15 sf per student	x 1.5 = 9,000 sf
Classrooms	80 Rooms x 25 students per room	= 2000 Students	x 37 sf per student	x 1.5 = 111,000 sf
				140,500 sf

120 Employees
2400 Students

City of Peoria Parking Requirements

5 spaces per classroom	82 classrooms	x 5	= 410 spaces	Required Parking
1 space per 3 fixed seats of auditorium	400 students	/ 3	= 133 spaces	
1 space per employee	120 spaces	x 1	= 120 spaces	
Minimum of 10 spaces for visitor parking	10 spaces		= 10 spaces	

Total Required Parking = 673 spaces

Total Provided Parking = 713 spaces



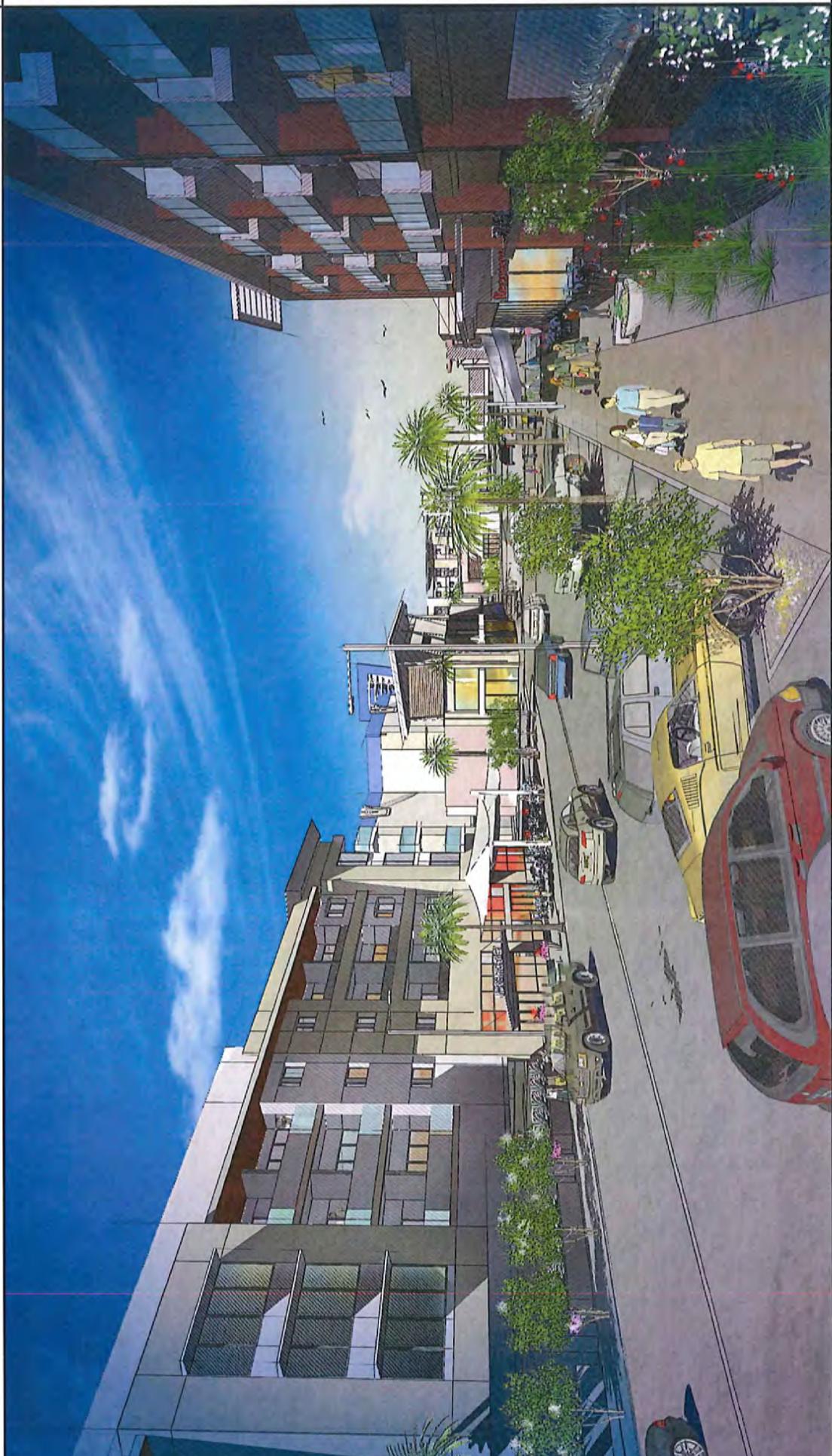
May 15, 2014



Park West - Rendered Site Plan
 N 99th Ave. & W Northern Ave., Peoria, Arizona



Not to Scale



May 15, 2014



Park West - Rendered Perspective
N 99th Ave. & W Northern Ave., Peoria, Arizona

Park West

Major PAD Amendment
Z04-19A.7

Citizen Participation Plan



Citizen Participation Plan for Park West

Prepared by

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CASE Z 04-19A.2:	Amended 8/21/07 (Ordinance 07-27)
CASE Z 04-19A.3:	Amended 10/1/07 (Minor PAD Amendment)
CASE Z 04-19A.4:	Amended 4/7/08 (Minor PAD Amendment)
CASE Z 04-19A.5:	Amended 6/28/10 (Minor PAD Amendment)
CASE Z 04-19A.6:	Amended 09/13/13 (Minor PAD Amendment)
CASE Z 04-19A.7:	Amended (Major PAD Amendment)

Tuesday, July 1, 2014

Citizen Participation Plan for Park West

The Park West Citizen Participation plan for the proposed PAD amendment includes an analysis of property owners and citizens affected by, or who may be interested in, the proposed amendment; procedures for meeting with these interested parties; collection and analysis of comments; and a summary of interactions with interested parties and responses to comments received during the citizen participation process.

Affected Property Owners and Interested Parties

Per City of Peoria neighborhood contact policies and meetings with the City Council district for the subject property, all property owners within 600 feet of the boundaries of the assessor parcels that are the subject of the PAD amendment as well as the local school district were identified as property owners who would be interested in the proposed PAD amendment. A list of interested owners is attached as **Exhibit "A"**.

Contact with Interested Parties

A meeting with the Peoria Unified School District was held 09.11.13 and there have been several subsequent meetings, discussions and proposed draft agreements since the initial meeting.

Neighbors within 1,000 feet of the north boundary of the parcels, and neighbors west of the parcels that are the subject of the PAD amendment were directly contacted October 20, 2013 through October 31, 2013 by members of the Park West development team. The development team walked door to door within this area and walked through this entire area on different dates to ensure the highest probability of making direct contact. In each of these meetings, neighbors were shown the map and sign renderings attached at **Exhibit "C"**.

A meeting including staff members from the planning department, the City Council Member for the district, members of the development team and interested property owners contacted via U.S. Mail per the contact list attached at **Exhibit "A"** and the attached letter at **Exhibit "B"** was held November 18, 2013 at the local Ramada Inn. Roughly 20 interested parties attended this meeting (list of attendees at **Exhibit "D"**).

Summary of Comments from Interested Parties

Concerns of the Peoria Unified School District will be addressed by development agreements between Park West and the district.

As a result of the development team walks through the neighborhoods to the north and west of Park West, 123 neighbors were directly contacted. Of the 123 contacted neighbors, 113 signed petitions supporting the proposed modifications to Park West as set forth in the PAD amendment. These petitions are attached at **Exhibit “C”**. Seven neighbors expressed opposition to the proposed modifications to Park West. Comments and interests expressed by the neighbors as a result of this direct contact are addressed below.

As noted above, roughly 20 neighbors attended the meeting held at the local Ramada Inn (see attendee list attached at **Exhibit “D”**). Renderings of the proposed modifications to Park West were addressed with each of the attendees. The attendees met with the development team, planning staff members and the City Council member for this district. Comments and interests expressed at this meeting (and duplicated during the direct contact meetings) are addressed below:

Additional Multi-Family

A few citizens attending the meeting and approached during the neighborhood walk expressed concern with the proposed additional multi-family units. These citizens do not want an increase in population in the area. They expressed concerns with a reduction in property values, potential noise, traffic and parking issues potentially associated with additional multi-family units.

The development team noted Park West has been designed to reduce traffic and to address parking issues by providing amenities within walking distance of residences. Additionally, increases in population should help with the success of retail and restaurant uses within Park West.

The addition of multi-family units to Park West will add to the vibrancy and activity at Park West. Adjacency to a vibrant, successful mixed-use center within walking distance will enhance the area.

Traffic Generation

A few citizens expressed frustration with current traffic issues, particularly on NFL game days, and stated they were concerned additional multi-family units and retail uses will result in traffic congestion affecting the neighbors.

The development team noted all parking, roadway and access requirements of the City of Peoria will be met or exceeded by Park West. In addition, if the multi-family uses are developed, the traffic study demonstrates that they will result in less overall traffic than the all-retail plan.

Speeding Near Elementary School

A few citizens expressed concerns with motorists who speed near the local school. These citizens believe the proposed modifications to Park West will add potential additional speeders to the area.

The development team noted the elementary school is located deep within the adjacent neighborhood and it would likely be more convenient for parents within Park West to simply walk their children to school than drive out on to 99th and then drive through the neighborhood to reach the school. Additionally, there may be other traffic calming options available to address this concern.

Sound Wall

Some citizens expressed their desire for a sound wall between Park West and their development to address noise issues. However, other citizen expressed concerns with a sound wall that would block their views of the mountains.

The development team noted there is a 330 foot SRP easement between Park West and the existing residential development. There is also a 6 foot high block wall on the northern boundary of the property, a multi-use trail, and an 80 foot landscape buffer located on the Park West parcel separating the neighbors from uses on Park West.

Exhibit B

Letter to Property Owners Meeting with Development Team



November 8, 2013

Re: Meeting to Discuss Modifications Proposed to the Existing Park West Shopping Center
Located on the West Side of Loop 101 and on the North Side of Northern Avenue

Dear Neighbor:

We would like to invite you to join us at 6:00 p.m. on Monday, November 18, 2013 at the Ramada Inn Peoria located at 8955 West Grand Avenue, Peoria (located Southeast of Loop 101 Exit Grand Avenue) to review the proposed modifications to the Park West shopping center.

Park West has developed into an attractive center serving the shopping needs of those living in the surrounding area. The proposed modifications are designed to enhance the destination characteristics of this center by adding additional land uses such as university uses, hotel uses and mixed-use multifamily uses and including signage along the Loop 101 for the project.

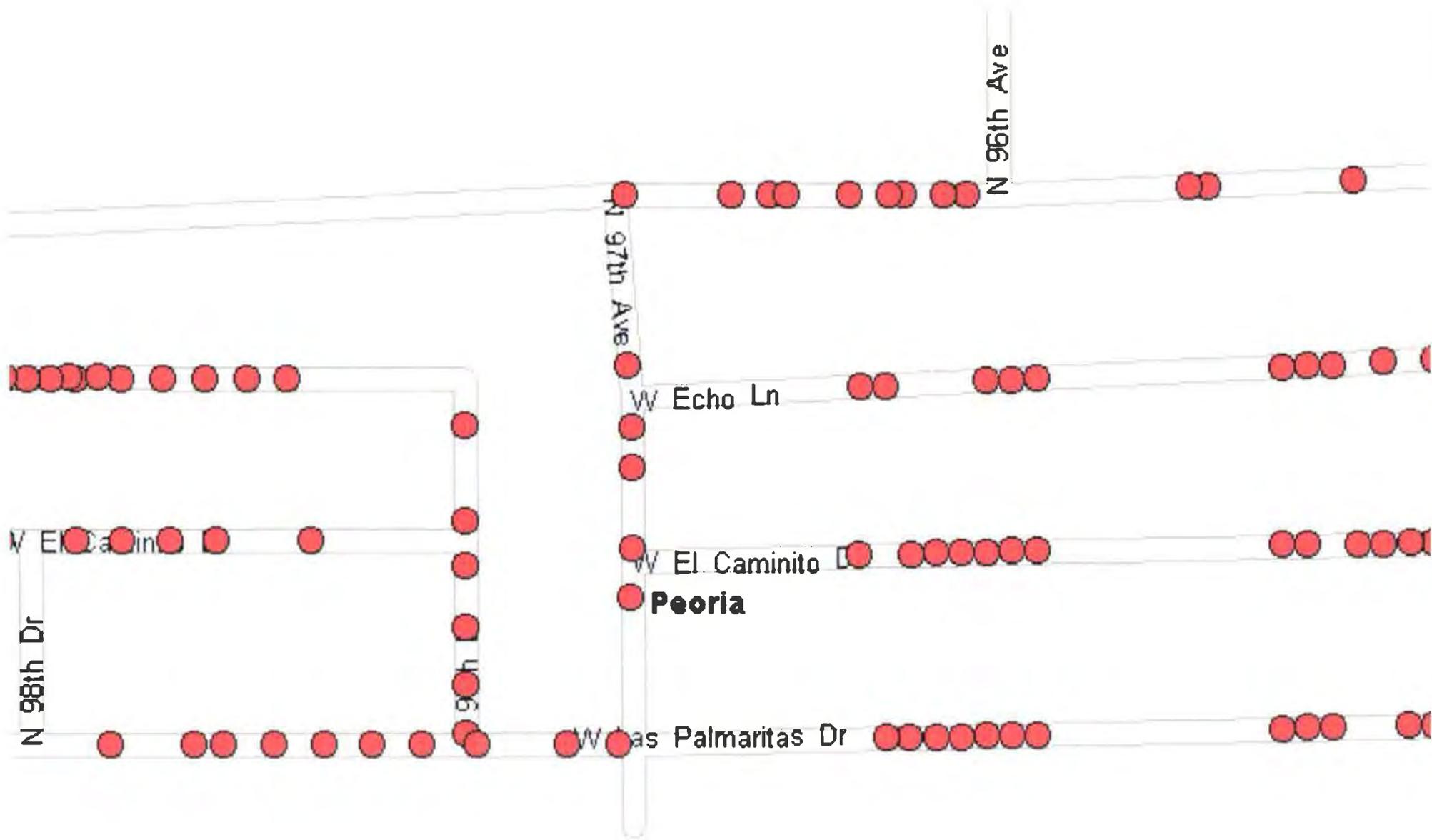
We look forward to meeting with you Monday, November 18 to hear any questions or suggestions you may have about the proposed modifications to Park West.

Sincerely,



Greg Fitchitt
Vice President, Development
The Howard Hughes Corporation
Owner, Park West Shopping Center
214.741.7744

Exhibit C
Petitions of Support



PARK WEST

114 Homes Representing
118 Statements of Support



 Future Residential



Currently zoned residential or commercial, but want to add education as well.





STANDARDS and GUIDELINES REPORT

PARK WEST

Prepared by:

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Park West
PLANNED AREA DEVELOPMENT (PAD)

STANDARDS and GUIDELINES REPORT

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CASE Z 04-19A.7	Amended _____ (Major PAD Amendment)

PARK WEST

STANDARDS and GUIDELINES

1. Introduction

The information contained in this document shall serve as Standards and Guidelines for the design and construction of Park West, Peoria, Arizona. The Planned Area Development (PAD) is an urban lifestyle and entertainment project that incorporates a “village feel”. The main street area is centered on a boulevard that includes active restaurants, plazas, greens, gathering areas, benches, art and water features. The project is unique in the City of Peoria and one that will be a destination to live, work and play.

2. Legal Description of Property

The full legal description of the property is attached as **Exhibit A**.

3. Consistency with General Plan

The uses defined in this report comply with those outlined in the City of Peoria General Plan.

4. General Site Information and Existing Site Conditions

The site is 74.71 acres with a southern boundary on Northern Avenue, an eastern boundary on Loop 101 Northern Avenue exit ramp, a western boundary on 99th Avenue and the northern boundary on the north edge of the SRP power line corridor. The SRP power line corridor provides a 330 foot buffer between buildings on the site and the single family residential development to the north.

5. Surrounding Land Uses and Conditions

Vacant properties to the south and west are used for agricultural purposes. The property to the north is single-family residential. The SRP power lines are incorporated into the Park West PAD. Property to the east is the Loop 101 exit ramp at Northern Avenue.

6. Preliminary Development Plan

Refer to **Exhibit B** (Project Narrative) and **Exhibit C-1** (Option 1) and **C-2** (Option 2) (Conceptual Site Plans). The conceptual site plans attached at Exhibits C-1 and C-2 depict alternative design concepts for the project.

7. Land Use Table

LAND USE	Parcel 1	Parcel 2	Parcel 3
Administrative & Financial			
Banks and Financial Institutions	P	-	P
Professional, Administrative or Business Office	P	-	P
Eating & Drinking Establishments			
Food and Beverage Vendor Cart	A	A	A
Outdoor Dining and Seating Areas	P	-	P
Restaurants	P	-	P
Restaurants, Drive-thru	P	-	-
Tavern, Bar or Lounge (Series 6 or 7 License)	P	-	P
Entertainment and Recreation			
Convention, Exhibition Centers and similar uses	A	-	P
Dance, Theatrical, Art, Music Studio & similar uses	P	-	-
Health and Exercise Center	P	A	A
Indoor Recreation/Entertainment include Bowling Alleys, Game Rooms, Video Arcades, Ice & Roller Skating Rinks, Pool & Dance Halls, Bingo Halls, & similar uses, excluding Adult Uses & Taverns Bars & Lounges	P	-	A
Recreation and Social Clubs	P	-	P
Outdoor Markets and Special Events	P		
Outdoor Recreation including Tennis, Racquet Clubs, Miniature Golf & similar uses	A	-	A
Theater, indoor	P	-	A
General Retail			
Antiques, Crafts, and Collectibles Sales	P	-	P
Book, Stationery & Greeting Card Store	P	-	P
Candy and Ice Cream Store	P	-	P
Carpet and Floor Covering Store	P	-	-
Copy Center	P	-	P
Florist	P	-	P

LAND USE	Parcel 1	Parcel 2	Parcel 3
Gift, Novelty and Souvenir Shop	P	-	P
Hobby, Stamp and Coin Shop	P	-	P
Newsstand	P	-	P
Pet Shop	P	-	-
Retail Sales of New & Used Merchandise, Indoor, excluding Sale of Automobile, Boats RVs and Motorcycles	P	-	P
Wine Retail Shop which includes non profit sampling and is limited to mall hours	P		
Retail Liquor Store (Series 9 or 10 License)	C	-	C
Small Merchandise Vendor Carts	A	A	A
Video Rental Store	P	-	P
Water and Ice Store	P		P
Institutional			
Art Gallery	P	-	P
Cultural Institutions	P	-	P
Day Care Centers or Pre- school Centers	P	-	A
Libraries and Museums	P	-	P
Post-Secondary Education, College Facility	P	-	P
Religious Institutions & similar places of worship	C	-	C
Intense Retail			
Appliance, Furniture, & Household Equipment Sales	P	-	P
Commercial Service Establishments combining retail, showroom with workshop	C	-	-
Department Store	P	-	P
Hardware & Home Improvement Store	P	-	P
Monument Sales and Engraving Shop	P	-	-
Office Supply & Machine Sales & Service	P	-	P
Outdoor Sales and Display Area	A	-	A
Lodging			
Hotel or Motel	P	-	P

LAND USE	Parcel 1	Parcel 2	Parcel 3
Medical			
Medical, Dental, Optician or Health, Clinics and Laboratories	P	-	P
Personal Services			
Dry Cleaning and Laundry Establishment	P	-	P
Locksmith	P	-	P
Massage Establishment	C	-	A
Messenger Delivery Service	P	-	P
Palm Readers, Phrenologists, Fortune Tellers and Astrologers	P	-	P
Pet Grooming Shop ¹	P	-	-
Photographic Developing and Printing	P	-	P
Photographic Studio	P	-	P
Radio and Television Sales and Service	P	-	P
Recording Studio	P	-	-
Remote Mail Service	P	-	P
Shoe Service & Clothing Alteration	P	-	P
Sightseeing Tour Companies	P	-	P
Tanning Salon, Nail Salon, Barber Shop, Beauty Parlor, Day Spa, Therapeutic Massage & similar uses	P	-	P
Ticket and Travel Agency	P	-	P
Watch and Clock Repair Shop	P	-	P
Residential			
Multi-family Residential ²	P	P	P

- P Permitted Use
C Permitted Conditional Use
A Accessory Use
- Not Permitted

¹ Subject to Section 14-9-5 (Peoria Zoning Ordinance) limitations on uses

² Residential GFA shall be limited to 30-60% of the total project (74.14 acres) GFA at ultimate build out. Interim residential GFA may exceed 30%-60% of the existing project GFA.

The permitted uses in the SRP power line corridor will be limited to parking and other ancillary uses such as landscaping, lighting, and retention.

Article 14-3-2 (5) - General Provisions

Unspecified uses. The schedule of the use listings within each zoning district is intended to establish the character of uses to be permitted, but may not include each and every allowable use. Unspecified uses may be permitted by the Community Development Director or designee thereof upon finding that such uses are similar in character to, and not typically more objectionable than, other uses specifically listed as permitted.

8. Project Phasing

Portions of the retail and multi-family elements are constructed. The remainder of the project will be constructed in accordance with market demand.

9. Project Development Standards

A. Color Standards

The colors used throughout the project are important to the overall urban feel and dynamic impression that will be made by each structure in the project. Colors on the perimeter of the project will be more subdued and as you get closer to the hub or boulevard of the project more color intensity will be permitted.

B. Development Standards Matrix

	Parcel 1	Parcel 2	Parcel 3
Acres +/-	46.025	11.865	16.28
Setbacks:			
Northern Ave	15'	15'	15'
99 th Ave	15'	N/A	N/A
Loop 101 Ramp	N/A	15'	15'
Internal	10'	10'	10'
Maximum Building Height:	80 feet	80 feet	110 feet, including additional 18 foot height allowance for mechanical screening.
Open Space:	6% project-wide		

Residential Land Use Allocation

Limited to 30% to 60% of Total Project (74.17 acres) at ultimate building out; provided interim residential GFA may exceed 30% to 60% of existing GFA

C. Open Space Requirements

A minimum of 6% of the overall PAD will be provided for open space. Open spaces will be used as opportunities to enhance the beauty of the project and to provide pedestrian friendly as pleasing areas within the project.

The following amenities, or an acceptable alternate of similar size and impact as approved by the Community Development Director, will be included in the open space of the project:

1. A 'boulevard/green' in the middle of the "Main Street" of Parcel 1.
2. A "Plaza" offering a meeting place, entertainment area on the 'arc' on "Main Street".
3. A water feature in the 'boulevard/green'.
4. Roundabouts at each end of the 'boulevard/green' and at the intersection between parcels.

The amenities listed above exceed those called for in Section 20-70-6 C of the Peoria Design Review Standards and Guidelines.

D. Site Lighting

Lighting in the parking lots will be mounted on poles placed on three foot concrete base with the total height of the fixture not to exceed 16 feet in Parcel 2 and 25 feet in Parcel 1 and 3. Lighting will comply with Peoria's Dark Sky Ordinance and will be part of the overall design theme.

E. Screening, Fencing and Walls

All surface parking areas will be screened from perimeter edges by walls averaging 3 feet in height and/or landscape mounding averaging 3 feet in height. A combination of walls and mounding is anticipated throughout the project and site.

All service, loading and delivery, trash areas and all ground mounted and roof mounted equipment shall be screened from view.

F. Parking

The number of parking spaces in the Planned Area Development will average 4 parking spaces per 1,000 square feet of building space for retail and 1 parking space per 150 square feet of office space.

Residential parking will average 1.5 spaces for one and two bedroom units and 2.5 spaces for 3 bedroom units.

Hotel parking will average 1 parking space per room.

All areas within the project will be part of a shared parking agreement.

All parking Stalls located within the SRP power line corridor shall be setback a minimum of 100 feet from the northern boundary of the power line corridor.

G. Enhanced Design Review Standards

The project brings a unique development to the City. The project design will have a consistent theme that permits individual retailer, restaurants and other users to display their unique identities. The urban feel of the project calls for densities and spacing that will enhance the concept. Each detail will be studied in depth to assure scale, material and color that supports the overall theme of the project.

The project will have a series of plazas, roundabouts, greens, fountains, and ‘places’ that will become icons and meeting places that are significant throughout the project. These areas will have special materials, landscaping and art features to designate their importance.

10. Project Signage Standards

Although structured as three separate, but integrative parcels, Park West is recognized as an important gateway lifestyle center to the City. Although such projects typically exhibit a certain vibrancy or “splash,” the Park West Planned Area Development intends to thread together a package of common thematic elements among the three parcels. To this end, the signs utilized in each parcel shall integrate common elements such as Park West logo or emblem, font type, lighting, monument base and style and other elements as deemed appropriate.

A. Sign Standards:

1. Parcel 1: Per Article 14-34 of the Peoria Zoning Ordinance except as defined and as further illustrated hereto in **Exhibit D** “Parcel 1 Sign Program.”
2. Parcel 2: Per Article 14-34 of the Peoria Zoning Ordinance
3. Parcel 3: Per Article 14-34 of the Peoria Zoning Ordinance

B. All signs in Parcel 1 shall adhere to the following requirements:

1. **Freestanding Monument Signs (“Elevations A-B”).** Three (3) double-faced internally illuminated monument signs are permitted per the schedule below. The colors and finish shall be thematically consistent with the development and as further illustrated in **Exhibit D**, Elevations A-B.

- a. Development Standards.

	Primary (“A”)	Secondary (“B”)
Number Permitted	One (1) on Northern Ave	Two (2) on 99th Ave
Maximum Area (sf)	180 square feet	40 square feet
Maximum Height	12'	8'
Setback	1 foot from ROW	1 foot from ROW

- b. All signs shall be consistent with the elevations in Elevations A-B.
 - c. Such signs shall be located a minimum of sixty (60) linear feet from any other freestanding monument sign.
 - d. Sign permit required.
2. **Freestanding Art Display (“Elevations C-E”).** A total of four (4) internally illuminated Art Display “C”, six (6) internally illuminated Art Display “D” and seven (7) internally illuminated Art Display “E” may be permitted.
- a. All displays shall be located within the primary traffic corridor of Park West as shown on the Site Plan.
 - b. All art displays shall conform to Elevations C-E.
 - c. Sign permit required.
3. **Directory Panel Display (“Elevation F”).** A total of ten (10) internally illuminated Directory Panel Displays may be permitted. The panel displays shall be constructed with raised hinged aluminum frame with clear glass face. The graphics shall be translucent print on vinyl. The frame is locked with tamper resistant screws top and bottom.
- a. Each sign shall not exceed the dimensional standards illustrated on Elevation F.
 - b. Sign permit required.
4. **Ad Panel Display (“Elevation G”).** A total of twelve (12) internally illuminated Ad Panel Displays may be permitted. The panel displays shall be constructed with raised hinged aluminum frame with clear glass face. The graphics shall be translucent print on vinyl. The frame is locked with tamper resistant screws top and bottom.

- a. Each sign shall not exceed the dimensional standards illustrated on Elevation G.
 - b. Sign permit required.
5. **Light Pole Banners (“Elevation H”).** A total of twenty-one (21) non-illuminated cloth banners attached to the upright supports of the parking lot lights may be permitted.
 - a. Each banner is limited in size to the dimensional standards (2’-0” x 4’-7”) illustrated on Elevation H.
 - b. The banner shall be a minimum of 12 feet above finished grade.
 - c. No sign permit required.
6. **Advertising Mural (“Elevation I”).** A total of fifteen (15) externally illuminated advertising murals may be permitted within the mural panels illustrated on Elevations Q, S, V & W and in the general locations identified on the Site Plan. Such murals are separate from the allowable building mounted wall sign area allowance provided to each establishment.
 - a. Each mural is limited to 98 square feet in area (7’-0” x 14’-0”)
 - b. All advertising murals shall be consistent with Elevation I.
 - c. Sign permit required.
7. **Under Canopy Illuminated Blade Signs (“Elevation J”).**
 - a. The size and shape of each sign and mounting bracket may vary, However, such signs shall not exceed six (6) square feet in area and shall maintain a minimum of eight feet (8’-0”) clearance from the sidewalk to the bottom of the sign,
 - b. Prohibited materials and components for such signs include:
 - Exposed neon
 - Flashing lights
 - Animated components
 - Illuminated, acrylic faced channel letters or trim caps
 - Cabinet signs with illuminated, translucent background and silhouette letters;
 - Vacuum-formed plastic letters or sign faces
 - Paper, cardboard, stickers or decals of any kind
 - Exposed raceways, ballast boxes, transformers, crossovers or conduit;

- Name stamps or decals of sign manufacturer shall not be displayed;
 - Exposed hardware unless ornamental in nature, and
- c. No sign permit is required.

8. **Building-Mounted Wall Signs (“Elevation K”).** Permanent signs and graphics attached to the building wall or suspended from the building fascia, providing tenant identification from the parking lot and street. All wall signs shall be fabricated from individual channel letters and logos. Individual LED illuminated channel letters shall be constructed with acrylic and aluminum returns.

- a. All signs shall be centered horizontally and vertically within a designated sign band.
- b. Allowable Sign Area
 - 1. For users occupying less than 15,000 square feet of floor area, the total allowable sign area shall be the maximum of 1.87 square feet per linear foot of lease or suite frontage without limitation to total sign area.
 - 2. For users occupying 15,000 square feet or more of floor area, the total sign area (including all elevations) shall be a maximum of 3.0 square feet per linear foot of lease or suite frontage, with no limitation to total sign area. No single elevation shall exceed a maximum of 1.5 square feet per linear foot of lease or suite frontage.
- c. For the purposes of calculating sign area, the façade containing a public business entry shall be utilized. For corner suites or users with more than one public business entry, the user shall be given the option of selecting a frontage.
- d. Signage shall not exceed 70% of the suite or business frontage.
- e. Raceways shall not be exposed with the exception of signs mounted to the dimensional wall embellishment.
- f. Conductors, conduit and transformers shall be concealed. Hardware or fasteners shall not be allowed.
- g. All penetrations of the building shall be neatly sealed and kept in a watertight condition. Upon removal of any sign, the fascia shall be restored to the texture, color and finish of the surrounding wall.
- h. Sign permit required.

9. **Freeway Signs.** Two (2) double-faced internally illuminated freeway signs shall be permitted according to the schedule below (“**Elevation X**”):

a. Development Standards

	Parcel 1	Parcel 3
Number Permitted	One (1) on Northern Ave within 100 feet of the Loop 101 right-of-way line	One (1) on the Loop 101 right-of-way line.
Maximum Area ¹ Per side	300 square feet	300 square feet
Maximum Height ²	60-feet	60-feet
Setback	10 feet from ROW	1 foot from ROW

b. Signs shall provide an architecturally enhanced treatment for the sign base, pole cover and supports compatible with the individual businesses or the complex/center. Pole covers and sign base may incorporate site identification, logos and identification of up to three (3) major tenants.

Any signs not conforming to conventional monument design shall calculate sign area based off of the portions of the sign which convey a commercial message as determined by the Planning Manager or designee thereof.

c. Signs shall not be located within required parking spaces or drive aisles. Any landscape material displaced by signage shall be relocated in the general vicinity of the sign.

d. Signs may be illuminated by external indirect or internal indirect illumination.

e. Signs shall not be located within natural or manmade watercourses.

f. Signs shall be subject to all applicable Arizona Department of Transportation signs regulation standards.

9. Signs shall not be restricted to tenant trade names only. Registered marks, trademarks, d/b/a’s and logos shall be permitted, provided the sign otherwise complies with the standards and guidelines contained herein.

10. **Prohibited Signs.** Prohibited signs are as follows:

- a. No signs shall be placed or located on the roof or above the parapet line of any building. Signs shall be installed in designated sign band areas only.
- b. Animated, flashing, blinking, audible, placard, poster, playbill, posting, painting, change panel, flag, fixed balloon, rotating light, A-frame, moving or rotating signs.
- c. Signs painted on buildings.

11. **Project Landscape Standards**

Landscaping within the PAD shall be provided per Article 14-35, except as may be restricted within the SRP power line corridor area. An 80' landscaped buffer shall be provided adjacent to the abutting SRP Area. The landscaped buffer shall include a minimum plant quantity of one tree and five shrubs per 20 linear feet.

Northern Avenue:

1. Landscaping will be used to assist in defining entry points to the project as well as approach areas. 60% of all trees on the street perimeter will be 24" box or greater.
2. Lawn areas will be used as accent and landmark areas.
3. Non-lawn areas will receive 2" depth of decomposed granite.
4. Drainage will be directed away from sidewalks and building areas in accordance with the overall drainage plan.

99th Avenue:

1. Landscaping will be used to assist in defining entry points to the project as well as approach areas. 60% of all trees on the street perimeter will be 24" box or greater.
2. Lawn areas will be used as accent and landmark areas.
3. Non-lawn areas will receive 2" depth of decomposed granite.
4. Drainage will be directed away from sidewalks and building areas in accordance with the overall drainage plan.

Parcel 1:

1. Main Street will have its own identity. The “boulevard” centerpiece of the project will have a series of grass gather areas and water features.
2. All trees within the main street area will be a minimum of 24” box in size.
3. Trees planted in sidewalk areas will have decorative grates at their base.
4. Drainage will be directed away from sidewalks and building areas in accordance with the overall drainage plan.

Parcel 3:

1. The Office Areas shall be landscaped per the standards contained in the City of Peoria Code.
2. Landscaping in the Office Areas should be compatible in style, quality and quantity to that of the Main Street retail hub.
3. 60% of all trees shall be 24” box or greater.
4. Lawn areas are encouraged.
5. Drainage will be directed away from sidewalks and building areas.

Adjacent to 101 Ramp:

1. Existing vegetation will be salvaged as appropriate to assist with the overall landscape theme.
2. 30% of trees added in this area will be 24” box or greater.
3. Drainage will be directed away from sidewalks and building areas.

SRP Power Line Corridor:

1. A minimum 80-foot landscape buffer shall be provided along the north boundary of the SRP power line corridor adjacent to the single-family residential to the north.

12. Infrastructure/Utilities

A. Grading/Drainage/Retention

Grading will be consistent with engineering in the area to appropriately handle flows based on the City of Peoria standards and policies. Drainage and retention will be accomplished through a combination of an underground system and retention areas.

B. Water/Wastewater Analysis

Both water and sewer lines are located in 99th Avenue and will be accessed for use within the project. Connections and/or modifications to water, wastewater, streets and drainage systems will be done in conformance with the standards and specifications of the City of Peoria.

13. ALTA Survey

An ALTA Survey of the project is attached as **Exhibit E**.

14. Physical Integration of Project

The integration of the development parcels within the site is a key element in the design concept. Most critical is the integration of Parcels 1, 2 and 3. Each parcel plays a key role in the design of “Main Street.” The various uses are connected by the pedestrian friendly downtown feel of the project, making a walk or stroll from the office buildings on the west end of the project, through the retail and restaurant area, to the hotel and convention site a pleasant experience. A resident could walk to work, walk to shop, walk to dine or other activities.

Exhibit A

Legal Description of the Property

Lot 1

Lot 1, Parke West, according to the plat of record in the Office of the County Recorder of Maricopa County, Arizona, recorded in Book 927 of Maps, Page 29.

Lot 3

Lot 3, Parke West, according to the plat of record in the Office of the County Recorder of Maricopa County, Arizona, recorded in Book 927 of Maps, Page 29.

Lot 4

A PORTION OF THE SOUTH 330 FEET OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 3 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION, A FOUND A.D.O.T. BRASS CAP IN HAND HOLE, FROM WHICH THE SOUTH QUARTER CORNER OF SAID SECTION 33, A FOUND MARICOPA HIGHWAY DEPT. BRASS CAP IN HAND HOLE, BEARS SOUTH 00 DEGREES 00 MINUTES 48 SECONDS WEST, A DISTANCE OF 2635.11 FEET;

THENCE COINCIDENT WITH THE NORTH-SOUTH MID SECTION LINE, SOUTH 00 DEGREES 00 MINUTES 48 SECONDS WEST, A DISTANCE OF 987.44 FEET;

THENCE DEPARTING SAID MID SECTION LINE, NORTH 88 DEGREES 32 MINUTES 52 SECONDS EAST, A DISTANCE OF 45.01 FEET TO THE NORTHWEST CORNER OF SAID SOUTH 330 FEET AND THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID LINE NORTH 88 DEGREES 32 MINUTES 52 SECONDS EAST, A DISTANCE OF 364.84 FEET TO THE WEST LINE OF AN EASEMENT FOR STREET PURPOSES RECORDED IN RECORDING NO. 88-547999, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE SOUTH 43 DEGREES 05 MINUTES 35 SECONDS WEST COINCIDENT WITH SAID STREET EASEMENT, A DISTANCE OF 463.03 FEET TO THE SOUTH LINE OF SAID SOUTH 330 FEET;

THENCE SOUTH 88 DEGREES 32 MINUTES 52 SECONDS WEST COINCIDENT WITH SAID SOUTH LINE, A DISTANCE OF 48.48 FEET TO THE EAST LINE OF THE WEST 45 FEET OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 33;

THENCE NORTH 00 DEGREES 00 MINUTES 48 SECONDS EAST, A DISTANCE OF 330.11 FEET PARALLEL WITH SAID MID SECTION LINE TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION OF SUBJECT PROPERTY DEDICATED TO THE CITY OF PEORIA BY DEDICATED OF PUBLIC ROADWAY RECORDED DECEMBER 16, 2008 IN INSTRUMENT NO. 2008-1061965.

**Exhibit B
Project Narrative**



**Narrative Statement
Project Justification
PARK WEST**

Prepared by:

**Greg Fitchitt
Parke West, LLC
c/o Howard Hughes Corporation
13355 Noel Road
22nd Floor
Dallas, Texas, 75240'
P: 972.232.2663**

**Heidi K. Short
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E: hshort@fclaw.com**

Monday, May 19, 2014

Narrative Statement Project Justification

Attach a narrative statement which addresses the following questions. Additional information pertaining to the request may also be included, as appropriate. This information is requested to provide the staff, Commission and Council with the information necessary to fully evaluate the rezoning and development process.

1. What type of development and uses are proposed by the rezoning request?

The purpose of this application is to amend the existing Planned Area Development approval for Park West to allow for: (a) accessory land use elements that will attract and support higher end full-service hotels such as convention, exhibition centers and similar uses; (b) accessory land use elements that will support and encourage full service hotels and higher end multi-family uses such as outdoor recreation uses including tennis, racquet clubs, miniature golf and similar uses; (c) higher education and multi-family land uses on parcels 3 and 1, respectively within Park West to support a vibrant mixed-use development that will support existing retail and encourage additional retail uses; and (d) enhanced signage to support commercial land uses on the property and address visibility issues that current and future impede the visibility of the property.

2. State how your proposal is consistent with the Land Use Plan and other goals, policies and objectives (list each goal, policy and objective and how they are met) of the Peoria General Plan.

The property is within the Mixed Use land use designation of the City of Peoria General Plan Land Use Map. The proposed project is a true mixed use project that will include multi-family land uses integrated with retail, possible higher education uses and possible office land uses.

The proposed development is consistent with the goals, policies and objectives of the Peoria General Plan, including the following goals, polices and objectives:

2.B. Land Use Element Goals, Objectives and Policies

Policy 1.A.1: Promote planned developments where resources and infrastructure are in place to facilitate orderly and efficient growth.

The proposed development will complete the existing and well established mixed use project which includes multi-family uses, a theater and destination restaurants and retail uses. Thus, the necessary infrastructure is in place for this mixed use development. The proposed land uses will simply complete and enhance the existing land uses.

Policy 1.F.1: Develop a mixed-use zoning district consistent with the land use designation framework.

The proposed project is consistent with the existing land use map designation of "mixed use". Additionally, the proposed additional land uses will enhance and support the existing mixed use development.

Policy 1.F.4: Encourage compact mixed-use developments using vertical orientation with connections to multi-modal transportation centers.

The proposed additional multi-family land uses will add a vertical element to the existing mix-use development and the proposed hotel and university land uses will enhance the destination characteristics of this project. The addition of the vertical element will also provide a more cohesive and urban feel to the existing project.

Policy 1.G.2: Integrate 'place making' design principles such as streetscape and building orientation, public spaces, multi-modal transportation options, walk ability and overall community appearance in all mixed-use developments.

As noted above, the proposed additional multi-family uses will provide a vertical element that will allow for an impressive and urban streetscape that will create public spaces in the heart of the retail and restaurant areas of the project. Additionally, the incorporation of multi-family uses within the retail and other commercial uses will enhance the walk ability of the project and support more pedestrian activity within the retail center.

3.B. Circulation Element Goals, Objectives and Policies

Policy 1.A.2: Encourage land development patterns that promote the operational efficiency of the existing and future transportation system.

The project is near the intersection of Northern Avenue and the Loop 101 and on the north side of the proposed Northern Parkway. Thus, the project is well

situated to provide much needed access for retail land uses, hotels, universities and multi-family housing. The inclusion of multi-family housing within the mixed use development will help moderate traffic trips generated from the property.

Policy 1.D.3: Enforce the goals and objectives of the Northern Parkway design concept report

The project will support and benefit from the goals and objectives of the Northern Parkway design concept report. As long as the project is given adequate signage to account for the mass of the Northern Parkway, the project will benefit from this additional access and the project design will not impact the proposed Northern Parkway design.

4.H. Economic Development Element Goals, Objectives and Policies

Policy 3.A.2: Explore opportunities to create mixed-use zones anchored by quality retail services

The project supports numerous economic development goals, objectives and policies. Among those goals, is the existing mixed-use development already anchored by quality retail, restaurant and entertainment uses. The proposed land uses will enhance these existing land uses and help attract new desired land uses to the project.

Policy 4.B.1: Partner with public and private entities to create a pedestrian-oriented, mixed-use environment with high quality retail, business, employment, and residential development supportive of a sustainable neighborhood economy.

This proposed project presents several opportunities for public private partnerships that will enhance the existing pedestrian-oriented mixed-use development that already includes quality retail, business and residential development. The proposed land uses will allow for more opportunities to include within the existing project more destination retail and restaurant uses along with hotel and office opportunities. The proposed project is a true mixed use development that will support a sustainable neighborhood (and regional) economy.

5.B. Growth Areas Element Goals, Objectives and Policies

Objective 1.A: Direct attractive development into identified growth areas, creating dynamic urban pockets with diverse economic, housing, cultural and entertainment opportunities.

The existing project directs development in this growth area of the City and provides diverse housing and entertainment opportunities. The proposed land uses will further these desired elements as well as allow for additional and more diversified housing opportunities, economic, commercial, educational, lodging, retail and entertainment elements.

Objective 1.B: Promote attractive public spaces and streets that reduce automobile dependency and enhance the function and character of the community.

The existing mixed-use development has established pedestrian corridors and public spaces that will be further defined and strengthened by the proposed additional land uses. This mixed-use development also allows residence within the community to eat and shop without leaving the project site.

Policy 1.B.2: Identify street improvements that promote pedestrian-oriented development including wider sidewalks, street furniture, landscaped medians, angled on-street parking where appropriate, and landscaped areas.

The existing mixed-use development and proposed land use additions feature development at a pedestrian scale including established pedestrian corridors with landscaped gathering areas.

Policy 1.B.3: Encourage street frontages that contribute to retail vitality; particularly, through the use and placement of buildings that create pedestrian areas visible from adjacent streets.

As noted above, the existing mixed-use development and proposed land use additions feature development at a pedestrian scale. Additionally, the proposed incorporation of multi-family uses with retail uses contributes to retail vitality and establishes pedestrian corridors within the project. This pedestrian-oriented design is visible from the entry points of the project.

Policy 2.A.3: Identify vacant and/or underutilized sites that can be targeted for economic growth.

The proposed additional land uses will assist with the completion of the already established mixed-use development. This development is poised for economic growth and can attract significant users and commercial concepts to the City. The proposed additional land uses and signage which will address visibility constraints of the site will help promote this development and growth.

- 3. Discuss your proposal's compatibility with the surrounding land use and zoning patterns Include a list of surrounding zoning designations, land uses and conditions.**

The existing land uses on the property include multi-family, retail and vacant parcels. These land uses have been in use for approximately 7 years and are compatible with the residential uses to the north, the New River and vacant parcels to the west, the Loop 101 to the east and Northern Avenue to the south (which will soon include Northern Parkway). The proposed land uses will complement and enhance these existing land uses and include land use elements such as additional multi-family development and higher education uses that will add support for the existing land uses and allow for a vibrant mixed-use development that will firmly establish Park West as a premiere regional development.

The proposed multi-family land uses will provide parking consistent with the currently approved standards for Park West in the existing PAD which requires an average of 1.5 spaces for one and two bedroom units. Additionally, to promote the mixed-use development pattern, the required parking for multi-family land uses will be located under the multi-family units, and the multi-family buildings will include commercial land uses (retail, restaurants, etc.) at the street level. Please see "Park West – Color Aerial Site Plan – Ground Level" and "Park West –Rendered Perspective" in the drawing package for further detail. This parking and building design will encourage pedestrian activity and interest at the street level.

The potential change in trip generation resulting from the proposed change in land uses from commercial to residential at Parcel 1 has been calculated to generate fewer total daily trips than the existing, approved PAD plan. The daily trip generation under the proposed amendment to the existing PAD is 198 trips lower than the total daily trips generated by the currently approved PAD plan. The AM peak hour trips under the proposed amendment to the existing PAD would be 75 trips higher and the PM peak hour trips would be 37 trips lower than the AM and PM hour trips under the existing land use assumptions for Parcels 1 and 3 under the existing approved PAD. Please see the Park West TIA dated September, 2013 as prepared by Kimley-Horn and reviewed by City Staff for further detail.

4. Indicate why the current zoning is not appropriate given the surrounding land use, zoning and factors which have changed since the current zoning was established.

The proposed modifications to the Planned Area Development will allow for land uses that will enhance the existing land uses on the property and support Park West as a premiere mixed-use development. Higher education land uses, multi-family uses and full service hotels will provide a population base necessary to support existing, and attract additional, retail users. The proposed signage will allow Park West to attract national and regional users that require enhanced

visibility and will support the business of the existing retailers currently at Park West.

5. Describe any proposed unique design consideration, beyond Zoning Ordinance requirements, which create compatibility between the proposed use and adjoining developments.

Existing trails and open space areas along the northern boundary of the development help ensure the existing (and proposed) development are and will be compatible with residential land uses located north of the property. The proposed additions to the Planned Area Development are specifically designed to support existing, and encourage additional, retail users and to create a unique and vibrant mixed-use development. The proposed multi-family uses will include design elements that will establish Park West as a true mixed-use development. These design elements include placement of multi-family living space located over retail and commercial space; accessory uses that support higher-end full service multi-family and hotel uses; and signage that includes enhanced design elements and is oriented away from residential land uses. The proposed design will establish a well defined mixed-use community with pedestrian elements, landscaping and corridors that will encourage pedestrian activity throughout the day and support an active and thriving mixed-use community.

6. Provide general site information and describe unusual physical features or characteristics of the site which present opportunities or constraints for development.

The existing site has well defined retail corridors and multi-family land uses that provide a strong structure for the enhancement of the mixed-use development. The proposed additional land uses will add to this existing structure and support Park West as a regional influence and vibrant mixed use development. However, the site has unique visibility constraints which must be addressed with enhanced signage. The configuration of the property, adjacent properties and improvements including roadways, sound walls and trees prevent visibility to the site from the primary access corridors, including the Loop 101 and Northern Avenue. Additionally, the proposed Northern Parkway overpass, if constructed as currently designed, would completely block visibility of the site from the south and impede visibility from the east and west. Enhanced signage is critical to ensure site users will have site identification and visibility necessary to ensure the success, continuation and expansion of their uses.

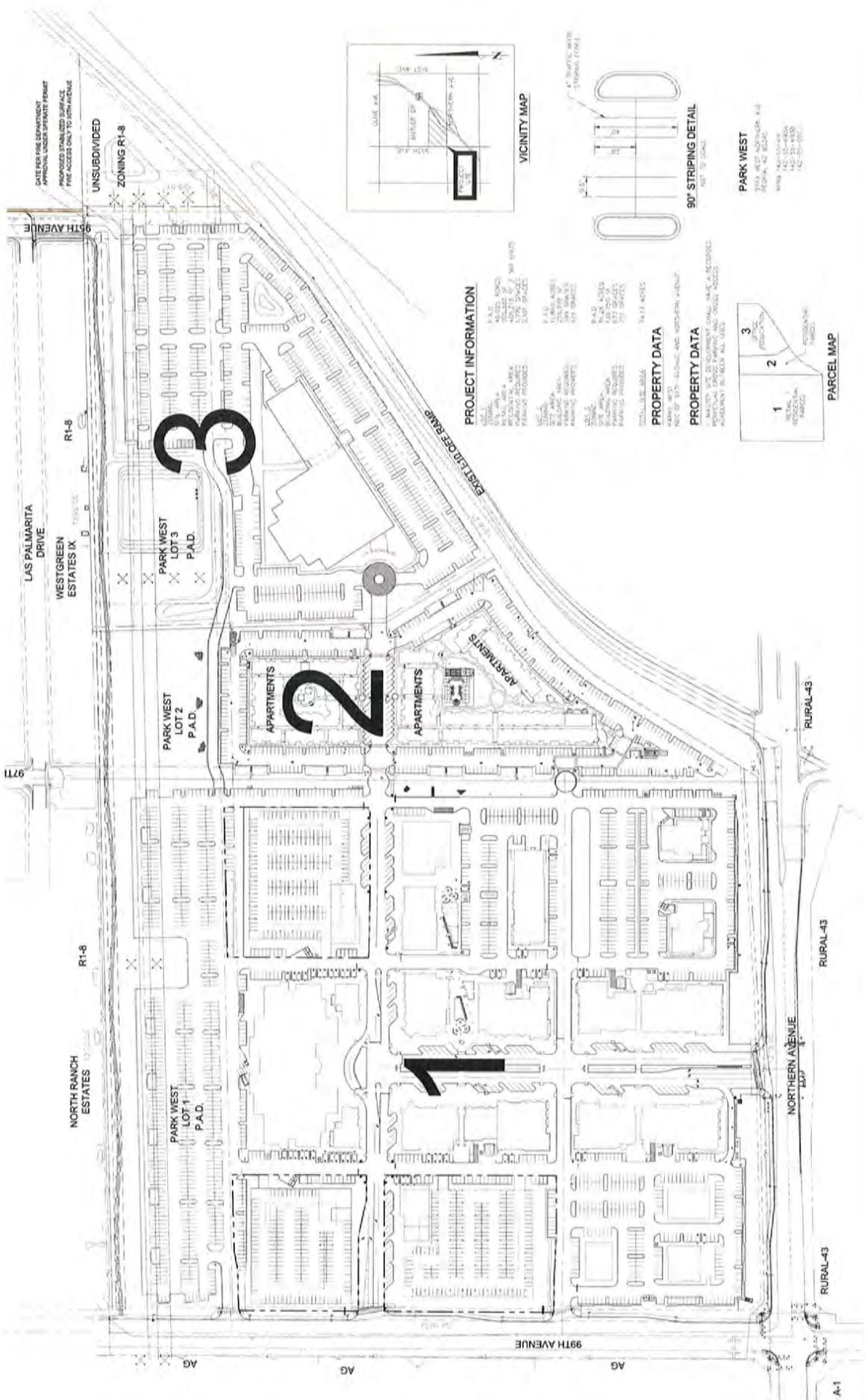
7. Other than the requested rezoning approval, what other approval processes are required to accomplish the development proposal, i.e. variances, site plans, subdivision plats, conditional use permits,

comprehensive master plan amendments, State or County licensing or permits, etc.

Future development of the site will require administrative site plan approvals as well as building permits and sign permits. Park west will also be processing an amendment and restatement of the Development Agreement for the property concurrent with the PAD Amendment. Other approvals are not anticipated at this time.

Exhibit C-1
Option 1 Conceptual Site Plan

Exhibit C-2
Option 2 Conceptual Site Plan



PROJECT INFORMATION

1. PROJECT NAME: PARK WEST
 2. PROJECT ADDRESS: 99TH AVENUE, PEORIA, AZ 85084
 3. PROJECT TYPE: MULTI-FAMILY HOUSING
 4. PROJECT PHASE: CONCEPTUAL DESIGN
 5. PROJECT OWNER: [REDACTED]
 6. PROJECT CONTACT: [REDACTED]
 7. PROJECT START DATE: [REDACTED]
 8. PROJECT END DATE: [REDACTED]

PROPERTY DATA

1. TOTAL AREA: [REDACTED] SQ. FT.
 2. LOT AREA: [REDACTED] SQ. FT.
 3. LOT COVERAGE: [REDACTED] %
 4. SETBACKS: [REDACTED] FT.
 5. FRONT YARD: [REDACTED] FT.
 6. SIDE YARD: [REDACTED] FT.
 7. REAR YARD: [REDACTED] FT.

PROPERTY DATA

1. ZONING: R1-8
 2. SUBDIVISION: [REDACTED]
 3. PARCEL ID: [REDACTED]
 4. TAX ID: [REDACTED]

May 15, 2014



Park West - Conceptual - Option 2: Multi-Family and University Site Plan
 N 99th Ave. & W Northern Ave., Peoria, Arizona



Exhibit D
Parcel 1 Sign Program



ARCHICON, L.C.

Architecture & Interiors

4041 NORTH CENTRAL AVENUE

SUITE C-100

PHOENIX, ARIZONA 85012

(602) 222-4368

FAX (602) 279-4086

WWW.ARCHICON.COM



GENERAL GROWTH PROPERTIES, INC.

110 NORTH WALTON DRIVE

CHICAGO, IL 60609

PHONE (773) 742-1896

FAX (773) 467-8388

CONTACT: NICKI HANSON

DEVELOPER



Construction Warehouse Specialists
7022 North Scottsdale Road, Suite 303
Scottsdale, Arizona 85253
(602) 850-0513



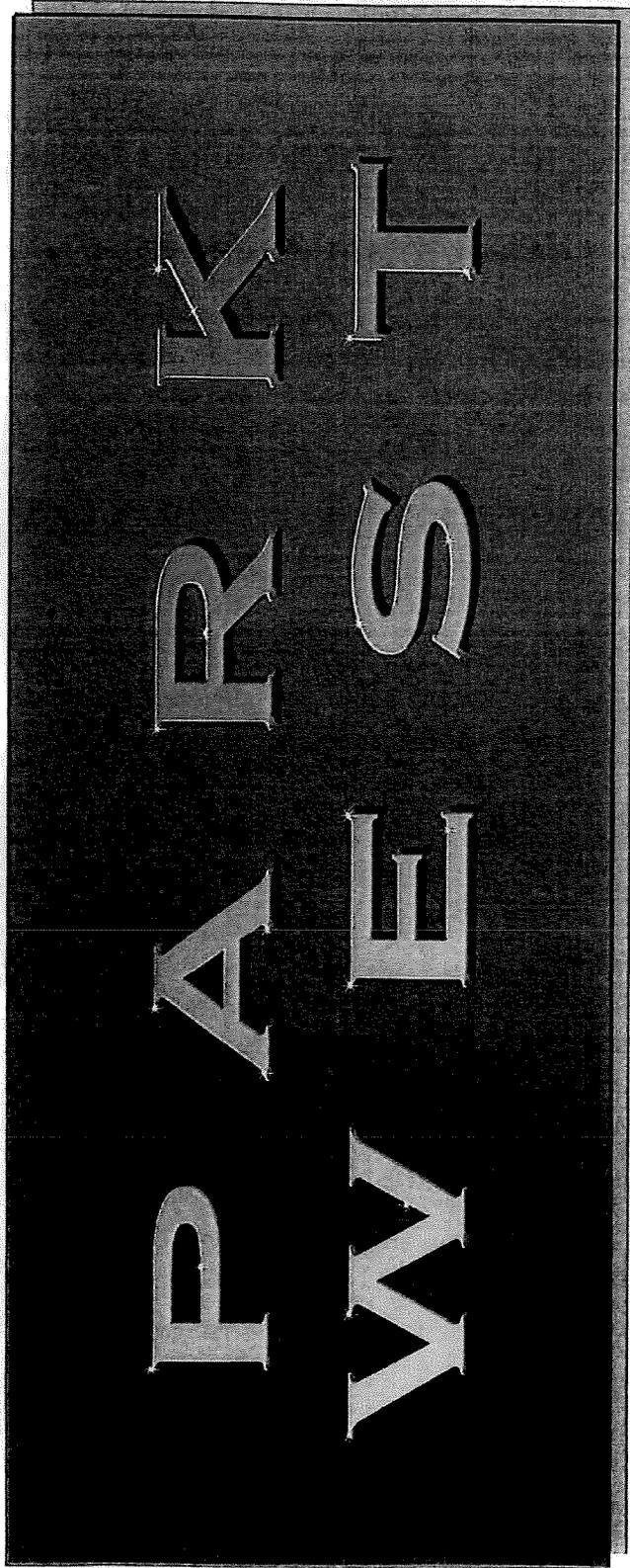
**YOUNG
ELECTRIC
SIGN
COMPANY**
yesco.com
6725 West Chicago Street
Chandler, Arizona 85226
www.yesco.com

SIGNAGE CONSULTANT

Bill Grinstead

Phone (480) 403-7747

Email bgrinstead@yesco.com



PARCEL 1

COMPREHENSIVE SIGN PROGRAM

JULY 2007

EXHIBIT H

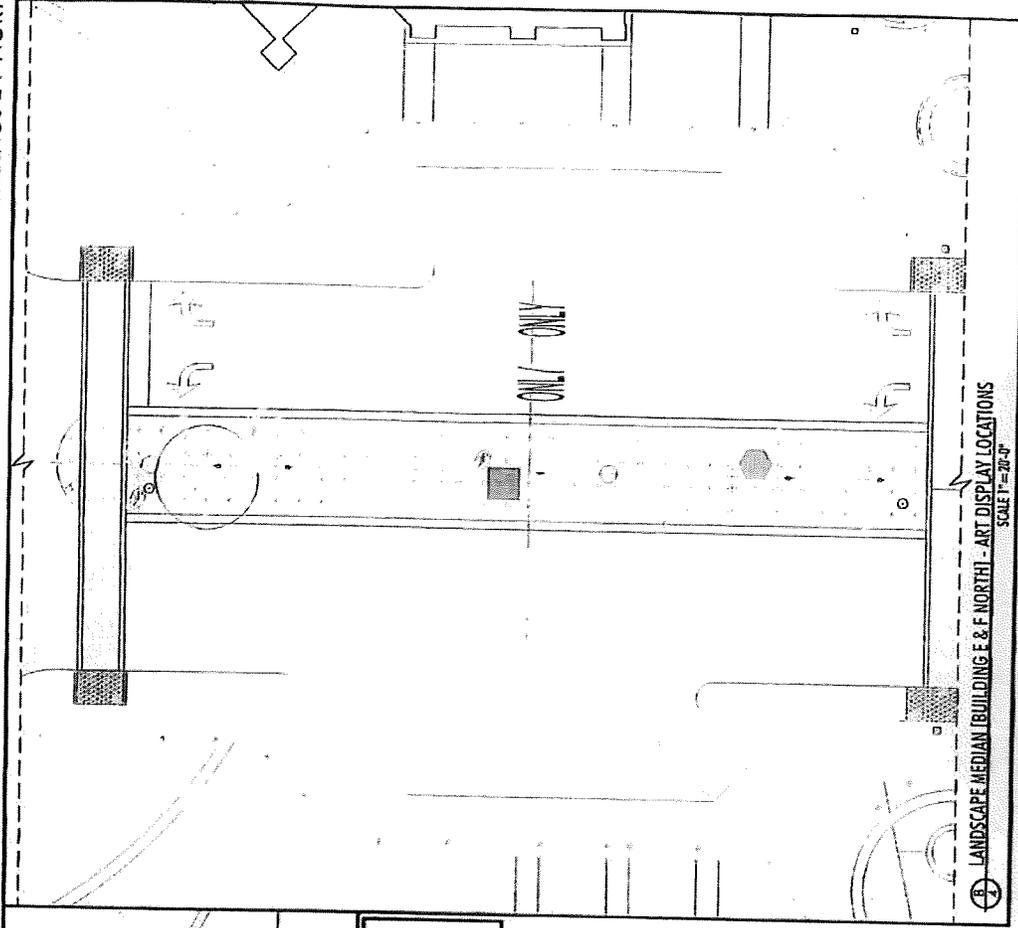
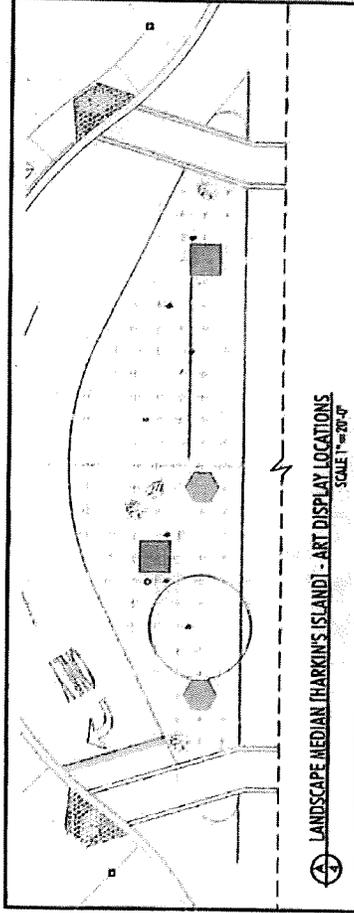
**PLANNED AREA DEVELOPMENT
APPROVAL**

P/Z Commission Date N/A
City Council Approval Date N/A


Planner

~ 04-10A ~

SITE DETAIL - LANDSCAPE MEDIAN
 HARKIN'S ISLAND
 BUILDINGS E-F NORTH



GENERAL GROWTH PROPERTIES

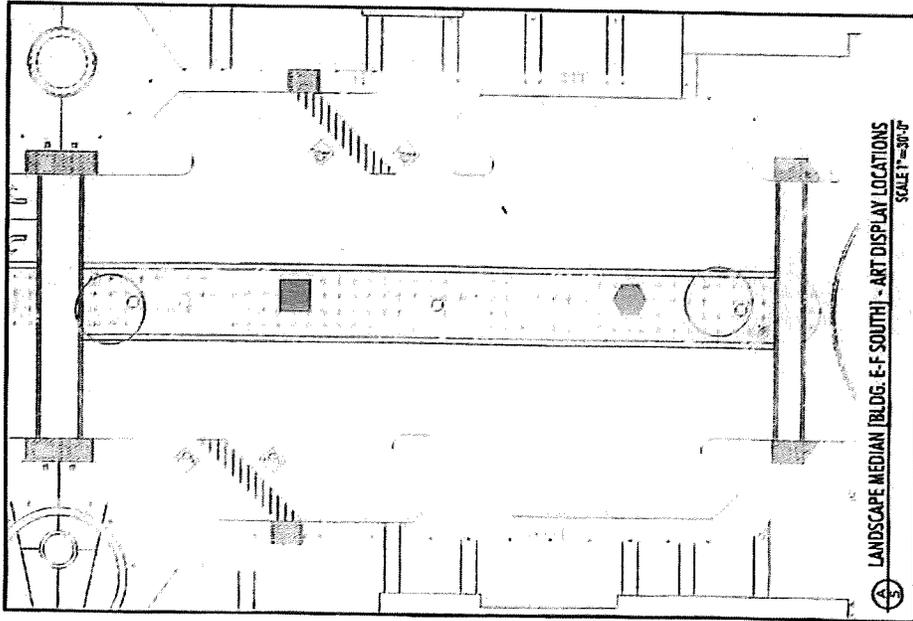
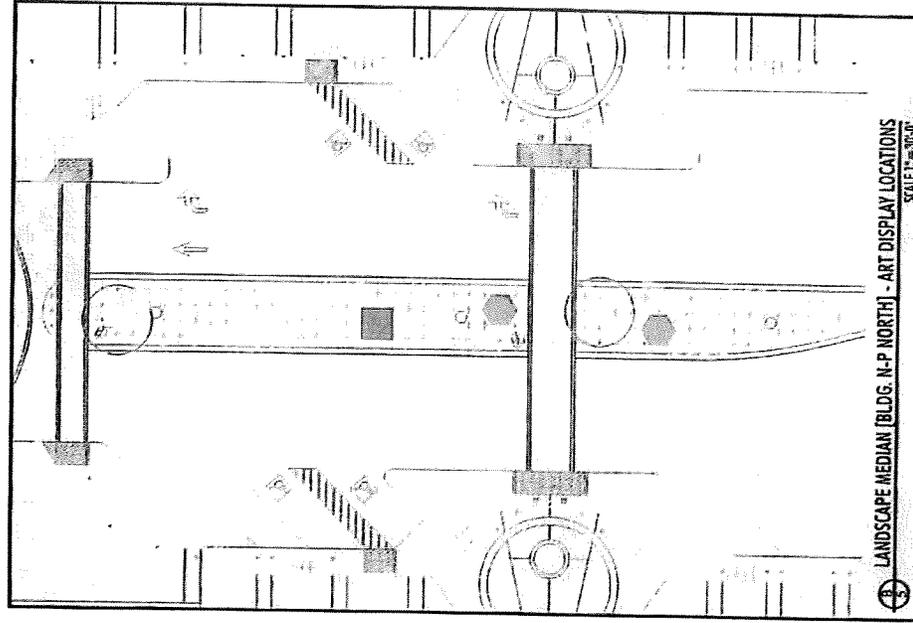
PARK WEST comprehensive sign program

DO TO THE VARIETY OF HARDWARE AND SOFTWARE POTENTIALLY AVAILABLE TO VIEW AND PRINT THIS IMAGE, THE COLORS MAY NOT MATCH THE ACTUAL COLORS OF THE FINISHED DISPLAY. PLEASE REFER TO THE DETAIL DRAWINGS FOR THE APPROVED COLOR SPECIFICATION.



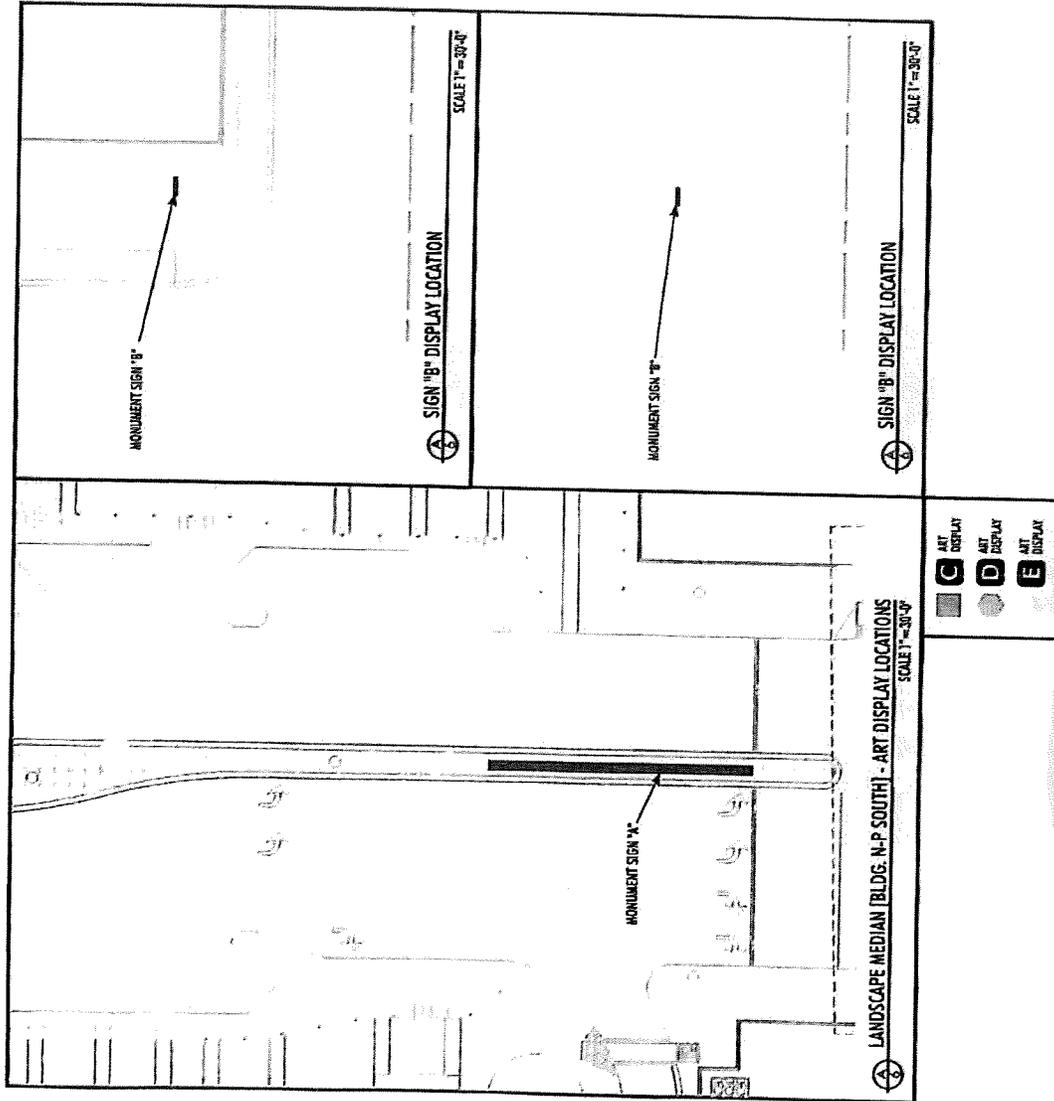
SITE DETAIL - LANDSCAPE MEDIAN

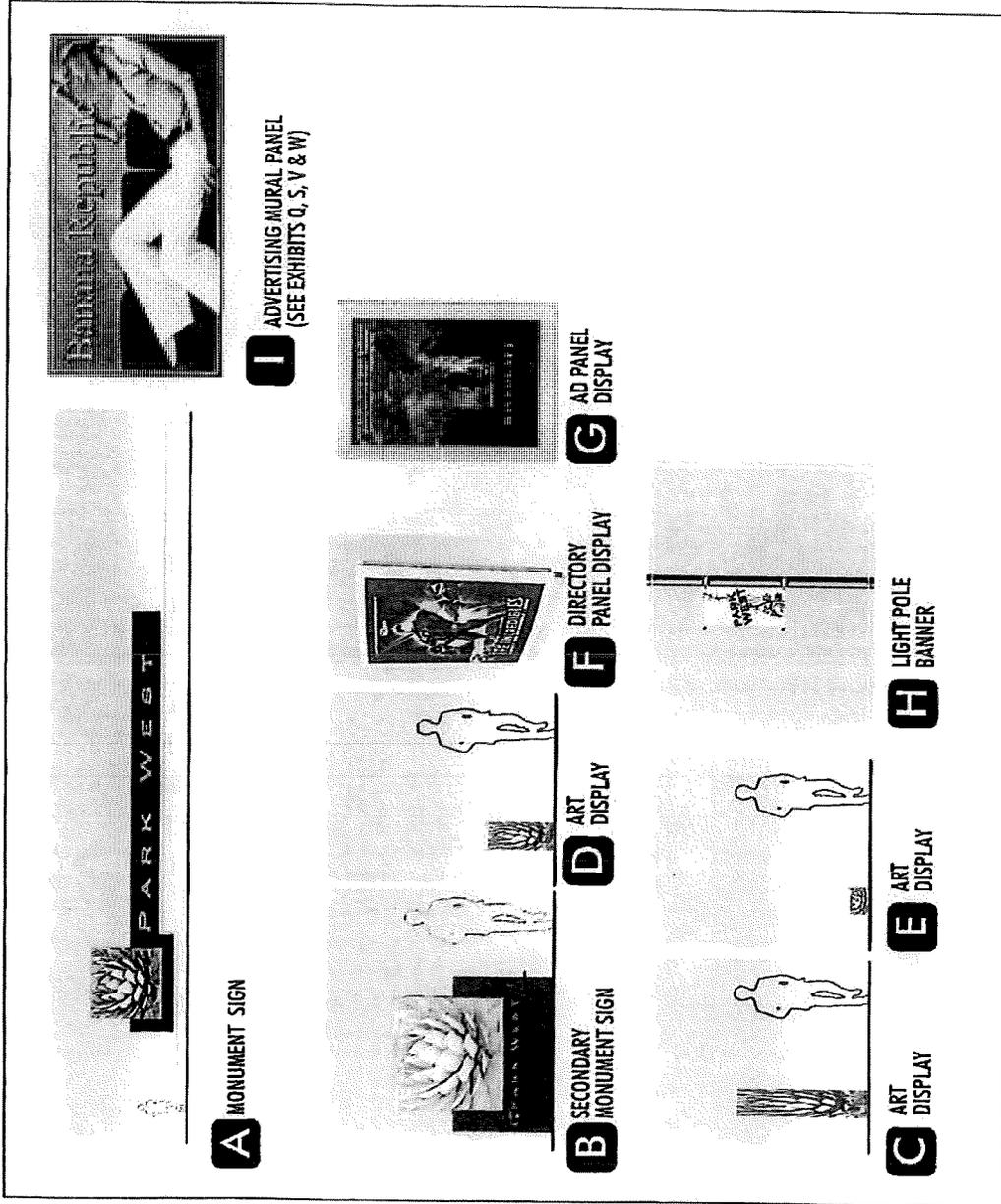
BUILDINGS E-F SOUTH
BUILDINGS N-P NORTH



SITE DETAIL

MONUMENT SIGNS
'A' & 'B' LOCATIONS





GENERAL DESCRIPTION:
 QUANTITY (1) ONE DOUBLE-FACED INTERNALLY ILLUMINATED SIGN CABINET. THE ILLUMINATED GRAPHIC CABINET IS DOUBLE-FACED CLEAR POLYCARBONATE FACES WITH RADIUS SHAPED EDGES WITH SUB SURFACE DIGITAL PRINT. THE GRAPHIC CABINET ATTACHES TO AN ILLUMINATED MONUMENT SIGN CABINET THAT HAS 1" THICK 1/4" VISIBLE PUSH THRU LETTERS. CONCRETE MONUMENT TO BE CLAD WITH PRE CAST CAPS AND STONE VENEER.

POWER REQUIREMENT:
 COORDINATE AVAILABLE POWER WITH ELECTRICAL CONTRACTOR ON SITE. SIGN CAN BE WIRED FOR EITHER 277 OR 120 VOLTS ON A DEDICATED 20 AMP SIGN CIRCUIT.

SIGN AREA:
 180 ± SQ. FT.

FINISH SCHEDULE:

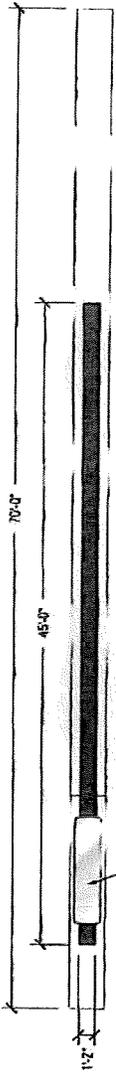
- (R1) MAP FINE SILVER SATIN
- (R2) MAP BLACK SATIN

- (M1) 3M SCOTCHCAL METALLIC VINYL COPPER Z80-229

- (C1) 3FORM CHROMA BLUE DPAL

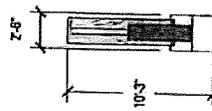


LOCATION OF SWITCH AND UL LABELS

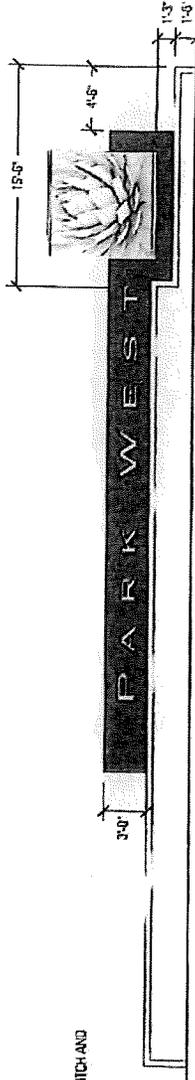


5 PLAN VIEW
 SCALE: 1/8" = 1'-0"

3 RIGHT SIDE VIEW
 SCALE: 1/8" = 1'-0"



1 LEFT SIDE VIEW
 SCALE: 1/8" = 1'-0"



4 BACK ELEVATION
 SCALE: 1/8" = 1'-0"

ILLUMINATED GRAPHIC CABINET WITH RADIUS SHAPED EDGES WITH SUBSURFACE DIGITAL PRINT

1" THICK CHROMA PUSH THRU STAR FEATURES (1/4" VISIBLE) ROUTER CUT WITH POLISHED EDGES (R1)

1" THICK CLEAR ACRYLIC PUSH THRU LETTERS (7/8" VISIBLE) LASER CUT WITH POLISHED EDGES. FIRST SURFACE VINYL ON FACES (M1) AND SUB SURFACE WHITE VINYL DIFFUSER 3M 3035-70

MONUMENT CABINET (R2)

7-6"

7-5"

2-5/8"

LOCATION OF SWITCH AND UL LABELS

PRE CAST CONCRETE CAP TO MATCH EXISTING ARCHITECTURE

PRE-CAST CONCRETE W/ASHLOR PATTERN FRONT AND BACK TO MATCH EXISTING ARCHITECTURE

2 FRONT ELEVATION
 SCALE: 1/8" = 1'-0"

A D/F ILLUMINATED PYLON DISPLAY
 FABRICATE & INSTALL ONE DISPLAY

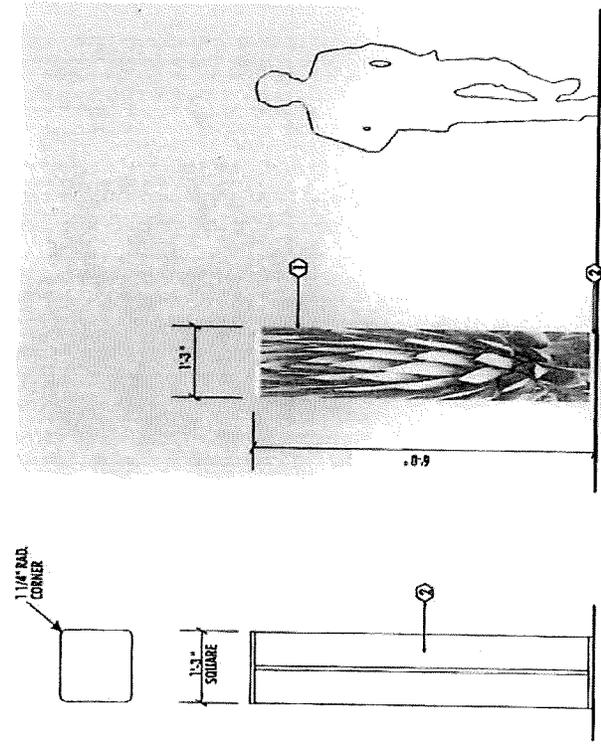
GENERAL GROWTH PROPERTIES

PARK WEST comprehensive sign program
 DO NOT MATCH THE ACTUAL COLORS OF THE FINISHED DISPLAY. PLEASE REFER TO THE DETAIL DRAWINGS FOR THE APPROVED COLOR SPECIFICATIONS.



GENERAL GROWTH PROPERTIES

ELEVATION C
ILLUMINATED
ART DISPLAY C

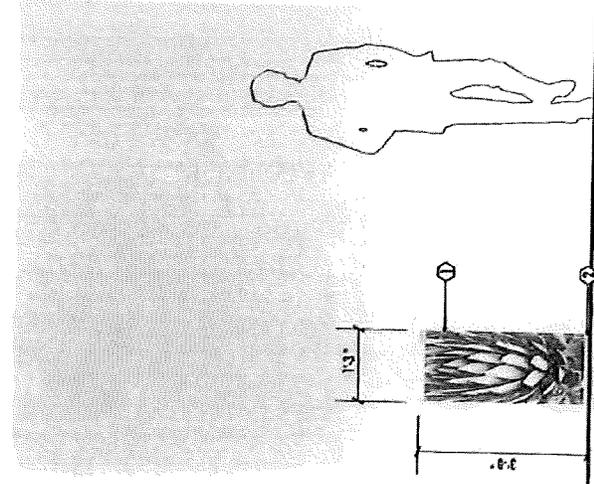
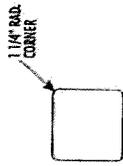


- SPECIFICATION KEY NOTES**
- ① INTERNALLY ILLUMINATED COLUMN. THE FACES SHALL BE CLEAR POLYCARBONATE WITH SECOND SURFACE GRAPHICS WITH BULL NOSE CORNER.
 - ② THE TOP, BOTTOM AND FACE PROTECTION SYSTEM SHALL BE FABRICATED ALUMINUM WITH CLEAR SEALED BRUSHED ALUMINUM FINISH. SERVICE ACCESS IS FROM THE TOP.

C INTERNALLY ILLUMINATED ART DISPLAY
SCALE 1/2" = 1'-0"

FABRICATE & INSTALL FOUR DISPLAYS

ELEVATION D
ILLUMINATED
ART DISPLAY D



D INTERNALLY ILLUMINATED ART DISPLAY
SCALE 1/2" = 1'-0"

FABRICATE & INSTALL FOUR DISPLAYS

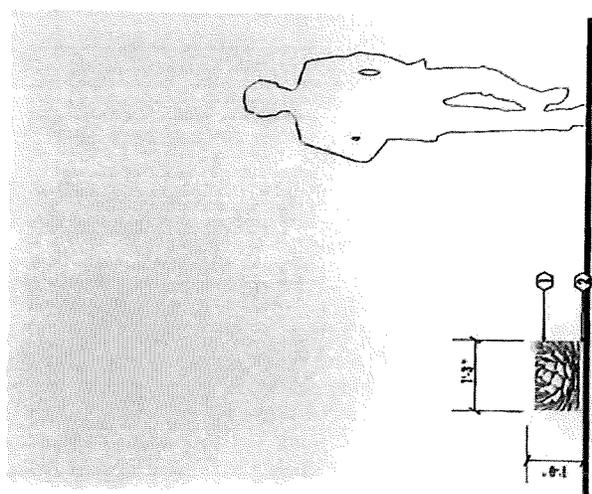
- SPECIFICATION KEY NOTES**
- ① INTERNALLY ILLUMINATED COLUMN. THE FACES SHALL BE CLEAN POLYCARBONATE WITH SECOND SURFACE GRAPHICS WITH BULL NOSE CORNER.
 - ② THE TOP BOTTOM AND FACE RETENTION SYSTEM SHALL BE ALUMINUM. THE COLUMN SHALL BE CLEAN SEALED BRUSHED ALUMINUM FINISH. SERVICE ACCESS IS FROM THE TOP.

ELEVATION E
ILLUMINATED
ART DISPLAY E

SPECIFICATION KEY NOTES

① INTERNALLY ILLUMINATED COLUMN. THE FACES SHALL BE CLEAR POLYCARBONATE WITH SECOND SURFACE GRAPHICS WITH BULL NOSE CORNERS.

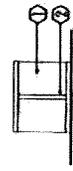
② THE TOP BOTTOM AND FACE RETENTION SYSTEM SHALL BE ANODIZED ALUMINUM WITH CLEAR SPALLS FINISH. PROVIDE AN HOUR FINISH SERVICE ACCESS IS FROM THE TOP.



1 1/4" RAD. CORNER



1-3\"/>



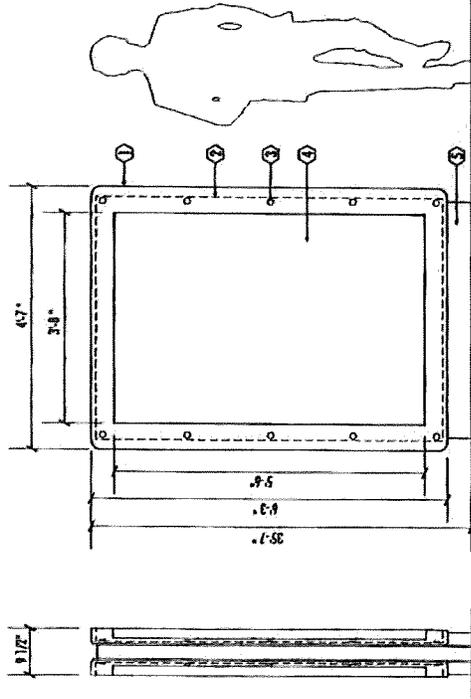
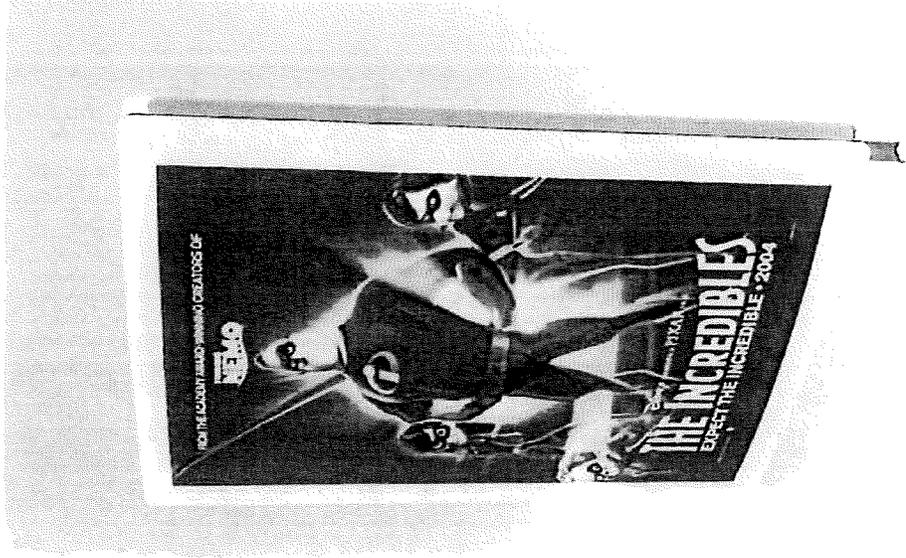
E INTERNALLY ILLUMINATED ART DISPLAY

SCALE 1/2" = 1'-0"

FABRICATE & INSTALL FOUR DISPLAYS

ELEVATION F
 DIRECTORY PANEL
 DISPLAY F

- SPECIFICATION KEY NOTES**
- ① CLEAR COAT ALUMINUM FINISH FRAME.
 - ② ALUMINUM STRUCTURAL FRAME.
 - ③ CLEAR COAT FRAME ATTACHMENT POINTS.
 - ④ TEMPERED GLASS FACE WITH BACK LIT POSTER BEHIND.
 - ⑤ CLEAR COAT ALUMINUM BASE.

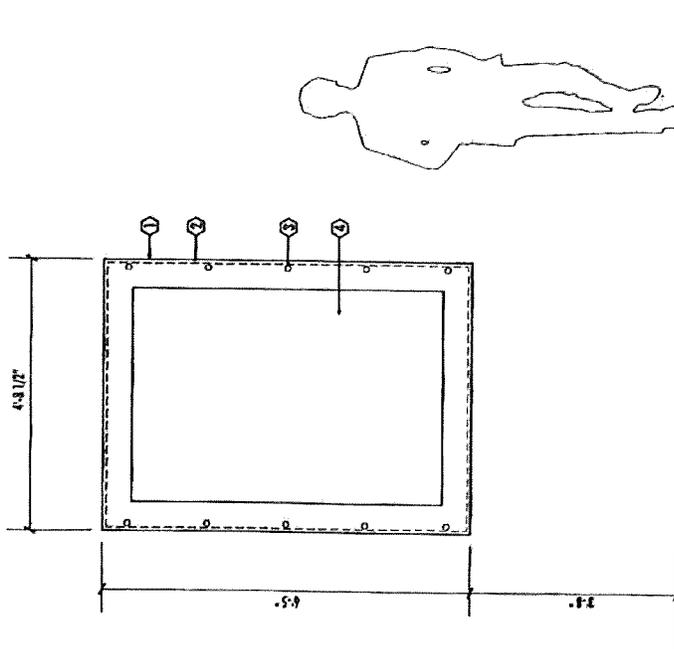
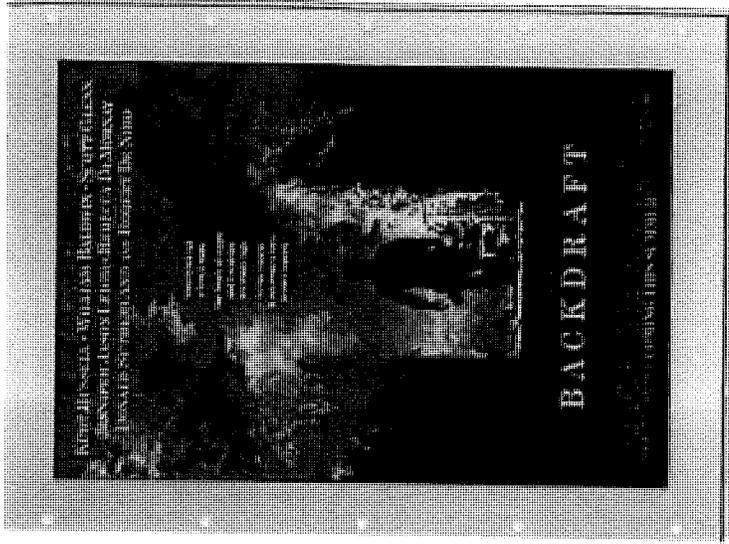


F INTERNALLY ILLUMINATED DIRECTORY PANEL DISPLAY
 SCALE 1/2" = 1'-0"
 A TOTAL OF 10 (TEN) DISPLAYS.

ELEVATION G

AD PANEL
DISPLAY G

- SPECIFICATION KEY NOTES**
- ① CLEAR COAT ALUMINUM FINISH FRAME
 - ② ALUMINUM STRUCTURAL FRAME
 - ③ CLEAR COAT FRAME ATTACHMENT POINTS
 - ④ TEMPERED GLASS FACE WITH BACKLIT POSTER BEHIND
 - ⑤ CLEAR COAT ALUMINUM BASE



G INTERNALLY ILLUMINATED AD PANEL DISPLAY
 SCALE 1/2" = 1'-0"
 A TOTAL OF 12 (TWELVE) DISPLAYS.

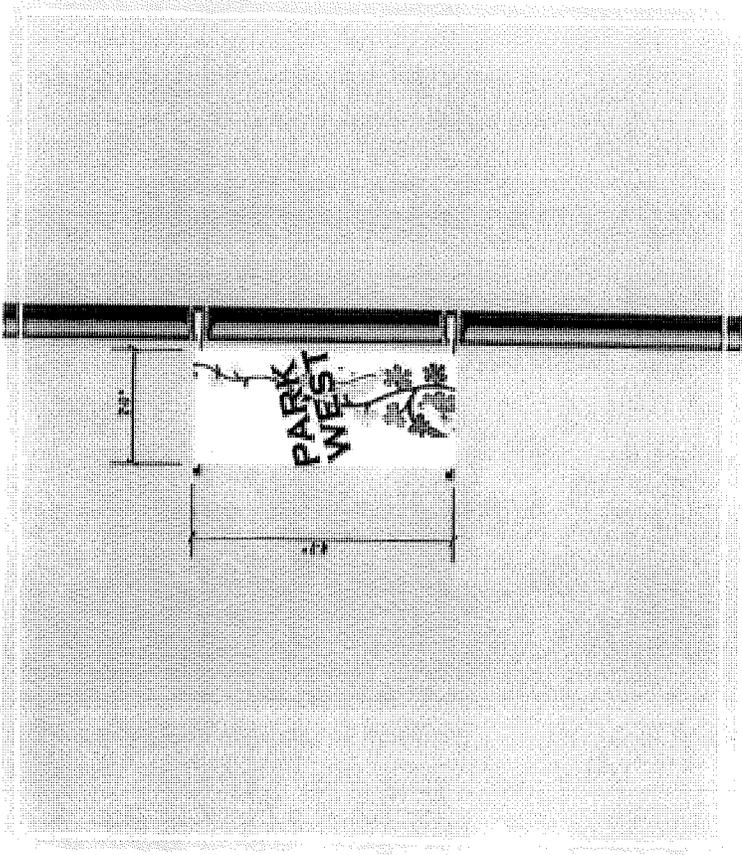
GENERAL GROWTH PROPERTIES

DO TO THE VARIETY OF HARDWARE AND SOFTWARE POTENTIALLY AVAILABLE TO VIEW AND PRINT THIS IMAGE, THE COLORS MAY NOT MATCH THE ACTUAL COLORS OF THE FINISHED DISPLAY. PLEASE REFER TO THE DETAIL DRAWINGS FOR THE APPROVED COLOR SPECIFICATION.

PARK WEST ...a comprehensive sign program



ELEVATION H
 LIGHT POLE
 ADVERTISING
 BANNER H



SCALE 1/2" = 1'-0"

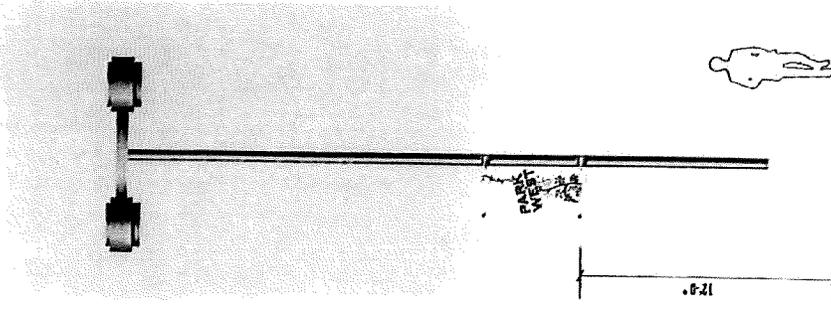
H LIGHT POLE ADVERTISING BANNERS

FABRICATE & INSTALL TWENTY-ONE DISPLAYS

MADE BY "INTERCEPTOR BRACKETS"

PROVIDE AND INSTALLATION OF BRACKET SYSTEM ONLY SPECIFIC BANNERS AND LAYOUTS ON A SEPARATE CONTRACT

* - BANNERS SHALL BE ROTATED PERIODICALLY

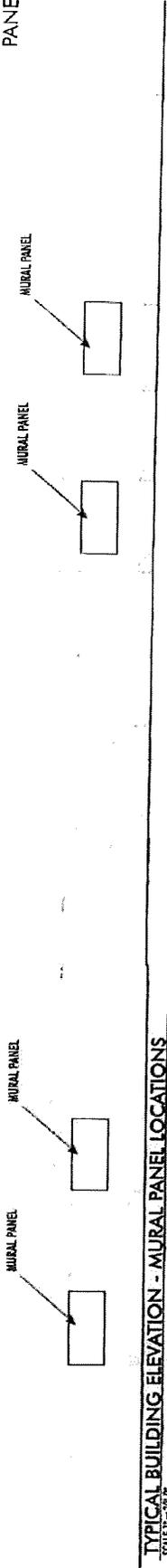


SCALE 3/16" = 1'-0"

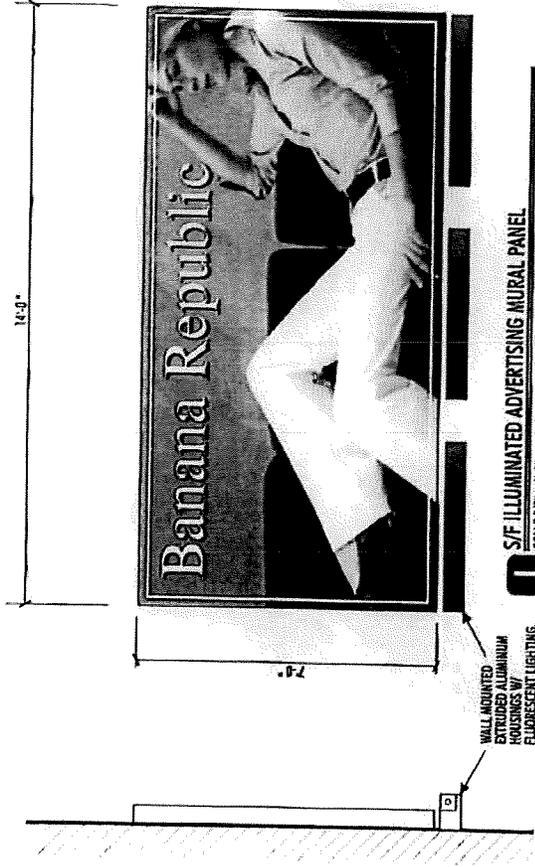


DO TO THE SAFETY OF HARDWARE AND SOFTWARE POTENTIALLY AVAILABLE TO VIEW AND PRINT THIS IMAGE, THE COLORS MAY NOT MATCH THE ACTUAL COLORS OF THE FINISHED DISPLAY. PLEASE REFER TO THE DETAIL DRAWINGS FOR THE APPROVED COLOR SPECIFICATION.

ELEVATION I
ADVERTISING MURAL
PANELS I



TYPICAL BUILDING ELEVATION - MURAL PANEL LOCATIONS
SCALE 1"=20'-0"



STATE FARM
INSURANCE

TWO LINE APPLICATION
SCALE: 3/8" = 1'-0"

STATE

ONE LINE APPLICATION
SCALE: 3/8" = 1'-0"

INTERNAL ILLUMINATED PAN CHANNEL LETTERS, ACRYLIC FACES
AND 5" RETURNS ARE FABRICATED ALUMINUM, TEMONCAP

K1 CHANNEL LETTER FORMATS FOR MULTI-TENANT BUILDINGS

STATE FARM
INSURANCE

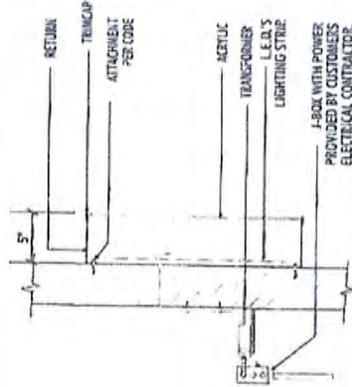
TWO LINE APPLICATION
SCALE: 3/8" = 1'-0"

STATE

ONE LINE APPLICATION
SCALE: 3/8" = 1'-0"

INTERNAL ILLUMINATED PAN CHANNEL LETTERS, ACRYLIC FACES
AND 5" RETURNS ARE FABRICATED ALUMINUM, TEMONCAP

K2 CHANNEL LETTER FORMATS FOR SINGLE TENANT BUILDINGS



ILLUM. - CHANNEL - L.E.D.

SCALE 1" = 1'-0"

Harhins

2 ALTERNATE, ONE LINE APPLICATIONS
SCALE: 3/16" = 1'-0"

INTERNAL ILLUMINATED PAN CHANNEL LETTERS, ACRYLIC FACES
AND 5" RETURNS ARE FABRICATED ALUMINUM, TEMONCAP

K3 CHANNEL LETTER FORMATS FOR BUILDINGS B

ELEVATION Q
 BUILDING E
 SIGN BANDS,
 MURAL PANELS

TYPICAL
 SIGN BAND



BUILDING E-EAST ELEVATION
 SCALE 1" = 20'-0"

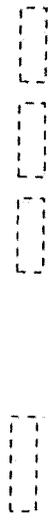


BUILDING E-NORTH ELEVATION
 SCALE 1" = 20'-0"

TYPICAL 7'X14' ADVERTISING
 MURAL PANEL



BUILDING E-WEST ELEVATION
 SCALE 1" = 20'-0"



BUILDING E-SOUTH ELEVATION
 SCALE 1" = 20'-0"

BUILDING E-NORTH-EAST ELEVATION
 SCALE 1" = 20'-0"

GENERAL GROWTH PROPERTIES

PARK WEST

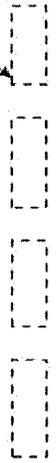
a comprehensive sign program



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ELEVATION S
BUILDING F2
SIGN BANDS,
MURAL PANELS

TYPICAL
SIGN BAND



BUILDING F1 - NORTH ELEVATION
SCALE 1"=20'-0"

TYPICAL 7'X1' ADVERTISING
MURAL PANEL



BUILDING F1 - EAST ELEVATION
SCALE 1"=20'-0"



BUILDING F1 - WEST ELEVATION
SCALE 1"=20'-0"



BUILDING F1 - SOUTH ELEVATION
SCALE 1"=20'-0"

GENERAL GROWTH PROPERTIES

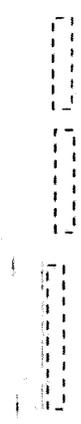
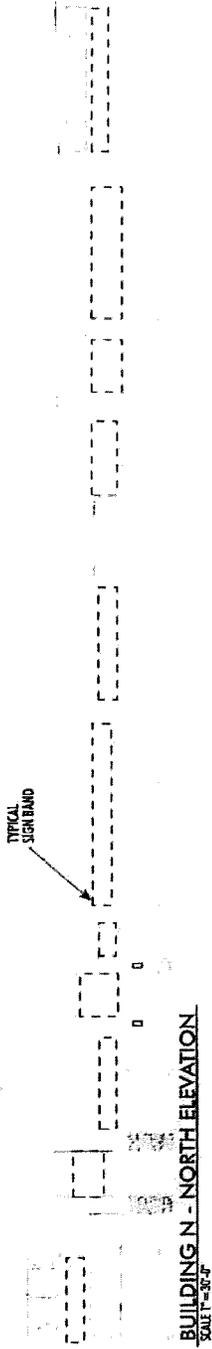
PARK WEST

...a comprehensive sign program

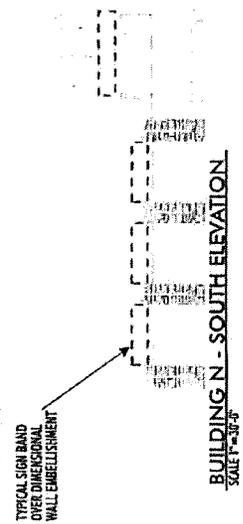
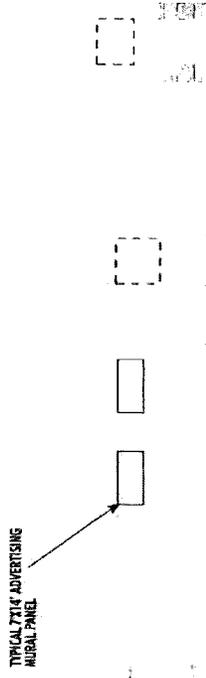


DO TO THE VARIETY OF HARDWARE AND SOFTWARE POTENTIALLY AVAILABLE TO VIEW AND PRINT THIS IMAGE. THE COLORS MAY NOT MATCH THE ACTUAL COLORS OF THE FINISHED DISPLAY PLEASE REFER TO THE DETAIL DRAWINGS FOR THE APPROVED COLOR SPECIFICATION.

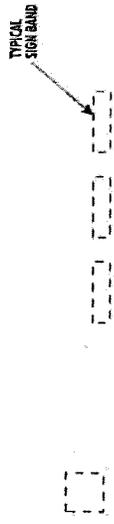
ELEVATION V
 BUILDING N
 SIGN BANDS,
 MURAL PANELS



BUILDING N - EAST ELEVATION
 SCALE 1"=30'-0"



ELEVATION W
 BUILDING P
 SIGN BANDS
 MURAL PANELS



BUILDING P - NORTH ELEVATION
 SCALE 1"=30'-0"

TYPICAL ADVERTISING
 MURAL PANEL



BUILDING P - EAST ELEVATION
 SCALE 1"=30'-0"

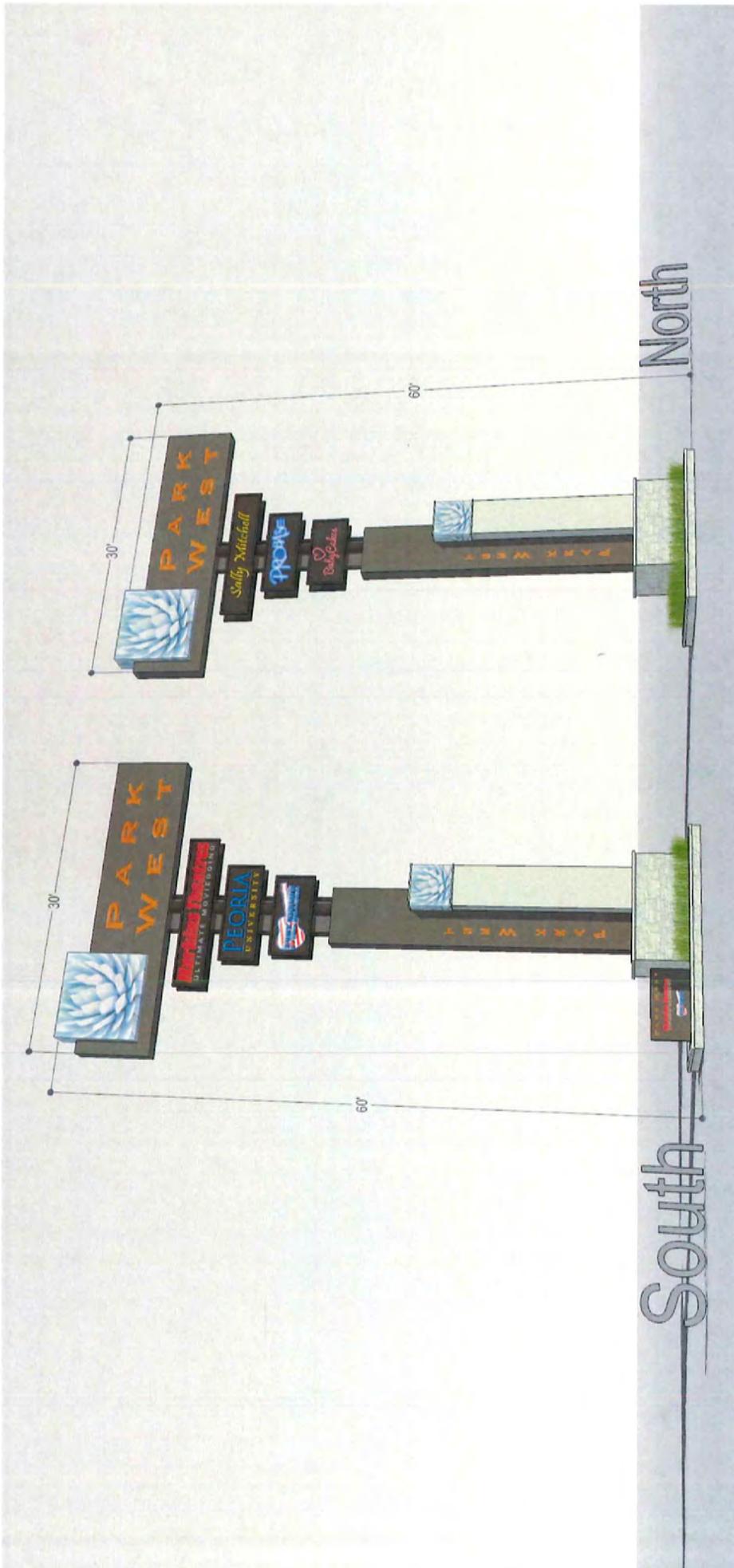


BUILDING P - WEST ELEVATION
 SCALE 1"=30'-0"



BUILDING P - SOUTH ELEVATION
 SCALE 1"=30'-0"

Elevation X Freeway Signs

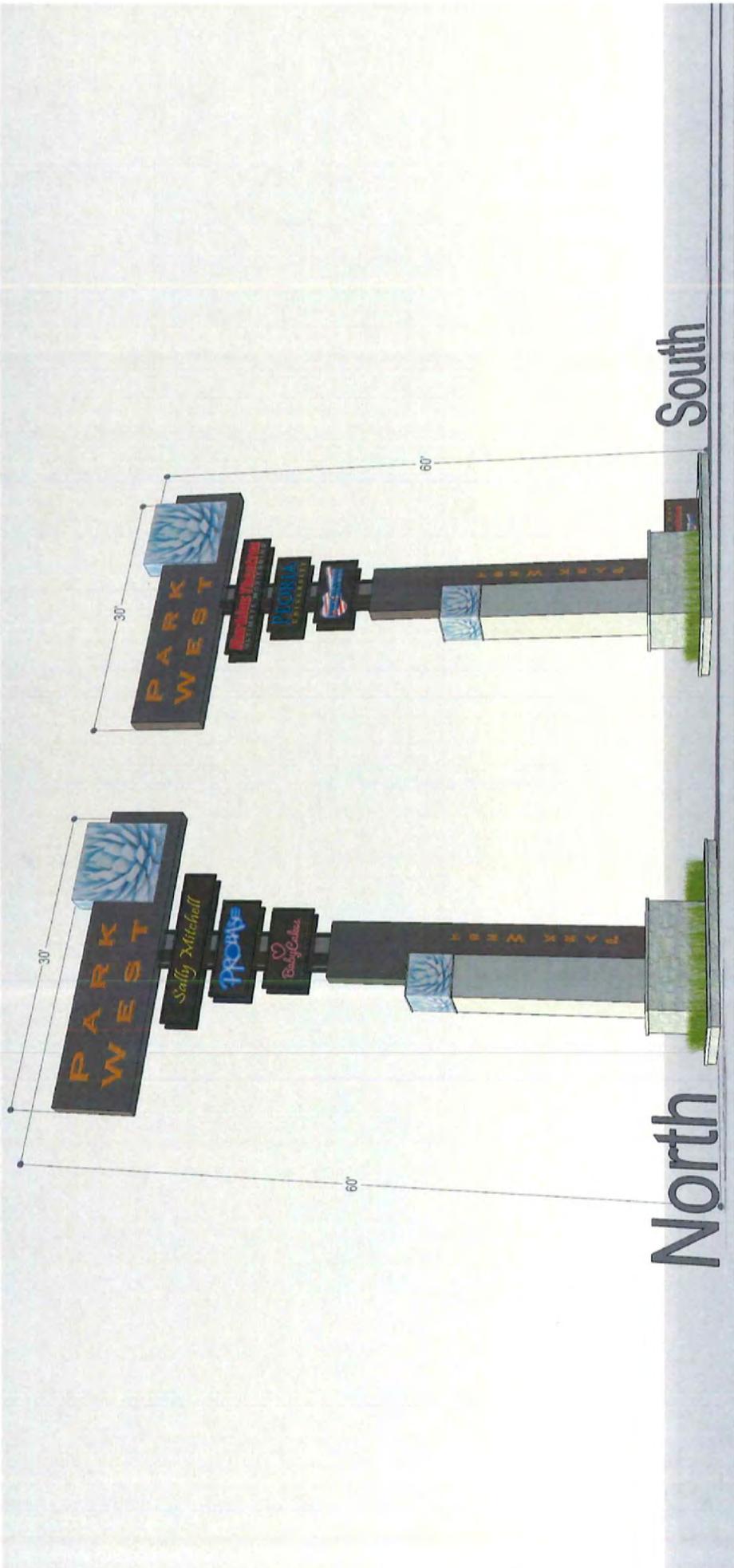


April 4, 2014

Howard Hughes
THE HOWARD HUGHES CORPORATION

BECK

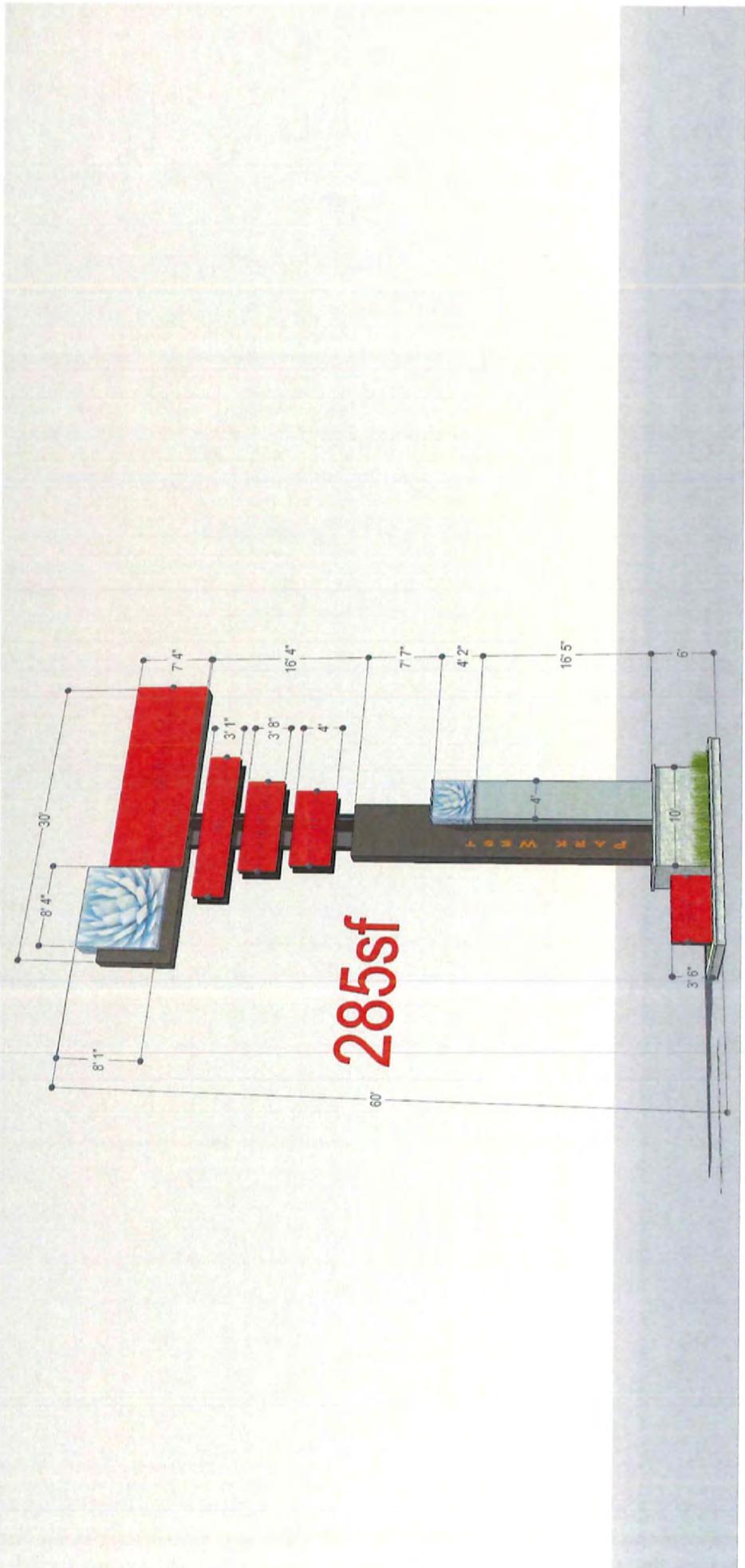
Park West - Highway Signage Front
 N 99th Ave. & W Northern Ave., Peoria, Arizona



April 4, 2014



Park West - Highway Signage Back
N 99th Ave. & W Northern Ave., Peoria, Arizona



April 4, 2014



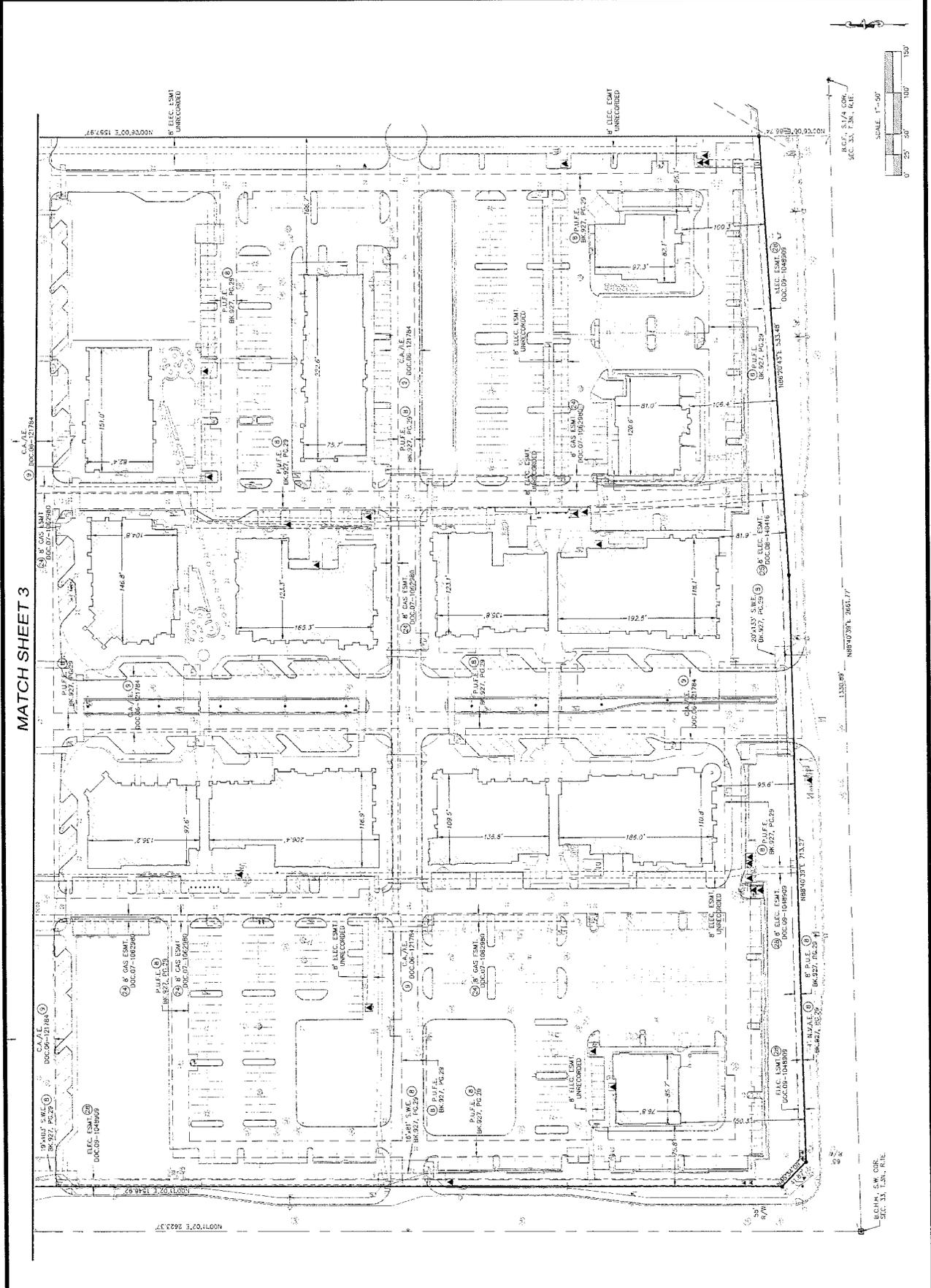
Park West - Highway Signage - Areas
 N 99th Ave. & W Northern Ave., Peoria, Arizona

Exhibit E
ALTA Survey

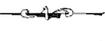
ALTAICSM LAND TITLE SURVEY
LOT 1 - PARKE WEST
PEORIA, ARIZONA

REVISIONS:
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PROJECT NAME:
 DIVISION:
 JOB NO. 2013-120
 DRAWN BY:
 CHECKED BY:
 DATE: 07/17/2013
 SCALE: 1" = 50'
 SHEET: 2 OF 3



MATCH SHEET 3



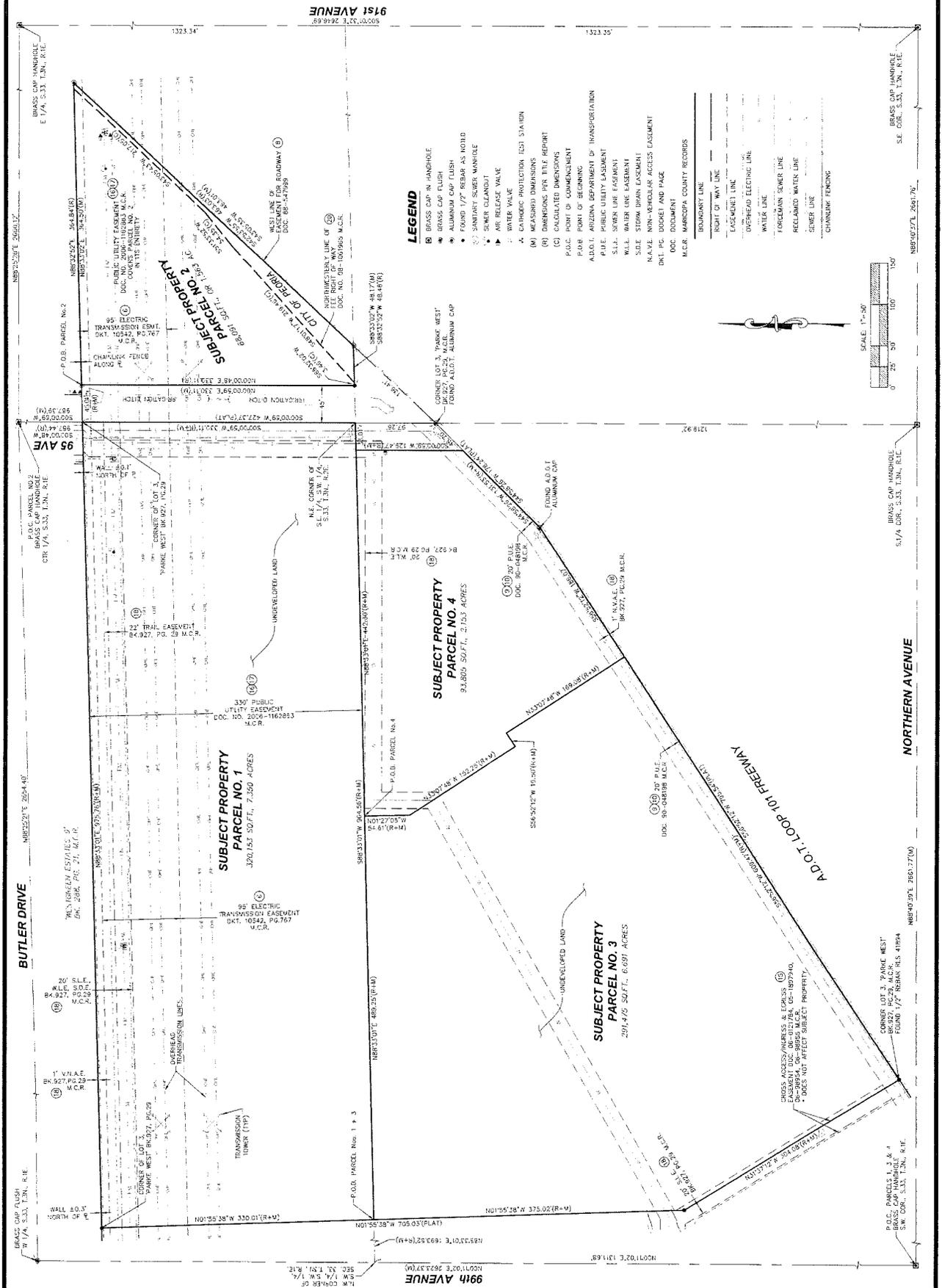
B.C.P., S.1/4 COR.
 SEC. 33, T.3N., R.1E.

N86°03'01\"/>

B.C.H., S.W. COR.
 SEC. 33, T.3N., R.1E.

**ALTA / ACSM LAND TITLE SURVEY
 LOT 3 OF PARKE WEST, WITH TRIANGLE**

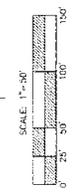
DRAWING NAME:
 JOB NO. 11-101
 DRAWN: ELS
 CHECKED: RMH
 DATE: 7/25/2011
 SCALE: 1" = 50'
 SHEET: 2 OF 2



LEGEND

- BRASS CAP IN HANDHOLE
- BRASS CAP FLUSH
- ALUMINUM CAP FLUSH
- FOUND 1/2" REBAR AS NOTED
- SANITARY SEWER MANHOLE
- SEWER CLEANOUT
- WATER VALVE
- CAVING PROTECTION (C) STATION
- MEASURING DIMENSIONS
- DIMENSIONS PER TITLE REPORT
- CALCULATED DIMENSIONS
- POINT OF BEGINNING
- ADOT, ARIZONA DEPARTMENT OF TRANSPORTATION
- PUBLIC UTILITY EASEMENT
- WATER LINE EASEMENT
- SEWER LINE EASEMENT
- W.L. WATER LINE EASEMENT
- S.L. SEWER LINE EASEMENT
- NON-VEHICULAR ACCESS EASEMENT
- NON-VEHICULAR ACCESS EASEMENT
- DKT. PG DODGET AND PAGE
- DOC. DOCUMENT
- M.C.R. MARICOPA COUNTY RECORDS

- BOUNDARY LINE
- RIGHT OF WAY LINE
- LAZARUS LINE
- OVERHEAD ELECTRIC LINE
- WATER LINE
- FORCED WATER LINE
- RECLAIMED WATER LINE
- SEWER LINE
- CHIMNEY FENCING



ORDINANCE NO 2014-35

AN ORDINANCE OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, PROVIDING CERTAIN AMENDMENTS TO THE PARK WEST PLANNED AREA DEVELOPMENT (PAD) STANDARDS AND GUIDELINES REPORT; AMENDING THE ZONING MAP; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Peoria Planning and Zoning Commission held a public hearing on August 21, 2014 in zoning case Z04-19A.7 in the manner prescribed by law for the purpose of considering a Major Amendment to the existing Park West Planned Area Development (PAD), generally pertaining to permitted and accessory uses on Parcels 1 and 3, amended freeway monument sign design standards, integration of a new development option and to provide for housekeeping updates.

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 July 25, 2014; 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 amendment to the zoning of the property as aforesaid; and the Mayor and the Council of the City of Peoria, Arizona desires to accept such recommendation 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 Exhibits A and B to this Ordinance, is hereby amended per the Park West Planned Area Development (PAD).

SECTION 2. The amendment to the Park West Planned Area Development (PAD) herein provided be conditioned and subject to the following additional stipulations:

1. The development shall be in substantial conformance to the amended Park West Planned Area Development Standards and Guidelines Report (Case Z04-19A.7) date stamped July 1, 2014.
2. The approval entered herein shall not negate any of the prior conditions contained or referenced within the original Case Z04-19 (*Villages at Northern*) or

any successive amendments (Cases Z04-19A.1, Z04-19A.2, Z04-19A.3, Z04-19A.4, Z04-19A.5, and Z04-19A.6) except as modified within the PAD.

3. Signs require separate permit review and approval prior to installation unless otherwise specified in the PAD. No signs are approved with this request.
4. The development of Parcel 1 and Parcel 3 as contemplated within Option 2 of this PAD requires Site Plan Review approval prior to issuance of construction permits. The Site Plan shall be prepared in accordance with all relevant infrastructure and fire design requirements as required by the City.
5. The current fire department access locations meets the distance requirements of the existing project as constructed; however when Parcel 3 is developed, it appears that an additional fire access point will need to be provided which can be accomplished by connecting the project to 95th Avenue at the northeast corner of the development.
6. A Replat will be necessary to modify the water and/or sewer line easements, and to divide the parcels.
7. Pursuant to the approved waiver, all underground retention shown under the proposed building will need to be designed in such a manner that it does not affect the integrity of the building and foundations and must be designed to accommodate possible leaks/failure of existing underground storage tanks.
8. Transportation improvements for the development shall be provided in accordance with the Traffic Impact Analysis as approved by the City Engineer or as otherwise identified in the Development Agreement.
9. Pursuant to Development Option 2 as described within this amendment, buildings housing multi-family units on Parcel 1 shall be limited to four (4) stories in height.

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 7th day of October, 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: October 17, 2014

Effective Date:

EXHIBIT A

Legal Description

Lot 1 (APN 142-55-691)

Lot 1, Parke West, according to the plat of record in the Office of the County Recorder of Maricopa County, Arizona, recorded in Book 927 of Maps, Page 29.

Lot 2 (APN 142-55-692)

Lot 2, Parke West, according to the plat of record in the Office of the County Recorder of Maricopa County, Arizona, recorded in Book 927 of Maps, Page 29.

Lot 3 (APN's 14-55-693A, -693C, -693D, -693J)

(Lot 3/Parcel 1 - APN 14-55-693A)

That portion of Lot 3, PARKE WEST, according to Book 927 of Maps, page 29, records of Maricopa County, Arizona., described as follows

A portion of the Southwest quarter of Section 33, Township 3 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

Commencing at a brass cap in hand hole at the Southwest corner of said Section 33, from which a brass cap in hand hole at the South quarter corner of said Section 33 bears North 88 degrees 40 minutes 39 seconds East, a distance of 2661.77 feet;

Thence North 00 degrees 11 minutes 02 seconds East, along the West line of said Southwest quarter, a distance of 1311.68 feet to the Northwest corner of the Southwest quarter of the Southwest quarter;

Thence North 88 degrees 33 minutes 01 seconds East along the North line of said Southwest quarter of the Southwest quarter, a distance of 1693.52 feet to the Point of Beginning;

Thence North 01 degrees 55 minutes 38 seconds West, a distance of 330.01 feet to the North line of the South 330 feet of the Northeast quarter of the Southwest quarter;

Thence North 88 degrees 33 minutes 01 seconds East, along said North line of the South 330.00 feet, a distance of 975.78 feet to the East line of the Southwest quarter of said Section 33;

Thence South 00 degrees 00 minutes 59 seconds West, a distance of 330.11 feet to the Northeast corner of the Southeast quarter of the Southwest quarter;

Thence South 88 degrees 33 minutes 01 seconds West, a distance of 964.56 feet to the Point of Beginning.

(Parcel 2 - APN 14-55-001J)

A portion of the South 330 feet of the Northwest quarter of the Southeast quarter of Section 33, Township 3 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

Commencing at the center of said Section, a found A.D.O.T. brass cap in hand hole, from which the South quarter corner of said Section 33, a found Maricopa Highway Dept. brass cap in hand hole, bears South 00 degrees 00 minutes 48 seconds West, a distance of 2635.11 feet;

Thence coincident with the North-South mid section line, South 00 degrees 00 minutes 48 seconds West, a distance of 987.44 feet;

Thence departing said mid section line, North 88 degrees 32 minutes 52 seconds East, a distance of 45.01 feet to the Northwest corner of said South 330 feet and the Point of Beginning;

Thence continuing along said line North 88 degrees 32 minutes 52 seconds East, a distance of 364.84 feet to the West line of an Easement for street purposes recorded in Recording No. 88-547999, records of Maricopa County, Arizona.;

Thence South 43 degrees 05 minutes 35 seconds West coincident with said street easement, a distance of 463.03 feet to the South line of said South 330 feet;

Thence South 88 degrees 32 minutes 52 seconds West coincident with said South line, a distance of 48.48 feet to the East line of the West 45 feet of said Northwest quarter of the Southeast quarter of said Section 33;

Thence North 00 degrees 00 minutes 48 seconds East, a distance of 330.11 feet parallel with said mid section line to the Point of Beginning.

(Lot 3/Parcel 3 - APN 14-55-693D)

That portion of Lot 3, PARKE WEST, according to Book 927 of Maps, page 29, records of Maricopa County, Arizona., described as follows

A portion of the Southwest quarter of Section 33, Township 3 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

Commencing at a brass cap in hand hole at the Southwest corner of said Section 33, from which a brass cap in hand hole at the South quarter corner of said Section 33

bears North 88 degrees 40 minutes 39 seconds East, a distance of 2661.77 feet;

Thence North 00 degrees 11 minutes 02 seconds East, along the West line of said Southwest quarter, a distance of 1311.68 feet to the Northwest corner of the Southwest quarter of the Southwest quarter;

Thence North 88 degrees 33 minutes 01 seconds East along the North line of said Southwest quarter of the Southwest quarter, a distance of 1693.52 feet to the Point of Beginning;

Thence continuing North 88 degrees 33 minutes 01 seconds East along said line, a distance of 489.25 feet;

Thence South 01 degrees 27 minutes 06 seconds East, a distance of 54.61 feet;

Thence South 33 degrees 07 minutes 48 seconds East, a distance of 152.25 feet;

Thence North 56 degrees 52 minutes 12 seconds East, a distance of 19.50 feet;

Thence South 33 degrees 07 minutes 48 seconds East, a distance of 169.08 feet to the Westerly right of way line of the A.D.O.T. Loop 101 Freeway;

Thence South 56 degrees 52 minutes 12 seconds West along said Westerly right of way line, a distance of 609.47 feet;

Thence North 31 degrees 37 minutes 12 seconds West departing Southeast Westerly right of way line, a distance of 304.08 feet;

Thence North 01 degrees 55 minutes 38 seconds West, a distance of 375.02 feet to the Point of Beginning.

(Lot 3/Parcel 4 - APN 14-55-693C)

That portion of Lot 3, PARKE WEST, according to Book 927 of Maps, page 29, records of Maricopa County, Arizona., described as follows

A portion of the Southwest quarter of Section 33, Township 3 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

Commencing at a brass cap in hand hole at the Southwest corner of said Section 33, from which a brass cap in hand hole at the South quarter corner of said Section 33 bears North 88 degrees 40 minutes 39 seconds East, a distance of 2661.77 feet;

Thence North 00 degrees 11 minutes 02 seconds East, along the West line of said Southwest quarter, a distance of 1311.68 feet to the Northwest corner of the Southwest

quarter of the Southwest quarter;

Thence North 88 degrees 33 minutes 01 seconds East along the North line of said Southwest quarter of the Southwest quarter, a distance of 2182.77 feet to the Point of Beginning;

Thence continuing North 88 degrees 33 minutes 01 seconds East along said line, a distance of 442.30 feet to the Westerly right of way line of 95th Avenue;

Thence South 00 degrees 00 minutes 59 seconds West along said Westerly right of way line, a distance of 129.47 feet to the Westerly right of way line of the A.D.O.T. Loop 101 Freeway;

Thence South 44 degrees 58 minutes 26 seconds West along said Westerly right of way line, a distance of 131.53 feet;

Thence South 56 degrees 52 minutes 12 seconds West, a distance of 186.07 feet;

Thence North 33 degrees 07 minutes 48 seconds West departing said Westerly right of way line, a distance of 169.08 feet;

Thence South 56 degrees 52 minutes 12 seconds West, a distance of 19.50 feet;

Thence North 33 degrees 07 minutes 48 seconds West, a distance of 152.25 feet;

Thence North 01 degrees 27 minutes 05 seconds West, a distance of 54.61 feet to the Point of Beginning.

EXHIBIT B
Map



**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 33R

Date Prepared: August 26, 2014

Council Meeting Date: October 7, 2014

TO: Carl Swenson, City Manager

FROM: Scott Whyte, Economic Development Services Director

THROUGH: Susan J. Daluddung, Deputy City Manager

SUBJECT: Second Amendment to the Amended and Restated Park West Development Agreement

Purpose:

This is a request for the City Council to authorize the City Manager to execute the Second Amendment (Second Amendment) to the Amended and Restated Development Agreement (ARDA) with Parke West, LLC, an affiliate of the Howard Hughes Corporation (HHC) and Howard Research and Development Corporation.

Background/Summary:

Parke West, LLC owns and operates approximately 250,000 square feet of retail space on Parcel 1 of the Park West Development (see Exhibit 1). Parke West, LLC has also acquired title to Parcel 3 for future development, including the attraction of targeted industries as identified in the City's Economic Development Implementation Strategy (see Exhibit 1). Parcels 1 and 3 are cumulatively referred to as the Project.

The first ARDA was approved in April 2008 for the following reasons:

- Required development of the initial 150,000 square feet of space to be completed by July 2008;
- Allowed the developer more time to meet their obligations, including the development of 360,000 square feet of space by March 2010;
- Allowed for amusement uses to be included for retail reimbursement; and
- It required a frontage road to be built along the Loop 101.

The City is entering into the Second Amended and Restated Development Agreement to address outstanding issues remaining from the current Development Agreement, and to incentivize the future development of the Project through a collaboration with Parke West, LLC. This Second Amendment is intended to address: (1) the "shovel readiness" condition of infrastructure in the Park West Project to accommodate new economic development opportunities; (2) clarify requirements for targeted industry end-user attraction that Parke West, LLC and the city seek to attract to the Project; and (3) clarifications on other provisions contained in the ARDA approved by the City Council in April 2008.

This Second Amendment establishes an economic development collaboration between the city and Parke West, LLC through a provision to make the Project shovel-ready for build-to-suit development opportunities involving targeted industries sought by the city in fulfillment of the EDIS. Such improvements include an access road from 99th Avenue to the western property boundary of Parcel 3, with associated curb, gutter, entry monumentation, landscaping, storm drain, water, electric, sewer, cable/fiber, and other utilities (Cumulatively referred to as the Access Road Improvements). Exhibit 2 identifies the proposed pathway for the 99th Avenue access road.

The Second Amendment also addresses the targeted industry requirements, which means a business that qualifies as a long-term, targeted end user that will generate significant commercial, office and/or industrial employment within the Project. The type of user requirement must be from an industry identified in the City's Economic Development Incentive and Investment Policy (EDIIP), or one that is acceptable to the City, excluding retail, hotel, or residential uses. There is a "Quality of Investment Requirement" in place, which will be satisfied if the targeted industry brings at least \$10 million dollars in capital investment, and adds at least 100 jobs with an average salary of \$50,000 or more within three years. The type of use and quality of investment criteria must be met to ensure a quality business prospect is under consideration for attraction at Park West.

As part of the economic development collaboration established in this Second Amendment, both parties acknowledge the need for "shovel readiness" to maximize the ability to compete for targeted industries. To that end, both parties agree to a 50/50 share in the cost associated with the development of design and engineering documents, to permit readiness, for the construction of the 99th Avenue Access Road Improvements. The city's contribution is a not to exceed amount of \$100,000.

To address the need for a frontage road, a Traffic Impact Analysis (TIA) Report, conducted by Kimley Horn in September 2013, determined that the uses, development densities, and intensities authorized under the zoning for the Project no longer requires the frontage road to be built along the Loop 101. In addition, since the Developer's construction of the frontage road is no longer necessary, there is no longer a need for the City to form a Frontage Road Improvement District. The Second Amendment includes a provision that should the total trip generation for the Project ever exceed the baseline number of trips as contained in the approved TIA, then the frontage road requirement can be reinstated.

Previous Actions:

The original Parke West, LLC Development Agreement was approved by the City Council in 2005 and was later amended in February 2006. The City entered into the 2005 Development Agreement to address construction of Project infrastructure improvements, the creation of improvement districts and economic development incentives. In 2007, the City entered into a

Development and Waiver Agreement as part of the process to form an Improvement District. In 2008, the First Amendment to the 1st Amended and Restated Development Agreement was approved to amend provisions of the original Agreement.

Options:

A: Authorize the City Manager to execute the Second Amendment to the Amended and Restated Development Agreement with Parke West LLC; or

B: Reject this Amendment.

Staff's Recommendation:

Authorize the City Manager to execute the Second Amendment to the Amended and Restated Park West Development Agreement with Parke West, LLC.

Fiscal Analysis:

The Second Amended and Restated Development Agreement identified up to \$100,000 to assist with design costs for the Access Road Improvements. This will be a 50/50 collaboration between the City and Parke West, LLC, with the city funding up to \$100,000 and Parke West, LLC funding up to \$100,000. Staff recommends that the City Council approve the use of reserves and a budget transfer in the amount of \$100,000 for the pre-development budget from the Economic Development Opportunity Fund contingency (1900-1900-570000) to the Economic Development Opportunity Fund Other Professional Services account (1900-1900-520099).

Exhibit 1: Site Plan for Parcel 1 and Parcel 3

Exhibit 2: Proposed 99th Avenue Access Road Pathway

Exhibit 3: Second Amendment to the Amended and Restated Development Agreement

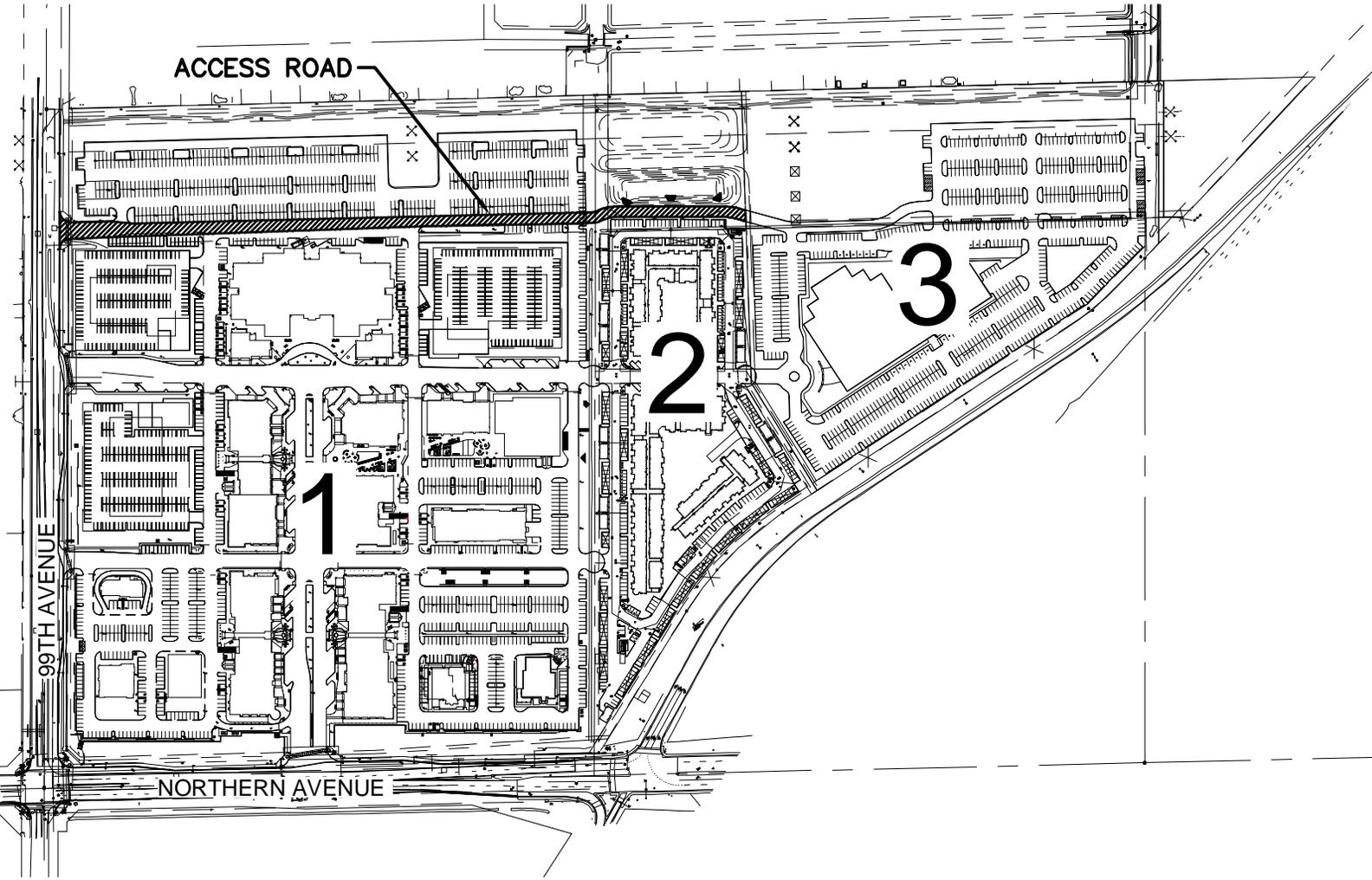
Contact: Scott Whyte X7738

Exhibit 1

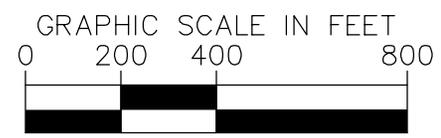
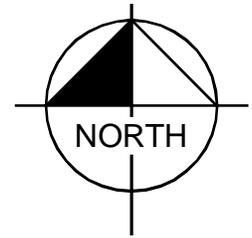


map not to scale

K:\B\K_C\1\1666000\0100\Exhibits\Access_Road_Exhibit.dwg Aug 26, 2014 bryon.wright
XREFS: X6660000M X6660001F X6220004BM X3446000BM X946000AR



 PROPOSED ACCESS ROAD AREA



ACCESS ROAD EXHIBIT



When recorded return to:
City of Peoria, Arizona
Office of the City Clerk
8401 West Monroe Street
Peoria, AZ 85345

SECOND AMENDED AND RESTATED DEVELOPMENT AGREEMENT

THIS SECOND AMENDED AND RESTATED DEVELOPMENT AGREEMENT ("**Agreement**") is entered as of the ____ day of _____ 2014 (the "**Effective Date**") by and between the CITY OF PEORIA, an Arizona municipal corporation ("**City**"), and PARKE WEST, LLC, a Delaware limited liability company ("**Developer**"). City and Developer may be referred to herein individually as a "**Party**" or collectively as the "**Parties**."

RECITALS

A. Developer is the current owner of those certain parcels of real property known as Parcels 1 and 3 generally located between 99th Avenue, Northern Avenue, Loop 101 Freeway and the northern boundary of the SRP Powerline easement within the corporate boundaries of the City of Peoria, as more particularly described on Exhibit A hereto known as "**Park West**" (collectively, the "**Property**") as successor-in-interest, through assignment, acquisition, or otherwise, from (i) DJN Eagle Mountain, LLC ("**DJN**"), (ii) Florida Riverbend Apartments, LLC ("**Riverbend**"), (iii) Peoria Investors, LLC, (iv) Chey33, LLC, (v) Northern 101 Investors, LLC, and (vi) Stearns Bank National Association.

B. Developer improved Parcel 1 and currently owns and operates approximately 250,000 square feet of retail space on Parcel 1 which presently serves as the retail component of the Park West mixed-use project. Developer recently acquired Parcel 3 and seeks to expand the Park West mixed use Project by developing the remainder of Parcel 1 and all of Parcel 3 with a mixture of retail, residential, office, hotel, or educational uses. The development on Parcels 1 and 3 collectively is referred to herein as the "**Project**." Developer has undertaken to become the party responsible for the development of the Project, for attracting new Targeted Industry (as that term is defined herein) to the Project, and for the construction of the infrastructure required for development of the project.

C. On July 5, 2005, DJN and City entered into that certain Development Agreement, recorded on July 12, 2005 in the Maricopa County Recorder's Office as document number 2005-0955640 (the "**Original Agreement**"), addressing among other things, construction of Project infrastructure and improvements, creation of improvement districts, and economic development incentives.

D. On February 23, 2006 DJN, Riverbend and City entered into that certain 1st Amended and Restated Development Agreement, recorded on February 24, 2006 in the Maricopa County Recorder's Office as document number 2006-0254907 (the "**Restated Agreement**"), amending portions of the Original Agreement.

E. On June 26, 2006 the Restated Agreement was administratively amended to extend certain dates set forth in the Restated Agreement by that certain letter from City dated June 26, 2006 (the "**Letter Amendment**").

F. On October 16, 2006 DJN, Riverbend, Parke West and City entered into that certain Assignment, Assumption and Transfer Agreement (the "**Assignment Agreement**"), assigning DJN and Riverbend's interest in the Restated Agreement to Parke West.

G. On April 12, 2007 Parke West, Alta Peoria, L.L.C. Peoria Investors, LLC, and Chey33, LLC, and City entered into that certain Development and Waiver Agreement, recorded on April 12, 2007, in the Maricopa County Recorder's Office as document number 2007-0430952 (the "**Waiver Agreement**"), as part of the process to form City Improvement District No. 0601.

H. On March 30, 2008 Parke West and City entered into that certain First Amendment to the 1st Amended and Restated Development Agreement, recorded on May, 1, 2008, in the Maricopa County Recorder's Office as document number 2008-0386427 (the "**First Amended Agreement**"), amending provisions of the Original Agreement.

I. The Original Agreement, the Restated Agreement, the Letter Amendment, the Assignment Agreement, the Waiver Agreement and the First Amended Agreement are collectively referred to herein as the "**Project Documents**." Parke West, after a series of assignments, acquisitions or otherwise, has become sole owner of the Property and the Developer or Successor Developer of the Project under the Project Documents.

J. Development of Parcel 1 is not fully complete, and Parcel 3 remains undeveloped. Developer recently acquired Parcel 3 and wishes to develop or improve the entire Project in a manner consistent with City's approved zoning, as the same may be amended. (the "**Zoning**").

K. The Parties are entering into this Agreement to address, resolve, and finalize all outstanding issues from the Project Documents and to incentivize the future development of the Project.

L. Consistent with the Project Documents, City believes that development of the Project will enhance the economic viability of City by (i) creating new high paying, non-retail jobs, (ii) growing and diversifying City's employment base in a manner consistent with City's Economic Development Incentive and Investment Policy ("**EDIIP**"), and (iii) increasing the tax revenues to City from sales, property and other municipal taxes ("**Municipal Taxes**"). City further believes that the development of the Project is consistent with its General Plan and the Project's Zoning.

M. Consistent with the Project Documents, in the absence of the incentives contained in the Project Documents, Developer would not locate or develop within the City of Peoria at the same time, place or manner; and accordingly City is willing share in the engineering and design costs for certain infrastructure necessary for attracting Targeted Industry in the manner set forth herein. City has

determined that the proposed engineering and design work will benefit the general public through implementing City's objectives in the central Peoria area.

N. The Parties understand, acknowledge and agree that (i) this Agreement is a “**Development Agreement**” within the meaning of A.R.S. § 9-500.05, (ii) this Agreement is entered into by the Parties pursuant to the terms thereof, and (iii) the terms of this Agreement shall constitute covenants running with the Property as more fully described in this Agreement. Additionally, A.R.S. § 9-500.11 authorizes City to appropriate and spend public monies for and in conjunction with economic development activities, and City has determined that the actions taken and expenditures contemplated by City pursuant to this Agreement are in connection with economic development activities as this term is used in A.R.S. § 9-500.11.

O. City confirms that prior to the execution of this Agreement, City has given all required public notice and has held all required public hearings to receive comment, discuss and otherwise consider and approve the terms and conditions of this Agreement.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree to amend and restate the provisions found in all the documents that constitute the Project Documents in their entirety, in accordance Section 5.2 of the Restated Agreement, as follows:

AGREEMENT

1. **Incorporation of Recitals.** The recitals set forth above are true and correct and are incorporated herein by this reference.

2. **Defined Terms.** Capitalized terms used but not otherwise defined in this Amendment shall have the meaning set forth in the Project Documents.

3. **Development Agreement.**

(a) **Minimum Construction Requirements.** Pursuant to the terms of the Project Documents, Developer was obligated to meet certain Minimum Construction Requirements including constructing certain Public Infrastructure, and to maintain the same pursuant to the Developer Obligations. In turn, City agreed to reimburse Developer for its Minimum Construction Requirements and Developer Obligations contingent upon Developer meeting certain economic development goals. The Parties hereby acknowledge and agree that Developer completed construction of and satisfied the Minimum Construction Requirements; satisfied the Developer Obligations of the Project Documents; that the improvements were constructed to City standards and requirements; and that City has benefited from the use of the Required Public Infrastructure since the same was constructed by Developer.

(b) **Reimbursement Amount.** Notwithstanding the foregoing, Developer was unable to complete all the economic incentive goals within the time periods set forth in the Project Documents. As a result, the conditions precedent to City’s obligation to reimburse Developer the Reimbursement Amount set forth in the Project Documents were never satisfied, and City’s obligation has terminated.

(c) Frontage Road. Pursuant to the terms of the Project Documents, Developer was obligated to construct the Frontage Road. The Parties hereby acknowledge that Developer has not constructed the Frontage Road. Since the execution of the Project Documents, City has determined that it no longer needs or wants the Frontage Road to be constructed. The Parties understand, acknowledge and agree that based upon the change in circumstances since the Project Documents were executed as evidenced, in part, by the traffic demands set forth in the Traffic Impact Analysis Report submitted to the City and prepared by Kimley-Horn and dated October, 2013 (the “**2013 TIA**”), and the uses, development densities and intensities authorized under the Zoning for the Project, construction of the Frontage Road is no longer necessary for the development of the Project or of this portion of the City of Peoria. Accordingly, and subject to Section 3(f) below, the obligation of Developer to construct the Frontage Road is terminated.

(d) Improvement Districts. Pursuant to the terms of the Project Documents, City was obligated to form the Primary Improvement District and the Frontage Road Improvement District. The Parties hereby acknowledge and agree that City has formed the Primary Improvement District, that it is currently in operation and that Developer is being assessed and is paying its Primary Improvement District Assessments. The Parties further acknowledge and agree that City has not formed the Frontage Improvement District. However, the Parties understand, acknowledge and agree that since Developer’s construction of the Frontage Road is no longer desired or necessary, there is no longer any need for City to form the Frontage Road Improvement District. Accordingly, and subject to Section 3(f) below, the obligation of City to form the Frontage Road Improvement District is terminated.

(e) Satisfaction and Termination. In addition to the agreement to terminate the obligations regarding construction of the Frontage Road and the creation of the Frontage Road Improvement District, as set forth in the immediately preceding paragraphs above, the Parties understand, acknowledge and agree that all other obligations of the Parties under the Project Documents have either been satisfied or terminated and that the Parties have no further duties or obligations to one another under the terms of the Project Documents as of the Effective Date of this Agreement.

(f) Notwithstanding the foregoing, in the event that Developer proposes to amend the Zoning to permit development on the Property in excess of the maximum build out shown in the 2013 TIA and the Zoning, Developer shall update the 2013 TIA to determine if the greater development densities and intensities might require Developer to construct the Frontage Road. In the event the updated TIA and Zoning require Developer to construct the Frontage Road, City will form a Frontage Road Improvement District.

4. Satisfaction and Mutual Release. Except for the duties and obligations arising under this Agreement, in consideration for:

(a) Developer completing construction of the Minimum Construction Requirements and satisfying the Developer Obligations of the Project Documents;

(b) City being released from its obligation to reimburse Developer for the Minimum Construction Requirements and Developer Obligations;

(c) Subject to Section 3(f), the Developer being released from its obligation to construct the Frontage Road; and

(d) Subject to Section 3(f), City being released from its obligation to create, fund, and manage the Frontage Improvement District;

each of the Parties, for themselves and on behalf of their respective current and former members, managers, partners, parents, subsidiaries, agents, attorneys, representatives, predecessors, successors and assigns (each a “**Releasing Party**”) absolutely and unconditionally waive, release and forever discharge each other and each other’s respective parents, subsidiaries and current and former members, managers, partners, agents, attorneys, representatives, predecessors, successors and assigns (each a “**Released Party**”) from any and all past and present claims, demands, obligations, liabilities, actions, and causes of action of every kind, nature and description, in law and in equity, that each Releasing Party has or ever had as of the Effective Date of this Agreement arising from or in any way relating to the Project Documents, including but not limited to Original Agreement, the Restated Agreement, the Letter Amendment, the Assignment Agreement, the Waiver Agreement and the First Amended Agreement, and each Releasing Party deems the duties and obligations of the Released Party under the Project Documents to be completed and fully satisfied.

5. **Future Development.** Developer intends to develop the remainder of Parcel 1 and Parcel 3 for retail, residential, office, hotel and/or educational uses, inclusive of Targeted Industries on Parcel 1 and Parcel 3 in a manner consistent with the Zoning. The illustrative site plans attached hereto and incorporated herein as **Exhibit B** are intended to convey the form, character, bulk, intensity and connectivity the Parties desire within the integrated mixed-use project. Developer acknowledges that the attachment of the illustrative site plans to this Agreement do not constitute administrative “**Site Plan Approval**” pursuant to Section 14-39-11 of the Zoning Ordinance. Through the administrative Site Plan Review process, such new facilities shall demonstrate conformance to the Zoning and the trip generation thresholds set forth in the 2013 TIA. As the illustrative site plans are conceptual in nature, the ultimate facility needs of the Targeted Industry may evolve as provided herein through the administrative Site Plan approval process. Any final site plan approved by City under Section 14-39-11 of the Zoning Ordinance shall replace and control over the illustrative site plans attached hereto as **Exhibit B**.

(a) **Targeted Industry.** The Parties agree to work together to attract one or more Targeted Industries to the Project. “**Targeted Industry**” means a business that qualifies as a long-term end user that will generate significant commercial, office, and/or industrial employment within the Project under the “Type of Use Requirement” set forth in subsection (i) below, or will significantly further economic development within the Project or the City of Peoria under the “Quality of Investment Requirement” set forth in subsection (ii) below.

(i) The “**Type of Use Requirement**” will be satisfied if the business is either (A) from an industry identified in the EDIIP, such as advanced manufacturing, corporate or divisional headquarters, advanced business services, back office operations (e.g., data centers), research and development, or involves processes which utilize high technology or innovative new technologies, biosciences, alternative energy, telecommunications, health care, and/or

higher education, or (B) is otherwise approved by City, which approval shall not be withheld unreasonably. The Type of Use Requirement excludes retail, hotel, or residential uses, and City's refusal to approve such uses as a Targeted Industry shall not be unreasonable.

(ii) The "**Quality of Investment Requirement**" will be satisfied with respect to a Targeted Industry if both (i) the capital investment (including, but not limited to, horizontal and vertical development improvements, equipment and furnishings) to be made by the Targeted Industry and/or Developer as part of a build-to-suit program with respect to Parcel 3 is at least \$10 million dollars, and (ii) the Targeted Industry is reasonably expected to add at least 100 jobs within three years after commencement of its use, which will ultimately include professional and management positions, with all such created jobs having an average annual salary range of \$50,000 or more. If both the standards set forth in this subsection (ii) are not met with respect to a particular user, City will have final authority over the decision whether or not the Quality of Investment Requirement is satisfied with respect to that Targeted Industry. Nothing in this Agreement shall preclude the Developer from developing a use in the Project other than a Targeted Industry.

Notwithstanding any contrary provision hereof, a particular user will qualify as a Targeted Industry only if it satisfies to City's reasonable judgment both the Type of Use Requirement and the Quality of Investment Requirement as set forth above. The Parties agree to work together to attract Targeted industries to the Project. Nothing in this Agreement shall preclude the Developer from developing a use in the Project other than a Targeted Industry; provided, however, in the event the development of Parcel 3 does not involve a Targeted Industry, the Developer shall repay City its Financial Incentive, as defined in Paragraph 6(b) below.

6. **Attracting Targeted Industries.** Both Parties agree that additional design work needs to be done in order to create a more attractive destination for Targeted Industries to locate in Parcel 3 along Loop 101. In order to incentivize the development of Parcel 3 for Targeted Industries, the Parties agree to work together to make it "shovel ready" for development. In order to make Parcel 3 shovel ready, certain improvements need to be designed and permitted immediately, such as the access road, curb, gutter, entry monumentation, landscaping, storm drain, water, electric, sewer, cable/fiber, and other utilities, from 99th Avenue to the western property boundary of Parcel 3. Such improvements are intended to create an access pathway and bring utilities and infrastructure from 99th Avenue along the SRP Power Line Corridor to the western boundary of Parcel 3 (see access road alignment on Exhibit C) and will directly benefit City and development within the City of Peoria.

(a) **Engineering and Design Package.** Within 6 months of the Effective Date of this Agreement, Developer shall prepare and submit to City a complete and comprehensive engineering and design package for that portion of the improvements limited to the access road and necessary utilities (the "**Package**") for City's Engineering Department's review and approval, which City agrees such Department shall not unreasonably withhold.

(b) **Cost Sharing.** Upon City's written approval of the Package, City shall reimburse Developer from City determined funds in an amount equal to fifty percent (50%) of the total amount of Developer's costs for the Package, provided, however, City's payment obligation under this Agreement shall not exceed \$100,000 (collectively, the "**Financial Incentive**").

City's payment of the Financial Incentive to Developer is contingent upon the Developer submitting to City (i) invoices and receipts, in a form satisfactory to City, incurred and paid by Developer in preparing, submitting and processing the Package with City, and (ii) written certification from Developer that the invoices and receipts were actually incurred and paid by Developer as part of its efforts to prepare, submit and process the Package for approval by City's Engineering Department. City agrees to reimburse Developer the Financial Incentive within thirty (30) days from receipt of Developer's invoices and receipts and written certification. City shall pay no interest on any unpaid portions of the Financial Incentive.

(c) Procurement. Where applicable, Developer shall comply with Title 34 requirements of the Arizona Revised Statutes governing the procurement of professional services to ensure competition and price reasonableness.

(d) Certification and Review. City's payment of the Financial Incentives to Developer are contingent upon: (i) Developer remaining current on the payment of all improvement district assessments, (ii) Developer remaining current on payment of all Transaction Privilege Tax obligations, and (iii) Developer not being in default under this Agreement.

(e) Developer Repayment to City. Developer shall repay City the full amount of its Financial Incentive payment(s) made to Developer if Developer fails to locate a Targeted Industry within Parcel 3 at full build-out. In the event Developer fails to execute a lease with a Targeted Industry within Parcel 3 prior to the last phase of development of Parcel 3, Developer agrees to repay City the Financial Incentive payment(s) made to Developer prior to City's issuance of final permits for the last phase of development of Parcel 3. City reserves the right to deny the issuance of any building permits for any new construction in the Project, and deny the issuance of any certificates of occupancy for tenant improvements in the Project in the event Developer has not fully and timely reimbursed City pursuant to this section.

(f) Audit. At any time during the Term of this Agreement, or until such time as Parcel 3 is developed for one or more Targeted Industries, or if it is not so developed, Developer has repaid the Financial Incentive, City, or its representatives, inspectors and consultants, may audit, examine and copy all of Developer's contracts, records, invoices and receipts limited to Developer's engineering and design work conducted as part of the Package only, and to discuss same with Developer. City shall provide Developer no less than five (5) written notice prior to such review, which shall be conducted during normal business hours.

7. **Future Financial Incentive and Investment.** In addition to the efforts set forth in Section 6 above, City and Developer agree to work together to attract one or more Targeted Industries to the Project. In the event City and/or Developer successfully attract one or more Targeted Industries to the Project, the Parties agree to consider amending this Agreement to outline the provisions, stipulations, and duties of the Parties, as well as the details applicable to the attraction of the Targeted Industry. A future amendment to this Agreement may include one or more of the following:

(a) Developer Efforts. Developer will work to attract Targeted Industries to the Project by:

(i) Using its development expertise, industry connections, marketing, promotion, and relationships to identify and attract Targeted Industries to the Project.

(ii) Entering into a sale or long term lease (no less than 10 years) of land, a building(s), or commercial space within a building in the Project with one or more Targeted Industries.

(iii) Where appropriate, designing, financing, constructing, maintaining and operating Targeted Industry build-to-suit space in conjunction with the Targeted Industry.

(iv) Where appropriate, developing, designing, obtaining all required regulatory approvals, financing and constructing the necessary on-site and off-site infrastructure, both public and private, obtaining permits, completing site work, horizontal and vertical construction of buildings and improvements needed to attract Targeted Industries as part of a specific Build-to-Suit Construction Program.

(b) City Efforts. City will support Developer's efforts to attract Targeted Industries by:

(i) Marketing the Project through its Economic Development Services Department,

(ii) Making City staff available to Developer and Targeted Industries to support and advocate for a build-to-suit opportunity,

(iii) Addressing any issues or concerns that may arise as part of attracting a Targeted Industry, and negotiating a potential incentive package from City to the Targeted Industry pursuant to City's Economic Development Implementation Strategy (EDIS) and EDIIP, as well as standard City practices governing any such incentive package. The objective of a City incentive package is to provide funding tied to a Targeted Industry's job creation and potential capital investment to enable a fair market rent to be paid for the design and construction of build to suit space in the Project.

8. Miscellaneous.

(a) Statement of Public Purpose. City acknowledges that it enters into this Agreement in furtherance of various adopted formal and informal plans and policies of City including, but not limited to, plans and policies for land use, finance, economic development and public health, welfare, and safety. City acknowledges that the Project will assist in the economic development of City.

(b) Performance. City and Developer agree that the execution of this Agreement and the performance by City or Developer of any obligation under this Agreement shall be subject to any laws or regulations existing at the time of such execution or the performance of such obligation, as they may subsequently be amended, as the case may be.

(c) Amendment. No change or additions may be made to this Agreement except by a written amendment executed by the Parties. Within ten (10) days after any amendment to this

With a copy to: City of Peoria
City Attorney's Office
8401 West Monroe Street
Peoria, Arizona 85345

If to Developer: The Howard Hughes Corporation
c/o Parke West, LLC
One Galleria Tower
13355 Noel Road, 22nd Floor
Dallas, Texas 75240
Telecopy No.: (972) 996-6876
Attention: Greg Fitchitt

With a copy to: Fennemore Craig, P.C.
2394 E. Camelback Road, Suite 600
Phoenix, Arizona 85016
Attention: Michael J. Phalen

(j) Waiver. No waiver by either Party of a breach of any of the terms, covenants or conditions of this Agreement shall be construed or held to be a waiver of any succeeding or preceding breach of the same or any other term, covenant or condition herein contained.

(k) Attorneys' Fees. In the event any action shall be instituted between the Parties in connection with this Agreement, the Party prevailing in such action shall be entitled to recover from the other Party all of its costs, including reasonable attorneys' fees.

(l) Applicable Law; Exclusive Jurisdiction. This Agreement is entered into in Arizona and shall be construed and interpreted under the laws of the State of Arizona, without regard to principles of conflicts of law. In particular, this Agreement is subject to the provisions of A.R.S. § 38-511. City does not and cannot warrant that this Agreement will not be referred by the citizens of City, in which event this Agreement is null and void until the approval of the Agreement by a majority vote of such citizens. In the event that a court of competent jurisdiction finds that the Agreement does not comply with applicable law, the Parties will proceed in good faith to reform the Agreement to so comply, if possible. Any action brought to interpret, enforce or construe any provision of this Agreement (whether by a Party, or by a permitted successor or assign to all or any interest of a Party) shall be commenced and maintained in the Superior Court for Maricopa County, in Phoenix, Arizona, and the Parties (and their successors and assigns) agree and consent to the exclusive jurisdiction of such Superior Court and waive all right to seek removal of any action to any court (federal or state) other than the Superior Court in and for Maricopa County, Arizona.

(m) Additional Documents. The Parties agree to execute any and all documents and instruments that may be reasonably necessary to effectuate the intent and realize the benefits of this Agreement.

(n) Time of the Essence. Time is of the essence of this Agreement and every term or performance hereunder.

(o) Exhibit and Recitals. The exhibits and recitals attached to this Agreement are hereby incorporated into this Agreement by this reference, as and to the same effect as if recited at length in the body of this Agreement.

(p) Counterpart. This Agreement may be signed in counterpart, and the fully executed counterparts shall together constitute an original Agreement. In addition, this Agreement may be executed and delivered by facsimile or e-mail and each facsimile or electronically scanned copy will be treated as an original.

(q) Required Dates. Whenever in this Agreement a covenant or condition requires performance by a date certain, the Parties may by mutual agreement extend such dates in writing by administrative action if the cause of the delay is outside of the control of the Party required to so perform.

(r) Grace Periods; Notice and Cure. Upon the occurrence of an event of default by any Party, such Party shall, upon written notice from a non-defaulting Party, proceed immediately to cure or remedy such default and, in any event, such default shall be cured within thirty (30) days after receipt of such notice.

(s) Force Majeure. Neither Party shall be considered in Default under this Agreement in the event of a delay due to causes beyond such Party's control and without such Party's fault ("**Force Majeure**"), including but not limited to the following: acts of God, acts of a public enemy, acts of terrorism, fires, floods, earthquakes or other natural disasters, unusually severe weather, epidemics, quarantine, restrictions, embargoes, strikes or labor disputes, acts of the federal or state or local government, except in the lawful exercise of its powers in response to a Party's actions, acts of the other Party (except City when acting in good faith in its capacity as regulator); litigation concerning the validity and enforceability of this Agreement or relating to transactions contemplated hereby (including the effect of petitions for initiative or referendum); and acts of Third Parties (including contractors, subcontractors and suppliers) resulting in delay beyond the reasonable control of such Party. In the event of Force Majeure, the time(s) for performance for the affected Party shall be extended throughout the event of Force Majeure, provided that the affected Party notifies the other Party of such Force Majeure event within ten (10) days of such event's commencement or, if such timely notice is impossible, as soon as reasonably practicable thereafter. The affected Party shall notify the other Party within ten (10) days of the end of the Force Majeure period.

(t) Estoppel. Developer agrees that, as of the date of this Agreement, it has received the equal protection of the laws, has received due process of all of its claims and requests, and has not suffered from a compensable regulatory taking (as those terms and their related claims are defined by Arizona state and federal constitutional jurisprudence, including but not limited to A.R.S. §12-1134). As far as either Party knows or should know, neither the Developer nor City has breached this Agreement or has any litigable claim against the other as of the date this Agreement is executed, and in the event any Party is alleging or has been alleged to be in default or breach, or to have a litigable claim against the other, the Parties have agreed that such alleged

default, breach or claim has been satisfied and/or released pursuant to the terms of the foregoing Satisfaction and Mutual Release set forth in Section 3, above. After the Effective Date of this Agreement, the Parties hereto covenant and agree with each other to provide within 21 days of written request from the other an estoppel certificate signed by a duly authorized representative of such Party indicating that the other Party is not then in default of its obligations pursuant to this Agreement (or if the other Party is claimed then to be in default of its obligations, setting forth such default or defaults with reasonable specificity).

(u) Headings. The description headings of the paragraphs of this Agreement are inserted for convenience only and will not control or affect the meaning or construction of any of the provisions of this Agreement.

(v) Severability. If any provision of this Agreement is declared void or unenforceable, the provisions will be severed from this Agreement and the remainder of the Agreement will otherwise remain in full force and effect, provided that the overall intent of the Parties is not materially vitiated by such severability.

(w) Default, Remedies. If any Party to this Agreement breaches any provision of the Agreement, the non-defaulting Party will be entitled to all remedies available at both law and in equity, including but not limited to specific performance.

(x) Covenants to Run with Land. The covenants, conditions, terms and provisions of this Agreement shall run with the land and shall be binding upon and inure to the benefit of the Parties and their respective permitted successors and assigns.

(y) Authority. The Developer represents and warrants to City: (1) that it is duly formed and validly existing under the laws of the State of Delaware; and (2) that the individual(s) executing this Agreement on behalf of the Developer is authorized and empowered to bind the Developer. City represents and warrants to the Developer: (1) that it is a duly formed municipal corporation with the State of Arizona; and (2) that the individual(s) executing this Agreement on behalf of City are authorized and empowered to bind City.

[Signatures on Following Pages]

IN WITNESS WHEREOF, City has caused this Agreement to be duly executed in the name and behalf of its City Manager and attested by its City Clerk, and Developer has signed the same, on or as of the day and year first written above.

“City”

CITY OF PEORIA, ARIZONA a municipal corporation

By: _____
Carl Swenson, City Manager

Attest:

City Clerk

Approved as to form:

City Attorney

Exhibit A

**The Property
(Park West Legal Descriptions – Parcels 1 and 3)**

Lot 1

Lot 1, Parke West, according to the plat of record in the Office of the County Recorder of Maricopa County, Arizona, recorded in Book 927 of Maps, Page 29.

Lot 3

Lot 3, Parke West, according to the plat of record in the Office of the County Recorder of Maricopa County, Arizona, recorded in Book 927 of Maps, Page 29.

Exhibit B

Illustrative Site Plans



May 15, 2014



Park West - Existing Conditions Map
N 99th Ave. & W Northern Ave., Peoria, Arizona

⊕ Not to Scale

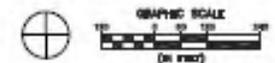


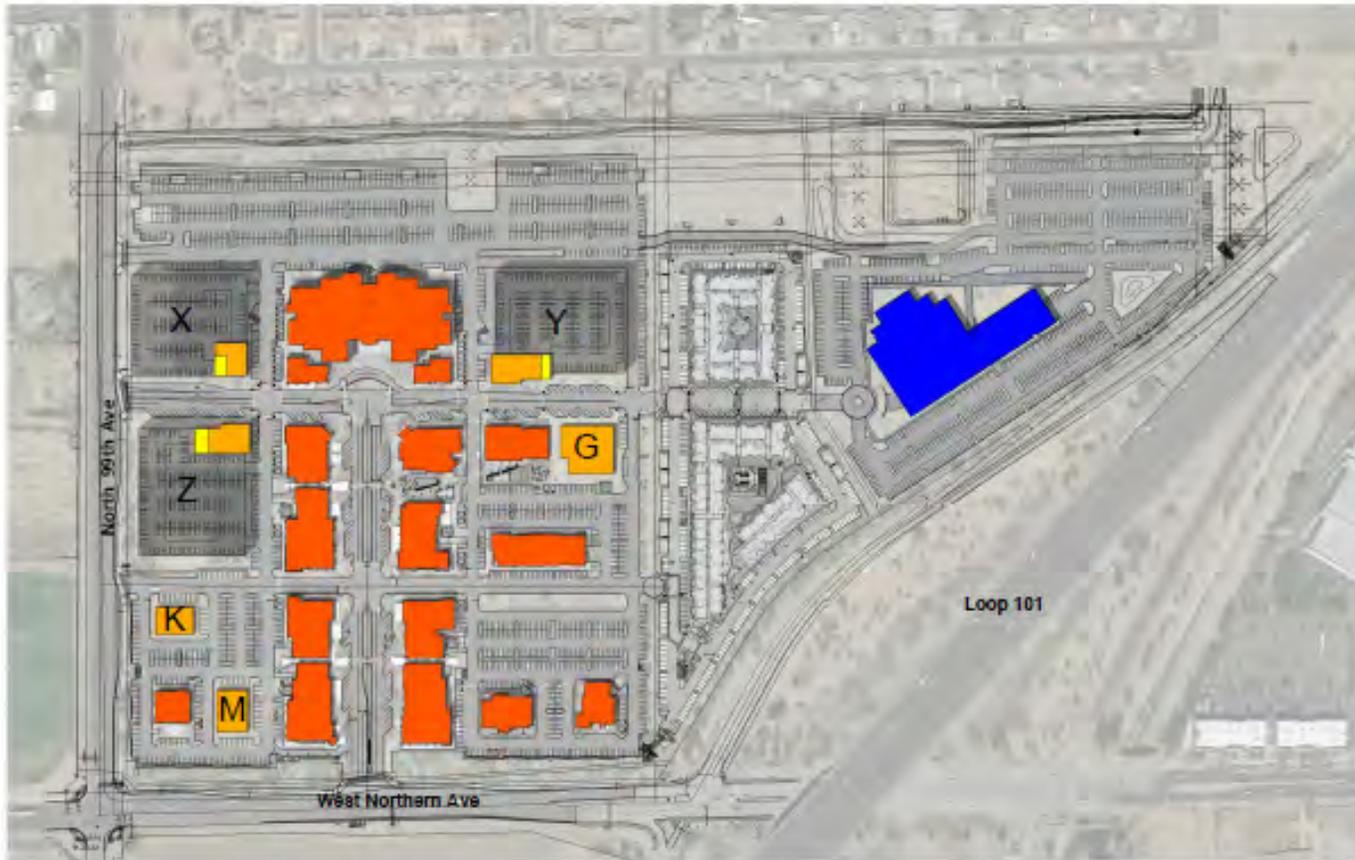
- Office /
Education /
Hotel /
Residential /
Retail
- Residential /
Retail /
Hotel
- Retail /
Commercial

May 15, 2014



Park West - Conceptual Land Use Plan
N 99th Ave. & W Northern Ave., Peoria, Arizona





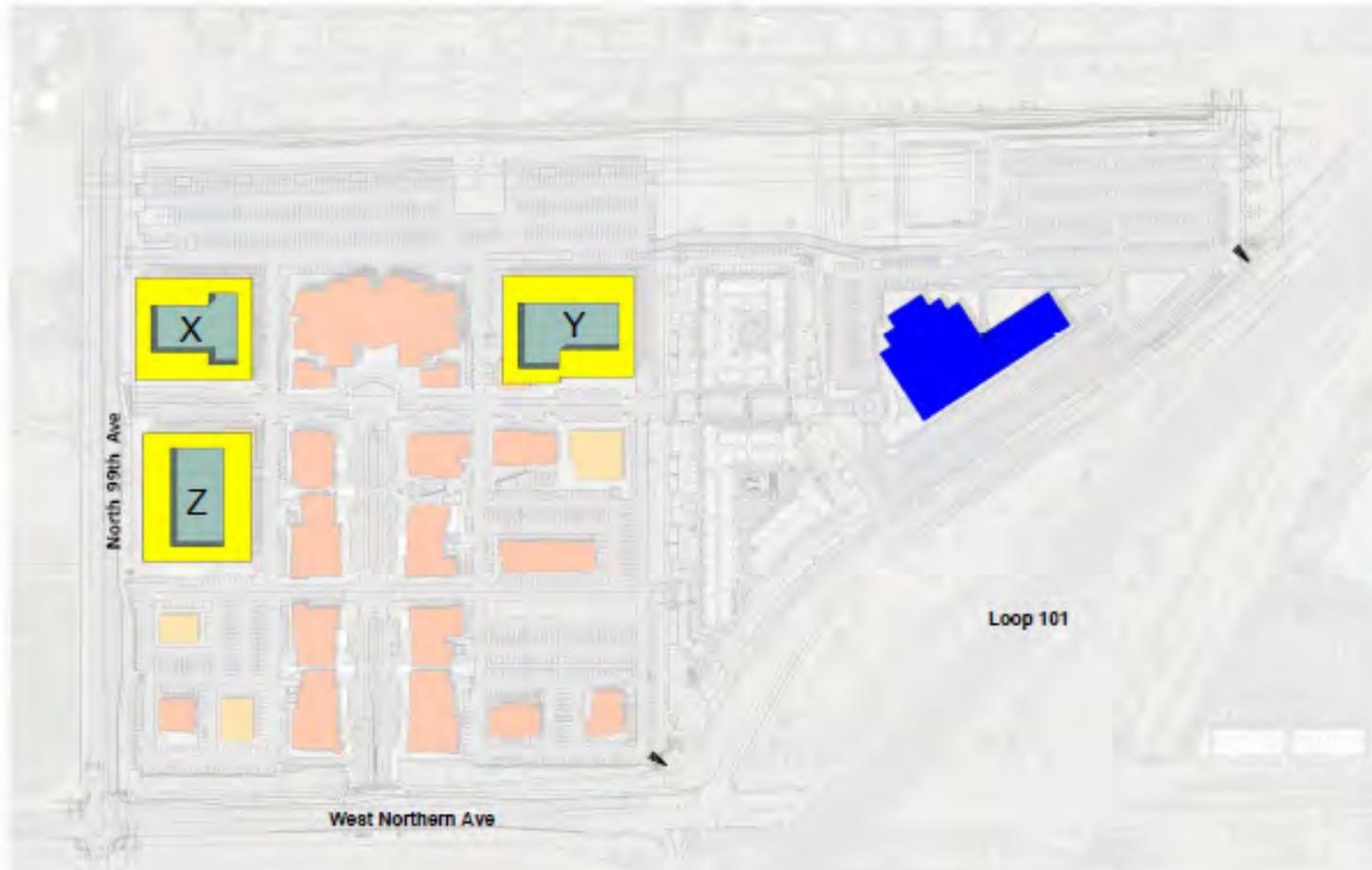
- Existing Retail
- New Retail
- New Residential
- New Education

May 15, 2014



Park West - Color Aerial Site Plan - Ground Level
 N 99th Ave. & W Northern Ave., Peoria, Arizona





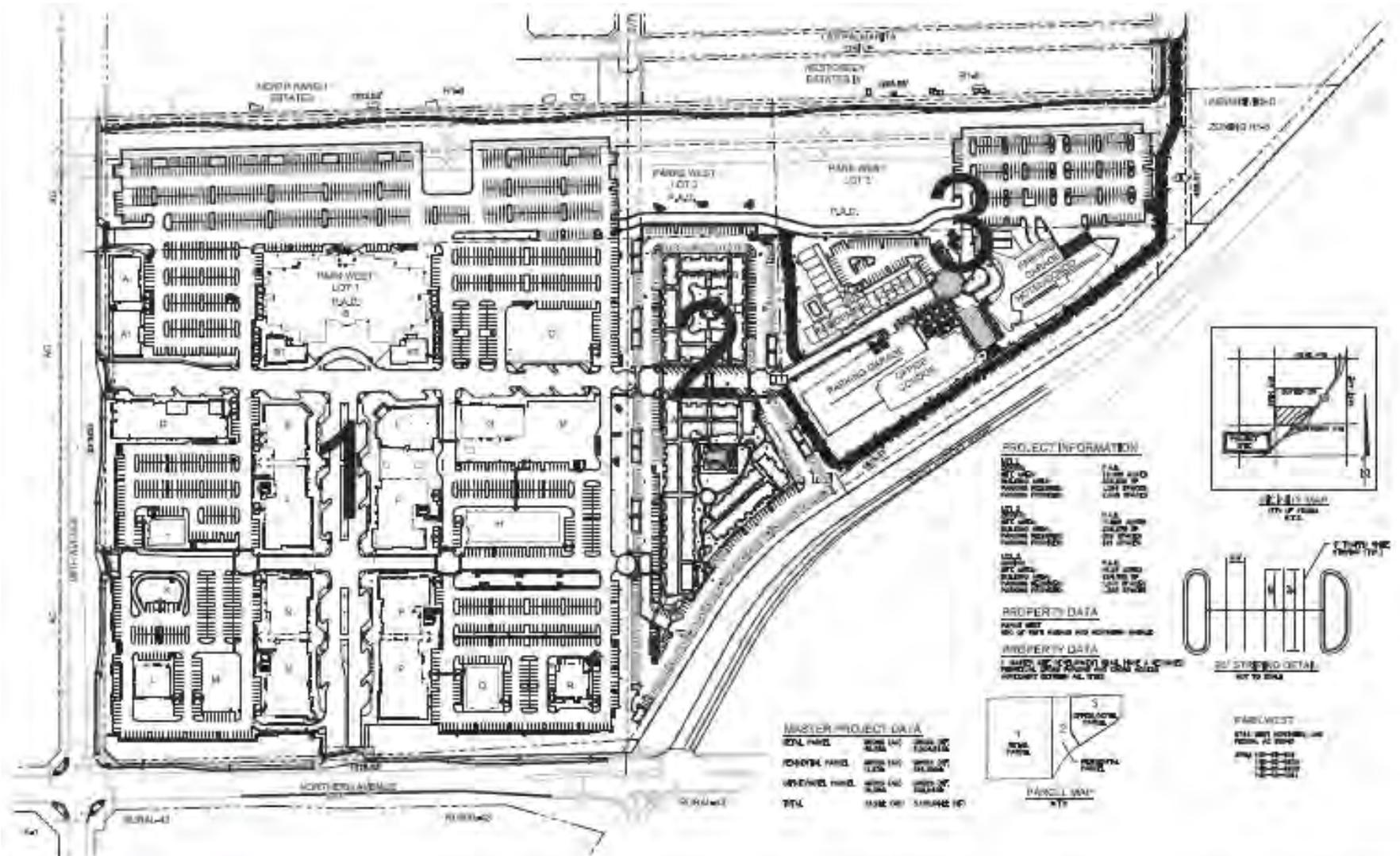
- Existing Retail
- New Retail
- New Residential
- New Education

May 15, 2014



Park West - Color Aerial Site Plan - Upper Level
 N 99th Ave. & W Northern Ave., Peoria, Arizona





PROJECT INFORMATION

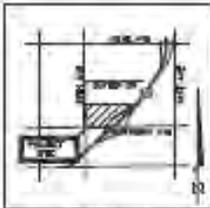
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NO. OF TRANSIT STATIONS	1
NO. OF GARAGE SPACES	1,140
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NO. OF OFFICE SPACES	0
NO. OF RETAIL SPACES	0
NO. OF RESTAURANT SPACES	0
NO. OF SERVICE SPACES	0
NO. OF COMMUNITY SPACES	0
NO. OF PUBLIC SPACES	0
NO. OF PRIVATE SPACES	0
NO. OF OPEN SPACES	0
NO. OF LANDSCAPED SPACES	0
NO. OF TREE SPACES	0
NO. OF BIKE SPACES	0
NO. OF STORAGE SPACES	0
NO. OF OTHER SPACES	0

PROPERTY DATA

NO. OF LOTS: 11
 NO. OF TRACTS: 1
 NO. OF PARCELS: 11
 NO. OF SUBPARCELS: 11
 NO. OF UNITS: 1,140
 NO. OF PARKING SPACES: 1,140
 NO. OF TRANSIT STATIONS: 1
 NO. OF GARAGE SPACES: 1,140
 NO. OF COMMERCIAL SPACES: 0
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 NO. OF PUBLIC SPACES: 0
 NO. OF PRIVATE SPACES: 0
 NO. OF OPEN SPACES: 0
 NO. OF LANDSCAPED SPACES: 0
 NO. OF TREE SPACES: 0
 NO. OF BIKE SPACES: 0
 NO. OF STORAGE SPACES: 0
 NO. OF OTHER SPACES: 0

MASTER PROJECT DATA

NO. OF LOTS	11	NO. OF TRACTS	1
NO. OF PARCELS	11	NO. OF SUBPARCELS	11
NO. OF UNITS	1,140	NO. OF PARKING SPACES	1,140
NO. OF TRANSIT STATIONS	1	NO. OF GARAGE SPACES	1,140
NO. OF COMMERCIAL SPACES	0	NO. OF OFFICE SPACES	0
NO. OF RETAIL SPACES	0	NO. OF RESTAURANT SPACES	0
NO. OF SERVICE SPACES	0	NO. OF COMMUNITY SPACES	0
NO. OF PUBLIC SPACES	0	NO. OF PRIVATE SPACES	0
NO. OF OPEN SPACES	0	NO. OF LANDSCAPED SPACES	0
NO. OF TREE SPACES	0	NO. OF BIKE SPACES	0
NO. OF STORAGE SPACES	0	NO. OF OTHER SPACES	0

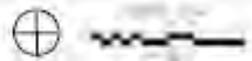


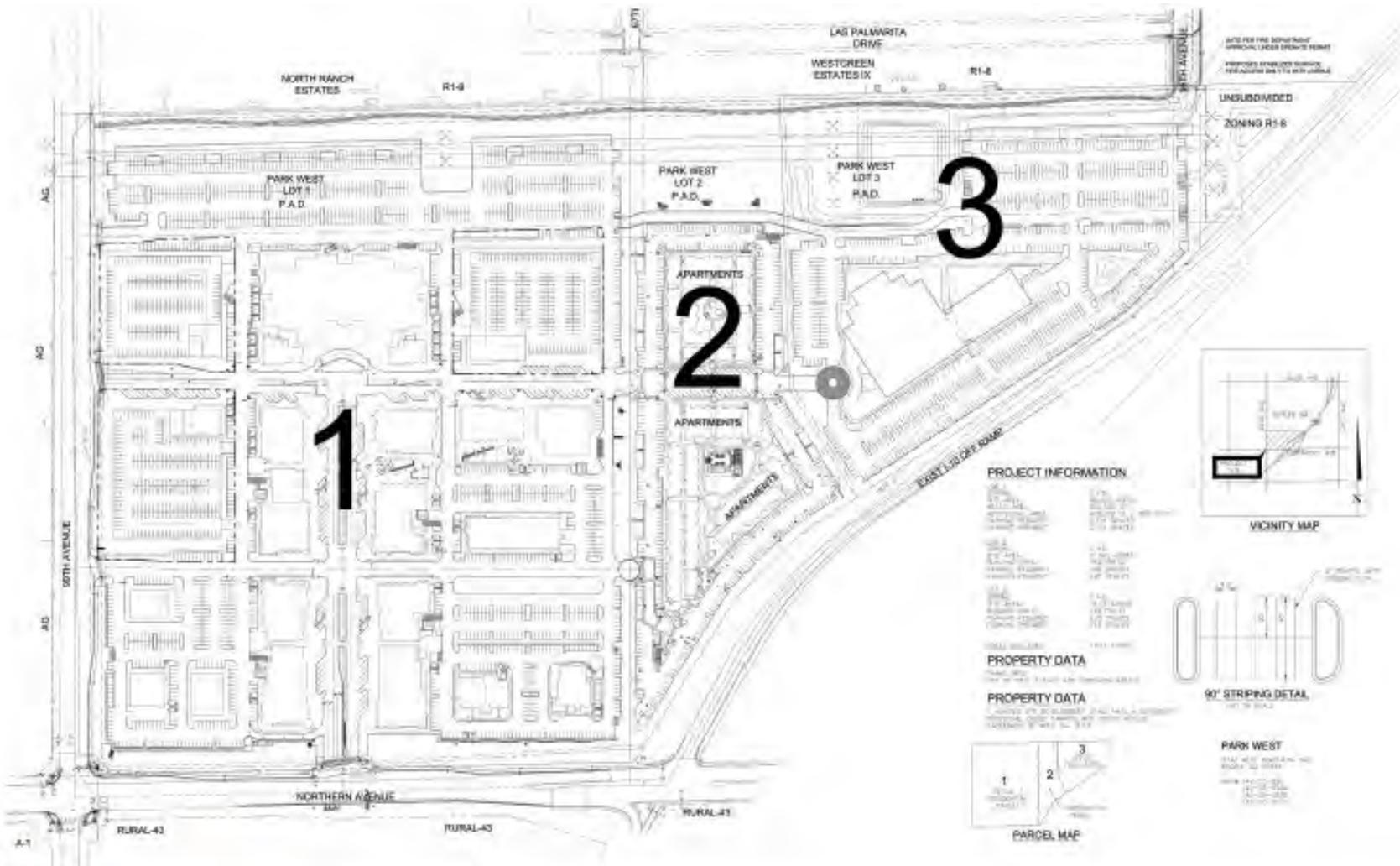
PARK WEST
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 1,140 PARKING SPACES
 1 TRANSIT STATION
 1,140 GARAGE SPACES
 0 COMMERCIAL SPACES
 0 OFFICE SPACES
 0 RETAIL SPACES
 0 RESTAURANT SPACES
 0 SERVICE SPACES
 0 COMMUNITY SPACES
 0 PUBLIC SPACES
 0 PRIVATE SPACES
 0 OPEN SPACES
 0 LANDSCAPED SPACES
 0 TREE SPACES
 0 BIKE SPACES
 0 STORAGE SPACES
 0 OTHER SPACES

May 15, 2014



Park West - Conceptual - Option 1: 2007 Approved Site Plan
 N 9th Ave. & W Northern Ave., Peoria, Arizona

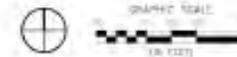




May 15, 2014



Park West - Conceptual - Option 2: Multi-Family and University Site Plan
N 99th Ave. & W Northern Ave., Peoria, Arizona



Lot 3 Program

Use	Classrooms	People	Tare Factor	Square Feet
Faculty		70 Employees x 200 sf per person	=	14,000 sf
Administration		50 Employees x 130 sf per person	=	6,500 sf
Auditoriums	2 Rooms x 200 students per room =	400 Students x 15 sf per student	x 1.5 =	9,000 sf
Classrooms	80 Rooms x 25 students per room =	2000 Students x 37 sf per student	x 1.5 =	111,000 sf
		120 Employees		140,500 sf
		2400 Students		

City of Peoria Parking Requirements

	Required Parking
5 spaces per classroom	82 classrooms x 5 = 410 spaces
1 space per 3 fixed seats of auditorium	400 students / 3 = 133 spaces
1 space per employee	120 spaces x 1 = 120 spaces
Minimum of 10 spaces for visitor parking	10 spaces = 10 spaces
Total Required Parking = 673 spaces	
Total Provided Parking = 713 spaces	

May 15, 2014



Park West - Lot 2 Education Program
 4000 North Ave. & W. Northern Ave., Peoria, Arizona



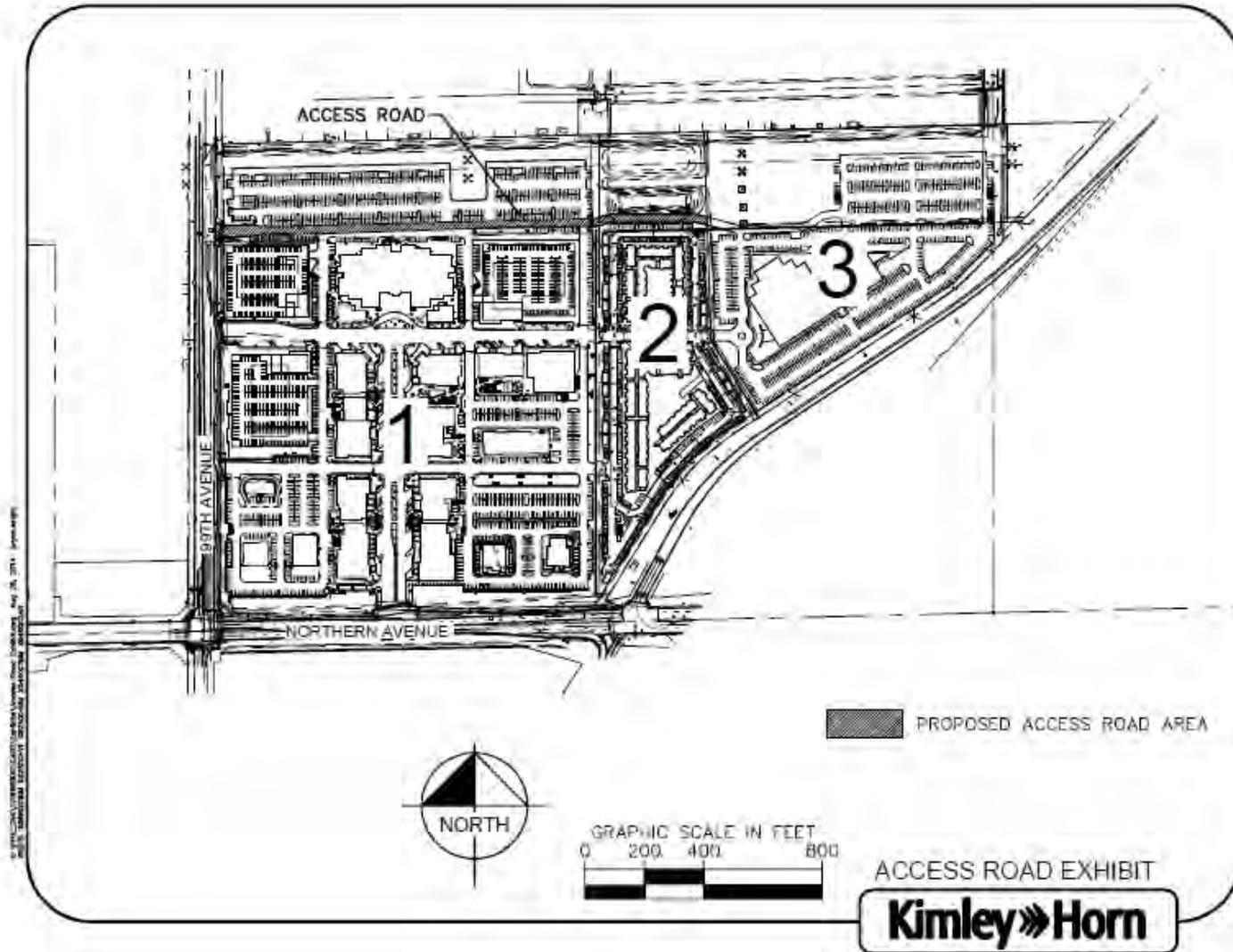
May 15, 2014



Park West - Rendered Perspective
N 99th Ave. & W Northern Ave., Peoria, Arizona

Exhibit C

SRP Power Line Corridor Access Road Alignment



**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 34R

Date Prepared: September 15, 2014

Council Meeting Date: October 7, 2014

TO: Carl Swenson, City Manager

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

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

SUBJECT: GPA14-0001 – BCC Automobile Storage

Purpose:

This is a request for City Council to hold a Public Hearing to consider a minor amendment to the General Plan Land Use Map for approximately 4.57 acres from Medium High Density Residential (8-15 du/ac, target of 12 du/ac) to Neighborhood Commercial.

Background/Summary:

The applicant is requesting a minor amendment to the General Plan Land Use Map for approximately 4.57 acres of land located north of the northeast corner of 87th Avenue and Bell Road. The amendment would change the current Medium High Density Residential designation (8-15 du/ac, target of 12 du/ac) to Neighborhood Commercial. This request is accompanied by a proposed Rezoning application (Case Z14-0004) from Multi-Family Residential (RM-1) to the BCC Automobile Storage Planned Area Development (PAD) to allow for an off-site automobile storage and staging lot with vehicle-related uses.

The general intent of the Neighborhood Commercial category is to provide areas compatible with nearby residential uses for offices and small commercial centers which provide services and goods that support the day-to-day needs of the surrounding neighborhood. Development is to be designed in a manner, particularly in terms of size and scale, which will not detrimentally affect adjacent residential neighborhoods.

On this property, the Neighborhood Commercial category will allow for a transitional land use between the higher intensity commercial uses along Bell Road and the multi-family uses located generally north of the site. Future development of the property as a vehicle staging lot will provide necessary support services for the auto dealerships along Bell Road, supporting the economic viability of this corridor. This designation will further the goals of the 1993 North Peoria Redevelopment Area Plan (NPRAP), while balancing the needs of nearby residents, as the Neighborhood Commercial designation is less intense than the Community Commercial designation originally called for in the NPRAP.

It is staff's assessment that the proposed amendment creates for a logical progression of the commercial development along Bell Road and a proper transition to the surrounding commercial and multi-family residential land uses.

Previous Actions:

This amendment has been subject to the City's Minor General Plan Amendment process. A public hearing was held for this item at the August 21, 2014 Planning & Zoning Commission Meeting. The Planning & Zoning Commission unanimously recommended approval of this request with a **4-0** vote.

A public hearing was held at the same meeting for a related Rezoning application (Z14-0004), BCC Automobile Storage.

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 Recommendation:

Staff recommends the City Council concur with the Planning & Zoning Commission's August 21, 2014 unanimous recommendation (4-0) to approve Case GPA14-0001.

Fiscal Analysis:

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

Narrative:

No further action would be necessary should the City Council take action to approve this application.

Exhibit(s)

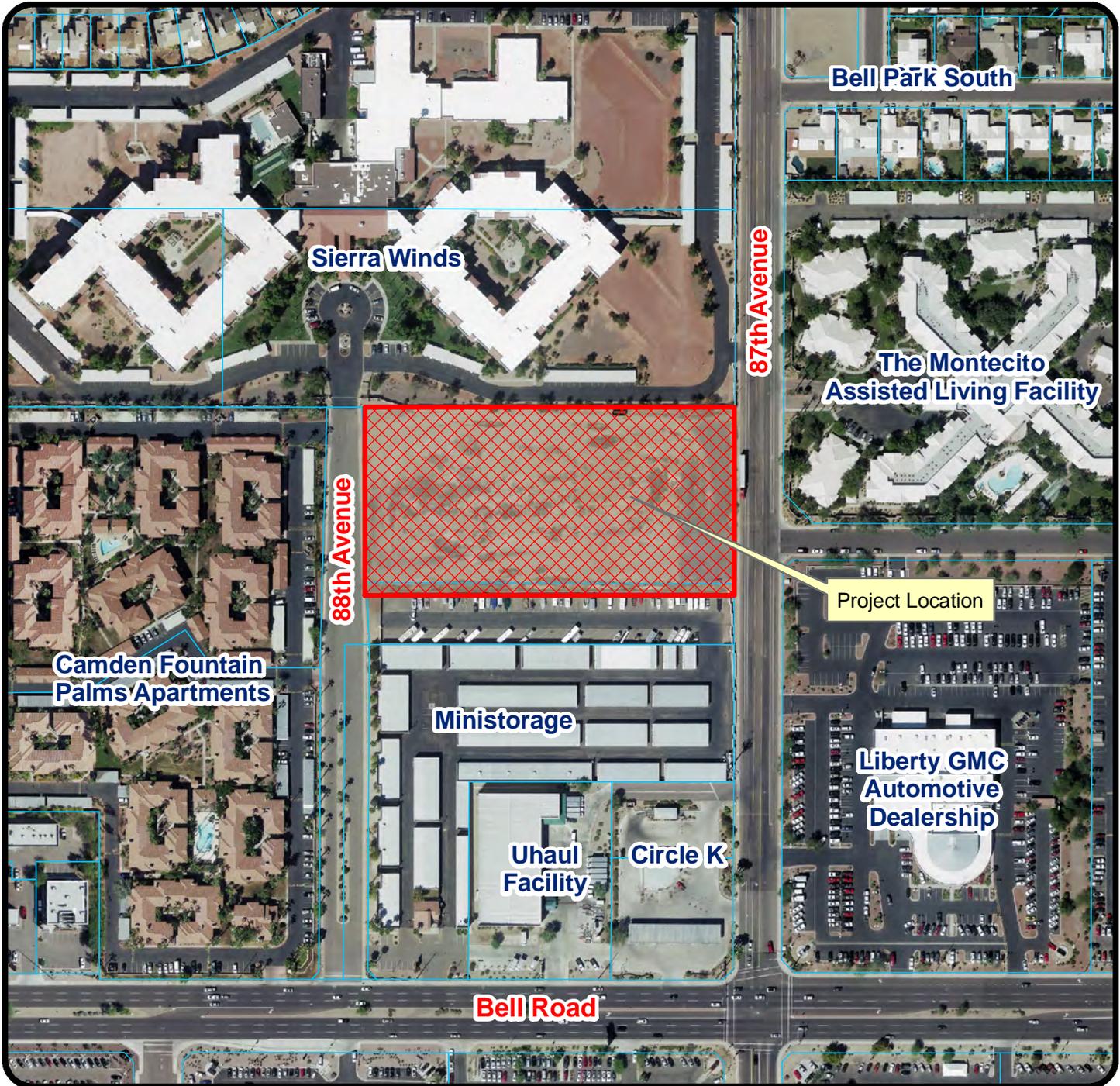
Exhibit 1: Vicinity Map

Exhibit 2: August 21, 2014 Planning and Zoning Commission Staff Report with Exhibits

Exhibit 3: Draft Resolution

Contact Name and Number: Melissa Sigmund, AICP, Interim Principal Planner, X7603

GPA14-0001 Vicinity



GPA14-0001 Storage Lot General Plan Amendment

Applicant: Withey Morris PLC on behalf of BCC Development, Inc.

Request: Amend the General Plan to Neighborhood Commercial to allow for the development of an off-site automotive parking and staging lot with permitted vehicle-related uses.



Not to Scale





GENERAL PLAN AMENDMENT

REPORT TO THE PLANNING AND ZONING COMMISSION

CASE NUMBER: GPA14-0001
DATE: August 21, 2014
AGENDA ITEM: 9R

Applicant: Withey Morris PLC, on behalf of BCC Development, Inc.

Request: A Minor Amendment to the Peoria General Plan Land Use Map for approximately 4.57 gross acres from Medium High Density Residential to Neighborhood Commercial to allow for the development of an off-site automotive parking and staging lot with permitted vehicle-related uses.

Proposed Development: BCC Automobile Storage, an off-site automotive parking and staging lot with permitted vehicle-related uses.

Location: The property is generally located north of the northwest corner of 87th Avenue and Bell Road.

Site Acreage 4.57 gross acres

Support / Opposition: Staff has received 2 phone calls and 1 letter of opposition to the application (same party).

Recommendation: Recommend **approval** of Case GPA14-0001 to the City Council.

AREA CONTEXT

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

	LAND USE	GENERAL PLAN	ZONING
Subject Property	Vacant;	Residential/Medium High (8-15 du/ac, Target: 12 du/ac)	Multi-Family Residential (RM-1)
North	Sierra Winds managed care retirement community	Residential/Medium High (8-15 du/ac); target 12 du/ac	Multi-Family Residential (RM-1)
East	The Montecito Assisted Living Facility & Liberty GMC auto dealership	Residential Medium High (5-8 du/ac) and Regional Commercial	Intermediate Commercial (C-2) and Regional Commercial (C-5)
South	Mini-storage	Regional Commercial	General Commercial (C-4)
West	Camden Fountain Palms apartments	Regional Commercial	Multi-Family Residential (RM-1)

Land Use Background

1. In June 1978, the property was annexed into the City of Peoria through *Ordinance 78-12*. It received initial zoning of General Agricultural (AG).
2. In May of 1979, the area, generally located between Bell Road and Union Hills Drive, and 87th Avenue and 89th Avenue, was rezoned from AG to Intermediate Commercial (C-2) and Multi-family Residential (RM-1) respectively through *Ordinance 79-23*. The subject property was zoned RM-1 and maintained that classification when the southern properties were rezoned to General Commercial (C-4) in 1984.
3. In May of 1993, the City of Peoria adopted the *North Peoria Redevelopment Area Plan* (NPRAP) pursuant to A.R.S. § 36-1479, with the purpose of establishing a redevelopment plan to address adverse conditions presenting a barrier to the desired commercial, office, and residential development. The NPRAP covers a large area generally between Thunderbird and Bell Road and between 75th to 91st Avenue. In that Plan, the subject property was designated Community Commercial. This designation provides for the most intensive types of commercial development but also provides for high density residential (up to 20 du/ac).
4. In January of 2004, a request was made to rezone the property from RM-1 to Industrial Planned Area Development (PAD) in order to develop a single-user vehicle service facility. Proposed uses included outdoor storage of new and used (undamaged) vehicles, vehicle detailing, automotive repair and accessory installation facility in an enclosed building, and private car wash. The request was withdrawn prior to any action.
5. In December of 2006, the Bellasara Townhome project received Site Plan Review approval. The proposed gated development included 54 units located over 4 acres. Plans included a common pool, cabana, landscaping, and other amenities for future residents. The development was never constructed. The site plan approval has since expired.
6. Today, the property is currently utilized by the Van Tuyl Group as a temporary vehicle staging lot under Temporary Use Permit TU13-00315. Prior use of the property includes parking and staging of vehicles by the Larry H. Miller organizations.

PROJECT DESCRIPTION

Site and Project Details

7. The project site is a 4.57 gross acre undeveloped property located north of the northwest corner of Bell Road and 87th Avenue. The property is immediately bounded to the east and west by 87th and 88th Avenues respectively, with a senior retirement community to the north and a mini-storage facility to the south

(see Exhibit A). It currently holds an approved Temporary Use Permit (TU13-00315) that allows for vehicle staging for the Van Tuyl automobile dealerships.

8. The applicant is requesting a minor amendment to the General Plan Land Use Map that would change the current Medium High Density Residential designation (8-15 du/ac, target of 12 du/ac) to Neighborhood Commercial to allow for the development of an off-site automotive parking and staging lot with permitted vehicle-related uses (Exhibit D).
9. This request is accompanied by applications to rezone the 4.57 acre site from Multi-Family Residential (RM-1) to Planned Area Development or PAD (Case Z14-0004); and a Site Plan (case SP14-0008) to develop the property as requested. Both of these applications address compatibility with the adjacent residential developments with restrictions to allowed uses, streetscape enhancements, and landscape buffer along the north property line.
10. Although this property does not meet the minimum ten-acre requirement for PAD zoning, the applicant may request a waiver provided the subject property meets one or more of the waiver requirements listed in Section 14-33-2.B of the Zoning Ordinance. This request is consistent with the waiver requirement that promotes the development of land surrounded or partially surrounded by previously developed property.

DISCUSSION AND ANALYSIS

Minor General Plan Amendment Evaluative Criteria

11. Chapter 14 of the Peoria General Plan (“Plan Administration”) directs the City to make an affirmative finding that the proposal substantially demonstrates or exhibits the following evaluative criteria:
 - i. The development pattern contained in the Land Use Plan inadequately provides appropriate optional sites for the use or change proposed in the amendment.
 - ii. The amendment constitutes an overall improvement to the General Plan and is not solely for the good or benefit of a particular landowner or owners at a particular point in time.
 - iii. The amendment will not adversely impact the community as a whole or a portion of the community by:
 - Significantly altering acceptable existing land use patterns,
 - Requiring larger and more expensive improvements to roads, sewer or water delivery systems than are needed to support the prevailing land uses and which, therefore, may impact developments in other areas,
 - Adversely impacting existing uses because of increased traffic on existing systems, or
 - Affecting the livability of the area or the health and safety of the residents.

- iv. That the amendment is consistent with the overall intent of the General Plan and other adopted plans, codes and ordinances.

Existing General Plan Land Use Designation

12. The existing land use designation for the subject property is Residential / Medium High density designation (8-15 du/ac) with an underlying target density of 12 du/ac. This designation is intended to provide areas where attached single family homes, apartments, condominiums, and townhouses may be appropriate. Suitability is determined on the basis of location, access, and availability of existing and proposed facilities, and existing and future land use patterns.
13. This property is also subject to the *North Peoria Redevelopment Area Plan* (NPRAP) established in 1993. In that Plan, the subject property was designated Community Commercial. This designation provides for the most intensive types of commercial development but also provides for high density residential (up to 20 du/ac).

Request to Designate Site to Neighborhood Commercial

14. The request is to change the land use designation for the site to *Neighborhood Commercial*. The general intent of this land use category is to consist of offices and small commercial centers which provide services and goods that support the day-to-day needs of the surrounding neighborhood. Also, it looks for development to be designed in a manner, particularly in terms of size and scale, which will not detrimentally affect adjacent residential neighborhoods. To this end, suitability is determined on the basis of location, access, availability of existing or proposed public facilities and utilities, existing and future land use patterns, and natural or man-made constraints.
15. The *Neighborhood Commercial* category in this case will allow for a continued extension of the current growth pattern and support the commercial uses found along the Bell Road Corridor. These uses include automobile sales. The future development of the property as a vehicle staging lot will provide necessary support services for the dealerships along Bell Road and support regional automobile retail on the Bell Road corridor. Also, the *Neighborhood Commercial* designation supports the NPRAP emphasis on a non-residential use for the property, and provides a less intensive land use category than the Redevelopment Plan proposes. The vehicle staging lot is a low-impact use that will be sensitively designed to respond to the concerns of the nearby residential uses.
16. Staff members from various disciplines, including the Fire Department and Engineering Site Development and Traffic Engineering Department have reviewed the case for compliance with the City's development standards. No issues of concern were identified.

17. It is staff's assessment that the proposed amendment creates for a logical progression of the commercial development along Bell Road and a proper transition to the surrounding commercial and multi-family residential land uses.

Relevant General Plan Policies and Objectives

18. The applicant has identified goals and policies from the General Plan that support this request (Exhibit D):

SMART GROWTH

Goal 1: Provide a balance of land uses that will preserve and enhance neighborhoods, promote economic development and encourage redevelopment at appropriate locations.

Objective 1.A: Manage and control development to facilitate orderly growth and an efficient urban form.

Policy 1.A.1: Promote planned developments where resources and infrastructure are in place to facilitate orderly and efficient growth.

Objective 1.B: Maintain a supportive relationship between established commercial proprietors and the City's business retention and expansion efforts.

Policy 1.B.1: Work to enhance commercial activity by attracting, retaining, and expanding those developments, which improve economic conditions in the City of Peoria.

Objective 1.D: Foster commercial, industrial and business park employment centers that are compatible with Peoria's economic needs.

Citizen Participation Plan - Neighborhood Meeting

19. As a requirement of the General Plan Amendment and Rezoning application processes, the applicant conducted a neighborhood meeting and provided a Citizen Participation Report detailing the results of the meeting. The applicant notified all property owners within 600 feet and registered Homeowner's Associations within 1 mile of the subject site for the required neighborhood meeting, which was held on May 6, 2014 at 5:30 pm at the Desert Harbor Elementary School Library. Six (6) neighboring property owners/interested citizens and City of Peoria Staff attended the meeting. The applicant gave an overview of the developer, current entitlements, the proposed entitlements, site plan and design, and the application process. The applicant answered questions and addressed comments regarding permitted uses, intensity and height, traffic, lighting, landscaping, retention, 88th Avenue access, and street improvements. A summary of the questions/comments is provided in the Citizen Participation Report attached as Exhibit F.
20. Staff received one letter and two phone calls from Mr. David Brnilovich of Jennings, Strouss & Salmon, PLC, representing the interests of Sierra Winds retirement community. Both the letter and phone call expressed opposition to the case(s). The letter has been included as Exhibit G. In his first phone call, Mr. Brnilovich explained that while he acknowledges that this is a transitional parcel between the retirement community and mini-storage, he does not believe that a

commercial land use designation is the appropriate transition. The subsequent phone call expressed a concern for a devaluation of property values.

Public Notice

21. Public notice was provided in the manner prescribed under Section 14-39-6. Additionally, the site was posted with a sign meeting the size and content requirements prescribed by the Planning Division.

Proposition 207

22. The applicant has furnished a signed and notarized Proposition 207 Waiver for recordation pending the outcome of the City Council action.

FINDINGS AND RECOMMENDATION

23. Based on the following findings:
- The amendment constitutes an overall improvement to the City's General Plan; and
 - The proposal provides for a land use category that will allow for a development of reasonable scale and intensity; and
 - That the amendment will better reflect the development needs of the area while accounting for the existing built environment; and
 - The amendment is in conformance with the Goals, Objectives, and Policies of the Peoria General Plan and the North Peoria Redevelopment Area Plan; and
 - That the amendment will not adversely impact the community as a whole or a portion of the community by:
 - i. Significantly altering acceptable existing land use patterns,
 - ii. Requiring larger and more expensive improvements to roads, sewer or water systems than are needed to support the prevailing land uses and which, therefore, may impact development of other lands,
 - iii. Adversely impacting existing uses because of increased traffic on existing systems, or
 - iv. Affecting the livability of the area or the health and safety of the residents.

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

Recommend to the City Council approval of Case GPA14-0001.

Attachments:

Exhibit A	Vicinity/Location Map
Exhibit B	General Plan Land Use Map
Exhibit C	Zoning Map
Exhibit D	Narrative

Staff Report GPA14-0001

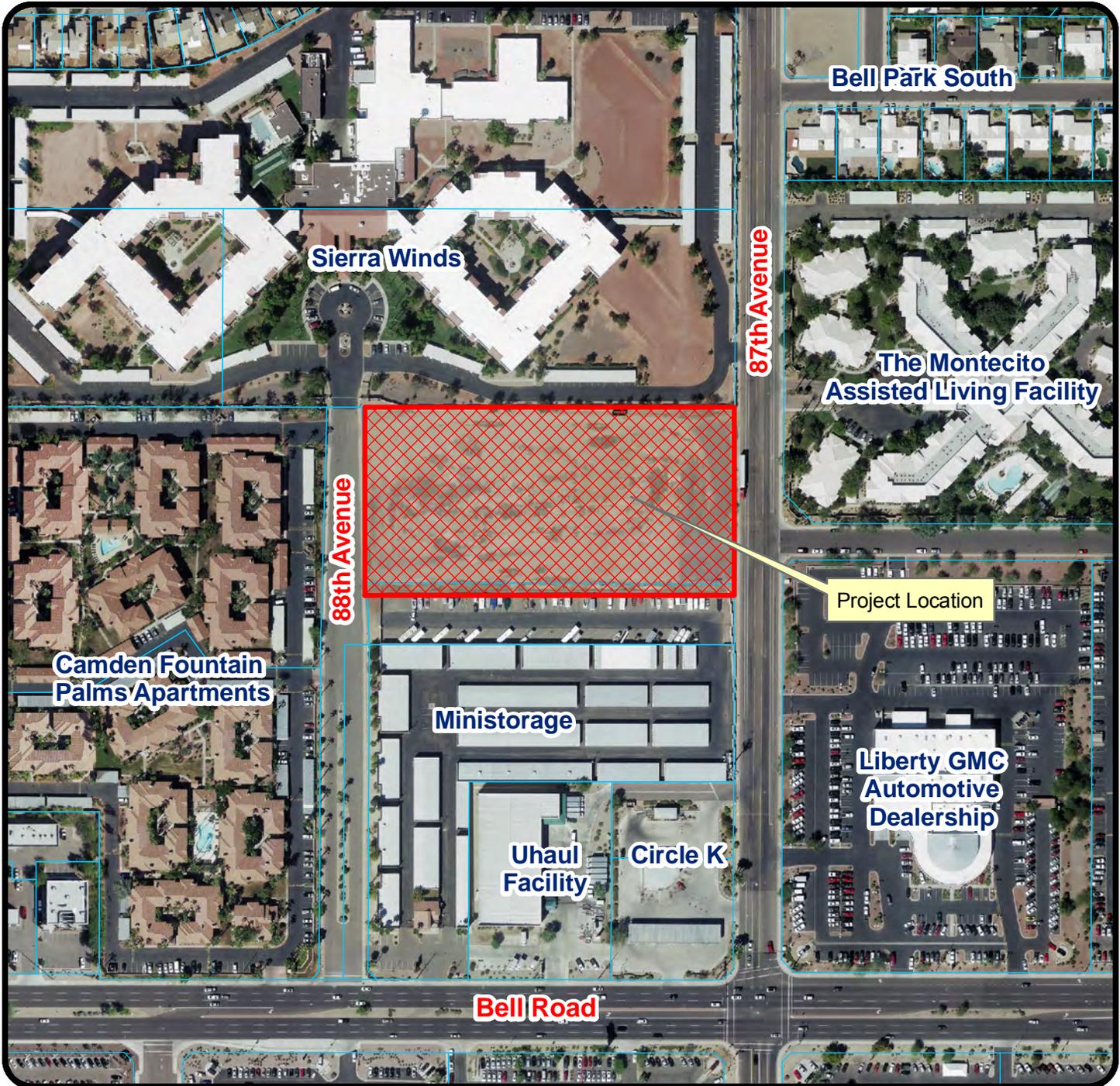
August 21, 2014

Page 7

Exhibit E	NPRAP Land Use Plan
Exhibit F	Citizen Participation Report
Exhibit G	Letter of Opposition

Prepared by: *Stacey Bridge-Denzak, RLA*
Planner

GPA14-0001 Vicinity



GPA14-0001 Storage Lot General Plan Amendment

Applicant: Withey Morris PLC on behalf of BCC Development, Inc.

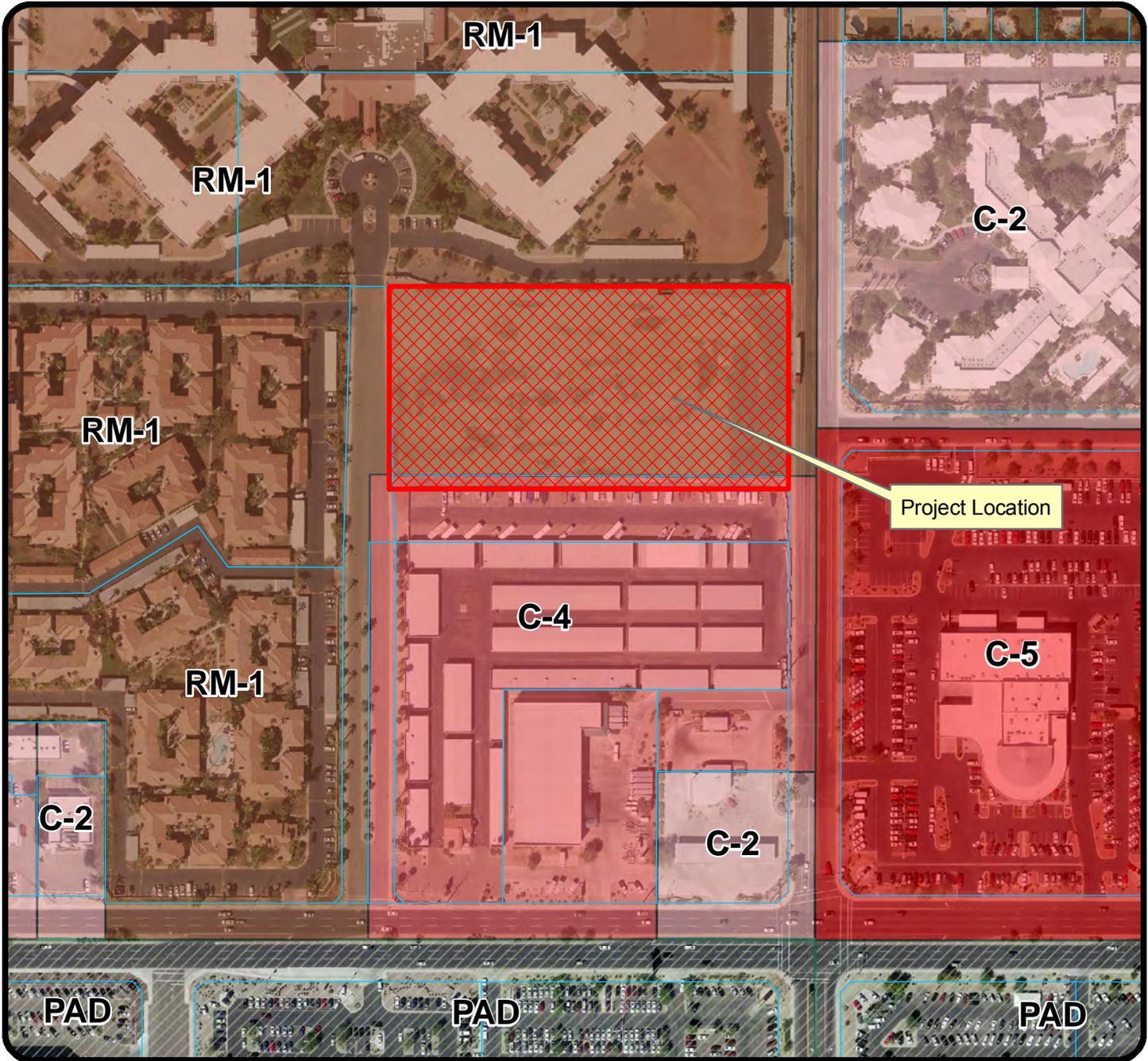
Request: Amend the General Plan to Neighborhood Commercial to allow for the development of an off-site automotive parking and staging lot with permitted vehicle-related uses.



Not to Scale



GPA14-0001 Zoning



GPA14-0001 Storage Lot General Plan Amendment

Applicant: Withey Morris PLC on behalf of BCC Development, Inc.

Request: Amend the General Plan to Neighborhood Commercial to allow for the development of an off-site automotive parking and staging lot with permitted vehicle-related uses.

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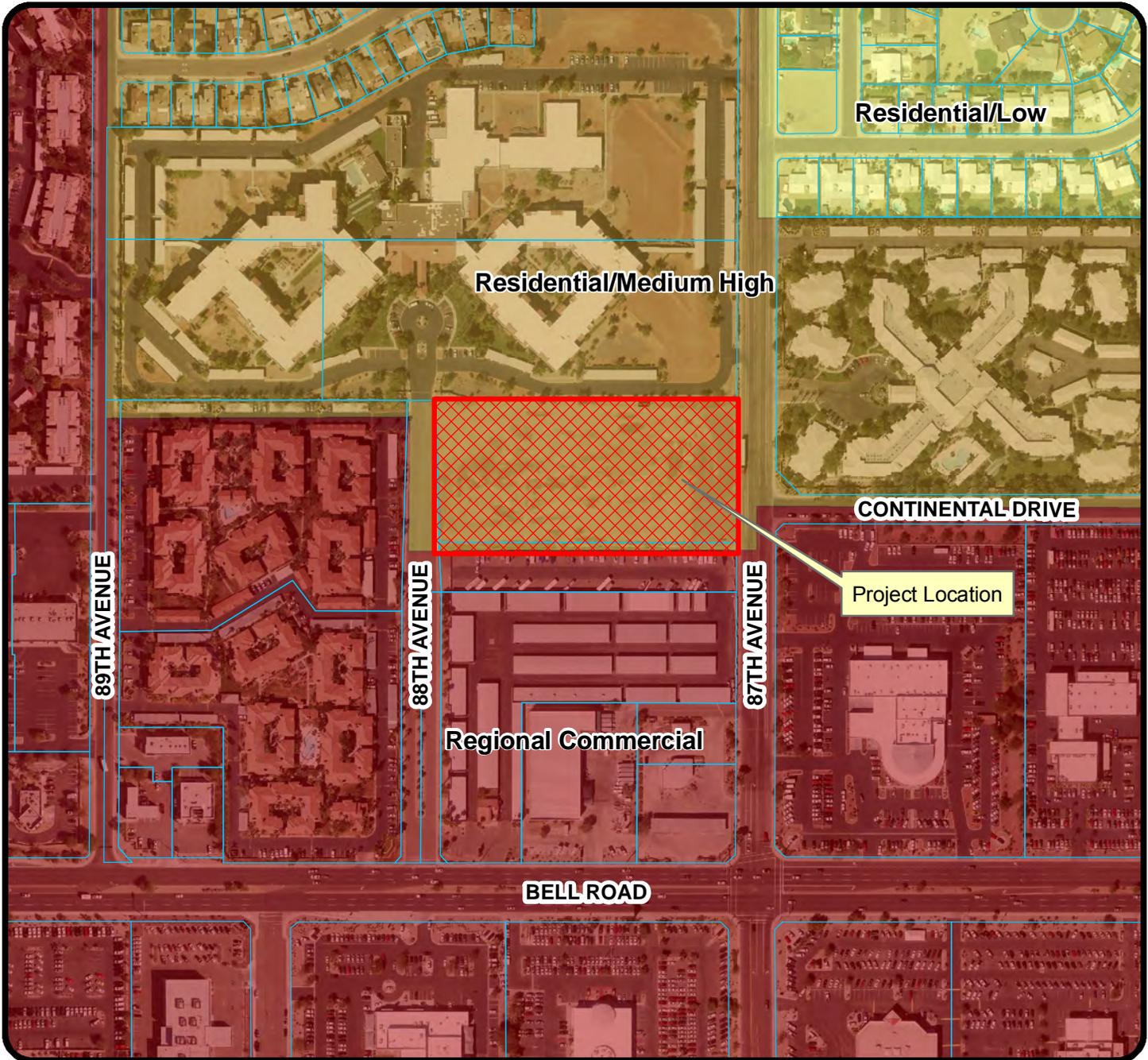


Not to Scale



EXHIBIT C

GPA14-0001 Land Use



GPA14-0001 Storage Lot General Plan Amendment

Applicant: Withey Morris PLC on behalf of BCC Development, Inc.

Request: Amend the General Plan to Neighborhood Commercial to allow for the development of an off-site automotive parking and staging lot with permitted vehicle-related uses.



Not to Scale

BCC Automobile Storage

MINOR GENERAL PLAN AMENDMENT

CASE NO. GP14-0001

North of the northwest corner of
87th Avenue and Bell Road

Submitted: March 31, 2014

Resubmitted: May 27, 2014

Resubmitted: June 12, 2014

BCC Automobile Storage

MINOR GENERAL PLAN AMENDMENT

North of the Northwest Corner of 87th Avenue and Bell Roads

Table of Contents

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II. Location / Relationship to Adjacent Properties	4
III. North Peoria Redevelopment Area Plan	4
IV. Conformance with the North Peoria Redevelopment Area Plan	5
V. Conformance with the General Plan	5
VI. Justification for Minor General Plan Amendment	6
VII. Infrastructure	7

List of Exhibits

Vicinity Map	A
Aerial Map	B

BCC Automobile Storage

MINOR GENERAL PLAN AMENDMENT

North of the Northwest Corner of 87th Avenue and Bell Roads

Development Team

Property Owner:	BCC Development, Inc. Mike Pacheco / Tony Bongratz 1550 East Missouri Avenue, Suite 300 Phoenix, Arizona 85014 Phone. 602 / 230.1051 Phone. 480 / 797.0457 (Tony Bongratz) Email. abongratz@vtaig.com
Architect / Land Planning:	John Mahoney Architects, Inc. John Mahoney 850 West Elliot Road, Suite 108 Tempe, Arizona 85284 Phone. 480 / 345.8457 Facsimile. 480 / 345.1759 Email. john@mahoneyarch.com www.mahoneyarch.com
Engineering:	Site Consultants, Inc. Michael J. Caylor, P.E. / Waldy Garcia 113 South Rockford Drive, Suite 113 Tempe, Arizona 85281 Phone. 480 / 894.2820 Facsimile. 480 / 894.2847 Email. mcaylor@siteconsultants.net wgarcia@siteconsultants.net
Applicant / Legal Representative:	Withey Morris PLC Michael B. Withey, Esq. 2525 East Arizona Biltmore Circle, Suite A-212 Phoenix, Arizona 85016 Phone. 602 / 230.0600 Facsimile. Email. m@witheymorris.com www.witheymorris.com

I. Introduction

This application (the "Application") is a request to amend the General Plan Land Use Map for the approximate 4.57 gross acres of property generally located north of the northwest corner of 87th Avenue and Bell Road (the "Property") from Medium-High Density Residential (8.0 to 15.0 dwelling units per acre) (MHDR) land use to Neighborhood Commercial to allow the Van Tuyl Group to park and/or store new and used automobiles and conduct other automobile related uses on the Property. (See **Exhibit A – Vicinity Map**).

The Property is currently utilized by the Van Tuyl Group as a temporary vehicle staging lot under Temporary Use Permit TU13-00315. Prior use of the Property included parking and staging of vehicles by the Larry H. Miller organizations. Accordingly, the Property has for some time been used for vehicle parking with no apparent or known detrimental impact to the area.

II. Location / Relationship to Adjacent Properties

Comprised of approximately 4.57 gross acres, the Property is immediately bounded to the east and west by 87th Avenue and 88th Avenue, respectively. (See **Exhibit B – Aerial Map**).

The property to the immediate north is developed with a senior retirement community designated MHDR land use; and the property to the immediate south is developed with a mini-storage designated Regional Commercial (RC) land use. Bell Road and State Route 101 Agua Fria Freeway are generally located further south and east of the Property, respectively. Moving beyond the Property's immediate boundaries, the properties to the east are developed with apartments designated MHDR land use and an automobile dealership designated RC land use; and the property to the west is developed with apartments designated MHDR.

III. North Peoria Redevelopment Area Plan

In 1992, the City of Peoria adopted the North Peoria Redevelopment Area Plan (NPRAP) to address development issues in a part of northern Peoria heavily impacted by development constraints and other conditions. The Property is located in Area A of the NPRAP, which designates it as Community Commercial land use.

One of the primary purposes of the NPRAP was to identify the ultimate development concept for the area and provide options to development issues and constraints. The NPRAP identifies the, "Property along Bell Road west of Loop 101 is the city's new car retail area." The NPRAP further states, "Properties along the Bell Road frontages will receive a Community Commercial designation to allow for large lot commercial development and small lot development for support uses."

IV. Conformance with the North Peoria Redevelopment Area Plan

This Application and the Rezone application are supported by numerous Goals, Objectives and Policies within the North Peoria Redevelopment Area Plan, including the following:

- 1.1.** Preserve the quality of the environment in development which occur in the area.
- 2.2.** Actively promote the use of property located within the redevelopment area.
- 5.1.** Create an attractive industrial/business district designed to enhance the image of Peoria.
- 9.1.** Focus efforts to develop and promote a regional retail area in the redevelopment area.
- 10.1.** Skillfully plan to maximize new commercial, business development, spectator sport, tourism and hospitality industry opportunities within the redevelopment area to enhance the collection of City revenues.

V. Conformance with the General Plan

This Application and the Rezone application are also supported by numerous Goals, Objectives and Policies within the City of Peoria General Plan, including the following:

SMART GROWTH

Goal 1: Provide a balance of land uses that will preserve and enhance neighborhoods, promote economic development and encourage redevelopment at appropriate locations.

Objective 1.A: Manage and control development to facilitate orderly growth and an efficient urban form.

Policy 1.A.1: Promote planned developments where resources and infrastructure are in place to facilitate orderly and efficient growth.

Objective 1.B: Maintain a supportive relationship between established commercial proprietors and the City's business retention and expansion efforts.

Policy 1.B.1: Work to enhance commercial activity by attracting, retaining, and expanding those developments, which improve economic conditions in the City of Peoria.

Objective 1.D: Foster commercial, industrial and business park employment centers that are compatible with Peoria's economic needs.

VI. Justification for Minor General Plan Amendment

This Application and the Rezone application further the Goals, Objectives and Policies of the NPRAP and General Plan. More specifically, this Application contributes to the City of Peoria's goal of achieving a balance of land uses that preserve and enhance neighborhoods, promote economic development and encourage redevelopment at appropriate locations. The proposed Neighborhood Commercial land use designation is an appropriate expansion of the commercial development along Bell Road and a proper transition to the surrounding commercial and multi-family residential land uses.

The existing MHDR General Plan land use designation is not supported by the NPRAP, which identified the properties along the Bell Road corridor as developing as the City of Peoria's "new car retail area" and "support uses," and developing as market conditions warranted. This Application and the Rezone application specifically respond to the NPRAP and current market conditions. The proposed use of the Property is necessary to support, retain and allow for the continued success of the automobile sales dealerships in the Bell Road area and the Bell Road corridor as a regional automobile retailer. Automobile sales are considered one of the largest tax generating uses at the Federal, State and Local levels. This Application and the Rezone application will expand the City of Peoria's ability to generate tax revenues, as well as improve the economic conditions of the City.

The existing MHDR General Plan land use designation does not support the proper transition from the senior retirement community north and the assisted living facility east of the Property to the mini-storage and surrounding automobile dealerships south of the Property. The Property, if developed under the existing MHDR General Plan land use designation and existing zoning, could result in high-density apartments, which in this particular case, does not promote neighborhood stability.

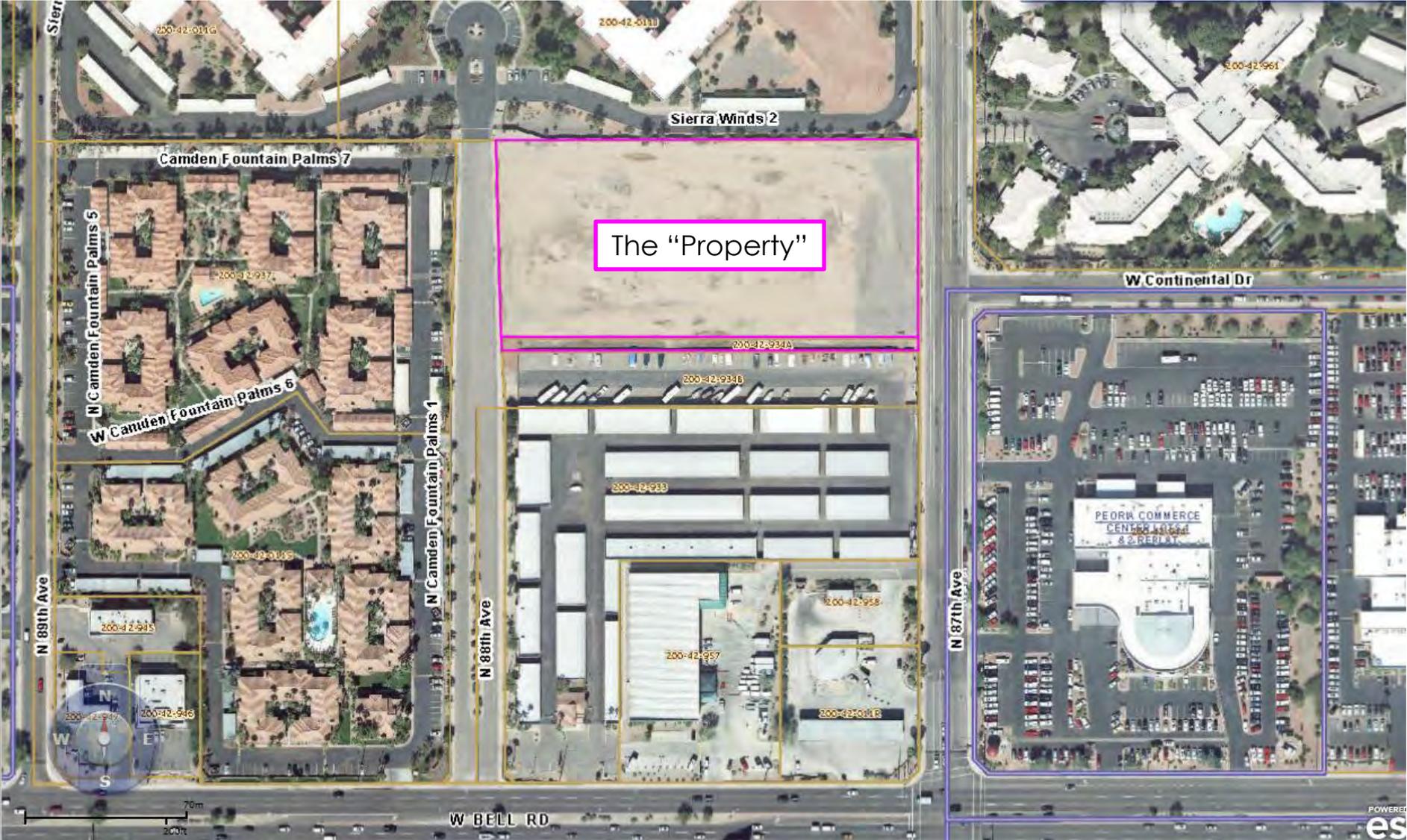
Performance standards and site design elements have been strategically designed to integrate the Property and the proposed use(s) with the surrounding properties. The streetscape will be enhanced with eight (8) foot high decorative masonry walls with accent pilasters along 87th and 88th Avenues. Landscaping will also be provided along 87th and 88th Avenues, and the north property line to create visual continuity with the existing

landscaping in the area and buffer the surrounding developments. All on-site parking will be screened from right-of-way view. These improvements will create a sustainable development that does not impact property values.

VII. Infrastructure

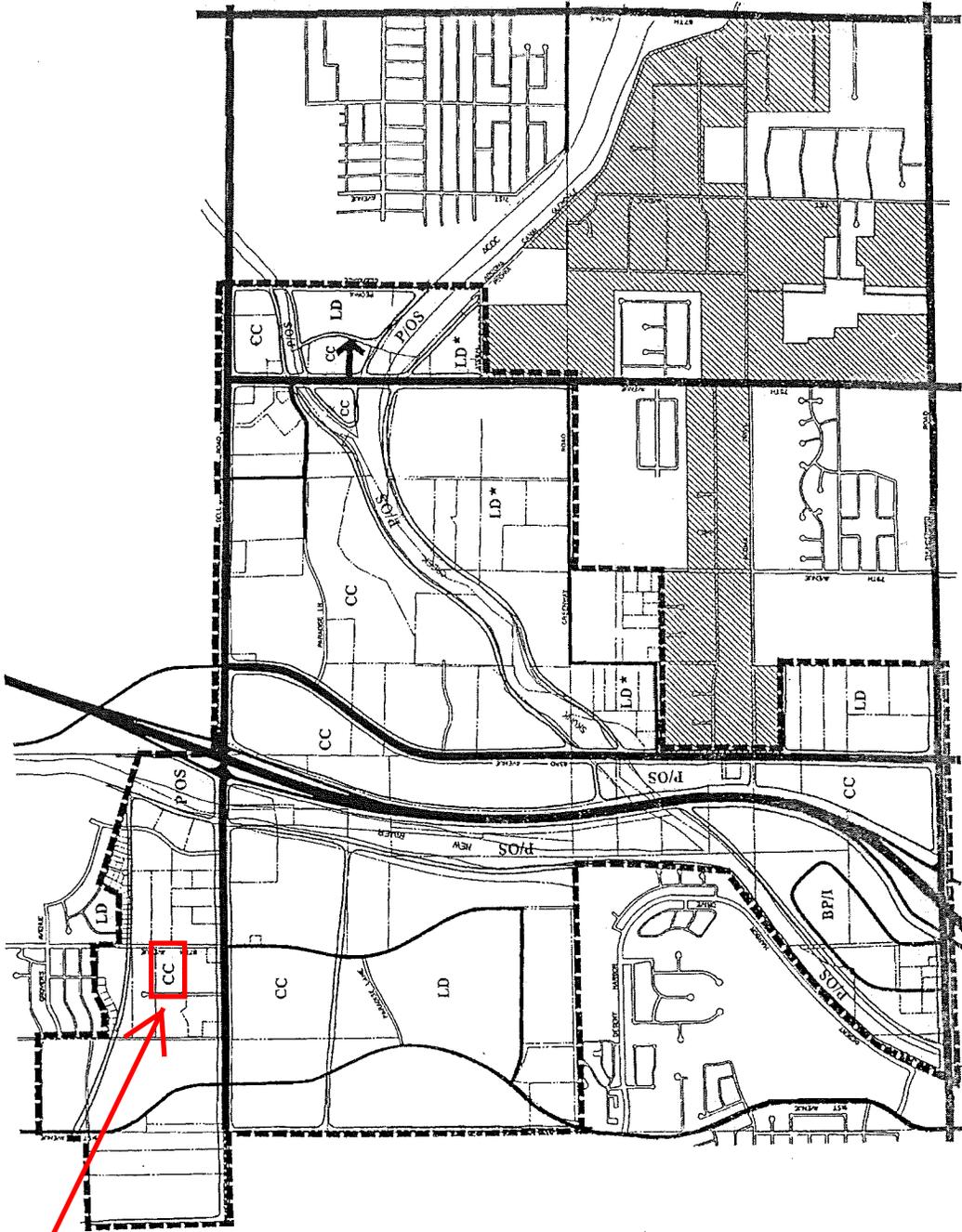
It is anticipated that this Application will not affect existing infrastructure of the area, including water, wastewater and street systems.

Exhibit B – Aerial Map



LEGEND

- UNINCORPORATED AREAS
 - REDEVELOPMENT AREA BOUNDARY
 - FREEWAY
 - MAJOR ARTERIAL ROADWAY
 - MAJOR COLLECTOR ROADWAY
- RESIDENTIAL
- LD* LOW DENSITY (1:1 - 1.5 a/u/s)
 - LD LOW DENSITY (1:1 - 0.8 a/u/s)
 - HD HIGH DENSITY (6:1 - 15.0 a/u/s)
- NON-RESIDENTIAL
- CC COMMUNITY COMMERCIAL
 - BP/I BUSINESS PARK/INDUSTRIAL
 - P/S/P SPACE PARK/PARKSPACE



Subject Property

EXHIBIT 10
LAND USE PLAN



NORTH PEORIA REDEVELOPMENT AREA

PREPARED BY THE CITY OF PEORIA DEVELOPMENT SERVICES DEPARTMENT



BCC Automobile Storage

CITIZEN PARTICIPATION REPORT

CASE NOS. GP14-0001 and Z14-0004

North of the northwest corner of
87th Avenue and Bell Road

Submitted: March 31, 2014

Resubmitted: June 12, 2014

BCC Automobile Storage

CITIZEN PARTICIPATION REPORT

North of the Northwest Corner of 87th Avenue and Bell Roads

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V. Inquiries	6
VI. Summary	6

List of Exhibits

Letter of Notification and Addressees	A
Sign-In Sheet	B

BCC Automobile Storage

CITIZEN PARTICIPATION REPORT

North of the Northwest Corner of 87th Avenue and Bell Roads

Development Team

Property Owner:	BCC Development, Inc. Mike Pacheco / Tony Bongratz 1550 East Missouri Avenue, Suite 300 Phoenix, Arizona 85014 Phone. 602 / 230.1051 Phone. 480 / 797.0457 (Tony Bongratz) Email. abongratz@vtaig.com
Architect / Land Planning:	John Mahoney Architects, Inc. John Mahoney 850 West Elliot Road, Suite 108 Tempe, Arizona 85284 Phone. 480 / 345.8457 Facsimile. 480 / 345.1759 Email. john@mahoneyarch.com www.mahoneyarch.com
Engineering:	Site Consultants, Inc. Michael J. Caylor, P.E. / Waldy Garcia 113 South Rockford Drive, Suite 113 Tempe, Arizona 85281 Phone. 480 / 894.2820 Facsimile. 480 / 894.2847 Email. mcaylor@siteconsultants.net wgarcia@siteconsultants.net
Applicant / Legal Representative:	Withey Morris PLC Michael B. Withey, Esq. 2525 East Arizona Biltmore Circle, Suite A-212 Phoenix, Arizona 85016 Phone. 602 / 230.0600 Facsimile. Email. m@witheymorris.com www.witheymorris.com

I. Introduction

This Citizen Participation Report ("CPR") is to supplement the implementation of the Citizen Participation Plan for the Minor General Plan Amendment and Rezone applications on the approximate 4.57 gross acres of property generally located north of the northwest corner of 87th Avenue and Bell Road (the "Property"). The Minor General Plan Amendment application seeks to change the land use designation on the Property from Medium-High Density Residential to Neighborhood Commercial. The Rezone application seeks to change the zoning designation on the Property from RM-1 Multi-Family Residences to Planned Area Development.

II. Overview of the Citizen Participation Plan

The Citizen Participation Plan ensured that the Applicant pursued early and effective citizen participation in conjunction with the applications, and that interested citizens and property owners had an opportunity to learn about the applications. In addition, the Citizen Participation Plan facilitated ongoing communication between the Applicant, interested citizens and property owners, City of Peoria Staff, and elected officials throughout the applications' review process.

III. Notice of Neighborhood Meeting

The City of Peoria determined that a neighborhood meeting was the most appropriate public notification technique. The Applicant notified real property owners within 600-feet of the Property as last disclosed on the Maricopa County Assessor's Map records, and neighborhood associations, condominium associations, homeowners associations and apartment management offices registered with the City of Peoria within one (1) mile of the Property, via 1st Class Mail on April 25, 2014. (See **Exhibit A – Letter of Notification and Addressees**).

IV. Results of Neighborhood Meeting

A neighborhood meeting was held on May 6, 2014, at Desert Harbor Elementary School, 15585 North 91st Avenue, Peoria 85382 from 5:30 p.m. to 6:30 p.m. Six (6) neighboring property owners/interested citizens and City of Peoria Staff attended the meeting (See **Exhibit B – Sign-In Sheet**).

The Development Team gave an overview of the developer, the Property's current entitlements, the proposed entitlements, site plan and design, and the application process. The Applicant answered questions and addressed comments regarding permitted uses, intensity and height, traffic, lighting, landscaping, retention, 88th Avenue access, and street improvements.

The Development Team has made efforts to incorporate the questions and comments received into the revised submittal. The following summary outlines some of the responses provided by the Development Team to the questions and comments:

- The proposed applications entitle the Property for those uses listed in the rezone narrative and the proposed site plan. Significant changes would require amendments to the applications.
- The Property most likely could not be used for some other use not listed in the rezone narrative, or if the site plan was significantly changed, without first amending the applications.
- The Property's current entitlements allow for high-density, four (4) story apartments. The proposed applications are less intense, include reduced building height, and provide additional building setbacks.
- It is anticipated that the traffic generated by the proposed use will be significantly less than if the Property were developed under its current entitlements. Car carriers/transporters will be prohibited from picking-up and delivering automobiles on the Property.
- Low-level, shielded LED security lights will be provided on the Property. The developer has also committed to restricting the height of the light fixtures. Flood lighting and generators, similar to what the prior owner used on the Property, will not be used.
- In addition to the landscaping and decorative walls along 87th and 88th Avenues, the Applicant agreed to install a tree-lined landscape buffer along the north property line.
- An existing retention basin parallels the south property line. It is anticipated that this retention volume will be relocated on the Property or be provided on the property to the south.
- The Property will be primarily accessed from 87th Avenue. No improvements are proposed to 88th Avenue, which is privately owned.
- The Planning and Zoning Commission will hear the applications and make a recommendation to the City Council which will make a final decision. A public hearing letter of notification will be mailed in advance of the Planning and Zoning Commission hearing.

V. Inquiries

No telephone calls were received regarding the applications. One (1) letter was received from the legal counsel for the property owner to the north. In response, the Development Team offered to meet with this property owner and their representative. This property owner and their representative chose to attend the neighborhood meeting.

VI. Summary

The preceding CPR was produced to summarize the Citizen Participation Plan that was implemented as part of the applications. It provides a description of the community outreach efforts employed by the Development Team to obtain feedback from stakeholders and the general public.

Exhibit A – Letter of Notification and Addressees



April 25, 2014

Re: Approximate 4.28 acres located north of the northwest corner of 87th Avenue and Bell Road.

Dear Property Owner or Resident:

Our firm represents BCC Development, Inc, the owner of the approximate 4.28 acres of land located north of the northwest corner of 87th Avenue and Bell Road in the City of Peoria as shown on the enclosed map (the "Property"). The Property is zoned RM-1 Multi-Family Residences, which allows for the development of high-density apartments and multi-family units (up to 25 dwelling units per acre) at a building height of 48-feet. The Property is currently utilized as a temporary vehicle staging lot under Temporary Use Permit TU13-00315. Prior use of the Property included parking and staging of vehicles by the Larry H. Miller organizations. Accordingly the Property has for some time been used for vehicle parking with no apparent or known detrimental impact to the area. Current improvements to the Property consist of dust-proof paving material and temporary fencing. The intent is to make permanent improvements to improve aesthetics and provide much better screening and buffers to the current use. The purpose of this letter is simply to introduce ourselves and let you know who we are and what we intend to build.

In order to change the zoning from high-density, four-story apartments to a parking lot and vehicle staging area, ownership recently filed applications with the City of Peoria for a minor amendment to the General Plan and, in essence, a down-zone of the Property from RM-1 Multi-Family Residences to Planned Area Development. The site plan and development standards have been strategically designed to include eight (8) foot high decorative masonry screen walls, significant perimeter landscaping improvements along 87th and 88th Avenues, reduced building heights, and increased setbacks. Also, enclosed with this letter is a copy of the site plan. Trucks and car carriers are prohibited from delivering to or picking-up vehicles from the Property. The proposed use will obviously generate far less vehicle trips per day than the current high-density apartment zoning.

If you would like to meet the development team or have any questions about the proposed development, we have scheduled the following open house meeting:

Date: May 6, 2014
Time: Anytime between 5:30 p.m. – 6:30 p.m.
Place: Desert Harbor Elementary School, Library
Address: 15585 North 91st Avenue, Peoria 85382

If you cannot attend for any reason, we would be happy to meet with you or a small group of your neighbors separately at your convenience. You may reach the undersigned at (602) 230-0600 or email at nick@witheymorris.com. Thank you for your courtesy and consideration.

Sincerely,

WITHEY MORRIS P.L.C.



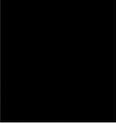
Nicholas A. Sobraske



4025 N. 46th Street
PHOENIX, AZ 85018
602.732.8800
602.732.8899 fax

JOHN MAHONEY
ARCHITECT

855 W. ELLIOT ROAD, #108
TEMPE, ARIZONA 85284
P 480.345.8457 F 480.345.1758



VEHICLE STAGING LOT
PHOENIX, ARIZONA

PROJECT NO. 1345

ISSUE DATE: 03/19/14

CONCEPTUAL
PLANTING PLAN

L100

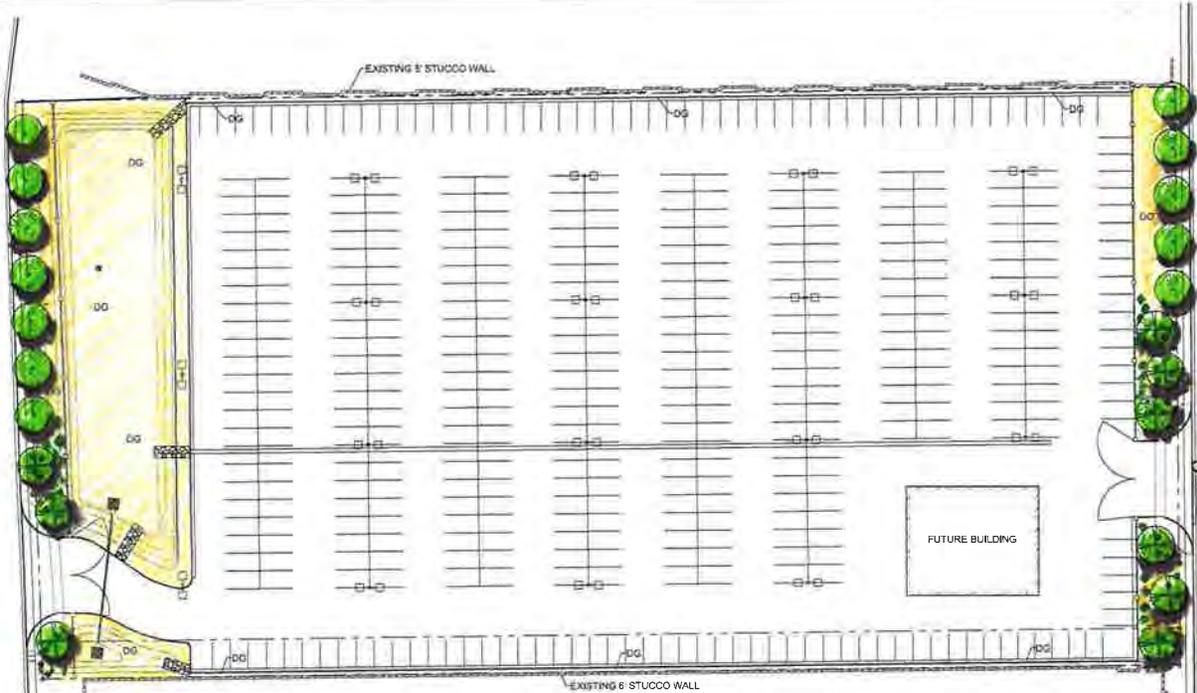
MASTER PLANT LIST

TREES	SIZE/REMARKS
ULMUS PARVIFOLIA EVERGREEN ELM	24" BOX, STANDARD MATCHED, 12 QTY
CERCIDIMUM DESERT MUSEUM DESERT MUSEUM PALO VERDE	24" BOX, LOW-BREAKING 9 QTY
SHRUBS	
LEUCOPHYLLUM 'RIO BRAVO' 'RIO BRAVO' SAGE	5 GAL 70 QTY
RUELLIA PENNSYLVANICA BAJA RUELLIA	5 GAL 31 QTY
AGAVE WEBERII WEBER AGAVE	5 GAL 19 QTY
TECOMA 'ORANGE JUBILEE' 'ORANGE JUBILEE' TECOMA	5 GAL 9 QTY
GROUNDCOVER	
LANTANA 'NEW GOLD' 'NEW GOLD' LANTANA	1 GAL 43 QTY
1/2" SCREENED EXPRESS GOLD DECOMPOSED GRANITE	2" THICK TYP

GENERAL NOTES

- ALL PLANTING AREAS TO HAVE DECOMPOSED GRANITE EXPRESS GOLD 1/2" SCREENED 2" THICK TYP. GRANITE EXPRESS CRITICAL, APPLIED OVER PRE-EMERGENT FERTILIZER SPECIES APPLICATIONS ONLY.
- VERIFY ALL CONDITIONS IN FIELD PRIOR TO BEGINNING INSTALLATION. DISCREPANCIES SHALL BE BROUGHT TO THE LANDSCAPE ARCHITECT'S ATTENTION IN WRITING. NO PLANT SUBSTITUTION ALLOWED UNLESS APPROVED BY LANDSCAPE ARCHITECT.
- LANDSCAPE ARCHITECT TO APPROVE ALL TREES AND SHRUBS PRIOR TO DELIVERY TO SITE.
- LANDSCAPE ARCHITECT OR HIS REPRESENTATIVE THE RIGHT TO REPLACE ANY PLANT HE/SHE DEEMS UNACCEPTABLE.
- FOR CLARIFICATION OF DISCREPANCIES BETWEEN THE DINGS AND THE SITE, THIS SHOULD BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT PRIOR TO BEGINNING WORK.
- LANDSCAPE CONTRACTOR IS RESPONSIBLE TO TAKE PRECAUTIONS TO PROTECT ANY EXISTING IMPROVEMENTS, PLANT LIST QTY'S PROVIDED FOR CONTRACTOR'S CONVENIENCE ONLY. PLANT TAKE PRICED/ENCE.
- TRENCH GRADE BELOW ALL PLANTERS SHALL BE 1" BELOW ADJACENT HEADER PAVING, CURBING, ETC.
- ALL EARTHWORK IS TO BE DONE SO THAT ALL WATER DRAINS AWAY FROM ALL STRUCTURES.
- ALL UNDERGROUND CONDUITS/PIPES/UTILITIES ARE TO BE LOCATED PRIOR TO DIGGING.
- CONTRACTOR IS RESPONSIBLE FOR ALL REQUIRED SLEEPINGS WHENEVER IT IS SHOWN ON THE PLANS OR NOT.
- ADJUST NEW LANDSCAPE TO ACCOMMODATE EXISTING LANDSCAPE TO REMAIN.
- LANDSCAPE CONTRACTOR RESPONSIBLE TO MAINTAIN EXISTING PLANT MATERIAL TO REMAIN IN GOOD HEALTHY CONDITION DURING CONSTRUCTION.

CONCEPTUAL PLANTING PLAN



SITE PLAN PLANTING DATA

LANDSCAPE AREAS

ON-SITE LANDSCAPE AREAS	REQUIRED	PROVIDED
A. OVERALL ON-SITE	N/A	N/A
1. COMMERCIAL / OTHER NON-RESIDENTIAL: 20% OF NET SITE AREA		
B. STREET FRONTAGE BUFFER		
1. COMMERCIAL AND FAMILY: 15' WIDE STRIP (ON-SITE) ALONG STREET FRONTAGE	7,737 SQ FT	10,115 SQ FT
2. SCHOOLS: 15' WIDE STRIP (ON-SITE) ALONG ARTERIAL STREET FRONTAGE / 10' OTHERS	N/A	N/A
3. INDUSTRIAL: 10' WIDE STRIP (ON-SITE) ALONG STREET FRONTAGE	N/A	N/A
C. LAND USE BUFFER		
1. O-1 / C-1 DISTRICTS ABUTTING ALL RESIDENTIAL DISTRICTS: 20' WIDE	N/A	N/A
2. OTHER NON-RESIDENTIAL DISTRICTS ABUTTING ALL RESIDENTIAL DISTRICTS: 30' WIDE	N/A	N/A
3. MULTIFAMILY DISTRICTS ABUTTING SINGLE FAMILY DISTRICTS: 20' WIDE	N/A	N/A

PLANT QUANTITIES

ON-SITE LANDSCAPE AREAS	REQUIRED	PROVIDED
MULTIFAMILY AND NON-RESIDENTIAL	N/A	N/A
D. TREES: 1 PER 400 SQ. FT. OF REQ. LANDSCAPING	N/A	N/A
E. SHRUBS: 5 PER 400 SQ. FT. OF REQ. LANDSCAPING	N/A	N/A
SCHOOLS		
F. TREES: 1 PER 800 SQ. FT. OF REQ. LANDSCAPING	N/A	N/A
G. SHRUBS: 5 PER 800 SQ. FT. OF REQ. LANDSCAPING	N/A	N/A
STREET FRONTAGE BUFFER PLANTINGS		
H. TREES: 1 PER 25 LIN. FT. OF STREET FRONTAGE	21 TREES	21 TREES
I. SHRUBS: 5 PER 25 LIN. FT. OF STREET FRONTAGE	105 SHRUBS	172 SHRUBS
LAND USE BUFFER PLANTINGS		
J. TREES: 3 PER 1,000 SQ. FT. OF REQ. BUFFER AREA	N/A	N/A
K. SHRUBS: 5 PER 1,000 SQ. FT. OF REQ. BUFFER AREA	N/A	N/A
TOTALS		
TOTAL LANDSCAPE AREAS (A+B+C)	7,737 SQ FT	10,115 SQ FT
TOTAL TREES (D+F+H+J)	21 TREES	21 TREES
TOTAL 24" BOX TREES (80% OF TOTAL REQ. TREES)	11 TREES	21 TREES
TOTAL SHRUBS (E+G+K)	105 SHRUBS	172 SHRUBS

GENERAL NOTES

- TURF (LAWN) IS LIMITED TO A MAXIMUM OF 20% OF THE SITE AREA.
- A DEVELOPMENT MAY SUBSTITUTE A 30" BOX OR LARGER TREE IN PLACE OF A 15 GALLON TREE AT A SUBSTITUTION RATE OF 1.5 TREES FOR EVERY REQUIRED (15) GALLON TREE.
- ALL LANDSCAPED AREAS SHALL BE SUPPORTED BY AN AUTOMATIC IRRIGATION SYSTEM WHICH MAY BE SPRAY, FLOOD OR DRIP SYSTEM.
- PLANT MATERIALS UTILIZED IN LANDSCAPED AREAS IN THE ROW MUST BE INCLUDED ON THE MOST RECENT EDITION OF THE PHOENIX ACTIVE MANAGEMENT AREA LOW WATER USE / DROUGHT TOLERANT PLANT LIST.
- THE PROPERTY OWNER AND / OR LESSEE SHALL BE RESPONSIBLE TO INSTALL / MAINTAIN ALL LANDSCAPING WITHIN THE RIGHT-OF-WAY LANDSCAPING WITHIN ROW WALL, COUNT TOWARDS STREET FRONTAGE BUFFER PLANTING REQUIREMENTS.
- A 3 FOOT CLEAR SPACE IS REQUIRED AROUND ALL FIRE SUPPRESSION EQUIPMENT. NO PLANTS MAY BE INSTALLED THAT WILL ENCRoACH WHEN MATURE.

ARIZONA RETIREMENT CENTERS INC

[REDACTED]
[REDACTED]

CIRCLE K STORES INC

[REDACTED]
[REDACTED]

ERGS III ARROWHEAD OWNER LLC

[REDACTED]
[REDACTED]

HOLMES DOUGLAS
RONALD/JOHNSON ERIC HAROLD

[REDACTED]
[REDACTED]

MANOS MICHEAL S

[REDACTED]
[REDACTED]

NEW RIVER DEVELOPMENT LTD PART

[REDACTED]
[REDACTED]

Peacock Village HOA

c/o PDS Management

[REDACTED]
[REDACTED]

SURE LOCK DEVELOPMENT LTD
PARTNERSHIP

[REDACTED]
[REDACTED]

UH STORAGE DE LIMITED
PARTNERSHIP

[REDACTED]
[REDACTED]

BCC DEVELOPMENT INC

[REDACTED]
[REDACTED]

Countrybrook Meadows, Phases 2-5

c/o Kinney Management

[REDACTED]
[REDACTED]

GUAN QING QUI/JINDI

[REDACTED]
[REDACTED]

Hunter Ridge HOA

c/o Uptown on 27th, LLC.

[REDACTED]
[REDACTED]

MCGANN TOM J/VANESSA R

[REDACTED]
[REDACTED]

NEW RIVER DEVELOPMENT LTD PART

[REDACTED]
[REDACTED]

PEORIA PONTIAC-GMC TRUCK

[REDACTED]
[REDACTED]

Trails at Suraya Park

c/o Pride Community Management Co

[REDACTED]
[REDACTED]

ZILLMAN RICHARD L TR

[REDACTED]
[REDACTED]

BELL PARK HOMEOWNERS ASSOCIATION

[REDACTED]
[REDACTED]

COURTYARD PROPERTIES LTD
PARTNERSHIP

[REDACTED]
[REDACTED]

HOLDREN STEVEN A/SHARON R TR

[REDACTED]
[REDACTED]

LIFEHOUSE CAPITAL MONTECITO LLC

[REDACTED]
[REDACTED]

MOORE FRED C/CONNIE RAE REV TR

[REDACTED]
[REDACTED]

New River Shores

c/o Lighthouse Management

[REDACTED]
[REDACTED]

Star Summit HOA

c/o Rossmar and Graham

[REDACTED]
[REDACTED]

Travata

c/o Trestle Management Group

[REDACTED]
[REDACTED]

Exhibit B – Sign-In Sheet

SIGN-IN

VAN TUYL GROUP

N OF NWC OF 87TH AVE & BELL RD

NEIGHBORHOOD OPEN HOUSE MEETING - MAY 6, 2014 - 5:30 - 6:30 PM

DESERT HARBOR ELEMENTARY SCHOOL - 15585 N 91ST AVE, PEORIA, AZ 85382

NAME (Please Print)	ADDRESS	PHONE NO.	E-MAIL ADDRESS	Homeowner Assoc Name
1. Ruth Gordon	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
2. Jay Corwin	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
3. Jenni Lee Woodard	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
4. Sandra Halson	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
5. David Benicovitch	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
6. Eric Johnson	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
7.				
8.				
9.				



Jennings, Strouss & Salmon, PLC
Attorneys at Law

16150 N. Arrowhead Fountains Center Dr.
Suite 250
Peoria, AZ 85382-4754
Telephone: 602.262.5911
www.jsslaw.com

David Brnilovich
Direct Dial: 602.262.5898
Direct Fax: 602.495.2666
dbrnilovich@jsslaw.com

April 17, 2014

VIA E-MAIL/MAIL: m@witheymorris.com

Michael B. Withey, Esq.
Withey Morris, PLC
2525 E. Arizona Biltmore Circle, Suite A-212
Phoenix, Arizona 85016

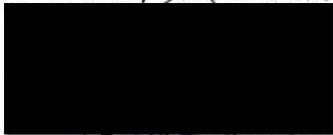
Re: Peoria Zoning Case Z14-00004 and General Plan Amendment 14-0001

Dear Mr. Withey:

I have been retained by Arizona Retirement Centers, Inc. d/b/a Sierra Winds for representation in opposition to your client's Application for Re-Zoning and General Plan Amendment. Please direct all communications intended for Sierra Winds through me.

Very truly yours,

JENNINGS, STROUSS & SALMON, P.L.C.



David Brnilovich

DBR/icg

cc via e-mail: Jennifer Nealon, Arizona Retirement Centers, Inc.
Stacy Bridge-Denzak, City of Peoria

EXHIBIT 3

Draft Resolution

RESOLUTION NO. 2014-150

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

WHEREAS, the General Plan heretofore adopted by the City of Peoria, Arizona provides for periodic review and amendment;

WHEREAS, the City of Peoria is required to follow the procedures of A.R.S. 9-461.06 in adopting any amendments to the General Plan; and

WHEREAS, the Peoria Planning and Zoning Commission, after due and proper notice as required by law, held a public hearing regarding amendment number GPA 14-0001, on August 21, 2014; and

WHEREAS, after such public hearing and consideration of GPA 14-0001, the Peoria Planning and Zoning Commission recommended adoption of GPA14-0001 on August 21, 2014, a copy of which recommendation is on file with the City Clerk of the City of Peoria, Arizona, and which said case number GPA14-0001 was transmitted to the Mayor and Council of the City of Peoria prior to the meeting of October 7, 2014; and

WHEREAS, after notice in the manner and form provided by law, a public hearing regarding case number GPA14-0001 was held by the City Council on October 7, 2014, as required by A.R.S. 9-461.06; and

WHEREAS, after due and proper consideration of such GPA14-0001, the Mayor and Council of the City of Peoria, Arizona have found that GPA14-0001 will properly aid in the orderly growth and development of the City of Peoria, Arizona.

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

SECTION 1. Amendments to the Peoria General Plan

1. The City Council of the City of Peoria, Arizona, does hereby accept and adopt amendment number GPA14-0001, amending the Land Use Map of the Peoria

Resolution No. 2014-150
October 7, 2014

General Plan, for the area described in Exhibits A1-A2.

SECTION 2. Separability.

In the event any part, portion or paragraph of this Resolution is found to be invalid by any court of competent jurisdiction, the invalidity of such part, portion, or paragraph shall not affect any other valid part, portion, or paragraph of this Resolution and effectiveness thereof;

SECTION 3. This Resolution shall become effective in the manner provided by law.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Maricopa County, Arizona this 7th day of October, 2014.

Bob Barrett, Mayor

Date Signed _____

ATTEST:

Rhonda Geriminsky, City Clerk

APPROVED AS TO FORM:

Stephen M. Kemp, City Attorney

EXHIBIT A1

LEGAL DESCRIPTION BCC Automobile Storage

LEGAL DESCRIPTION

THAT PORTION OF THE SOUTH 1320.00 FEET OF THE EAST HALF OF THE WEST HALF OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 34;

THENCE NORTH 00 DEGREES 27 MINUTES 15 SECONDS WEST ALONG THE EAST LINE OF THE EAST HALF OF THE WEST HALF OF SAID SECTION 34, A DISTANCE OF 685.30 FEET;

THENCE SOUTH 89 DEGREES 23 MINUTES 48 SECONDS WEST PARALLEL TO THE SOUTH LINE OF SECTION 34, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89 DEGREES 23 MINUTES 48 SECONDS WEST A DISTANCE OF 602.25 FEET;

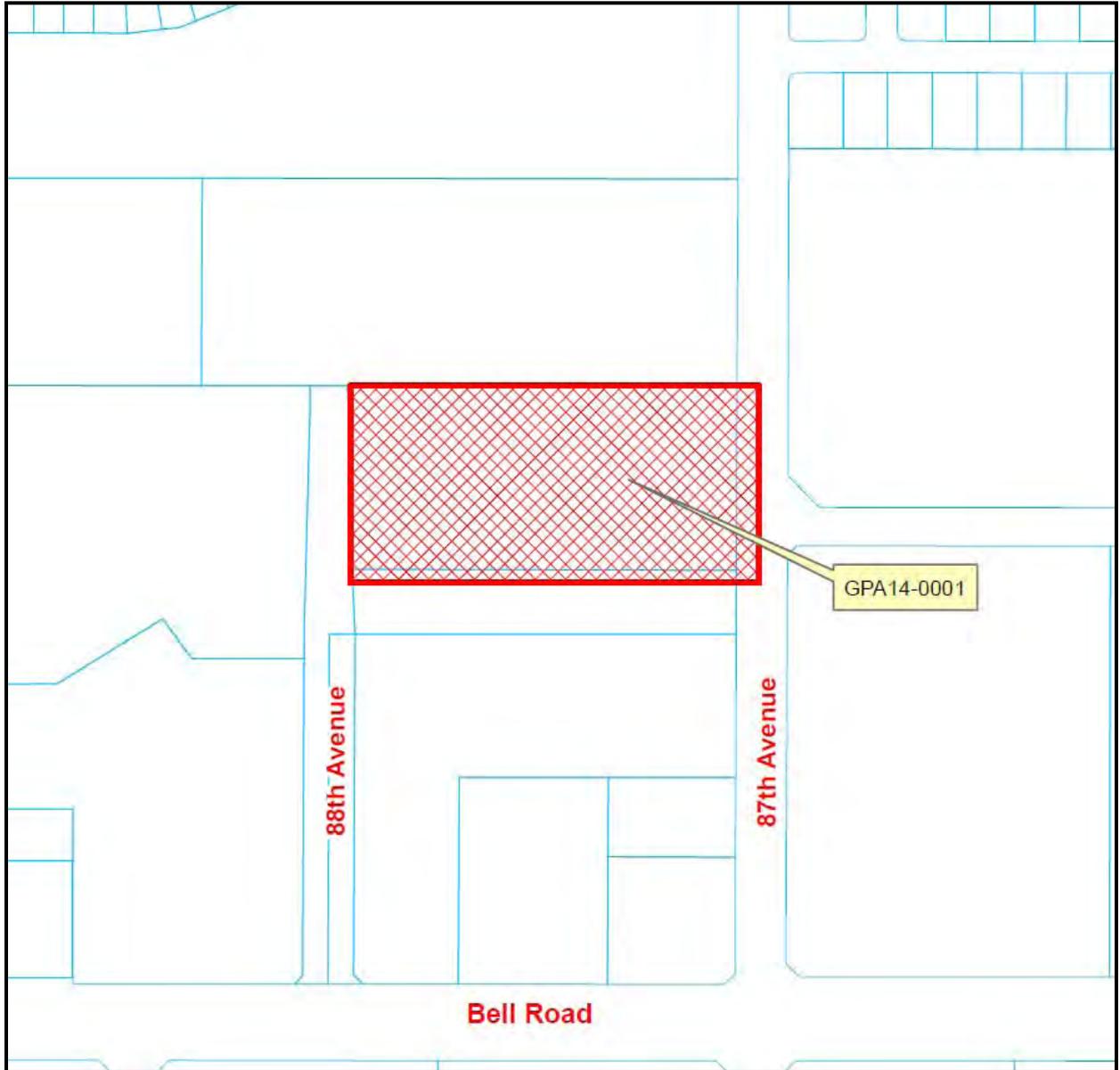
THENCE NORTH 02 DEGREES 03 MINUTES 17 SECONDS WEST A DISTANCE OF 277.70 FEET;

THENCE NORTH 00 DEGREES 27 MINUTES 15 SECONDS WEST A DISTANCE OF 30.09 FEET;

THENCE NORTH 89 DEGREES 23 MINUTES 48 SECONDS EAST PARALLEL TO THE SOUTH LINE OF SECTION 34 A DISTANCE OF 610.00 FEET;

THENCE SOUTH 00 DEGREES 27 MINUTES 15 SECONDS EAST, PARALLEL TO AND 40 FEET WEST OF THE EAST LINE OF SECTION 34 A DISTANCE OF 307.71 FEET TO THE POINT OF BEGINNING.

EXHIBIT A2



**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 35R

Date Prepared: September 9, 2014

Council Meeting Date: October 7, 2014

TO: Carl Swenson, City Manager

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

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

SUBJECT: Case Z14-0004 – BCC Automobile Storage Rezoning

Purpose:

This is a request for City Council to adopt an Ordinance Rezoning approximately 4.57 gross acres from RM-1 Multi-Family Residential to Planned Area Development (PAD) for an off-site automobile storage and staging lot with vehicle-related uses.

Background/Summary:

The project site is a 4.57 gross acre undeveloped property located north of the northwest corner of Bell Road and 87th Avenue. The property is immediately bounded to the east and west by 87th and 88th Avenues respectively, with a senior retirement community to the north, and a mini-storage facility to the south (see Exhibit A). It currently holds an approved Temporary Use Permit (TU13-00315) that allows vehicle staging for the Van Tuyl automobile dealerships.

The property was annexed into the City of Peoria in 1978. In 1979, the Mayor and City Council adopted *Ordinance 79-23*, rezoning the property to Multi-Family Residential (RM-1), which was retained when the properties immediately to the south were rezoned to General Commercial (C-4). The area is located within the boundaries of the North Peoria Redevelopment Area Plan (NPRAP), adopted by the Mayor and City Council in May 1993. This plan designates the subject property as Community Commercial.

The applicant is requesting to rezone the property from Multi-Family Residential (RM-1) to a Planned Area Development (PAD) in order to allow the development of an off-site automotive parking and staging lot with permitted vehicle-related uses. A PAD is an alternative from the standard zoning district (e.g. O-1, C-1) wherein standards can be tailored to respond to site or topographical conditions, contextual circumstances in the area and/or otherwise promote a creative and efficient approach to land development (such as a tailored list of permitted uses). The proposed PAD would require permanent enhancements to improve aesthetics and provide screening and buffers to the current temporary use. The PAD permits an extremely list of uses

designed to limit automotive uses to the specific criteria needed for the property to act solely as a vehicle storage facility supporting the associated dealerships on Bell Road. The conceptual development plan for the site is comprised of parking within an eight (8) foot high decorative masonry screen wall along 87th and 88th Avenues. This wall, which is articulated with accent pilasters, is strategically setback from 87th and 88th Avenues to provide for landscaping as an enhancement to the streetscape. A 21-foot wide landscape setback is proposed along the north property line to provide visual screening and buffering for the senior retirement community.

General Plan Discussion

There is a concurrent request for a General Plan Amendment (GPA14-0001) to change the General Plan Land Use designation from Medium High Density Residential (5-8 du/ac, Target: 6 du/ac), to Neighborhood Commercial.

As with all Rezones, a citizen participation component is required. The applicant held a neighborhood meeting on May 6, 2014 with 6 members of the public in attendance. The applicant described the proposal and answered questions regarding permitted uses and the intensity of the proposed development, traffic, lighting, landscaping, retention, access on 88th Avenue, and street improvements. City staff has received written and telephone correspondence in opposition to the proposal from representatives of Sierra Winds Retirement Community, located immediately north of the site. A copy of the initial letter received was included in the Planning and Zoning Commission Staff Report as Exhibit G. A subsequent letter, received after printing of the Planning and Zoning Commission Staff Report is attached herein as Exhibit 5.

There were approximately 25 individuals in attendance at the August 21, 2014 Planning and Zoning Commission public hearing. Three members of the public spoke in opposition to the project: a resident of Sierra Winds retirement community, a legal representative for the owners of Sierra Winds retirement community, the Director of Marketing for Sierra Winds retirement community.

Concerns raised included the following:

- Increased traffic in the area
- Undesirable appearance of a parking lot
- Reduced ability to market units in Sierra Winds that face the proposed development
- The proposed lot is not desirable for the City of Peoria

One member of the public, a resident of Sierra Winds spoke in favor of the project and read a statement of support from another resident unable to attend the hearing. In addition, the applicant read a statement of support for the project from a third resident.

Since the Planning and Zoning Commission meeting, the applicant has met with staff and representatives of Sierra Winds to discuss additional elements of the site design that would reduce possible impacts to the Sierra Winds residents. To this end applicant has agreed to the following additional requirements:

- Site lighting will be limited to a maximum of 15 feet height, which is lower than the 25 foot height allowed in non-residential zoning districts and is also less than the 16 foot height allowed in residential zoning districts.
- The hours of operation for all active uses such as automobile washing and detailing and installation of vehicle accessories (upgrades) will be limited to between 7:00 AM and 7:00 PM.
- The delivery and transport of vehicles to the site will occur from 87th Avenue only. No car carriers/transporters are allowed to pick up or deliver vehicles to the site.

The applicant has also agreed to add additional landscaping in the form of a row of landscape islands to the interior of the property. The applicant will conduct a line-of sight study to determine the best placement of the landscape islands to create tree canopy that will provide additional visual screening of the automobiles for residents of Sierra Winds with views of the site from the windows or balconies of their second and third story units.

It is staff's assessment that the proposed PAD creates an appropriate development form and facilitates a quality, context specific development that is responsive to surrounding site conditions and fulfills the City of Peoria's goals and objectives. While the development will be a non-residential use, it will be a low intensity use with no impact to traffic or density in the area.

A densely-planted landscape buffer will provide an additional barrier between the vehicle storage lot and the adjacent retirement community. The premises will be secured with minimal lighting to provide for safety and surveillance. The streetscape and site will be enhanced by further landscaping that will contribute to the overall aesthetics in the area.

Previous Actions:

This amendment has been subject to the City's rezoning process. A public hearing was held for this item at the August 21, 2014 Planning & Zoning Commission Meeting. The Planning & Zoning Commission unanimously recommended approval of this request.

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 August 21, 2014 unanimous recommendation (4-0) to approve Case Z14-0004.

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 applicant may move forward with the development process through Site Plan Review and construction permits.

Exhibit(s):

Exhibit 1: Vicinity Map

Exhibit 2: August 21, 2014 Planning and Zoning Commission Staff Report with Exhibits

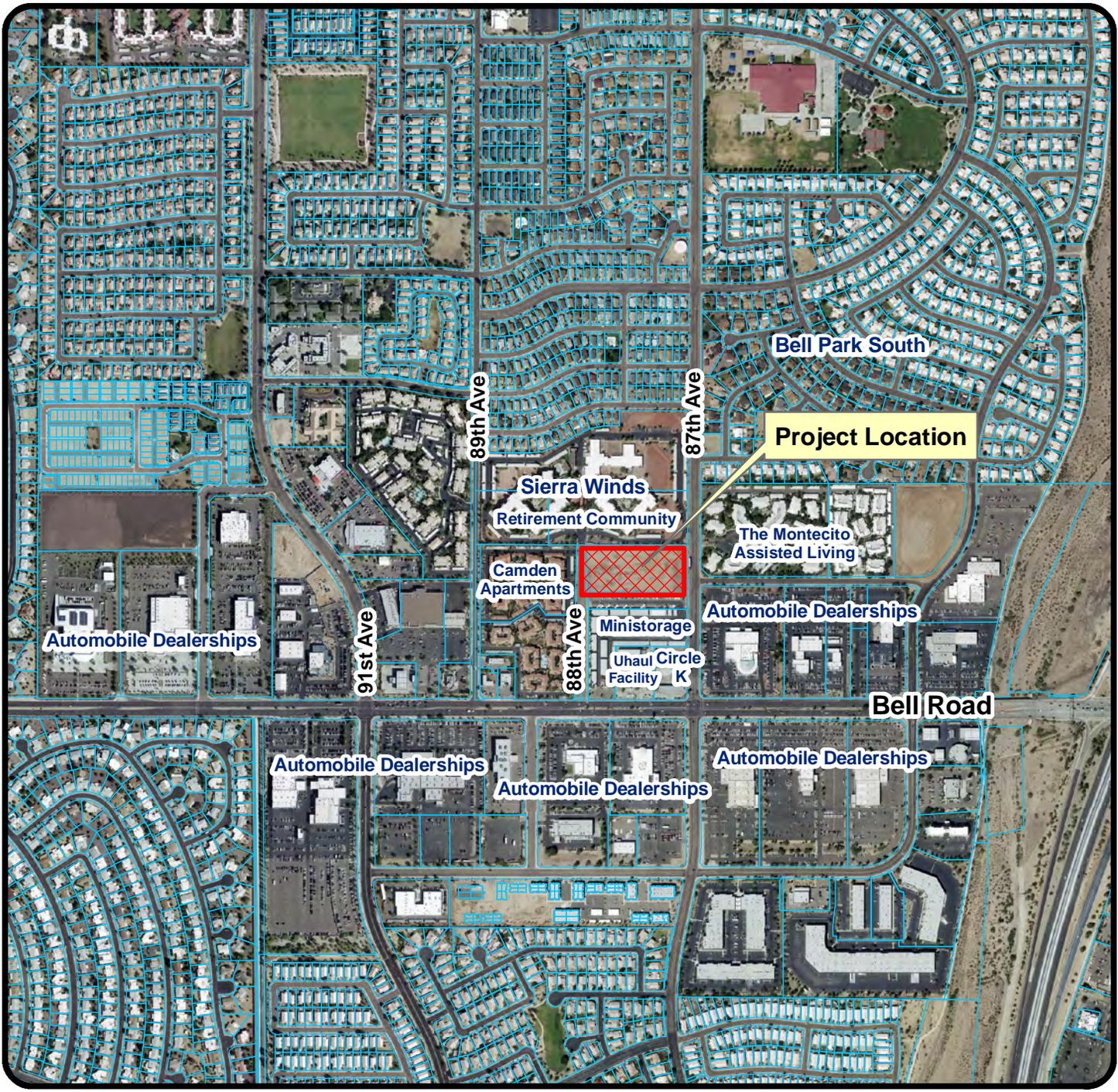
Exhibit 3: Draft Ordinance

Exhibit 4: BCC Automobile Storage PAD Standards & Guidelines Report

Exhibit 5: Letters of Opposition from Sierra Winds

Contact Name and Number: Melissa Sigmund, AICP, Interim Principal Planner, x7603

Z14-0004 Vicinity Map



Z14-0004 Storage Lot Rezoning

Applicant: Withey Morris PLC on behalf of BCC Development, Inc.

Request: Rezone to Planned Area Development (PAD) to allow for the development of an off-site automotive parking and staging lot with permitted vehicle-related uses.

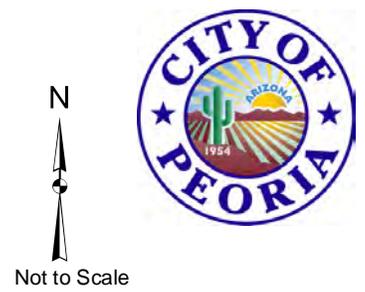


EXHIBIT 2

August 21, 2014

Report to the Planning & Zoning Commission



REZONING

REPORT TO THE PLANNING AND ZONING COMMISSION

CASE NUMBER: Z14-0004
DATE: August 21, 2014
AGENDA ITEM: 10R

Applicant: Withey Morris PLC, on behalf of BCC Development, Inc.

Request: Rezone approximately 4.57 gross acres from RM-1 Multi-Family Residential (RM-1) to Planned Area Development (PAD) to permit the development of an off-site automotive parking and staging lot with permitted vehicle-related uses.

Proposed Development: BCC Automobile Storage, an off-site automotive parking and staging lot with permitted vehicle-related uses.

Location: The property is generally located north of the northwest corner of 87th Avenue and Bell Road.

Site Acreage 4.57 gross acres.

Support / Opposition: Staff has received 2 phone calls and 1 letter of opposition to the application (same party).

Recommendation: Recommend **approval** of case Z14-0004 to the City Council, subject to conditions.

AREA CONTEXT

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

	LAND USE	GENERAL PLAN	ZONING
Subject Property	Vacant	Residential/Medium High (8-15 du/ac, Target: 12 du/ac)	Multi-Family Residential (RM-1)
North	Sierra Winds, Managed Care Retirement Community	Residential/Medium High (8-15 du/ac), target: 12 du/ac	Multi-Family Residential (RM-1)
East	The Montecito, Assisted Living Facility & Liberty GMC auto dealership	Residential Medium High (5-8 du/ac) and Regional Commercial	Intermediate Commercial (C-2) and Regional Commercial (C-5)
South	Mini-storage	Regional Commercial	General Commercial (C-4)
West	Camden Fountain Palms apartments	Regional Commercial	Multi-Family Residential (RM-1)

Land Use Background

1. In June 1978, the property was annexed into the City of Peoria through *Ordinance 78-12*. It received initial zoning of General Agricultural (AG).
2. In May of 1979, the area, generally located between Bell Road and Union Hills Drive, and 87th Avenue and 89th Avenue, was rezoned from AG to Intermediate Commercial (C-2) and Multi-family Residential (RM-1) respectively through *Ordinance 79-23*. The subject property was zoned RM-1 and maintained that classification when the southern properties were rezoned to General Commercial (C-4) in 1984.
3. In May of 1993, the City of Peoria adopted the *North Peoria Redevelopment Area Plan* (NPRAP) pursuant to A.R.S. § 36-1479, with the purpose of establishing a redevelopment plan to address adverse conditions presenting a barrier to the desired commercial, office, and residential development. The NPRAP covers a large area generally between Thunderbird and Bell Road and between 75th to 91st Avenue. In that Plan, the subject property was designated Community Commercial. This designation provides for the most intensive types of commercial development but also provides for high density residential (up to 20 du/ac).
4. In January of 2004, a request was made to rezone the property from RM-1 to Industrial Planned Area Development (PAD) in order to develop a single-user vehicle service facility. Proposed uses included outdoor storage of new and used (undamaged) vehicles, vehicle detailing, automotive repair and accessory installation facility in an enclosed building, and private car wash. The request was withdrawn prior to any action.
5. In December of 2006, the Bellasara Townhome project received Site Plan Review approval. The proposed gated development included 54 units located over 4 acres. Plans included a common pool, cabana, landscaping, and other amenities for future residents. The development was never constructed. The site plan approval has since expired.
6. Today, the property is currently utilized by the Van Tuyl Group as a temporary vehicle staging lot under Temporary Use Permit TU13-00315. Prior use of the property includes parking and staging of vehicles by the Larry H. Miller organizations.

PROJECT DESCRIPTION

Site and Project Details

7. The project site is a 4.57 gross acre undeveloped property located north of the northwest corner of Bell Road and 87th Avenue. The property is immediately bounded to the east and west by 87th and 88th Avenues respectively, with a senior retirement community to the north, and a mini-storage facility to the south

(see Exhibit A). It currently holds an approved Temporary Use Permit (TU13-00315) that allows for vehicle staging for the Van Tuyl automobile dealerships. This permit is set to expire on September 7, 2014.

8. The applicant is requesting to rezone the property from Multi-Family Residential (RM-1) to a Planned Area Development (PAD) in order to allow the development of an off-site automotive parking and staging lot with permitted vehicle-related uses. The intent is to make permanent enhancements to improve aesthetics and provide screening and buffers to the current use (Exhibit D).
9. The property will operate during the normal business hours of the Van Tuyl Group's automobile dealerships in the Bell Road area. There will be no transport trucks on this site as all deliveries will occur at the dealerships. Cars will then be driven to the site and prepared for future sales. These automobiles are then picked-up by dealership staff, who drives them back to the dealership.
10. The preliminary development plan is comprised of parking within an eight (8) foot high decorative masonry screen wall along 87th and 88th Avenues. This wall, which is articulated with accent pilasters, is strategically setback from 87th and 88th Avenues to provide for landscaping as an enhancement to the streetscape. A 21-foot wide landscape setback is proposed along the north property line to provide visual screening and buffering for the senior retirement community.
11. The primary point of access will be from a driveway on 87th Avenue, which is located to align with Continental Drive. A secondary point of access is proposed from a driveway on 88th Avenue, which is located near the southern boundary of the Property. Both proposed driveways will provide visual screening and security of the parking area by opaque painted steel gates.
12. A single-story security building may be constructed on the property. Exterior building materials will include glass and decorative masonry consistent with the perimeter walls. A future accessory building for vehicle upgrades is included in the conceptual site plan for potential future build-out of the site.
13. Although this property does not meet the minimum ten-acre requirement for PAD zoning, the applicant may request a waiver provided the subject property meets one or more of the waiver requirements listed in Section 14-33-2.B of the Zoning Ordinance. This request is consistent with the following waiver requirement, *"The use of the P.A.D. concept will encourage the use of otherwise undevelopable property, particularly in the case of small undeveloped parcels surrounded or partially surrounded by developed property."*

The property is an approximate 4.28 net acre infill site that is physically bounded to the east and west by 87th and 88th Avenues, respectively, and to the north and south by existing development. These physical barriers preclude the Property Owner from acquiring additional property to meet the P.A.D. requirement of ten

(10) acres. The property has since remained vacant. The Owner has a viable, low-intensity development that meets the intent of the City's redevelopment plan for the area. Since the proposed use is automobile related, the PAD by nature will set limits on the type of automobile use and restrict other undesirable uses for the site. Surrounding properties will know what may or may not develop at the property, and what the development standards will be.

DISCUSSION AND ANALYSIS

Conformance with the General Plan

14. The rezoning request does not conform to the existing General Plan Land Use designation of Medium High Density Residential; therefore a Minor General Plan Amendment request (Case GPA14-0001) is being processed simultaneously with this request. In the aforementioned case, staff provided an analysis of the request (please refer to Staff Report). Staff recommended that the Planning & Zoning Commission issue a recommendation of approval to the Peoria City Council to modify the land use designation of Medium High Density Residential to Neighborhood Commercial on the basis of the findings identified below:

- The amendment constitutes an overall improvement to the City's General Plan; and
- The proposal provides for a land use category that will allow for a development of reasonable scale and intensity; and
- That the amendment will better reflect the development needs of the area while accounting for the existing built environment; and
- The amendment is in conformance with the Goals, Objectives, and Policies of the Peoria General Plan and the North Peoria Redevelopment Area Plan; and
- That the amendment will not adversely impact the community as a whole or a portion of the community by:
 - i. Significantly altering acceptable existing land use patterns,
 - ii. Requiring larger and more expensive improvements to roads, sewer or water systems than are needed to support the prevailing land uses and which, therefore, may impact development of other lands,
 - iii. Adversely impacting existing uses because of increased traffic on existing systems, or
 - iv. Affecting the livability of the area or the health and safety of the residents.

PAD Development Standards (Exhibit E)

15. The proposed list of permitted uses in the PAD are designed to limit automotive uses to the specific criteria needed for the property to act solely as a vehicle storage facility supporting the associated dealerships on Bell Road. The following uses shall be permitted. All other non-residential uses are prohibited.

- Outdoor storage of new and used automobiles.
- Automobile detailing and accessory installation (vehicle upgrades) accessory to the outdoor storage of new and used automobiles. No activity shall be performed outdoors.
- Automobile washing/cleaning accessory to the outdoor storage of new and used automobiles. All activity shall be screened from view from public right-of-way.
- On-site security accessory to any of the above listed Permitted Uses.

16. The development standards under the current General Commercial (C-4) shall apply to the Property, except for the development standards set forth below:

Development Standards Table	
Minimum Lot Area	No requirement.
Minimum Lot Width	No requirement.
Minimum Lot Depth	No requirement.
Minimum Frontage on One Arterial	No requirement.
Maximum Lot Coverage	No requirement.
Open Space	No requirement.
Maximum Building Height	40-feet.
Minimum Building Setbacks	
<i>Street Side</i>	20-feet.
<i>Interior</i>	0-feet.
<i>From Residential Zones</i>	50-feet.
Minimum Landscape Setbacks	
<i>Street Side (87th Avenue)</i>	20-feet.
<i>Street Side (88th Avenue)</i>	20-feet.
<i>Interior</i>	No requirement.
<i>Landscape Buffer/North Property Line</i>	21-feet.

17. The exceptions include an enhanced building setback of 50 feet from a residential zone compared to the C-4 standard of 30 feet. The PAD further restricts any future accessory structure to 40 feet in height versus a potential building height of 48 feet. Moreover, the front building setback is 5 feet greater than the C-4 standard. Any future building would be located with little impact to

nearby developments, particularly the residential and assisted living areas to the north.

18. The PAD requires increased landscape requirements with respect to frontage landscaping. A 20-foot setback from the right-of way is shown, 5 feet more than required by the Zoning Ordinance. Also, tree size standards exceed typical requirements requiring all trees to be a minimum of 24-inch box versus only 50% of the required trees per Zoning standards. This is particularly important as it pertains to the landscape buffer at the north property line in order to help establish an effective screen.
19. Lighting standards shall adhere to the City's Zoning Ordinance and applicable City Codes, and include a maximum fixture height of 18 feet above grade. This is 7 feet less than the allowable 25-foot maximum height for parking lot fixtures. Dark Sky provisions shall apply.
20. Staff members from various disciplines, including the Fire Department, Engineering Site Development, and Traffic Engineering Divisions have reviewed the case for compliance with the City's development regulations. The existing retention basin located along the southern edge of the property accommodates partial storage for the property to the south (the mini-storage facility). The development shall be responsible to compensate for this additional drainage in a manner as stated in the Conditions of Approval.

Citizen Participation Plan - Neighborhood Meeting

21. As a requirement of the General Plan Amendment and Rezoning application processes, the applicant conducted a neighborhood meeting and provided a Citizen Participation Report detailing the results of the meeting. The applicant notified all property owners within 600 feet and registered Homeowner's Associations within 1 mile of the subject site for the required neighborhood meeting, which was held on May 6, 2014 at 5:30 pm at the Desert Harbor Elementary School Library. Six (6) neighboring property owners/interested citizens and City of Peoria Staff attended the meeting. The Development Team gave an overview of the developer, the Property's current entitlements, the proposed entitlements, site plan and design, and the application process. The Applicant answered questions and addressed comments regarding permitted uses, intensity and height, traffic, lighting, landscaping, retention, 88th Avenue access, and street improvements. The Citizen Participation Report is attached as Exhibit F. The following summary outlines some of the responses provided by the Development Team to the questions and comments:
 - The proposed applications entitle the Property for those uses listed in the rezone narrative and the proposed site plan. Significant changes would require amendments to the applications.
 - The Property most likely could not be used for some other use not listed in the rezone narrative, or if the site plan was significantly changed, without first amending the applications.

- The Property's current entitlements allow for high-density, four (4) story apartments. The proposed applications are less intense, include reduced building height, and provide additional building setbacks.
 - It is anticipated that the traffic generated by the proposed use will be significantly less than if the Property were developed under its current entitlements. Car carriers/transporters will be prohibited from picking-up and delivering automobiles on the Property.
 - Low-level, shielded LED security lights will be provided on the Property. The developer has also committed to restricting the height of the light fixtures. Flood lighting and generators, similar to what the prior owner used on the Property, will not be used.
 - In addition to the landscaping and decorative walls along 87th and 88th Avenues, the Applicant agreed to install a tree-lined landscape buffer along the north property line.
 - An existing retention basin parallels the south property line. It is anticipated that this retention volume will be relocated on the Property or be provided on the property to the south.
 - The Property will be primarily accessed from 87th Avenue. No improvements are proposed to 88th Avenue, which is privately owned.
 - The Planning and Zoning Commission will hear the applications and make a recommendation to the City Council which will make a final decision. A public hearing letter of notification will be mailed in advance of the Planning and Zoning Commission hearing.
22. Staff received one letter and two phone calls from Mr. David Brnilovich of Jennings, Strouss & Salmon, PLC, representing the interests of Sierra Winds retirement community. Both the letter and phone call expressed opposition to the case(s). The letter has been included as Exhibit G. In his first phone call, Mr. Brnilovich explained that while he acknowledges that this is a transitional parcel between the retirement community and mini-storage, however, he does not believe that a commercial land use designation is the appropriate transition. The subsequent phone call expressed a concern for a devaluation of property values.

Land Use Compatibility

23. It is staff's assessment that the proposed PAD creates an appropriate development form and facilitates a quality, context specific development that is responsive to surrounding site conditions and fulfills the City of Peoria's goals and objectives. While the development will be a non-residential use, it will be a low intensity use with no impact to traffic or density to the area. A densely-planted landscape buffer will provide an additional barrier between the vehicle storage lot and the adjacent retirement community. The premises will be secured with minimal lighting to provide for safety and surveillance. The streetscape will be enhanced by further landscaping that will contribute to the overall aesthetics in the area.

City Review

24. This request has been reviewed and commented on through the City's standard rezoning application review process. Recommended conditions of approval have been provided by the Planning, Site Development / Engineering, and Fire Safety Division as provided in the *Conditions of Approval* portion this report.

Public Notice

25. Public notice was provided in the manner prescribed under Section 14-39-6. Additionally, the site was posted with a sign meeting the size and content requirements prescribed by the Planning Division.

Proposition 207

26. The applicant has furnished a signed and notarized Proposition 207 Waiver for recordation pending the outcome of the City Council action.

FINDINGS AND RECOMMENDATION

27. Based on the following findings:
- The proposed zoning district is in conformance with the goals and objectives set forth in the Peoria General Plan; and
 - The proposal will advance the City's goals and objectives by providing a balance of land uses that promotes economic development; and
 - The PAD benefits the public interest by promoting a development framework that maximizes compatibility, provides appropriate land use transition and reduces the potential for conflict; and
 - The use of a PAD for this proposal is in the public interest and the 10 acre minimum shall be waived.

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

Recommend to the City Council approval of Case Z14-0004 subject to the following conditions:

1. The development shall substantially conform in all material respects to the *Dealership Support Facility Planned Area Development Standards and Guidelines Report (case Z14-0004) dated Resubmitted June 12, 2014*.
2. All landscaping shall be installed within the first phase of development.
3. The Developer shall provide an ALTA Survey to reflect existing boundary and recorded easements on the site.
4. A Final Drainage Report must be submitted with the Civil Improvement Plans.
 - Note that the City of Peoria has adopted the Maricopa County Uniform Drainage Design Standards, Policies and Procedures and Drainage Design Manual for Maricopa County for drainage criteria. Retention must be provided for the 100-year, 2-hour storm.

- Provide a drainage report addressing onsite & offsite flows. The drainage report shall take into effect the adjacent drainage ways.
 - If utilized, all Drywells must be registered with the Arizona Department of Environmental Quality and drilling logs shall be provided to the City. The percolation rate shall be tested and the results provided to the City before the drywell is accepted.
 - On-site basins shall be provided to retain/detain 100% of the 100-year, 2-hour storm event for the sub-basin it serves. The volume shall be calculated based on the gross square footage of the site (including half-street areas). A drainage easement shall be recorded over each retention/detention area within the project for both “public” and “private” basins.
5. The existing stormwater retention basin along the southern 20-feet of the Applicant’s property is providing a certain quantity of stormwater retention (but not all) for the benefit of the parcel to the south. Therefore, an amount equal to the existing amount of stormwater retention volume shall be provided in accordance with one of following three options, or as otherwise approved by the City of Peoria Engineering Department: (1) The existing stormwater retention basin capacity shall remain as-is. (2) The equivalent amount of stormwater retention volume may be relocated elsewhere on the Applicant’s property, provided the grading plans for the Applicant’s project must reflect that drainage will be conveyed from the south parcel to a new retention basin location on the Applicant’s property. A drainage easement between the owner of the Applicant’s property and the owner of the south parcel will be required. (3) The south property owner and the Applicant’s property can each individually retain their own stormwater in its entirety subject to approval by the City of Peoria Engineering Department. Construction documents for the south property will need to be submitted/permitted first or they will need to be submitted/permitted simultaneously with the Applicant’s property.
 6. The Developer will be responsible to underground any overhead utilities rated less than 69 kV, which are adjacent to the subdivision.
 7. The Developer shall dedicate an 8’ PUE outside of the ROW on 87th Avenue. No walls or retention shall be allowed within the PUE.
 8. All driveways shall be in accordance with the requirements of Peoria Detail PE-251. Any deviations from this detail shall be addressed in a Traffic Impact Analysis.
 9. Existing waterlines must be removed, and not abandoned in place.
 10. Waterline easements can be abandoned and new waterline, PUE, drainage, and sidewalk easements may be dedicated by separate instruments or through a Final Plat. These separate instruments or Final Plat must be approved prior to issuance of permits for the site.
 11. The Developer shall provide a preliminary drainage report, preliminary grading plans, and preliminary utility plans with the first site plan submittal.

Attachments:

Exhibit A	Vicinity/Location Map
Exhibit B	Zoning Map
Exhibit C	General Plan Land Use Map
Exhibit D	Narrative
Exhibit E	PAD Standards and Guidelines Report
Exhibit F	Citizen Participation Report
Exhibit G	Letter of Opposition

Prepared by: Stacey Bridge-Denzak, RLA
Planner

Z14-0004 Vicinity Map



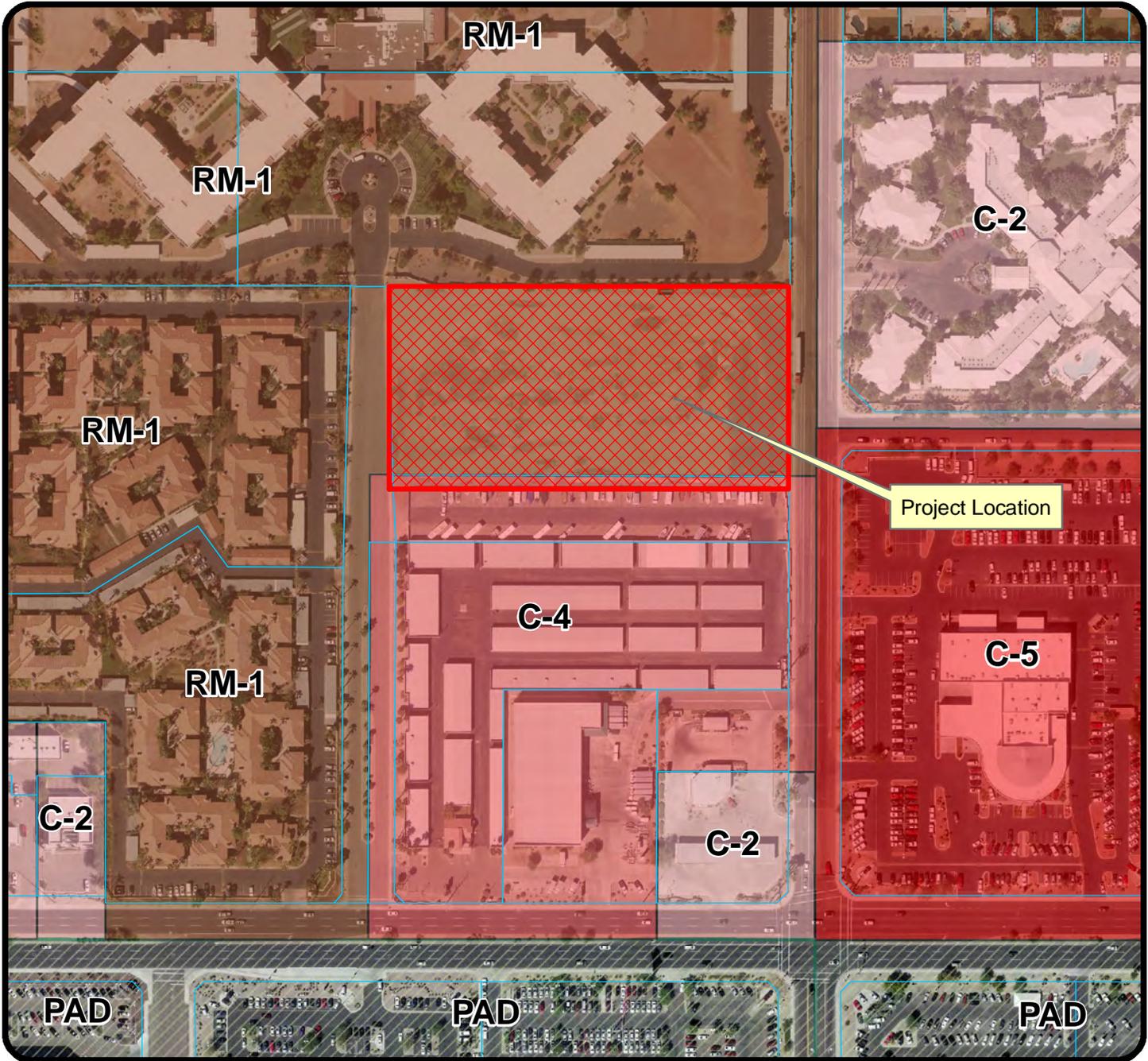
Z14-0004 Storage Lot Rezone

Applicant: Withey Morris PLC on behalf of BCC Development, Inc.

Request: Rezone to Planned Area Development (PAD) to allow for the development of an off-site automotive parking and staging lot with permitted vehicle-related uses.



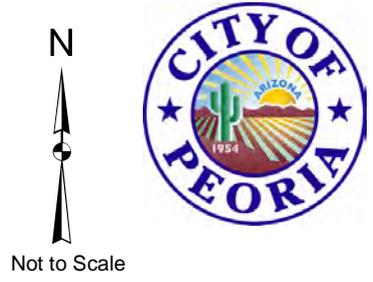
Z14-0004 Zoning Map



Z14-0004 Storage Lot Rezone

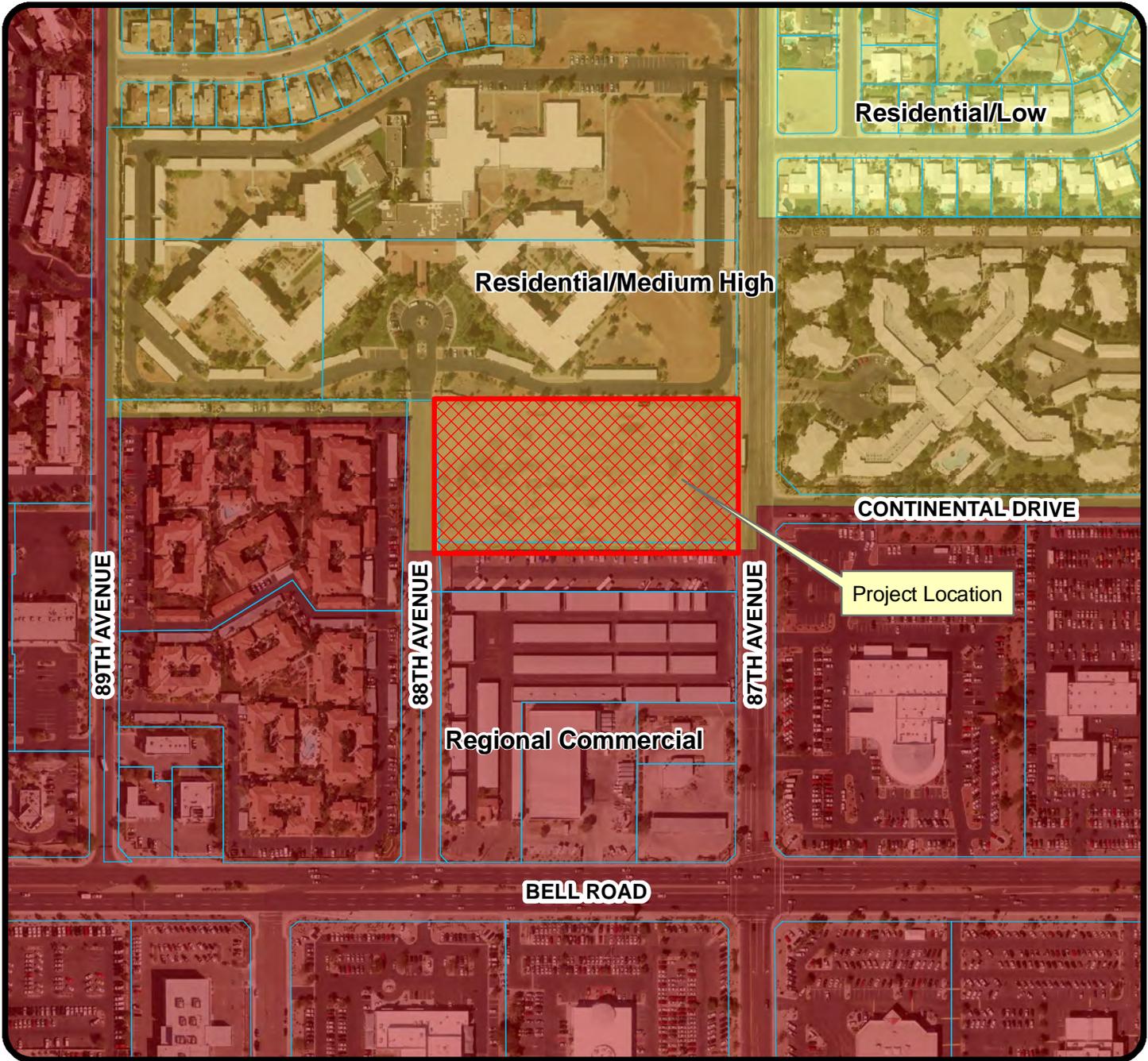
Applicant: Withey Morris PLC on behalf of BCC Development, Inc.

Request: Rezone to Planned Area Development (PAD) to allow for the development of an off-site automotive parking and staging lot with permitted vehicle-related uses.



Not to Scale

Z14-0004 Land Use



Z14-0004 Storage Lot Rezone

Applicant: Withey Morris PLC on behalf of BCC Development, Inc.

Request: Rezone to Planned Area Development (PAD) to allow for the development of an off-site automotive parking and staging lot with permitted vehicle-related uses.



Not to Scale

BCC Automobile Storage

REZONE APPLICATION SUPPLEMENTAL NARRATIVE

CASE NO. Z14-0004

North of the northwest corner of
87th Avenue and Bell Road

Submitted: March 31, 2014

Resubmitted: May 27, 2014

Resubmitted: June 12, 2014

BCC Automobile Storage

REZONE APPLICATION SUPPLEMENTAL NARRATIVE

North of the Northwest Corner of 87th Avenue and Bell Roads

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BCC Automobile Storage

REZONE APPLICATION SUPPLEMENTAL NARRATIVE

North of the Northwest Corner of 87th Avenue and Bell Roads

Development Team

Property Owner:	BCC Development, Inc. Mike Pacheco / Tony Bongratz 1550 East Missouri Avenue, Suite 300 Phoenix, Arizona 85014 Phone. 602 / 230.1051 Phone. 480 / 797.0457 (Tony Bongratz) Email. abongratz@vtaig.com
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Engineering:	Site Consultants, Inc. Michael J. Caylor, P.E. / Waldy Garcia 113 South Rockford Drive, Suite 113 Tempe, Arizona 85281 Phone. 480 / 894.2820 Facsimile. 480 / 894.2847 Email. mcaylor@siteconsultants.net wgarcia@siteconsultants.net
Applicant / Legal Representative:	Withey Morris PLC Michael B. Withey, Esq. 2525 East Arizona Biltmore Circle, Suite A-212 Phoenix, Arizona 85016 Phone. 602 / 230.0600 Facsimile. Email. m@witheymorris.com www.witheymorris.com

I. Introduction

This application (the "Application") is a request to rezone the approximate 4.57 gross acres of property generally located north of the northwest corner of 87th Avenue and Bell Road (the "Property") from RM-1 Multi-Family Residential (RM-1) to Planned Area Development (PAD) to allow BCC Development, Inc. to park and/or store new and used automobiles and conduct other automobile related uses on the Property. (See **Exhibit A – Vicinity Map**). The proposed use of the Property is necessary to support and allow for the continued success and support of the Van Tuyl Group's automobile sales dealerships in the Bell Road area. This Application is simply an appropriate expansion of the existing commercial development along Bell Road. (A Rezone Standards and Guidelines Report has been submitted as part of this Application.)

The Property is currently utilized by the Van Tuyl Group as a temporary vehicle staging lot under Temporary Use Permit TU13-00315. Prior use of the Property included parking and staging of vehicles by the Larry H. Miller organizations. Accordingly the Property has for some time been used for vehicle parking with no apparent or known detrimental impact to the area. Current improvements to the Property consist of dust-proof paving material and temporary fencing. The intent is to make permanent improvements to improve aesthetics and provide screening and buffers to the current use.

II. Location / Relationship to Adjacent Properties

Comprised of approximately 4.57 gross acres, the Property is immediately bounded to the east and west by 87th Avenue and 88th Avenue, respectively. The Property generally slopes from east to west. (See **Exhibit B – Aerial Map** and **Exhibit C – Legal Description**).

The property to the immediate north is developed with a senior retirement community zoned RM-1; and the property to the immediate south is developed with a mini-storage zoned General Commercial (C-4). Bell Road and State Route 101 Agua Fria Freeway are generally located further south and east of the Property, respectively. Moving beyond the Property's immediate boundaries, the properties to the east are developed with an assisted living facility zoned Immediate Commercial (C-2) and an automobile dealership zoned Regional Commercial (C-5); and the property to the west is developed with apartments zoned RM-1.

III. General Plan Land Use

The City of Peoria General Plan designates the Property as Residential/Medium High land use. The Property is also subject to the North Peoria Redevelopment Area Plan (NPRAP) which designates the Property as Community Commercial land use. A Minor General Plan Amendment

application to change the land use designation from Residential/Medium High land use to Neighborhood Commercial land use has been submitted concurrently with this Application.

The proposed uses within the Application are consistent with the Neighborhood Commercial land use designation and further the Goals, Objectives and Policies of the General Plan and the NPRAP. Importantly, the proposed uses are an appropriate expansion of the existing commercial development along Bell Road. The NPRAP identifies the properties along the Bell Road corridor as developing as the City of Peoria's "new car retail area" and "support uses." It was anticipated that these properties would develop as market conditions warranted. The Application specifically responds to current market conditions. The proposed use of the Property is necessary to support, retain and allow for the continued success of the automobile sales dealerships in the area and the Bell Road corridor as a regional automobile retailer.

The proposed uses support the proper transition from the high-density residential units north and west of the Property to the mini-storage and surrounding automobile dealerships south of the Property. The proposed site plan has been strategically designed to integrate the Property and the proposed uses with the surrounding properties.

IV. Preliminary Development Plan

The proposed site plan is comprised of parking within an eight (8) foot high decorative masonry screen wall along 87th and 88th Avenues. This wall, which is articulated with accent pilasters, is strategically setback from 87th and 88th Avenues to provide for landscaping as an enhancement to the streetscape. A landscape setback is proposed along the north property line to provide additional visual screening and buffering for the senior retirement community.

The primary point of access will be from a driveway on 87th Avenue, which located to align with Continental Drive. A secondary point of access is proposed from a driveway from 88th Avenue, which is located near the southern boundary of the Property. Both proposed driveways will provide visual screening and security of the parking area by opaque painted steel gates.

A single-story security building may be constructed on the Property. Exterior building materials will include glass and decorative masonry consistent with the perimeter walls.

The Property will be developed in accordance with the City of Peoria's Design Review Manual.

V. Justification of Planned Area Development

Pursuant to Article 14-33-3.B.1, "All Planned Area Developments shall be between ten (10) and six-hundred (600) acres in size. The minimum P.A.D.

shall be no less than (10) acres unless the application can show that the minimum P.A.D. requirements should be waived because the waiver would be in the public interest and that . . . the following conditions exist:

- c. The use of the P.A.D. concept will encourage the use of otherwise undevelopable property, particularly in the case of small undeveloped parcels or partially surrounded by developed land."

The Property is an approximate 4.28 net acre remnant undeveloped parcel that is physically bounded to the east and west by 87th and 88th Avenues, respectively, and to the north and south by existing development multi-family residential units and commercial development, respectively. These physical barriers preclude the Property Owner from acquiring additional property to meet the P.A.D. requirement of ten (10) acres.

Furthermore, as stated in the City of Peoria Zoning Ordinance, "This district [RM-1] is intended to fulfill the need for multi-family residences or attached single-family residences which are compatible with abutting single-family residential district." [Emphasis added.] The RM-1 zoning district development standards permit up to twenty-five (25) dwelling units per acre and a maximum building height of forty-eight (48) feet as a matter of right. Accordingly, the Property, if developed with multi-family residences, could result in over 100 units at a height of 48-feet. This Application in essence is a "down-zone" of the Property. This proposal will significantly reduce the density, height and traffic, and overall intensity of the Property.

VI. Operation

The Property will operate during the normal business hours of the Van Tuyl Group's automobile dealerships in the Bell Road area. Approximately ten (10) employees may be on the Property during hours of operation. On-site security personnel may be on the Property 24-hours a day. On-site security cameras may also be provided on the Property to monitor activity and the points of ingress/egress. These cameras will not be directed off-site.

The new and used automobiles stored on the Property are generally used to replenish the stock at the Van Tuyl Group's automobile dealerships in the Bell Road area. These automobiles are picked-up by Staff of the Van Tuyl Group who then drives them to the appropriate dealership. It is anticipated that approximately 50 to 100 vehicles may be picked-up from the Property and delivered to the dealerships per day. Car carriers/transporters are prohibited from picking-up and delivering automobiles on the Property.

VII. Phasing

It is anticipated that the first phase of development will include the construction of perimeter walls/fences, perimeter landscaping, storm water handling improvements, the paving of new and used automobile storage areas, and the potential construction of the security building. Future phases and additional improvements (together with the necessary site work and infrastructure) will be developed within the Property as market conditions warrant. Plans for each phase will be submitted to the City of Peoria to ensure proper and orderly development.

VIII. Infrastructure / Utilities

1. Grading and Drainage

The on-site grading, drainage and paving plans will be in compliance with applicable existing City of Peoria Codes. The development of the Property will provide the required on-site 100-year, 2-hour storm water retention volume. Storm water will be conveyed to a retention basin via pavement sheet flows and concrete gutters. No on-site storm drain system will be constructed. Drywell(s) may be installed to dissipate the retained storm water retention volume.

2. Street Improvements

Commercial driveways will be constructed on 87th Avenue, which is a public street, and on 88th Avenue, which is a private street located on a private tract.

3. Utilities

Anticipated 1st Phase utility improvements include the installation of one (1) 1-inch landscape meter within the 87th Avenue right-of-way. Electric service will be provided to the Property to power the on-site lighting and security gates at the 87th and 88th Avenue driveway entrances. No other utility service connections to the existing public or franchise utility infrastructures are currently proposed.

4. Infrastructure Improvements

No off-site infrastructure improvements are proposed as part of this Application.

Exhibit B – Aerial Map

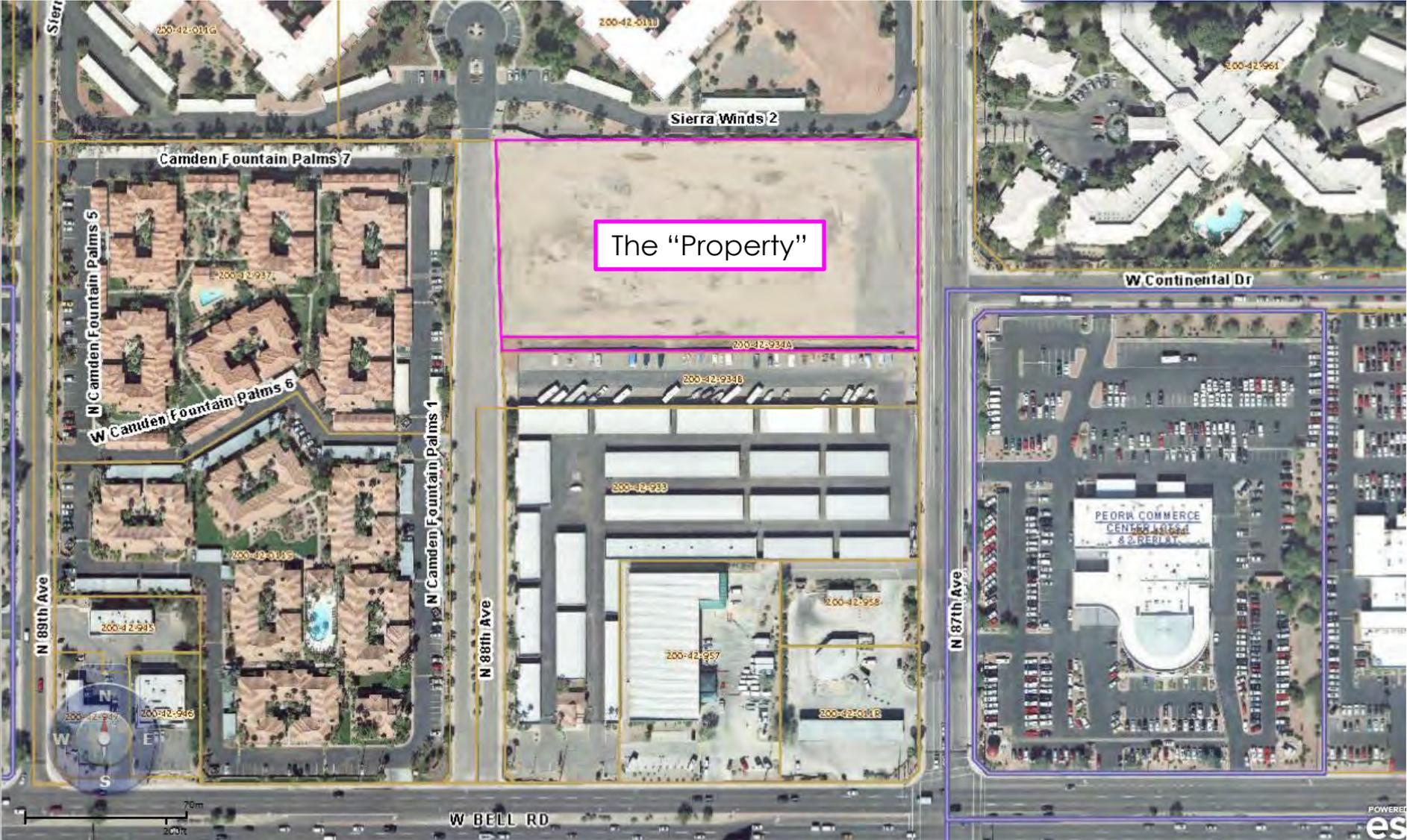


Exhibit C – Legal Description

LEGAL DESCRIPTION

THAT PORTION OF THE SOUTH 1320.00 FEET OF THE EAST HALF OF THE WEST HALF OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 34;

THENCE NORTH 00 DEGREES 27 MINUTES 15 SECONDS WEST ALONG THE EAST LINE OF THE EAST HALF OF THE WEST HALF OF SAID SECTION 34, A DISTANCE OF 685.30 FEET;

THENCE SOUTH 89 DEGREES 23 MINUTES 48 SECONDS WEST PARALLEL TO THE SOUTH LINE OF SECTION 34, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING;

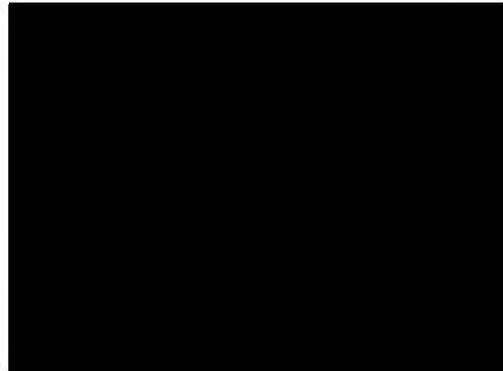
THENCE CONTINUING SOUTH 89 DEGREES 23 MINUTES 48 SECONDS WEST A DISTANCE OF 602.25 FEET;

THENCE NORTH 02 DEGREES 03 MINUTES 17 SECONDS WEST A DISTANCE OF 277.70 FEET;

THENCE NORTH 00 DEGREES 27 MINUTES 15 SECONDS WEST A DISTANCE OF 30.09 FEET;

THENCE NORTH 89 DEGREES 23 MINUTES 48 SECONDS EAST PARALLEL TO THE SOUTH LINE OF SECTION 34 A DISTANCE OF 610.00 FEET;

THENCE SOUTH 00 DEGREES 27 MINUTES 15 SECONDS EAST, PARALLEL TO AND 40 FEET WEST OF THE EAST LINE OF SECTION 34 A DISTANCE OF 307.71 FEET TO THE POINT OF BEGINNING.



ZONING LEGAL DESCRIPTION

VEHICLE STAGING LOT

Site Consultants, Inc.

113 S. Rockford Drive, Tempe Arizona 85281

Tele: 480-894-2820 Fax: 480-894-2847

SCI #1996 SCALE: NO SCALE DATE: 2-26-2014

BCC Automobile Storage

REZONE APPLICATION STANDARDS AND GUIDELINES REPORT

CASE NO. Z14-0004

North of the northwest corner of
87th Avenue and Bell Road

Submitted: March 31, 2014

Resubmitted: May 27, 2014

Resubmitted: June 12, 2014

BCC Automobile Storage

REZONE APPLICATION STANDARDS AND GUIDELINES REPORT

North of the Northwest Corner of 87th Avenue and Bell Roads

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BCC Automobile Storage

REZONE APPLICATION STANDARDS AND GUIDELINES REPORT

North of the Northwest Corner of 87th Avenue and Bell Roads

Development Team

Property Owner:	BCC Development, Inc. Mike Pacheco / Tony Bongratz 1550 East Missouri Avenue, Suite 300 Phoenix, Arizona 85014 Phone. 602 / 230.1051 Phone. 480 / 797.0457 (Tony Bongratz) Email. abongratz@vtaig.com
Architect / Land Planning:	John Mahoney Architects, Inc. John Mahoney 850 West Elliot Road, Suite 108 Tempe, Arizona 85284 Phone. 480 / 345.8457 Facsimile. 480 / 345.1759 Email. john@mahoneyarch.com www.mahoneyarch.com
Engineering:	Site Consultants, Inc. Michael J. Caylor, P.E. / Waldy Garcia 113 South Rockford Drive, Suite 113 Tempe, Arizona 85281 Phone. 480 / 894.2820 Facsimile. 480 / 894.2847 Email. mcaylor@siteconsultants.net wgarcia@siteconsultants.net
Applicant / Legal Representative:	Withey Morris PLC Michael B. Withey, Esq. 2525 East Arizona Biltmore Circle, Suite A-212 Phoenix, Arizona 85016 Phone. 602 / 230.0600 Facsimile. Email. m@witheymorris.com www.witheymorris.com

I. Introduction

This application (the "Application") is a request to rezone the approximate 4.57 gross acres of property generally located north of the northwest corner of 87th Avenue and Bell Road (the "Property") from RM-1 Multi-Family Residential (RM-1) to Planned Area Development (PAD) to allow BCC Development, Inc. to park and/or store new and used automobiles and conduct other automobile related uses on the Property. (See **Exhibit A – Vicinity Map**). The proposed use of the Property is necessary to support and allow for the continued success and support of the Van Tuyl Group's automobile sales dealerships in the Bell Road area. This Application is simply an appropriate expansion of the existing commercial development along Bell Road. (A Minor General Plan Amendment application to change the land use designation on the Property from Medium-High Density Residential (8.0 to 15.0 dwelling units per acre) (MHDR) land use to Neighborhood Commercial has been submitted concurrently with this Application.)

Prior use of the Property included parking and staging of vehicles by the Larry H. Miller organizations. Accordingly the Property has for some time been used for vehicle parking with no apparent or known detrimental impact to the area. Current improvements to the Property consist of dust-proof paving material and temporary fencing. The intent is to make permanent improvements to improve aesthetics and provide screening and buffers to the current use.

The intent of this Application is to facilitate a quality, context specific development that fulfills the City of Peoria's goals and objectives.

This Application has been prepared pursuant to Article 14-33 of the City of Peoria Zoning Ordinance to establish the regulatory framework by creating development standards specific to the context of the project site. The provisions of this Application apply to the Property.

Zoning provisions not specifically regulated by this Application are governed by the City of Peoria Zoning Ordinance. In the event of a conflict between a provision of this Application and a provision of the City of Peoria Zoning Ordinance, the development standards set forth in this Application prevail.

II. Location / Relationship to Adjacent Properties

Comprised of approximately 4.57 gross acres, the Property is immediately bounded to the east and west by 87th Avenue and 88th Avenue, respectively. The Property generally slopes from east to west. (See **Exhibit B – Aerial Map** and **Exhibit C – Legal Description** and **Exhibit D – ALTA Survey**).

The property to the immediate north is developed with a senior retirement community zoned RM-1; and the property to the immediate south is

developed with a mini-storage zoned General Commercial (C-4). Bell Road and State Route 101 Agua Fria Freeway are generally located further south and east of the Property, respectively. Moving beyond the Property's immediate boundaries, the properties to the east are developed with an assisted living facility zoned Immediate Commercial (C-2) and an automobile dealership zoned Regional Commercial (C-5); and the property to the west is developed with apartments zoned RM-1.

III. General Plan Land Use

The City of Peoria General Plan designates the Property as Residential/Medium High land use. The Property is also subject to the North Peoria Redevelopment Area Plan which designates the Property as Community Commercial land use. A Minor General Plan Amendment application to change the land use designation from Residential/Medium High land use to Neighborhood Commercial land use has been submitted concurrently with this Application. The Neighborhood Commercial land use corresponds to this Application and the Preliminary Development Plan. (See **Exhibit E – Preliminary Development Plan**). The proposed uses support the proper transition from the high-density residential units north and west of the Property to the mini-storage and surrounding automobile dealerships south of the Property.

IV. Preliminary Development Plan

The proposed site plan is comprised of parking within an eight (8) foot high decorative masonry screen wall along 87th and 88th Avenues. This wall, which is articulated with accent pilasters, is strategically setback from 87th and 88th Avenues to provide for landscaping as an enhancement to the streetscape. A landscape setback is proposed along the north property line to provide additional visual screening and buffering for the senior retirement community.

The primary point of access will be from a driveway on 87th Avenue, which located to align with Continental Drive. A secondary point of access is proposed from a driveway from 88th Avenue, which is located near the southern boundary of the Property. Both proposed driveways will provide visual screening and security of the parking area by opaque painted steel gates.

A single-story security building may be constructed on the Property. Exterior building materials will include glass and decorative masonry consistent with the perimeter walls.

The Property will be developed in accordance with the City of Peoria's Design Review Manual.

V. Permitted Uses

The following use shall be permitted as matter of right:

1. Outdoor storage of new and used automobiles.
2. Automobile detailing and accessory installation (vehicle upgrades) accessory to the outdoor storage of new and used automobiles. No activity shall be performed outdoors.
3. Automobile washing/cleaning accessory to the outdoor storage of new and used automobiles. All activity shall be screened from view from public right-of-way.
4. On-site security accessory to any of the above listed Permitted Uses.

VI. Development Standards

The development standards under the current General Commercial (C-4) shall apply on the Property, except for the development standards set forth in this Report. In the event of a conflict between the Development Standards of this Report and the City of Peoria Zoning Ordinance, the development standards set forth in this Report prevail. The Property will be developed in accordance with the City of Peoria's Design Review Manual.

Development Standards Table	
Minimum Lot Area	No requirement.
Minimum Lot Width	No requirement.
Minimum Lot Depth	No requirement.
Minimum Frontage on One Arterial	No requirement.
Maximum Lot Coverage	No requirement.
Open Space	No requirement.
Maximum Building Height	40-feet.
Minimum Building Setbacks	
<i>Street Side</i>	20-feet.
<i>Interior</i>	0-feet.
<i>From Residential Zones</i>	50-feet.

Development Standards Table cont.	
Minimum Landscape Setbacks	
<i>Street Side (87th Avenue)</i>	20-feet.
<i>Street Side (88th Avenue)</i>	20-feet.
<i>Interior</i>	No requirement.
<i>Landscape Buffer/North Property Line</i>	21-feet.

VII. Landscape Standards

Landscaping shall conform to Article 14-35 of the City of Peoria Zoning Ordinance, except for the landscape standards set forth in this Report:

1. Required landscape materials and planting standards:

Landscape Materials	Minimum Size At Planting
Trees	Twenty-four (24) inch box
Shrubs	Five (5) gallon
Vegetative Groundcover	One (1) gallon
Inert Groundcover	¾" decomposed granite

- 2. Required landscape areas shall be limited to the Minimum Landscape Setbacks.
- 3. Street Frontage: One (1) tree and five (5) shrubs shall be provided per every 25-feet of linear street frontage, and vegetative groundcover. The shrubs and groundcover shall occupy a minimum of 60-percent of the total street frontage landscape at maturity.
- 4. Landscape Buffer/North Property Line: One (1) tree shall be provided per every twenty (20) feet in a staggered formation adjacent to the north property line. Shrubs and vegetative groundcover shall not be required. The ground place shall be decomposed granite.
- 5. Trees, shrubs and vegetative ground cover may be arranged in formal or informal layouts.

VIII. Off-Street Parking Standards

The outdoor storage of new and used automobiles shall not be required to meet any parking stall dimension, parking aisle dimension or striping requirements. All areas intended to be utilized for the outdoor storage of new and used automobiles, access aisles and driveways shall be paved with concrete or asphalt to control dust and drainage.

Parking shall be provided in accordance with Article 14-23 of the City of Peoria Zoning Ordinance. A minimum (1) standard parking space shall be provided for the security building if constructed.

IX. Signage Standards

Signage shall be permitted on the Property in accordance with the existing City of Peoria General Commercial (C-4) zoning district and Section 14-34 of the City of Peoria Zoning Ordinance.

X. Lighting Standards

Lighting shall conform to Article 14-3 of the City of Peoria Zoning Ordinance. Light fixtures used to illuminate the Property shall be sited, directed and shielded to prevent spot lighting, glare or light spillage beyond the Property. Light fixtures shall be a maximum eighteen (18) feet in height above the surface grade.

XI. Walls / Fences

The design, materials, and colors for all walls, fences and screening devices visible from public view should be uniform in appearance. Eight (8) foot high screen walls, featuring decorative pilasters and block scoring, will be provided along 87th and 88th Avenues. In addition, eight (8) foot high decorative, opaque security gates shall be provided at both points of access from 87th Avenue and 88th Avenue. Chain link fencing shall be prohibited when visible from right-of-way.

XII. Phasing

It is anticipated that the first phase of development will include the construction of perimeter walls/fences, perimeter landscaping, storm water handling improvements, the paving of new and used automobile storage areas, and the potential construction of the security building. Future phases and additional improvements (together with the necessary site work and infrastructure) will be developed within the Property as market conditions warrant. Plans for each phase will be submitted to the City of Peoria to ensure proper and orderly development.

XIII. Infrastructure / Utilities

1. Grading and Drainage

The on-site grading, drainage and paving plans will be in compliance with applicable existing City of Peoria Codes. The development of the Property will provide the required on-site 100-year, 2-hour storm water retention volume. Storm water will be conveyed to a retention basin via pavement sheet flows and concrete gutters. No on-site storm drain system will be constructed. Drywell(s) may be installed to dissipate the retained storm water retention volume.

2. Street Improvements

Commercial driveways will be constructed on 87th Avenue, which is a public street, and on 88th Avenue, which is a private street located on a private tract.

3. Utilities

Anticipated 1st Phase utility improvements include the installation of one (1) 1-inch landscape meter within the 87th Avenue right-of-way. Electric service will be provided to the Property to power the on-site lighting and security gates at the 87th and 88th Avenue driveway entrances. No other utility service connections to the existing public or franchise utility infrastructures are currently proposed.

4. Infrastructure Improvements

No off-site infrastructure improvements are proposed as part of this Application.

Exhibit B – Aerial Map

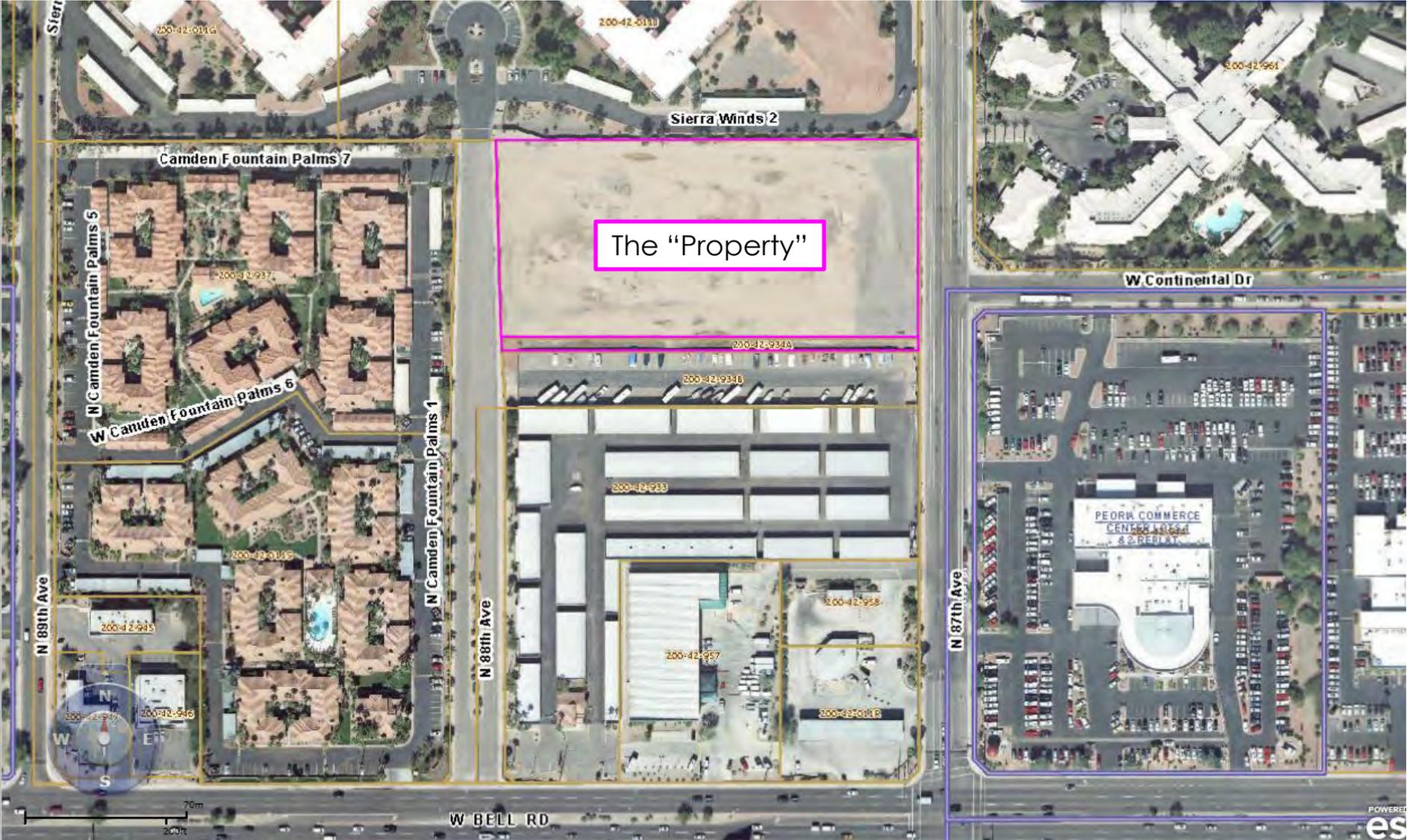


Exhibit C – Legal Description

LEGAL DESCRIPTION

THAT PORTION OF THE SOUTH 1320.00 FEET OF THE EAST HALF OF THE WEST HALF OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 34;

THENCE NORTH 00 DEGREES 27 MINUTES 15 SECONDS WEST ALONG THE EAST LINE OF THE EAST HALF OF THE WEST HALF OF SAID SECTION 34, A DISTANCE OF 685.30 FEET;

THENCE SOUTH 89 DEGREES 23 MINUTES 48 SECONDS WEST PARALLEL TO THE SOUTH LINE OF SECTION 34, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING;

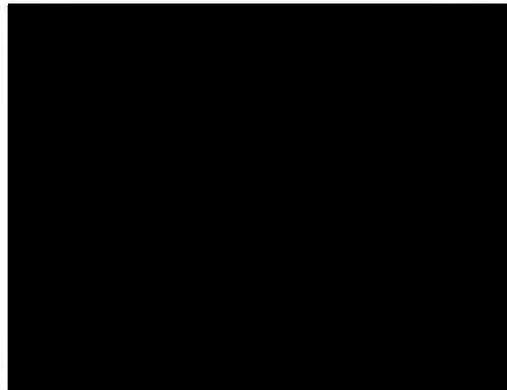
THENCE CONTINUING SOUTH 89 DEGREES 23 MINUTES 48 SECONDS WEST A DISTANCE OF 602.25 FEET;

THENCE NORTH 02 DEGREES 03 MINUTES 17 SECONDS WEST A DISTANCE OF 277.70 FEET;

THENCE NORTH 00 DEGREES 27 MINUTES 15 SECONDS WEST A DISTANCE OF 30.09 FEET;

THENCE NORTH 89 DEGREES 23 MINUTES 48 SECONDS EAST PARALLEL TO THE SOUTH LINE OF SECTION 34 A DISTANCE OF 610.00 FEET;

THENCE SOUTH 00 DEGREES 27 MINUTES 15 SECONDS EAST, PARALLEL TO AND 40 FEET WEST OF THE EAST LINE OF SECTION 34 A DISTANCE OF 307.71 FEET TO THE POINT OF BEGINNING.



ZONING LEGAL DESCRIPTION

VEHICLE STAGING LOT

Site Consultants, Inc.

113 S. Rockford Drive, Tempe Arizona 85281

Tele: 480-894-2820 Fax: 480-894-2847

SCI #1996 SCALE: NO SCALE DATE: 2-26-2014

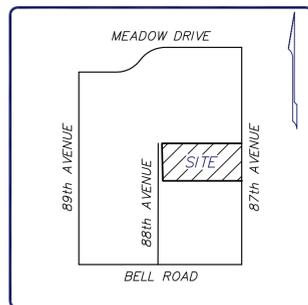
Exhibit D – ALTA Survey

A.L.T.A. / A.C.S.M. LAND TITLE SURVEY

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 34,
TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT
RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

SURVEY NOTES

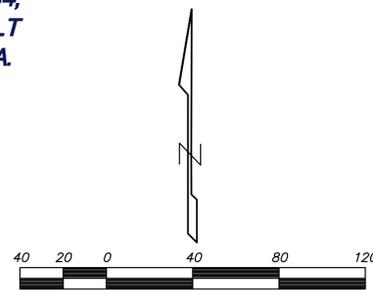
- This survey is based on a First Amended Commitment for Title Insurance issued by Thomas Title & Escrow, LLC, issuing agent for First American Title Insurance Company, File Number 132783-33, dated November 26, 2013.
- BASIS OF BEARING:** The monument line of 87th Avenue, also being the East line of the West half of Section 34, using a bearing of North 00 degrees 27 minutes 15 seconds West, per the description used for this survey.
- The bearings and distances depicted indicate actual field or computed measurements performed during the course of this survey. This information may vary from documents of record used for this survey.
- The utility information shown is limited to visible above ground evidence and/or records provided by the respective utility companies. This survey may not depict all of the underground utilities either in service or abandoned that may exist adjacent to or within the boundaries of the subject property. No representation is made to the accuracy or completeness of any third party maps, records or information used to depict the underground utilities. An underground utility locator should be retained prior to excavation or construction to determine the precise location of all utilities that may exist adjacent to or within the boundaries of the subject property. The certification on this survey does not guarantee or provide any warranty to the exact location or presence of any underground utilities that may actually exist adjacent to or within the boundaries of the subject property.
- This Survey has been prepared exclusively for the parties stated in the certification for use in conjunction with the escrow referenced in Survey Note No. 1. Reproduction or use of this survey by any other party for any other transaction or purpose is unauthorized without written authorization from Alliance Land Surveying, LLC. The use of the word "certify" or "certification" by a person or firm that is registered or certified by the board is an expression of professional opinion regarding facts or findings that are the subject of the certification and does not constitute an express or implied warranty or guarantee (A.R.S. 32-151).
- The boundary line common to Parcel No. 1 and Parcel No. 2 shown on this survey is contiguous with no gaps or gores.



VICINITY MAP

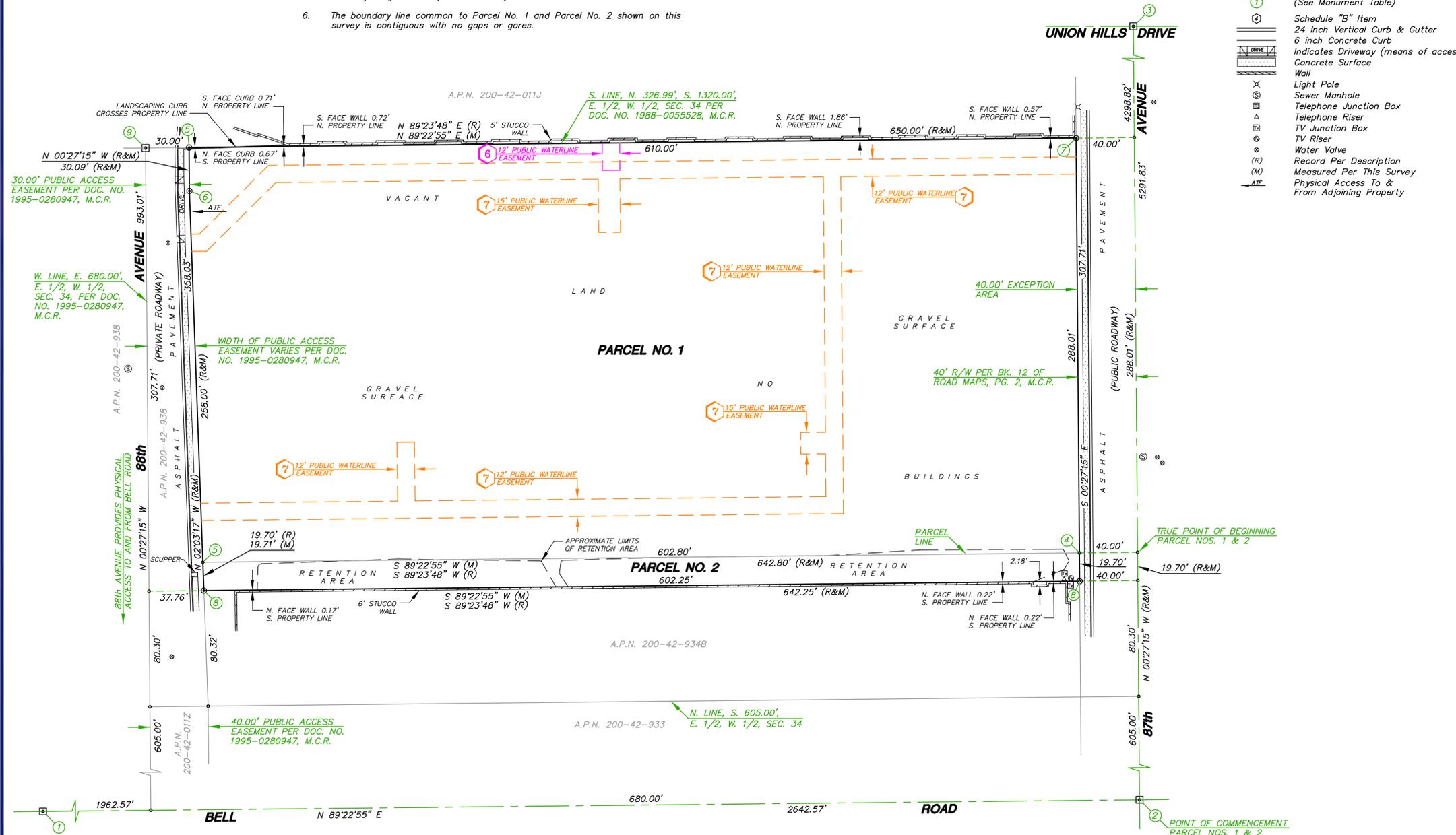
NOT TO SCALE

MONUMENT TABLE	
①	SW. COR. SEC. 34 - FND BRASS CAP IN HANDHOLE
②	S. 1/4 COR. SEC. 34 - FND BRASS CAP IN HANDHOLE
③	N. 1/4 COR. SEC. 34 - FND BRASS CAP FLUSH
④	FND 1/2" REBAR NO I.D.
⑤	FND 1/2" REBAR W/CAP L.S. 13562
⑥	SET 1/2" REBAR W/CAP L.S. 31020
⑦	FND 1/2" REBAR W/ILLEGIBLE CAP - REPLACED CAP L.S. 31020
⑧	FND 1/2" REBAR W/CAP L.S. 15337
⑨	FND COTTON PICKER SPINDLE, S 71°39'23" W, 0.31'



LEGEND

- Property Corner (See Monument Table)
- Property Line
- Fnd Survey Monument (See Monument Table)
- ① (See Monument Table)
- ⑦ Schedule "B" Item
- ⑥ 24 inch Vertical Curb & Gutter
- ⑥ 6 inch Concrete Curb
- ⑥ Indicates Driveway (means of access)
- ⑥ Concrete Surface
- ⑥ Wall
- ⊕ Light Pole
- ⊕ Sewer Manhole
- ⊕ Telephone Junction Box
- ⊕ Telephone Riser
- ⊕ TV Junction Box
- ⊕ TV Riser
- ⊕ Water Valve
- (R) Record Per Description
- (M) Measured Per This Survey
- (W) Physical Access To & From Adjoining Property
- AT



PARCEL DESCRIPTION

PARCEL NO. 1:
That portion of the South 1320.00 feet of the East half of the West half of Section 34, Township 4 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:
Commencing at the South quarter corner of said Section 34;
Thence North 00 degrees 27 minutes 15 seconds West along the East line of the East half of the West half of Section 34, a distance of 705.00 feet to the TRUE POINT OF BEGINNING;
Thence South 89 degrees 23 minutes 48 seconds West parallel to the South line of Section 34, a distance of 642.80 feet;
Thence North 02 degrees 03 minutes 17 seconds West, a distance of 258.00 feet;
Thence North 00 degrees 27 minutes 15 seconds West, a distance of 30.09 feet;
Thence North 89 degrees 23 minutes 48 seconds East, parallel to the South line of Section 34, a distance of 650.00 feet to a point on the East line of the East half of the West half of Section 34;
Thence South 00 degrees 27 minutes 15 seconds East, along the East line of the East half of the West half of Section 34, a distance of 288.01 feet to the TRUE POINT OF BEGINNING;
EXCEPT the East 40.00 feet thereof.

PARCEL NO. 2:
The portion of the South 1320 feet of the East half of the West half of Section 34, Township 4 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:
Commencing at the South quarter corner of said Section 34;
Thence North 00 degrees 27 minutes 15 seconds West along the East line of the East half of the West half of said Section 34, a distance of 705.00 feet to the TRUE POINT OF BEGINNING;
Thence South 00 degrees 27 minutes 15 seconds East along the East line of the East half of the West half of said Section 34, a distance of 19.70 feet;
Thence South 89 degrees 23 minutes 48 seconds West, parallel to the South line of Section 34, a distance of 642.25 feet;
Thence North 02 degrees 03 minutes 17 seconds West, a distance of 19.70 feet;
Thence North 89 degrees 23 minutes 48 seconds East, parallel to the South line of Section 34, a distance of 642.80 feet to the TRUE POINT OF BEGINNING;
EXCEPT the East 40.00 feet thereof.

SCHEDULE "B" ITEMS

- An easement for underground utilities and incidental purposes recorded as Docket 15186, page 854, of Official Records. (BLANKET EASEMENT OVER THE SUBJECT PROPERTY - NOT PLOTTED HEREON)
- An easement for underground electric lines and appurtenant facilities and incidental purposes recorded as 1985-544581, of Official Records. (BLANKET EASEMENT OVER THE SUBJECT PROPERTY - NOT PLOTTED HEREON)
- An easement for waterline and incidental purposes recorded as 1995-280945, of Official Records.
- An easement for waterline and incidental purposes recorded as 1995-280946, of Official Records.
- All matters as set forth in Declaration of Easements, recorded February 4, 1998, as 1998-87786, of Official Records. (AFFECTS SUBJECT PROPERTY - NOT PLOTTABLE)
- The effect of a map purporting to show the land recorded as Book 924 of Maps, page 22. (DOCUMENT IS A RECORDED ALTA SURVEY AND DOES NOT CREATE ANY PLOTTABLE EASEMENTS OVER THE SUBJECT PROPERTY)

REFERENCE DOCUMENTS

ROAD MAP PER BOOK 12 OF ROAD MAPS, PAGE 2, M.C.R.
PLAT PER BOOK 319, PAGE 18, M.C.R.
RECORDED A.L.T.A. SURVEY PER BOOK 924, PAGE 22, M.C.R.
DEED PER DOCUMENT NO. 1988-0055528, M.C.R.
DEED PER DOCUMENT NO. 1990-0499745, M.C.R.
DEED PER DOCUMENT NO. 1995-0280947, M.C.R.
DEED PER DOCUMENT NO. 1995-0000340, M.C.R.

SITE INFORMATION

ADDRESS: 87th AVENUE & BELL ROAD, PEORIA, ARIZONA

No buildings existing on the surveyed property.

A.P.N.: 200-42-935 & 200-42-934A

LAND AREA:
4.284 ACRES - 186,629 SQ. FEET

STRIPED PARKING SPACE TABULATION:
There are no striped parking spaces on the subject property.

CERTIFICATION

To: BCC Development Inc., an Arizona corporation; RES-AZ PEORIA, LLC, a Florida limited liability company; Thomas Title & Escrow, LLC; and First American Title Insurance Company.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 4, 8, 9, 10(a), 11(a), and 14 of Table A thereof. The field work was completed on December 14, 2013.

December 18, 2013
G. Bryan Goetzenberger
R.L.S. 31020

ALTA / A.C.S.M. LAND TITLE SURVEY
87th AVENUE & BELL ROAD, PEORIA, ARIZONA

STATEWIDE SERVICE IN ARIZONA
www.alliancandsurveying.com

7900 N. 70th AVENUE TEL (623) 972-2200
SUITE 104 FAX (623) 972-1616
GLENDALE, AZ 85303

ALLIANCE
LAND SURVEYING, LLC

SHEET: 1 OF 1 DATE: 12-18-2013 JOB NO.: 131220

Exhibit E – Preliminary Development Plan

BCC Automobile Storage

CITIZEN PARTICIPATION REPORT

CASE NOS. GP14-0001 and Z14-0004

North of the northwest corner of
87th Avenue and Bell Road

Submitted: March 31, 2014

Resubmitted: June 12, 2014

BCC Automobile Storage

CITIZEN PARTICIPATION REPORT

North of the Northwest Corner of 87th Avenue and Bell Roads

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Sign-In Sheet	B

BCC Automobile Storage

CITIZEN PARTICIPATION REPORT

North of the Northwest Corner of 87th Avenue and Bell Roads

Development Team

Property Owner:	BCC Development, Inc. Mike Pacheco / Tony Bongratz 1550 East Missouri Avenue, Suite 300 Phoenix, Arizona 85014 Phone. 602 / 230.1051 Phone. 480 / 797.0457 (Tony Bongratz) Email. abongratz@vtaig.com
Architect / Land Planning:	John Mahoney Architects, Inc. John Mahoney 850 West Elliot Road, Suite 108 Tempe, Arizona 85284 Phone. 480 / 345.8457 Facsimile. 480 / 345.1759 Email. john@mahoneyarch.com www.mahoneyarch.com
Engineering:	Site Consultants, Inc. Michael J. Caylor, P.E. / Waldy Garcia 113 South Rockford Drive, Suite 113 Tempe, Arizona 85281 Phone. 480 / 894.2820 Facsimile. 480 / 894.2847 Email. mcaylor@siteconsultants.net wgarcia@siteconsultants.net
Applicant / Legal Representative:	Withey Morris PLC Michael B. Withey, Esq. 2525 East Arizona Biltmore Circle, Suite A-212 Phoenix, Arizona 85016 Phone. 602 / 230.0600 Facsimile. Email. m@witheymorris.com www.witheymorris.com

I. Introduction

This Citizen Participation Report ("CPR") is to supplement the implementation of the Citizen Participation Plan for the Minor General Plan Amendment and Rezone applications on the approximate 4.57 gross acres of property generally located north of the northwest corner of 87th Avenue and Bell Road (the "Property"). The Minor General Plan Amendment application seeks to change the land use designation on the Property from Medium-High Density Residential to Neighborhood Commercial. The Rezone application seeks to change the zoning designation on the Property from RM-1 Multi-Family Residences to Planned Area Development.

II. Overview of the Citizen Participation Plan

The Citizen Participation Plan ensured that the Applicant pursued early and effective citizen participation in conjunction with the applications, and that interested citizens and property owners had an opportunity to learn about the applications. In addition, the Citizen Participation Plan facilitated ongoing communication between the Applicant, interested citizens and property owners, City of Peoria Staff, and elected officials throughout the applications' review process.

III. Notice of Neighborhood Meeting

The City of Peoria determined that a neighborhood meeting was the most appropriate public notification technique. The Applicant notified real property owners within 600-feet of the Property as last disclosed on the Maricopa County Assessor's Map records, and neighborhood associations, condominium associations, homeowners associations and apartment management offices registered with the City of Peoria within one (1) mile of the Property, via 1st Class Mail on April 25, 2014. (See **Exhibit A – Letter of Notification and Addressees**).

IV. Results of Neighborhood Meeting

A neighborhood meeting was held on May 6, 2014, at Desert Harbor Elementary School, 15585 North 91st Avenue, Peoria 85382 from 5:30 p.m. to 6:30 p.m. Six (6) neighboring property owners/interested citizens and City of Peoria Staff attended the meeting (See **Exhibit B – Sign-In Sheet**).

The Development Team gave an overview of the developer, the Property's current entitlements, the proposed entitlements, site plan and design, and the application process. The Applicant answered questions and addressed comments regarding permitted uses, intensity and height, traffic, lighting, landscaping, retention, 88th Avenue access, and street improvements.

The Development Team has made efforts to incorporate the questions and comments received into the revised submittal. The following summary outlines some of the responses provided by the Development Team to the questions and comments:

- The proposed applications entitle the Property for those uses listed in the rezone narrative and the proposed site plan. Significant changes would require amendments to the applications.
- The Property most likely could not be used for some other use not listed in the rezone narrative, or if the site plan was significantly changed, without first amending the applications.
- The Property's current entitlements allow for high-density, four (4) story apartments. The proposed applications are less intense, include reduced building height, and provide additional building setbacks.
- It is anticipated that the traffic generated by the proposed use will be significantly less than if the Property were developed under its current entitlements. Car carriers/transporters will be prohibited from picking-up and delivering automobiles on the Property.
- Low-level, shielded LED security lights will be provided on the Property. The developer has also committed to restricting the height of the light fixtures. Flood lighting and generators, similar to what the prior owner used on the Property, will not be used.
- In addition to the landscaping and decorative walls along 87th and 88th Avenues, the Applicant agreed to install a tree-lined landscape buffer along the north property line.
- An existing retention basin parallels the south property line. It is anticipated that this retention volume will be relocated on the Property or be provided on the property to the south.
- The Property will be primarily accessed from 87th Avenue. No improvements are proposed to 88th Avenue, which is privately owned.
- The Planning and Zoning Commission will hear the applications and make a recommendation to the City Council which will make a final decision. A public hearing letter of notification will be mailed in advance of the Planning and Zoning Commission hearing.

V. Inquiries

No telephone calls were received regarding the applications. One (1) letter was received from the legal counsel for the property owner to the north. In response, the Development Team offered to meet with this property owner and their representative. This property owner and their representative chose to attend the neighborhood meeting.

VI. Summary

The preceding CPR was produced to summarize the Citizen Participation Plan that was implemented as part of the applications. It provides a description of the community outreach efforts employed by the Development Team to obtain feedback from stakeholders and the general public.

Exhibit A – Letter of Notification and Addressees



April 25, 2014

Re: Approximate 4.28 acres located north of the northwest corner of 87th Avenue and Bell Road.

Dear Property Owner or Resident:

Our firm represents BCC Development, Inc, the owner of the approximate 4.28 acres of land located north of the northwest corner of 87th Avenue and Bell Road in the City of Peoria as shown on the enclosed map (the "Property"). The Property is zoned RM-1 Multi-Family Residences, which allows for the development of high-density apartments and multi-family units (up to 25 dwelling units per acre) at a building height of 48-feet. The Property is currently utilized as a temporary vehicle staging lot under Temporary Use Permit TU13-00315. Prior use of the Property included parking and staging of vehicles by the Larry H. Miller organizations. Accordingly the Property has for some time been used for vehicle parking with no apparent or known detrimental impact to the area. Current improvements to the Property consist of dust-proof paving material and temporary fencing. The intent is to make permanent improvements to improve aesthetics and provide much better screening and buffers to the current use. The purpose of this letter is simply to introduce ourselves and let you know who we are and what we intend to build.

In order to change the zoning from high-density, four-story apartments to a parking lot and vehicle staging area, ownership recently filed applications with the City of Peoria for a minor amendment to the General Plan and, in essence, a down-zone of the Property from RM-1 Multi-Family Residences to Planned Area Development. The site plan and development standards have been strategically designed to include eight (8) foot high decorative masonry screen walls, significant perimeter landscaping improvements along 87th and 88th Avenues, reduced building heights, and increased setbacks. Also, enclosed with this letter is a copy of the site plan. Trucks and car carriers are prohibited from delivering to or picking-up vehicles from the Property. The proposed use will obviously generate far less vehicle trips per day than the current high-density apartment zoning.

If you would like to meet the development team or have any questions about the proposed development, we have scheduled the following open house meeting:

Date: May 6, 2014
Time: Anytime between 5:30 p.m. – 6:30 p.m.
Place: Desert Harbor Elementary School, Library
Address: 15585 North 91st Avenue, Peoria 85382

If you cannot attend for any reason, we would be happy to meet with you or a small group of your neighbors separately at your convenience. You may reach the undersigned at (602) 230-0600 or email at nick@witheymorris.com. Thank you for your courtesy and consideration.

Sincerely,

WITHEY MORRIS P.L.C.



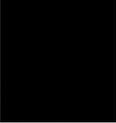
Nicholas A. Sobraske



4025 N. 46th Street
PHOENIX, AZ 85018
602.732.8800
602.732.8899 fax

JOHN MAHONEY
ARCHITECT

855 W. ELLIOT ROAD, #108
TEMPE, ARIZONA 85284
P 480.345.8457 F 480.345.1758



VEHICLE STAGING LOT
PHOENIX, ARIZONA

PROJECT NO. 1345

ISSUE DATE: 03/19/14

CONCEPTUAL
PLANTING PLAN

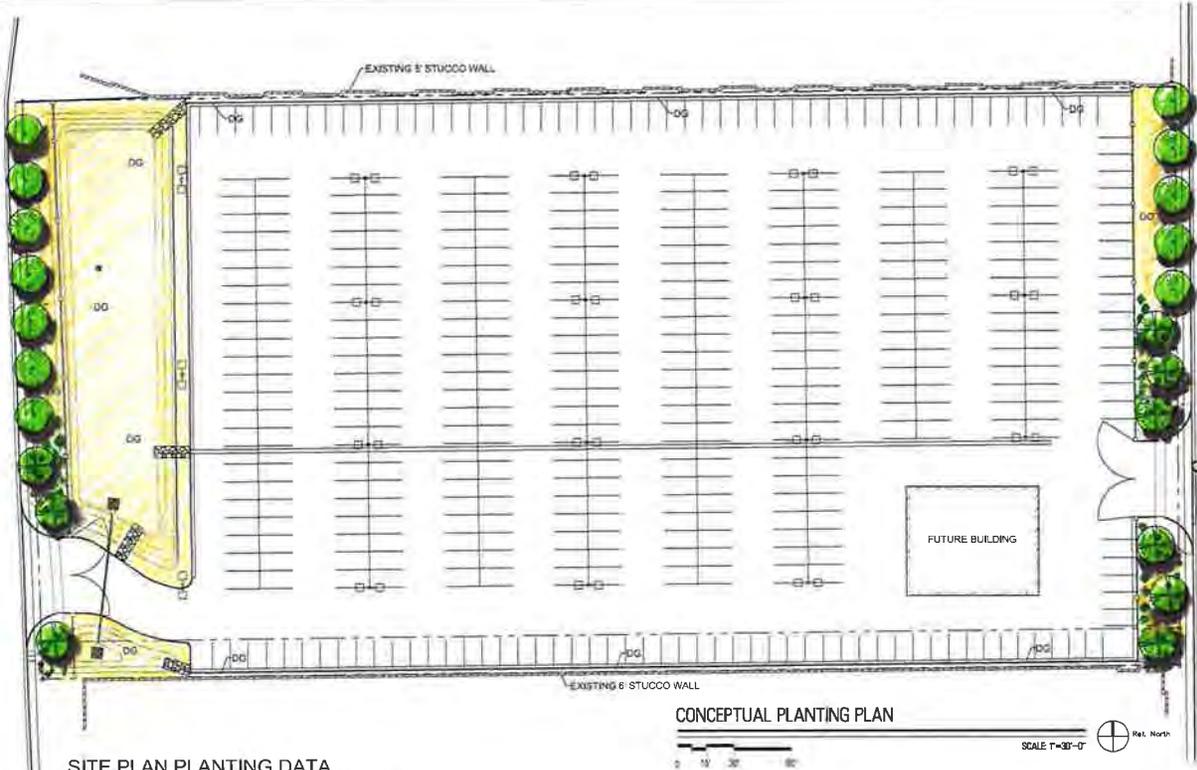
L100

MASTER PLANT LIST

TREES	SIZE/REMARKS
ULMUS PARVIFOLIA EVERGREEN ELM	24" BOX, STANDARD MATCHED, 12 QTY
CERCIDIMUM DESERT MUSEUM DESERT MUSEUM PALO VERDE	24" BOX, LOW-BREAKING 9 QTY
SHRUBS	
LEUCOPHYLLUM 'RIO BRAVO' 'RIO BRAVO' SAGE	5 GAL 70 QTY
RUELLIA PENNSYLVANICA BAJA RUELLIA	5 GAL 31 QTY
AGAVE WEBERII WEBER AGAVE	5 GAL 19 QTY
TECOMA 'ORANGE JUBILEE' 'ORANGE JUBILEE' TECOMA	5 GAL 9 QTY
GROUNDCOVER	
LANTANA 'NEW GOLD' 'NEW GOLD' LANTANA	1 GAL 43 QTY
1/2" SCREENED EXPRESS GOLD DECOMPOSED GRANITE	2" THICK TYP

GENERAL NOTES

- ALL PLANTING AREAS TO HAVE DECOMPOSED GRANITE EXPRESS GOLD 1/2" SCREENED 2" THICK TYP. GRANITE EXPRESS OR EQUAL, APPLIED OVER PRE-EMERGENT FERTILIZER SPECIES APPLICATIONS ONLY.
- VERIFY ALL CONDITIONS IN FIELD PRIOR TO BEGINNING INSTALLATION. DISCREPANCIES SHALL BE BROUGHT TO THE LANDSCAPE ARCHITECT'S ATTENTION IN WRITING. NO PLANT SUBSTITUTION ALLOWED UNLESS APPROVED BY LANDSCAPE ARCHITECT.
- LANDSCAPE ARCHITECT TO APPROVE ALL TREES AND SHRUBS PRIOR TO DELIVERY TO SITE.
- LANDSCAPE ARCHITECT OR HIS REPRESENTATIVE THE RIGHT TO REPLACE ANY PLANT HE/SHE DEEMS UNACCEPTABLE.
- FOR CLARIFICATION OF DISCREPANCIES BETWEEN THE DINGS AND THE SITE, THE DINGS SHOULD BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT PRIOR TO BEGINNING WORK.
- LANDSCAPE CONTRACTOR IS RESPONSIBLE TO TAKE PRECAUTIONS TO PROTECT ANY EXISTING IMPROVEMENTS, PLANT LIST QTY'S PROVIDED FOR CONTRACTOR'S CONVENIENCE ONLY. PLANT TAKE PRECEDENCE.
- TRENCH GRADE BELOW ALL PLANTERS SHALL BE 1" BELOW ADJACENT HEADER PAVING, CURBING, ETC.
- ALL EARTHWORK IS TO BE DONE SO THAT ALL WATER DRAINS AWAY FROM ALL STRUCTURES.
- ALL UNDERGROUND CONDUITS/PIPES/UTILITIES ARE TO BE LOCATED PRIOR TO DIGGING.
- CONTRACTOR IS RESPONSIBLE FOR ALL REQUIRED SLEEPINGS WHENEVER IT IS SHOWN ON THE PLANS OR NOT.
- ADJUST NEW LANDSCAPE TO ACCOMMODATE EXISTING LANDSCAPE TO REMAIN.
- LANDSCAPE CONTRACTOR RESPONSIBLE TO MAINTAIN EXISTING PLANT MATERIAL TO REMAIN IN GOOD HEALTHY CONDITION DURING CONSTRUCTION.



CONCEPTUAL PLANTING PLAN



SITE PLAN PLANTING DATA

LANDSCAPE AREAS

ON-SITE LANDSCAPE AREAS	REQUIRED	PROVIDED
A. OVERALL ON-SITE COMMERCIAL / OTHER NON-RESIDENTIAL: 20% OF NET SITE AREA	N/A	N/A
B. STREET FRONTAGE BUFFER		
1. COMMERCIAL AND FAMILY: 15' WIDE STRIP (ON-SITE) ALONG STREET FRONTAGE	7,737 SQ FT	10,115 SQ FT
2. SCHOOLS: 15' WIDE STRIP (ON-SITE) ALONG ARTERIAL STREET FRONTAGE / 10' OTHERS	N/A	N/A
3. INDUSTRIAL: 10' WIDE STRIP (ON-SITE) ALONG STREET FRONTAGE	N/A	N/A
C. LAND USE BUFFER		
1. O-1 / C-1 DISTRICTS ABUTTING ALL RESIDENTIAL DISTRICTS: 20' WIDE	N/A	N/A
2. OTHER NON-RESIDENTIAL DISTRICTS ABUTTING ALL RESIDENTIAL DISTRICTS: 30' WIDE	N/A	N/A
3. MULTIFAMILY DISTRICTS ABUTTING SINGLE FAMILY DISTRICTS: 20' WIDE	N/A	N/A

PLANT QUANTITIES

ON-SITE LANDSCAPE AREAS	REQUIRED	PROVIDED
MULTIFAMILY AND NON-RESIDENTIAL	N/A	N/A
D. TREES: 1 PER 400 SQ. FT. OF REQ. LANDSCAPING	N/A	N/A
E. SHRUBS: 5 PER 400 SQ. FT. OF REQ. LANDSCAPING	N/A	N/A
SCHOOLS		
F. TREES: 1 PER 800 SQ. FT. OF REQ. LANDSCAPING	N/A	N/A
G. SHRUBS: 5 PER 800 SQ. FT. OF REQ. LANDSCAPING	N/A	N/A
STREET FRONTAGE BUFFER PLANTINGS		
H. TREES: 1 PER 25 LIN. FT. OF STREET FRONTAGE	21 TREES	21 TREES
I. SHRUBS: 5 PER 25 LIN. FT. OF STREET FRONTAGE	105 SHRUBS	172 SHRUBS
LAND USE BUFFER PLANTINGS		
J. TREES: 3 PER 1,000 SQ. FT. OF REQ. BUFFER AREA	N/A	N/A
K. SHRUBS: 5 PER 1,000 SQ. FT. OF REQ. BUFFER AREA	N/A	N/A
TOTALS	REQUIRED	PROVIDED
TOTAL LANDSCAPE AREAS (A+B+C)	7,737 SQ FT	10,115 SQ FT
TOTAL TREES (D+F+H+J)	21 TREES	21 TREES
TOTAL 24" BOX TREES (80% OF TOTAL REQ. TREES)	11 TREES	21 TREES
TOTAL SHRUBS (E+G+K)	105 SHRUBS	172 SHRUBS

GENERAL NOTES

- TURF (LAWN) IS LIMITED TO A MAXIMUM OF 20% OF THE SITE AREA.
- A DEVELOPMENT MAY SUBSTITUTE A 30" BOX OR LARGER TREE IN PLACE OF A 15 GALLON TREE AT A SUBSTITUTION RATE OF 1.5 TREES FOR EVERY REQUIRED (15) GALLON TREE.
- ALL LANDSCAPED AREAS SHALL BE SUPPORTED BY AN AUTOMATIC IRRIGATION SYSTEM WHICH MAY BE SPRAY, FLOOD OR DRIP SYSTEM.
- PLANT MATERIALS UTILIZED IN LANDSCAPED AREAS IN THE ROW MUST BE INCLUDED ON THE MOST RECENT EDITION OF THE PHOENIX ACTIVE MANAGEMENT AREA LOW WATER USE / DROUGHT TOLERANT PLANT LIST.
- THE PROPERTY OWNER AND / OR LESSEE SHALL BE RESPONSIBLE TO INSTALL / MAINTAIN ALL LANDSCAPING WITHIN THE RIGHT-OF-WAY LANDSCAPING WITHIN ROW WALL, COUNT TOWARDS STREET FRONTAGE BUFFER PLANTING REQUIREMENTS.
- A 3 FOOT CLEAR SPACE IS REQUIRED AROUND ALL FIRE SUPPRESSION EQUIPMENT. NO PLANTS MAY BE INSTALLED THAT WILL ENCRATCH WHEN MATURE.

88TH AVENUE

CONTINENTAL DR

87TH AVENUE

FUTURE BUILDING

EXISTING 6" STUCCO WALL

EXISTING 8" STUCCO WALL

ARIZONA RETIREMENT CENTERS INC

[REDACTED]
[REDACTED]

CIRCLE K STORES INC

[REDACTED]
[REDACTED]

ERGS III ARROWHEAD OWNER LLC

[REDACTED]
[REDACTED]

HOLMES DOUGLAS
RONALD/JOHNSON ERIC HAROLD

[REDACTED]
[REDACTED]

MANOS MICHEAL S

[REDACTED]
[REDACTED]

NEW RIVER DEVELOPMENT LTD PART

[REDACTED]
[REDACTED]

Peacock Village HOA
c/o PDS Management

[REDACTED]
[REDACTED]

SURE LOCK DEVELOPMENT LTD
PARTNERSHIP

[REDACTED]
[REDACTED]

UH STORAGE DE LIMITED
PARTNERSHIP

[REDACTED]
[REDACTED]

BCC DEVELOPMENT INC

[REDACTED]
[REDACTED]

Countrybrook Meadows, Phases 2-5
c/o Kinney Management

[REDACTED]
[REDACTED]

GUAN QING QUI/JINDI

[REDACTED]
[REDACTED]

Hunter Ridge HOA
c/o Uptown on 27th, LLC.

[REDACTED]
[REDACTED]

MCGANN TOM J/VANESSA R

[REDACTED]
[REDACTED]

NEW RIVER DEVELOPMENT LTD PART

[REDACTED]
[REDACTED]

PEORIA PONTIAC-GMC TRUCK

[REDACTED]
[REDACTED]

Trails at Suraya Park
c/o Pride Community Management Co

[REDACTED]
[REDACTED]

ZILLMAN RICHARD L TR

[REDACTED]
[REDACTED]

BELL PARK HOMEOWNERS ASSOCIATION

[REDACTED]
[REDACTED]

COURTYARD PROPERTIES LTD
PARTNERSHIP

[REDACTED]
[REDACTED]

HOLDREN STEVEN A/SHARON R TR

[REDACTED]
[REDACTED]

LIFEHOUSE CAPITAL MONTECITO LLC

[REDACTED]
[REDACTED]

MOORE FRED C/CONNIE RAE REV TR

[REDACTED]
[REDACTED]

New River Shores

c/o Lighthouse Management

[REDACTED]
[REDACTED]

Star Summit HOA

c/o Rossmar and Graham

[REDACTED]
[REDACTED]

Travata

c/o Trestle Management Group

[REDACTED]
[REDACTED]

Exhibit B – Sign-In Sheet

SIGN-IN

VAN TUYL GROUP

N OF NWC OF 87TH AVE & BELL RD
NEIGHBORHOOD OPEN HOUSE MEETING - MAY 6, 2014 - 5:30 - 6:30 PM
DESERT HARBOR ELEMENTARY SCHOOL - 15585 N 91ST AVE, PEORIA, AZ 85382

NAME (Please Print)	ADDRESS	PHONE NO.	E-MAIL ADDRESS	Homeowner Assoc Name
1. Ruth Gordon	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
2. Jay Corwin	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
3. Jenni Lee Whalen	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
4. Sandra Halson	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
5. David Benicovitch	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
6. Eric Johnson	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
7.				
8.				
9.				



Jennings, Strouss & Salmon, PLC
Attorneys at Law

16150 N. Arrowhead Fountains Center Dr.
Suite 250
Peoria, AZ 85382-4754
Telephone: 602.262.5911
www.jslaw.com

David Brnilovich
Direct Dial: 602.262.5898
Direct Fax: 602.495.2666
dbrnilovich@jslaw.com

April 17, 2014

VIA E-MAIL/MAIL: m@witheymorris.com

Michael B. Withey, Esq.
Withey Morris, PLC
2525 E. Arizona Biltmore Circle, Suite A-212
Phoenix, Arizona 85016

Re: Peoria Zoning Case Z14-00004 and General Plan Amendment 14-0001

Dear Mr. Withey:

I have been retained by Arizona Retirement Centers, Inc. d/b/a Sierra Winds for representation in opposition to your client's Application for Re-Zoning and General Plan Amendment. Please direct all communications intended for Sierra Winds through me.

Very truly yours,

JENNINGS, STROUSS & SALMON, P.L.C.



By David Brnilovich

DBR/icg

cc via e-mail: Jennifer Nealon, Arizona Retirement Centers, Inc.
Stacy Bridge-Denzak, City of Peoria

EXHIBIT 3

Draft Ordinance

ORDINANCE NO 2014-37

AN ORDINANCE OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA ZONING PROPERTY FROM THE MULTI-FAMILY RESIDENTIAL (RM-1) ZONING DISTRICT TO THE BCC AUTOMOBILE STORAGE PLANNED AREA DEVELOPMENT (PAD) FOR OFF-SITE AUTOMOBILE STORAGE AMENDING THE ZONING MAP AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Peoria Planning and Zoning Commission held a public hearing on August 21, 2014 in zoning case Z14-0004 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 rezoning of a parcel of land as described below from Multi-Family Residential (RM-1) zoning district to the BCC Automobile Storage Planned Area Development (PAD) as provided in Section 14-33 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 August 1, 2014; 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 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 Exhibits A and B to this Ordinance, is hereby rezoned from the Multi-Family (RM-1) zoning district to the BCC Automobile Storage Planned Area Development (PAD) (Z14-0004) for off-site automobile storage and vehicle-related uses.

SECTION 2. The amendment to the zoning herein provided be conditioned and subject to the following stipulations:

1. The development shall substantially conform in all material respects to the *Dealership Support Facility Planned Area Development Standards and Guidelines Report* (case Z14-0004) dated *Resubmitted June 12, 2014*. The applicant shall provide an updated copy of the Final PAD Standards and Guidelines Report in written and electronic form to the City within 60 days of Council action. Said report shall reflect new Stipulations 12-14 and any additional modifications identified thereto.
2. All landscaping shall be installed within the first phase of development.
3. The Developer shall provide an ALTA Survey to reflect existing boundary and recorded easements on the site.
4. A Final Drainage Report must be submitted with the Civil Improvement Plans.
 - Note that the City of Peoria has adopted the Maricopa County Uniform Drainage Design Standards, Policies and Procedures and Drainage Design Manual for Maricopa County for drainage criteria. Retention must be provided for the 100-year, 2-hour storm.
 - Provide a drainage report addressing onsite & offsite flows. The drainage report shall take into effect the adjacent drainage ways.
 - If utilized, all Drywells must be registered with the Arizona Department of Environmental Quality and drilling logs shall be provided to the City. The percolation rate shall be tested and the results provided to the City before the drywell is accepted.
 - On-site basins shall be provided to retain/detain 100% of the 100-year, 2-hour storm event for the sub-basin it serves. The volume shall be calculated based on the gross square footage of the site (including half-street areas). A drainage easement shall be recorded over each retention/detention area within the project for both "public" and "private" basins.
5. The existing stormwater retention basin along the southern 20-feet of the Applicant's property is providing a certain quantity of stormwater retention (but not all) for the benefit of the parcel to the south. Therefore, an amount equal to the existing amount of stormwater retention volume shall be provided in accordance with one of following three options, or as otherwise approved by the City of Peoria Engineering Department: (1) The existing stormwater retention basin capacity shall remain as-is. (2) The equivalent amount of stormwater retention volume may be relocated elsewhere on the Applicant's property, provided the grading plans for the Applicant's project must reflect that drainage will be conveyed from the south parcel to a new retention basin location on the Applicant's property. A drainage easement between the owner of the Applicant's property and the owner of the south parcel will be required. (3) The south property owner and the Applicant's property can each individually retain their own stormwater in its entirety subject to approval by the City of Peoria Engineering Department. Construction documents for the south property will need to be submitted/permitted first or they will need to be submitted/permitted simultaneously with the Applicant's property.
6. The Developer will be responsible to underground any overhead utilities rated less than 69 kV, which are adjacent to the subdivision.

7. The Developer shall dedicate an 8' PUE outside of the ROW on 87th Avenue. No walls or retention shall be allowed within the PUE.
8. All driveways shall be in accordance with the requirements of Peoria Detail PE-251. Any deviations from this detail shall be addressed in a Traffic Impact Analysis.
9. Existing waterlines must be removed, and not abandoned in place.
10. Waterline easements can be abandoned and new waterline, PUE, drainage, and sidewalk easements may be dedicated by separate instruments or through a Final Plat. These separate instruments or Final Plat must be approved prior to issuance of permits for the site.
11. The Developer shall provide a preliminary drainage report, preliminary grading plans, and preliminary utility plans with the first site plan submittal.
12. The hours of operation for all automobile washing, detailing, and accessory installation shall be limited to between 7:00 AM and 7:00 PM.
13. All site lighting shall be limited to a maximum of 15 feet in height.
14. The delivery and transport of vehicles shall occur from 87th Avenue. Car carriers/transporters are prohibited from picking-up and delivering vehicles to the site.

SECTION 3. 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 and as defined by the Legal Description as represented in Exhibit A and the corresponding parcel map as shown as Exhibit B.

SECTION 4: 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 7th day of October, 2014.

Bob Barrett, Mayor

Date Signed

ATTEST:

Rhonda Geriminsky, City Clerk

Ordinance 2014-37
October 7, 2014

APPROVED AS TO FORM:

Stephen M. Kemp, City Attorney

Published in: Peoria Times
Pub. Dates: October 17, 2014

Effective Date:

EXHIBIT A

LEGAL DESCRIPTION

THAT PORTION OF THE SOUTH 1320.00 FEET OF THE EAST HALF OF THE WEST HALF OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 34;

THENCE NORTH 00 DEGREES 27 MINUTES 15 SECONDS WEST ALONG THE EAST LINE OF THE EAST HALF OF THE WEST HALF OF SAID SECTION 34, A DISTANCE OF 685.30 FEET;

THENCE SOUTH 89 DEGREES 23 MINUTES 48 SECONDS WEST PARALLEL TO THE SOUTH LINE OF SECTION 34, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89 DEGREES 23 MINUTES 48 SECONDS WEST A DISTANCE OF 602.25 FEET;

THENCE NORTH 02 DEGREES 03 MINUTES 17 SECONDS WEST A DISTANCE OF 277.70 FEET;

THENCE NORTH 00 DEGREES 27 MINUTES 15 SECONDS WEST A DISTANCE OF 30.09 FEET;

THENCE NORTH 89 DEGREES 23 MINUTES 48 SECONDS EAST PARALLEL TO THE SOUTH LINE OF SECTION 34 A DISTANCE OF 610.00 FEET;

THENCE SOUTH 00 DEGREES 27 MINUTES 15 SECONDS EAST, PARALLEL TO AND 40 FEET WEST OF THE EAST LINE OF SECTION 34 A DISTANCE OF 307.71 FEET TO THE POINT OF BEGINNING.

EXHIBIT B
Map

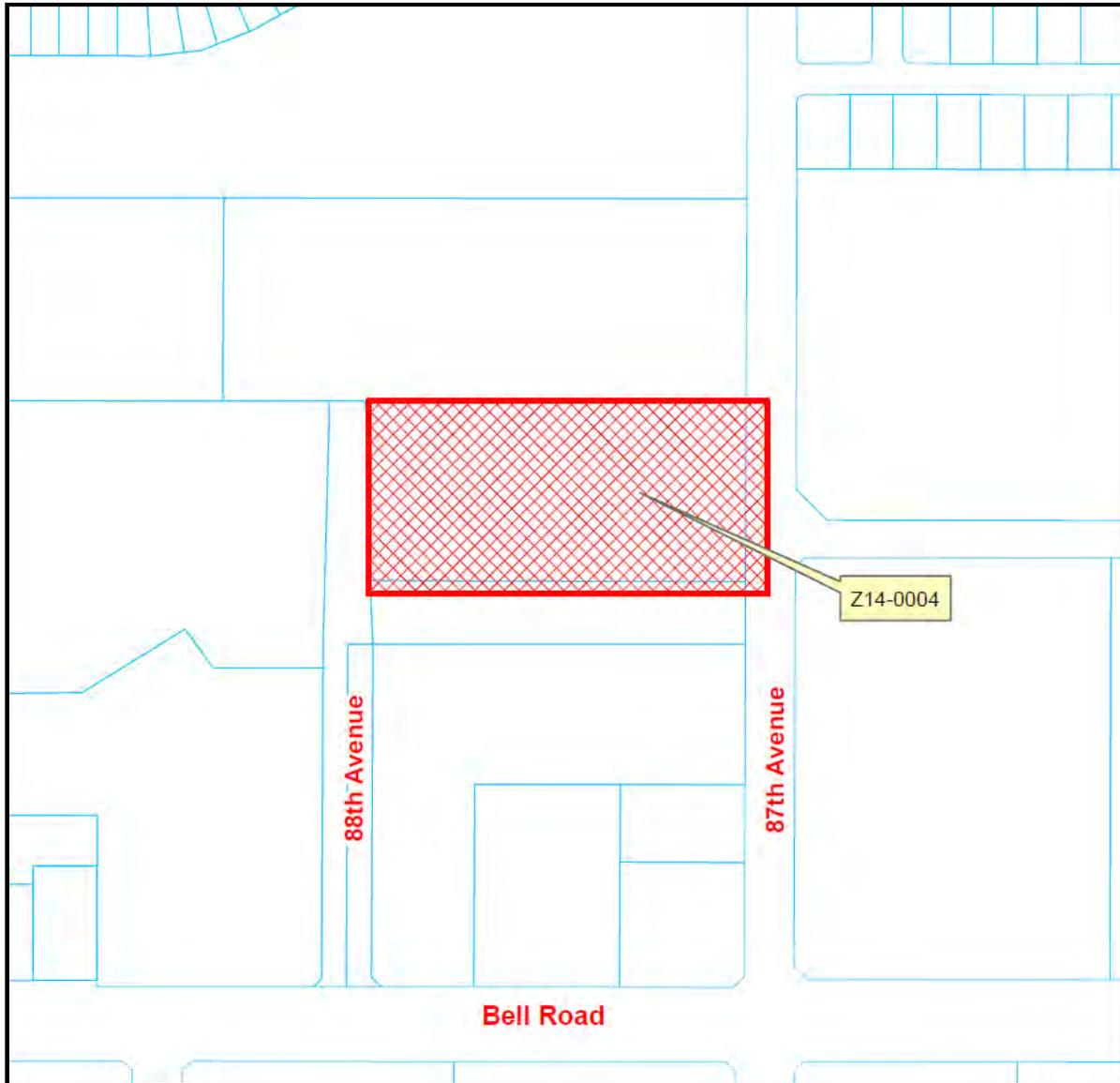


EXHIBIT 4

BCC Automobile Storage

Planned Area Development Standards and Guidelines Report

BCC Automobile Storage

REZONE APPLICATION STANDARDS AND GUIDELINES REPORT

CASE NO. Z14-0004

North of the northwest corner of
87th Avenue and Bell Road

Submitted: March 31, 2014

Resubmitted: May 27, 2014

Resubmitted: June 12, 2014

BCC Automobile Storage

REZONE APPLICATION STANDARDS AND GUIDELINES REPORT

North of the Northwest Corner of 87th Avenue and Bell Roads

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Aerial Map	B
Legal Description	C
ALTA Survey	D
Preliminary Development Plan	E

BCC Automobile Storage

REZONE APPLICATION STANDARDS AND GUIDELINES REPORT

North of the Northwest Corner of 87th Avenue and Bell Roads

Development Team

Property Owner:	BCC Development, Inc. Mike Pacheco / Tony Bongratz 1550 East Missouri Avenue, Suite 300 Phoenix, Arizona 85014 Phone. 602 / 230.1051 Phone. 480 / 797.0457 (Tony Bongratz) Email. abongratz@vtaig.com
Architect / Land Planning:	John Mahoney Architects, Inc. John Mahoney 850 West Elliot Road, Suite 108 Tempe, Arizona 85284 Phone. 480 / 345.8457 Facsimile. 480 / 345.1759 Email. john@mahoneyarch.com www.mahoneyarch.com
Engineering:	Site Consultants, Inc. Michael J. Caylor, P.E. / Waldy Garcia 113 South Rockford Drive, Suite 113 Tempe, Arizona 85281 Phone. 480 / 894.2820 Facsimile. 480 / 894.2847 Email. mcaylor@siteconsultants.net wgarcia@siteconsultants.net
Applicant / Legal Representative:	Withey Morris PLC Michael B. Withey, Esq. 2525 East Arizona Biltmore Circle, Suite A-212 Phoenix, Arizona 85016 Phone. 602 / 230.0600 Facsimile. Email. m@witheymorris.com www.witheymorris.com

I. Introduction

This application (the "Application") is a request to rezone the approximate 4.57 gross acres of property generally located north of the northwest corner of 87th Avenue and Bell Road (the "Property") from RM-1 Multi-Family Residential (RM-1) to Planned Area Development (PAD) to allow BCC Development, Inc. to park and/or store new and used automobiles and conduct other automobile related uses on the Property. (See **Exhibit A – Vicinity Map**). The proposed use of the Property is necessary to support and allow for the continued success and support of the Van Tuyl Group's automobile sales dealerships in the Bell Road area. This Application is simply an appropriate expansion of the existing commercial development along Bell Road. (A Minor General Plan Amendment application to change the land use designation on the Property from Medium-High Density Residential (8.0 to 15.0 dwelling units per acre) (MHDR) land use to Neighborhood Commercial has been submitted concurrently with this Application.)

Prior use of the Property included parking and staging of vehicles by the Larry H. Miller organizations. Accordingly the Property has for some time been used for vehicle parking with no apparent or known detrimental impact to the area. Current improvements to the Property consist of dust-proof paving material and temporary fencing. The intent is to make permanent improvements to improve aesthetics and provide screening and buffers to the current use.

The intent of this Application is to facilitate a quality, context specific development that fulfills the City of Peoria's goals and objectives.

This Application has been prepared pursuant to Article 14-33 of the City of Peoria Zoning Ordinance to establish the regulatory framework by creating development standards specific to the context of the project site. The provisions of this Application apply to the Property.

Zoning provisions not specifically regulated by this Application are governed by the City of Peoria Zoning Ordinance. In the event of a conflict between a provision of this Application and a provision of the City of Peoria Zoning Ordinance, the development standards set forth in this Application prevail.

II. Location / Relationship to Adjacent Properties

Comprised of approximately 4.57 gross acres, the Property is immediately bounded to the east and west by 87th Avenue and 88th Avenue, respectively. The Property generally slopes from east to west. (See **Exhibit B – Aerial Map** and **Exhibit C – Legal Description** and **Exhibit D – ALTA Survey**).

The property to the immediate north is developed with a senior retirement community zoned RM-1; and the property to the immediate south is

developed with a mini-storage zoned General Commercial (C-4). Bell Road and State Route 101 Agua Fria Freeway are generally located further south and east of the Property, respectively. Moving beyond the Property's immediate boundaries, the properties to the east are developed with an assisted living facility zoned Immediate Commercial (C-2) and an automobile dealership zoned Regional Commercial (C-5); and the property to the west is developed with apartments zoned RM-1.

III. General Plan Land Use

The City of Peoria General Plan designates the Property as Residential/Medium High land use. The Property is also subject to the North Peoria Redevelopment Area Plan which designates the Property as Community Commercial land use. A Minor General Plan Amendment application to change the land use designation from Residential/Medium High land use to Neighborhood Commercial land use has been submitted concurrently with this Application. The Neighborhood Commercial land use corresponds to this Application and the Preliminary Development Plan. (See **Exhibit E – Preliminary Development Plan**). The proposed uses support the proper transition from the high-density residential units north and west of the Property to the mini-storage and surrounding automobile dealerships south of the Property.

IV. Preliminary Development Plan

The proposed site plan is comprised of parking within an eight (8) foot high decorative masonry screen wall along 87th and 88th Avenues. This wall, which is articulated with accent pilasters, is strategically setback from 87th and 88th Avenues to provide for landscaping as an enhancement to the streetscape. A landscape setback is proposed along the north property line to provide additional visual screening and buffering for the senior retirement community.

The primary point of access will be from a driveway on 87th Avenue, which located to align with Continental Drive. A secondary point of access is proposed from a driveway from 88th Avenue, which is located near the southern boundary of the Property. Both proposed driveways will provide visual screening and security of the parking area by opaque painted steel gates.

A single-story security building may be constructed on the Property. Exterior building materials will include glass and decorative masonry consistent with the perimeter walls.

The Property will be developed in accordance with the City of Peoria's Design Review Manual.

V. Permitted Uses

The following use shall be permitted as matter of right:

1. Outdoor storage of new and used automobiles.
2. Automobile detailing and accessory installation (vehicle upgrades) accessory to the outdoor storage of new and used automobiles. No activity shall be performed outdoors.
3. Automobile washing/cleaning accessory to the outdoor storage of new and used automobiles. All activity shall be screened from view from public right-of-way.
4. On-site security accessory to any of the above listed Permitted Uses.

VI. Development Standards

The development standards under the current General Commercial (C-4) shall apply on the Property, except for the development standards set forth in this Report. In the event of a conflict between the Development Standards of this Report and the City of Peoria Zoning Ordinance, the development standards set forth in this Report prevail. The Property will be developed in accordance with the City of Peoria's Design Review Manual.

Development Standards Table	
Minimum Lot Area	No requirement.
Minimum Lot Width	No requirement.
Minimum Lot Depth	No requirement.
Minimum Frontage on One Arterial	No requirement.
Maximum Lot Coverage	No requirement.
Open Space	No requirement.
Maximum Building Height	40-feet.
Minimum Building Setbacks	
<i>Street Side</i>	20-feet.
<i>Interior</i>	0-feet.
<i>From Residential Zones</i>	50-feet.

Development Standards Table cont.	
Minimum Landscape Setbacks	
<i>Street Side (87th Avenue)</i>	20-feet.
<i>Street Side (88th Avenue)</i>	20-feet.
<i>Interior</i>	No requirement.
<i>Landscape Buffer/North Property Line</i>	21-feet.

VII. Landscape Standards

Landscaping shall conform to Article 14-35 of the City of Peoria Zoning Ordinance, except for the landscape standards set forth in this Report:

1. Required landscape materials and planting standards:

Landscape Materials	Minimum Size At Planting
Trees	Twenty-four (24) inch box
Shrubs	Five (5) gallon
Vegetative Groundcover	One (1) gallon
Inert Groundcover	¾" decomposed granite

- 2. Required landscape areas shall be limited to the Minimum Landscape Setbacks.
- 3. Street Frontage: One (1) tree and five (5) shrubs shall be provided per every 25-feet of linear street frontage, and vegetative groundcover. The shrubs and groundcover shall occupy a minimum of 60-percent of the total street frontage landscape at maturity.
- 4. Landscape Buffer/North Property Line: One (1) tree shall be provided per every twenty (20) feet in a staggered formation adjacent to the north property line. Shrubs and vegetative groundcover shall not be required. The ground place shall be decomposed granite.
- 5. Trees, shrubs and vegetative ground cover may be arranged in formal or informal layouts.

VIII. Off-Street Parking Standards

The outdoor storage of new and used automobiles shall not be required to meet any parking stall dimension, parking aisle dimension or striping requirements. All areas intended to be utilized for the outdoor storage of new and used automobiles, access aisles and driveways shall be paved with concrete or asphalt to control dust and drainage.

Parking shall be provided in accordance with Article 14-23 of the City of Peoria Zoning Ordinance. A minimum (1) standard parking space shall be provided for the security building if constructed.

IX. Signage Standards

Signage shall be permitted on the Property in accordance with the existing City of Peoria General Commercial (C-4) zoning district and Section 14-34 of the City of Peoria Zoning Ordinance.

X. Lighting Standards

Lighting shall conform to Article 14-3 of the City of Peoria Zoning Ordinance. Light fixtures used to illuminate the Property shall be sited, directed and shielded to prevent spot lighting, glare or light spillage beyond the Property. Light fixtures shall be a maximum eighteen (18) feet in height above the surface grade.

XI. Walls / Fences

The design, materials, and colors for all walls, fences and screening devices visible from public view should be uniform in appearance. Eight (8) foot high screen walls, featuring decorative pilasters and block scoring, will be provided along 87th and 88th Avenues. In addition, eight (8) foot high decorative, opaque security gates shall be provided at both points of access from 87th Avenue and 88th Avenue. Chain link fencing shall be prohibited when visible from right-of-way.

XII. Phasing

It is anticipated that the first phase of development will include the construction of perimeter walls/fences, perimeter landscaping, storm water handling improvements, the paving of new and used automobile storage areas, and the potential construction of the security building. Future phases and additional improvements (together with the necessary site work and infrastructure) will be developed within the Property as market conditions warrant. Plans for each phase will be submitted to the City of Peoria to ensure proper and orderly development.

XIII. Infrastructure / Utilities

1. Grading and Drainage

The on-site grading, drainage and paving plans will be in compliance with applicable existing City of Peoria Codes. The development of the Property will provide the required on-site 100-year, 2-hour storm water retention volume. Storm water will be conveyed to a retention basin via pavement sheet flows and concrete gutters. No on-site storm drain system will be constructed. Drywell(s) may be installed to dissipate the retained storm water retention volume.

2. Street Improvements

Commercial driveways will be constructed on 87th Avenue, which is a public street, and on 88th Avenue, which is a private street located on a private tract.

3. Utilities

Anticipated 1st Phase utility improvements include the installation of one (1) 1-inch landscape meter within the 87th Avenue right-of-way. Electric service will be provided to the Property to power the on-site lighting and security gates at the 87th and 88th Avenue driveway entrances. No other utility service connections to the existing public or franchise utility infrastructures are currently proposed.

4. Infrastructure Improvements

No off-site infrastructure improvements are proposed as part of this Application.

Exhibit A – Vicinity Map

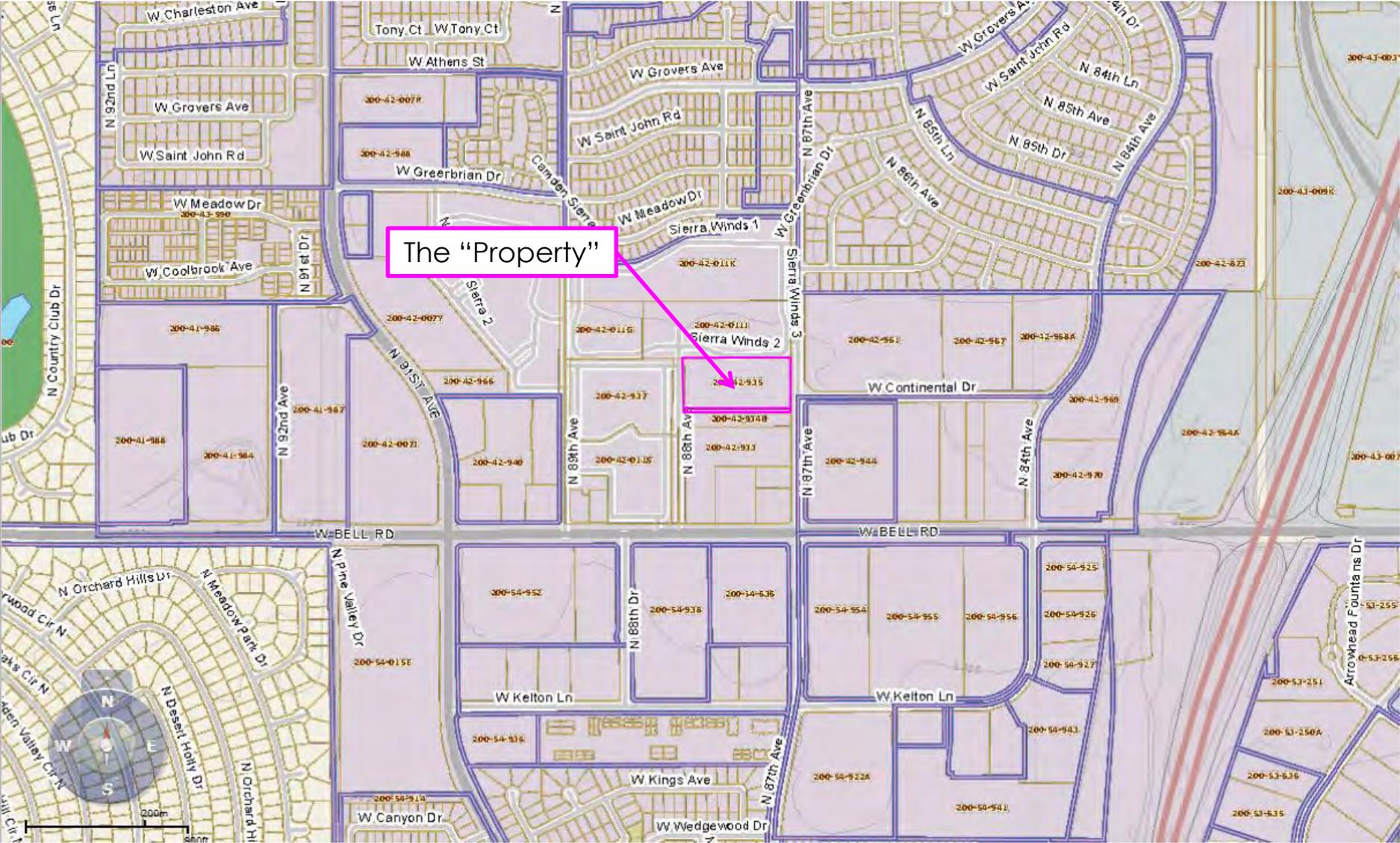


Exhibit B – Aerial Map

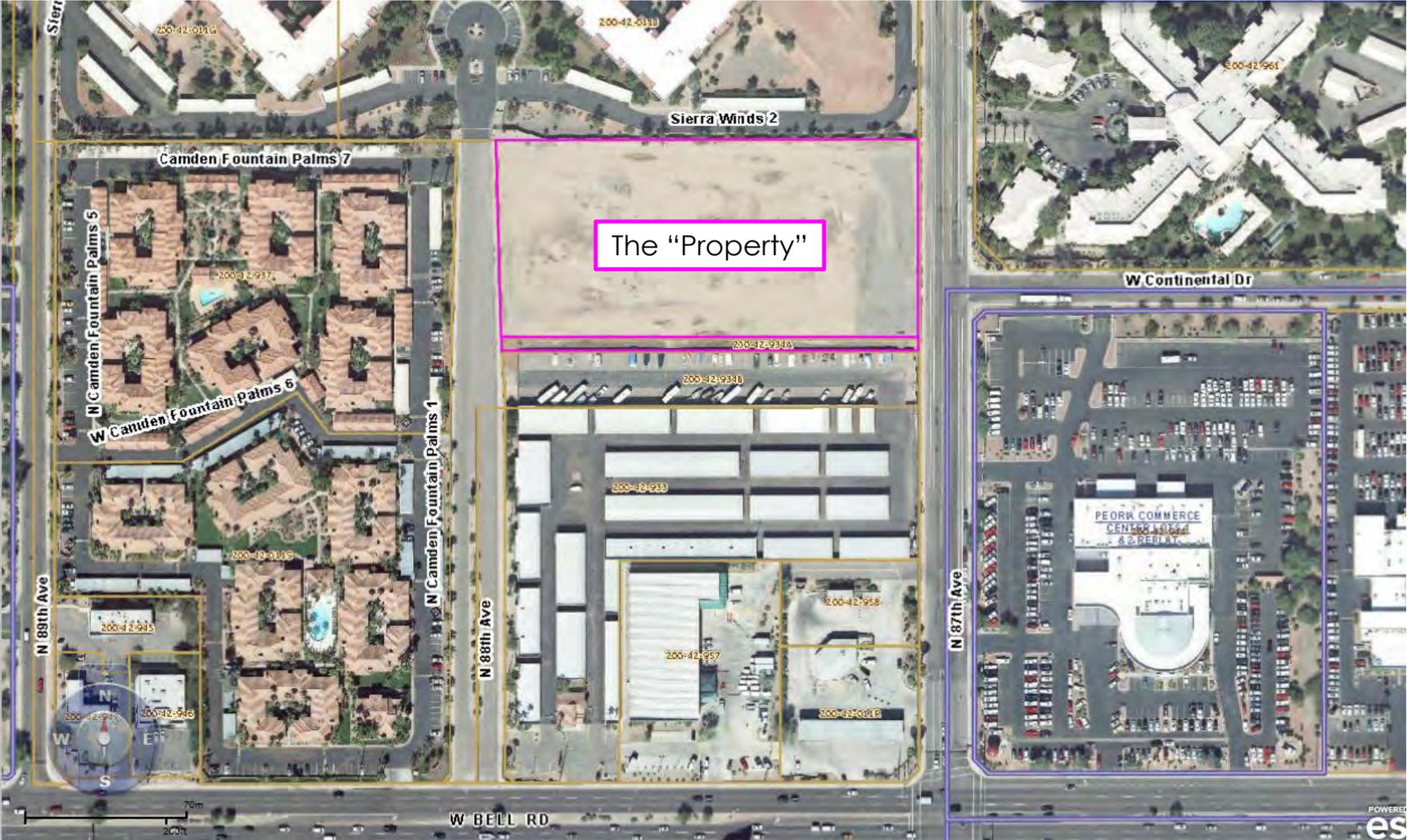


Exhibit C – Legal Description

LEGAL DESCRIPTION

THAT PORTION OF THE SOUTH 1320.00 FEET OF THE EAST HALF OF THE WEST HALF OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 34;

THENCE NORTH 00 DEGREES 27 MINUTES 15 SECONDS WEST ALONG THE EAST LINE OF THE EAST HALF OF THE WEST HALF OF SAID SECTION 34, A DISTANCE OF 685.30 FEET;

THENCE SOUTH 89 DEGREES 23 MINUTES 48 SECONDS WEST PARALLEL TO THE SOUTH LINE OF SECTION 34, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING;

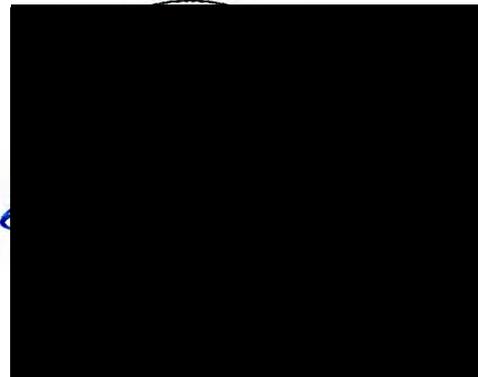
THENCE CONTINUING SOUTH 89 DEGREES 23 MINUTES 48 SECONDS WEST A DISTANCE OF 602.25 FEET;

THENCE NORTH 02 DEGREES 03 MINUTES 17 SECONDS WEST A DISTANCE OF 277.70 FEET;

THENCE NORTH 00 DEGREES 27 MINUTES 15 SECONDS WEST A DISTANCE OF 30.09 FEET;

THENCE NORTH 89 DEGREES 23 MINUTES 48 SECONDS EAST PARALLEL TO THE SOUTH LINE OF SECTION 34 A DISTANCE OF 610.00 FEET;

THENCE SOUTH 00 DEGREES 27 MINUTES 15 SECONDS EAST, PARALLEL TO AND 40 FEET WEST OF THE EAST LINE OF SECTION 34 A DISTANCE OF 307.71 FEET TO THE POINT OF BEGINNING.



ZONING LEGAL DESCRIPTION

VEHICLE STAGING LOT

Site Consultants, Inc.

113 S. Rockford Drive, Tempe Arizona 85281

Tele: 480-894-2820 Fax: 480-894-2847

SCI #1996 SCALE: NO SCALE DATE: 2-26-2014

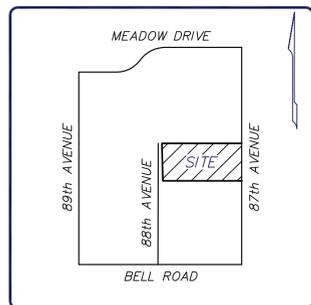
Exhibit D – ALTA Survey

A.L.T.A. / A.C.S.M. LAND TITLE SURVEY

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 34,
TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT
RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

SURVEY NOTES

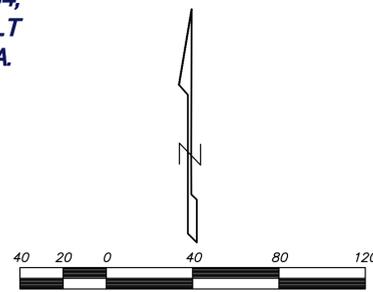
- This survey is based on a First Amended Commitment for Title Insurance issued by Thomas Title & Escrow, LLC, issuing agent for First American Title Insurance Company, File Number 132783-33, dated November 26, 2013.
- BASIS OF BEARING:** The monument line of 87th Avenue, also being the East line of the West half of Section 34, using a bearing of North 00 degrees 27 minutes 15 seconds West, per the description used for this survey.
- The bearings and distances depicted indicate actual field or computed measurements performed during the course of this survey. This information may vary from documents of record used for this survey.
- The utility information shown is limited to visible above ground evidence and/or records provided by the respective utility companies. This survey may not depict all of the underground utilities either in service or abandoned that may exist adjacent to or within the boundaries of the subject property. No representation is made to the accuracy or completeness of any third party maps, records or information used to depict the underground utilities. An underground utility locator should be retained prior to excavation or construction to determine the precise location of all utilities that may exist adjacent to or within the boundaries of the subject property. The certification on this survey does not guarantee or provide any warranty to the exact location or presence of any underground utilities that may actually exist adjacent to or within the boundaries of the subject property.
- This Survey has been prepared exclusively for the parties stated in the certification for use in conjunction with the escrow referenced in Survey Note No. 1. Reproduction or use of this survey by any other party for any other transaction or purpose is unauthorized without written authorization from Alliance Land Surveying, LLC. The use of the word "certify" or "certification" by a person or firm that is registered or certified by the board is an expression of professional opinion regarding facts or findings that are the subject of the certification and does not constitute an express or implied warranty or guarantee (A.R.S. 32-151).
- The boundary line common to Parcel No. 1 and Parcel No. 2 shown on this survey is contiguous with no gaps or gores.



VICINITY MAP

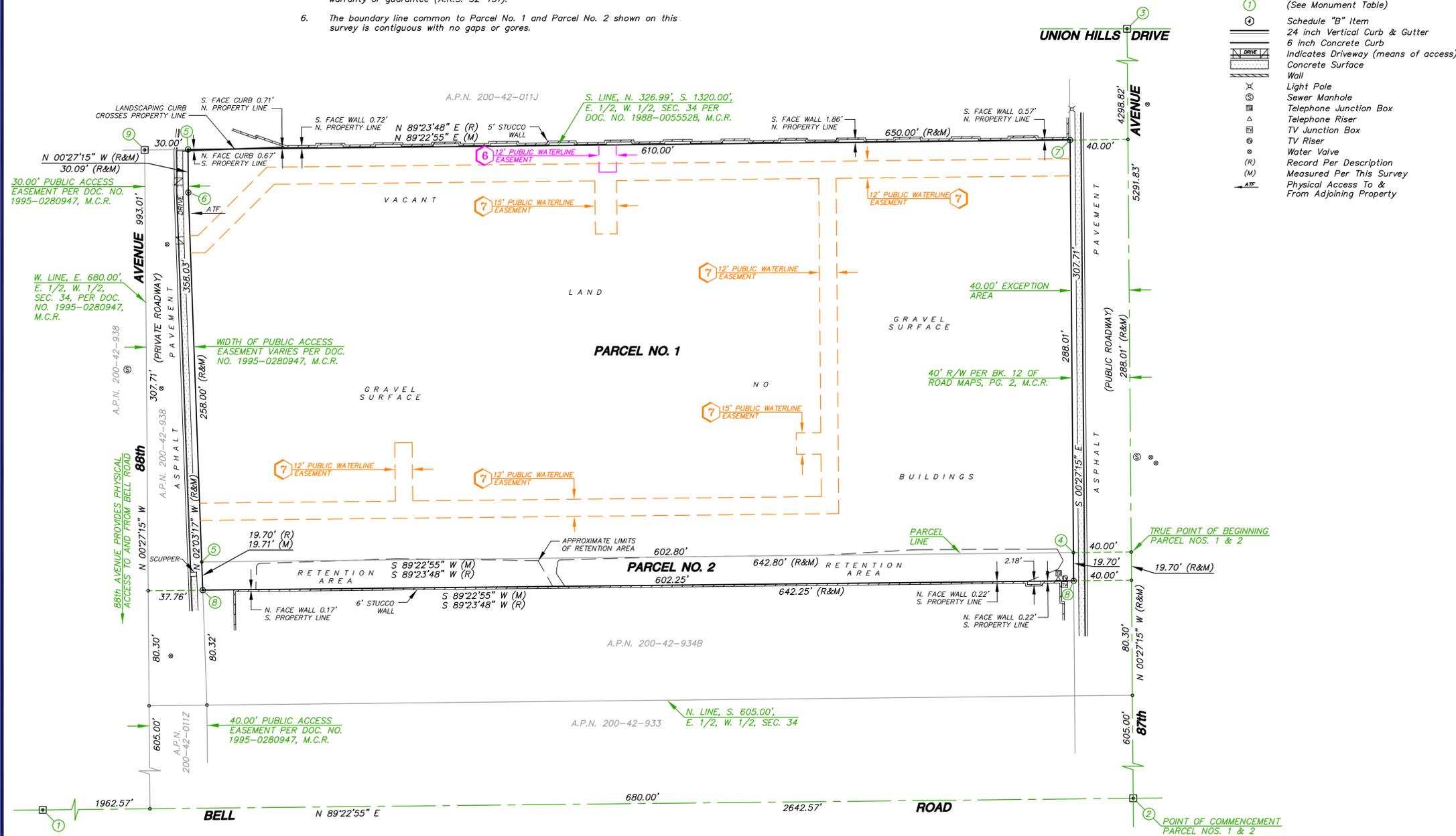
NOT TO SCALE

MONUMENT TABLE	
①	SW. COR. SEC. 34 - FND BRASS CAP IN HANDHOLE
②	S. 1/4 COR. SEC. 34 - FND BRASS CAP IN HANDHOLE
③	N. 1/4 COR. SEC. 34 - FND BRASS CAP FLUSH
④	FND 1/2" REBAR NO I.D.
⑤	FND 1/2" REBAR W/CAP L.S. 13562
⑥	SET 1/2" REBAR W/CAP L.S. 31020
⑦	FND 1/2" REBAR W/ILLEGIBLE CAP - REPLACED CAP L.S. 31020
⑧	FND 1/2" REBAR W/CAP L.S. 15337
⑨	FND COTTON PICKER SPINDLE, S 71°39'23" W, 0.31'



LEGEND

- Property Corner (See Monument Table)
- Property Line
- Fnd Survey Monument (See Monument Table)
- (See Monument Table)
- ① Schedule "B" Item
- ② 24 inch Vertical Curb & Gutter
- ③ 6 inch Concrete Curb
- ④ Indicates Driveway (means of access)
- ⑤ Concrete Surface
- ⑥ Wall
- ⑦ Light Pole
- ⑧ Sewer Manhole
- ⑨ Telephone Junction Box
- ⑩ Telephone Riser
- ⑪ TV Junction Box
- ⑫ TV Riser
- ⑬ Water Valve
- ⑭ Record Per Description Measured Per This Survey
- ⑮ Physical Access To & From Adjoining Property



PARCEL DESCRIPTION

PARCEL NO. 1:
That portion of the South 1320.00 feet of the East half of the West half of Section 34, Township 4 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:
Commencing at the South quarter corner of said Section 34;
Thence North 00 degrees 27 minutes 15 seconds West along the East line of the East half of the West half of Section 34, a distance of 705.00 feet to the TRUE POINT OF BEGINNING;
Thence South 89 degrees 23 minutes 48 seconds West parallel to the South line of Section 34, a distance of 642.80 feet;
Thence North 02 degrees 03 minutes 17 seconds West, a distance of 258.00 feet;
Thence North 00 degrees 27 minutes 15 seconds West, a distance of 30.09 feet;
Thence North 89 degrees 23 minutes 48 seconds East, parallel to the South line of Section 34, a distance of 650.00 feet to a point on the East line of the East half of the West half of Section 34;
Thence South 00 degrees 27 minutes 15 seconds East, along the East line of the East half of the West half of Section 34, a distance of 288.01 feet to the TRUE POINT OF BEGINNING;
EXCEPT the East 40.00 feet thereof.

PARCEL NO. 2:
The portion of the South 1320 feet of the East half of the West half of Section 34, Township 4 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:
Commencing at the South quarter corner of said Section 34;
Thence North 00 degrees 27 minutes 15 seconds West along the East line of the East half of the West half of said Section 34, a distance of 705.00 feet to the TRUE POINT OF BEGINNING;
Thence South 00 degrees 27 minutes 15 seconds East along the East line of the East half of the West half of said Section 34, a distance of 19.70 feet;
Thence South 89 degrees 23 minutes 48 seconds West, parallel to the South line of Section 34, a distance of 642.25 feet;
Thence North 02 degrees 03 minutes 17 seconds West, a distance of 19.70 feet;
Thence North 89 degrees 23 minutes 48 seconds East, parallel to the South line of Section 34, a distance of 642.80 feet to the TRUE POINT OF BEGINNING;
EXCEPT the East 40.00 feet thereof.

SCHEDULE "B" ITEMS

- An easement for underground utilities and incidental purposes recorded as Docket 15186, page 854, of Official Records. (BLANKET EASEMENT OVER THE SUBJECT PROPERTY - NOT PLOTTED HEREON)
- An easement for underground electric lines and appurtenant facilities and incidental purposes recorded as 1985-544581, of Official Records. (BLANKET EASEMENT OVER THE SUBJECT PROPERTY - NOT PLOTTED HEREON)
- An easement for waterline and incidental purposes recorded as 1995-280945, of Official Records.
- An easement for waterline and incidental purposes recorded as 1995-280946, of Official Records.
- All matters as set forth in Declaration of Easements, recorded February 4, 1998, as 1998-87786, of Official Records. (AFFECTS SUBJECT PROPERTY - NOT PLOTTABLE)
- The effect of a map purporting to show the land recorded as Book 924 of Maps, page 22. (DOCUMENT IS A RECORDED ALTA SURVEY AND DOES NOT CREATE ANY PLOTTABLE EASEMENTS OVER THE SUBJECT PROPERTY)

REFERENCE DOCUMENTS

ROAD MAP PER BOOK 12 OF ROAD MAPS, PAGE 2, M.C.R.
PLAT PER BOOK 319, PAGE 18, M.C.R.
RECORDED A.L.T.A. SURVEY PER BOOK 924, PAGE 22, M.C.R.
DEED PER DOCUMENT NO. 1988-0055528, M.C.R.
DEED PER DOCUMENT NO. 1990-0499745, M.C.R.
DEED PER DOCUMENT NO. 1995-0280947, M.C.R.
DEED PER DOCUMENT NO. 1995-0000340, M.C.R.

SITE INFORMATION

ADDRESS: 87th AVENUE & BELL ROAD, PEORIA, ARIZONA

No buildings existing on the surveyed property.

A.P.N.: 200-42-935 & 200-42-934A

LAND AREA:
4.284 ACRES - 186,629 SQ. FEET

STRIPED PARKING SPACE TABULATION:
There are no striped parking spaces on the subject property.

CERTIFICATION

To: BCC Development Inc., an Arizona corporation; RES-AZ PEORIA, LLC, a Florida limited liability company; Thomas Title & Escrow, LLC; and First American Title Insurance Company.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 4, 8, 9, 10(a), 11(a), and 14 of Table A thereof. The field work was completed on December 14, 2013.

December 18, 2013
G. Bryan Goetzenberger
R.L.S. 31020

ALTA / A.C.S.M. LAND TITLE SURVEY
87th AVENUE & BELL ROAD, PEORIA, ARIZONA

STATEWIDE SERVICE IN ARIZONA
www.alliancelsurveying.com

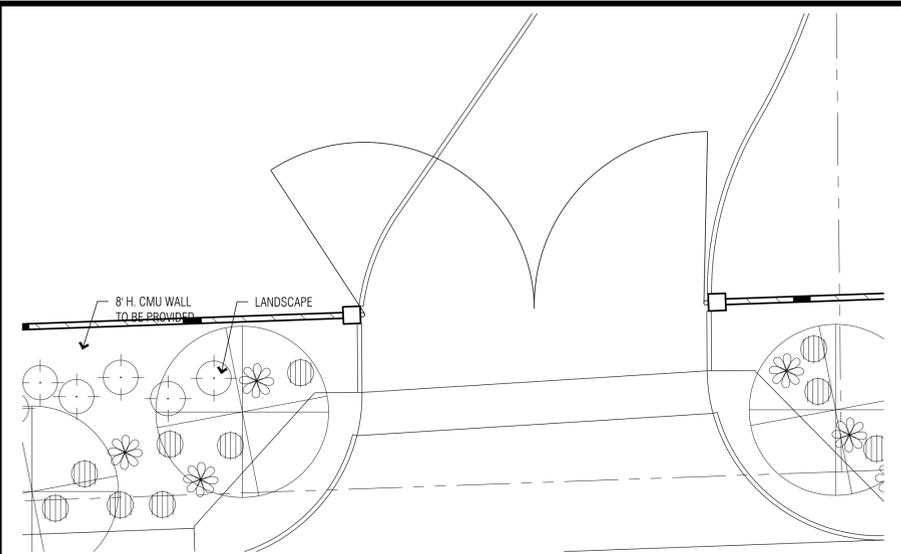
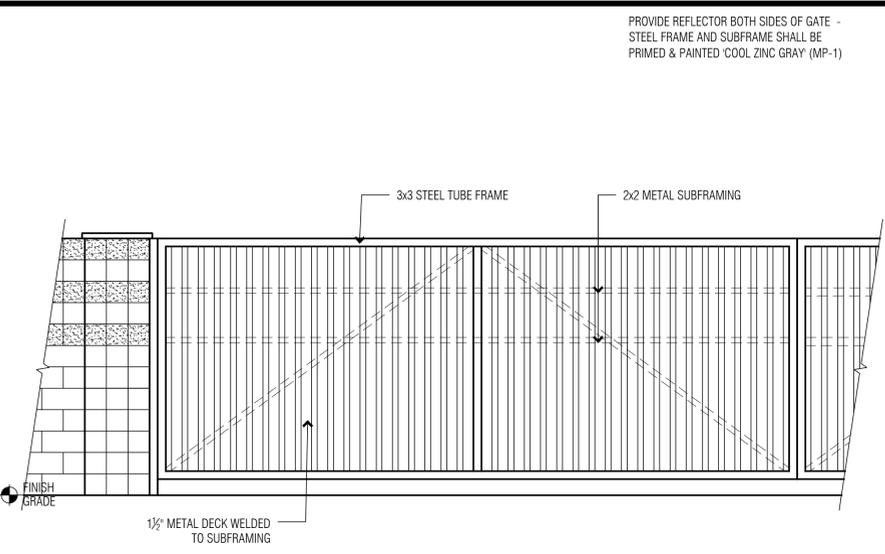
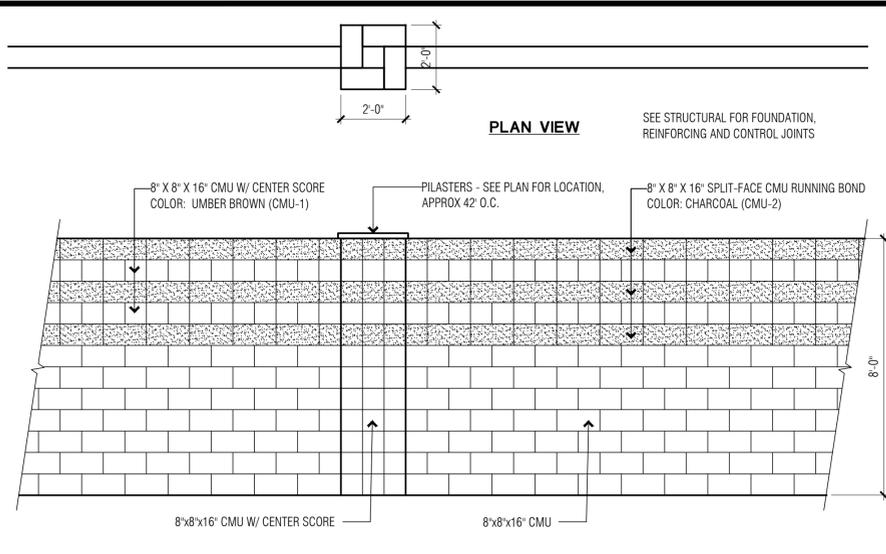
7900 N. 70th AVENUE TEL (623) 972-2200
SUITE 104 FAX (623) 972-1616
GLENDALE, AZ 85303

ALLIANCE
LAND SURVEYING, LLC

SHEET: 1 OF 1 DATE: 12-18-2013 JOB NO: 131220

Exhibit E – Preliminary Development Plan

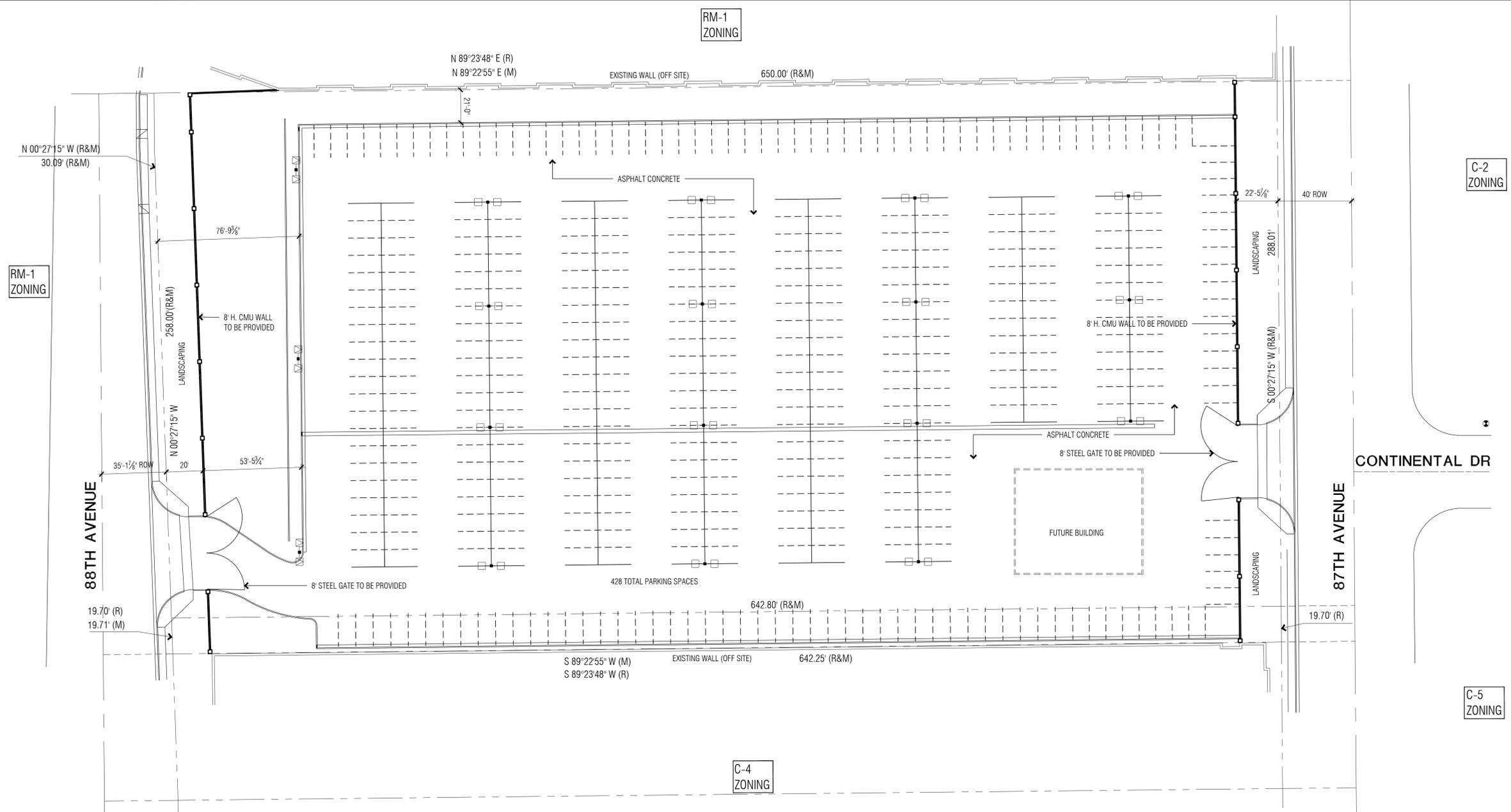
PRELIMINARY ONLY
NOT FOR CONSTRUCTION



3 8' SITE SCREEN WALL SCALE: 3/8" = 1'-0"

2 8' STEEL GATE SCALE: 3/8" = 1'-0"

1 PLAN VIEW - LANDSCAPE SCALE: 1" = 10'-0"



PROJECT INFO

ARCHITECT: JOHN MAHONEY ARCHITECT, LLC
850 WEST ELLIOT #108
TEMPE, AZ 85284

PROPERTY OWNER: BCC DEVELOPMENT INC
1550 E. MISSOURI #300
PHOENIX, ARIZONA 85014

OPERATOR: VAN TUYL GROUP
MIKE PACHECO
1550 E. MISSOURI #300
PHOENIX, ARIZONA 85014

APPLICANT: WITHEY MORRIS PLC
MICHAEL B. WITHEY
2525 E. ARIZONA BILTMORE CIRCLE
SUITE A212
PHOENIX, ARIZONA
PHONE 602-230-0600
FAX 602-212-1787
EMAIL m@witheymorris.com

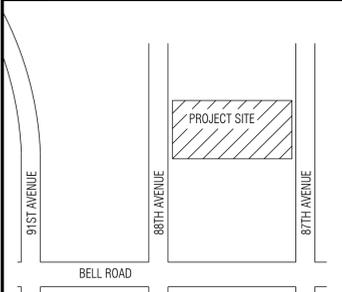
APN#: 200-42-935
200-42-934A

EXISTING ZONING: RM-1 MULTI FAMILY RESIDENTIAL DISTRICT

GROSS SITE AREA: 198,937 S.F. (EXCLUDING 88TH AVE)
NET SITE AREA: 186,629 S.F. (4.28 AC)

SYMBOLS

- DENOTES TYPICAL PARKING STALL (9'-6" X 18')
- DENOTES LIGHT FIXTURE, POLE AND BASE
- DENOTES FIRE HYDRANT



VEHICLE STAGING LOT
PEORIA, ARIZONA

PROJECT NO. 1946
ISSUE DATE 4/21/14

SITE PLAN
USE PERMIT

A100

SITE PLAN

SCALE: 1" = 30'-0"



EXHIBIT 5

Letter of Opposition from Sierra Winds



Jennings, Strouss & Salmon, PLC
Attorneys at Law

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August 15, 2014

SENT VIA E-MAIL: Stacey.Bridge-Denzak@peoriaaz.gov

Stacy Bridge-Denzak, Planner,
City of Peoria
Planning & Community Development
9875 N. 85th Avenue
Peoria, Arizona 85345

SENT VIA HAND-DELIVERY TO:

Greg Loper
Shawn Hutchinson
Bill Louis
Jeff Nelson
City of Peoria
Planning & Zoning Commission
8401 West Monroe Street
Peoria, AZ 85345

Re: Z14-0004, GPA 14-0001, West Side of 87th Avenue Adjacent to Sierra Winds

Dear Commission Members and Ms. Bridge-Denzak:

We represent Arizona Retirement Centers, Inc. d/b/a Sierra Winds in opposition to the proposed Rezoning and Plan Amendment whereby the zoning on the subject parcel would be changed from RM-1, multi-family residential to PAD Zoning. The proposed use would permit the applicant to offload cars and trucks from large tractor-trailer rigs, store the cars and trucks on the subject parcel, prepare the cars and trucks for sale and shuttle the cars and trucks back and forth between the subject parcel and the Ford dealer at 91st Avenue and Bell Road and/or to other dealers.

The proposed zoning change and plan amendment would permit a use that is incompatible with the surrounding uses; it is an intensive commercial use which is a radical departure from the General Plan and would have a negative financial impact on Sierra Winds which is one of the City's larger private employers.

The History of the Parcel and the Surrounding Area

The present zoning of the subject property and the surrounding uses are substantially similar to what was envisioned for this area when it was annexed into the City more than 30 years ago. Ordinance 79-23 zoned the area multi-family residential, RM1 with only 12.5 acres of commercial, C2 at the immediate northwest corner of 87th Avenue and Bell Road. In 1985, the City approved the construction of what would become Sierra Winds. In 1985, the City also approved the construction of the mini-storage which surrounds the Circle K located at the northwest corner of 87th Avenue and Bell Road. The subject parcel retained its multi-family zoning for more than 30 years.

Area development progressed as was originally planned. An access easement from Bell Road to the main entrance of Sierra Winds, presently known as 88th Avenue, was constructed. The subject parcel is on the east side of the easement, the Aragon apartment complex is on the west side of the easement and the Sierra Winds complex is on the north side of the easement. With the construction of Sierra Winds, the Aragon apartment complex and the commercial uses on the corner of 87th Avenue and Bell, the area developed in accordance with the General Plan.

In 2004, Peoria Pontiac/GMC which is located at the northeast corner of Bell Road and 88th Avenue submitted an application to rezone the subject parcel from RM-1 to PAD. That application, Z-04-07 proposed that the subject property be used for parking cars and trucks on the north two acres of the subject parcel, the area most adjacent to Sierra Winds, and using the south 1.87 acres for a car wash and auto accessory upgrades. The applicant proposed to surround the subject property with a six-foot masonry screen wall and the applicant proposed that the exterior of the subject property would be landscaped with trees and shrubs. This is substantially similar to the present Application. Sierra Winds opposed the 2004 application. The application came before the Planning & Zoning Commission on April 15, 2004.¹ No action was taken by the Commission at that time. The case was continued upon a unanimous vote of the Commission. In May 2004, the applicant withdrew the application.

Nothing has changed in the area since 1985 which would warrant a change in the zoning from multi-family residential to PAD with a commercial use that is incompatible with the surrounding existing residential uses.

Facts Supporting the Denial of the Applications

Sierra Winds borders the subject parcel to the north. In 1985, when Sierra Winds was being developed, it obtained a Special Use Permit from the City of Peoria to permit the construction of a three-story residential facility. Upon construction of the residential facility, the apartment units were sold to elderly residents. The apartment units on the south side of Sierra Winds faced the subject parcel. Those apartment units have large windows and balconies. The windows and balconies permit the residents to have sight lines directly to the subject parcel.

¹ The undersigned was a member of the Planning & Zoning Commission at that time.

Over the past decades, the units have been sold with the subject parcel being a vacant parcel with multi-family residential zoning. The residents did not purchase their units so that they would have a view of a parking lot. The residents did not purchase their units so that they could be treated to the sight, smell and noise associated with tractor trailer rigs parked in the middle of 87th Avenue throughout the week as they load and offload vehicles into the storage parking lot. They did not purchase their unit so they could have parking lot lighting intrude into their apartments or be subject to the sounds of a car wash.

The Application Proposes an Improper Planned Area Development

The Application seeks changes that violate the letter and spirit of Peoria zoning. Under the Peoria Zoning Ordinance, the purpose or intent of Planned Area Developments (PAD) is five-fold. One of the objectives is to provide a compatible and stable development environment, in harmony with that of the surrounding area. The application proposes a use that is incompatible, is destabilizing and is antagonistic to the multi-family residential uses to the north and to the west which have existed for decades. For this reason alone, the application should be denied.

A second goal of a PAD development is to encourage innovations in residential, commercial and industrial development for the purposes of affording greater opportunities for better housing, recreation, shopping and employment that may extend to all citizens and residents of Peoria. The creation of a parking lot is the antitheses of an innovative use. It does not afford greater opportunity for better housing. It has a negative impact on existing housing.

A third goal of PAD districts is to reflect changes in the technology of land development. A parking lot does not reflect any changes in the technology of land development.

A fourth goal is to enhance the City's development growth in order that the public health, safety and general welfare are enhanced as Peoria urbanizes. There is nothing in the application that demonstrates that public health safety and general welfare would be enhanced by locating a commercial parking lot contiguous to a retirement center and an apartment complex. The application does not demonstrate that the public health, safety and welfare of the City would be enhanced by having tractor trailer-rigs park in the middle of a collector street, 87th Avenue, for the purposes of loading and offloading motor vehicles.

The fifth goal of PAD zoning is to encourage a more creative approach in the utilization of the land in order to accomplish a more efficient, aesthetic and desirable development which may be characterized by special features of the geography, topography, size or shape of a particular parcel. The use of the subject parcel as a commercial parking lot is certainly not a creative approach to the utilization of land.

This proposed use meets none of the goals of a PAD district and should be denied.

The Impact of the North Peoria Redevelopment Area Plan

The subject parcel is in Area A of the North Peoria Redevelopment Area Plan dated May 25, 1993.

The goal of the Plan was to accommodate major commercial developments along Bell Road. It had conflicting goals of promoting large lot commercial developments with small lot developments for support of commercial uses but "special attention" to buffer the heavy commercial uses from the residential developments" was required. The proposed commercial parking lot may support large commercial uses on Bell Road; however, there are scores of existing commercial lots in close proximity to the Bell Road auto dealers could accommodate a commercial vehicle storage lot. The applicant is an entity related to that which purchased the land on the east side of Loop 101 at 83rd Avenue where it constructed the Cadillac dealership. This storage lot could have been located in Glendale on the vacant parcel next to the Cadillac dealership. This proposed use does not comply with the special attention that is required to be given in order to buffer heavy commercial uses from residential developments such as Sierra Winds.

The Applicant Has Alternatives, Sierra Winds Does Not

There are ten elements to the Redevelopment Plan Goals and Objections. Several of those goals and objectives are applicable and should cause rejection of the Application.

The first goal is that of environmental quality. The goal is to create and maintain a high level of environmental quality. Asphaltting the subject parcel, parking vehicles on the asphalt and shuttling vehicles to and from the Ford dealer does not meet this goal. The recurring parking of tractor-trailer rigs in the middle of 87th Avenue degrades the environmental quality and decreases the quality of life for the residents in the area.

Goal number three is the creation of sound and stable residential neighborhoods. The stated goal is to "protect the quality of life and lifestyle of existing neighborhoods". The subset of this goal is to create "use separations". The proposed zoning change defeats goal number three. Instead of creating "use separation", it causes an intense commercial use to encroach upon an established residential neighborhood. Instead of protecting the quality of life and lifestyle it degrades the quality of life and lifestyle of the residents.

Goal number seven is efficient public utilities system. The goal was to manage public utilities and services to cost effectively meet the needs of existing and expanding populations. The existing multi-family zoning on the subject parcel is consistent with this goal. Future residents in a multi-family development will use the existing wet and dry underground utilities as designed. The residential use would not cause a burden to fire, police or other City services as those services are already designed to accommodate the existing residential use. A commercial parking lot makes little or no use of the existing public utility systems. On the contrary, if the subject parcel is not developed as residential, then those numbers of residents who would ultimately have lived on that parcel will be forced to reside further to the north or to the west which will require the extension of the public utilities system by the City.

The eighth goal is increased employment base. The primary focus of this goal is to expand the business base and increase the local employment in the City's most desirable business area. As previously mentioned, there are many nearby locations which could accommodate an automobile storage lot. The automobile storage lot does not generate high-wage employment. Those employed in cleaning vehicles and shuttling vehicles are generally low-wage jobs. On the contrary, Sierra Winds cannot be moved. It generates a broad spectrum

of jobs including many high wage jobs in the health care professions. It is, and has been a vital economic force in the City of Peoria. A summary of the economic impact of Sierra Winds is as follows:

In 2013, it paid \$6.7 million to vendors for services. For the current calendar year, Sierra Winds will pay approximately \$8.8 million to vendors. Sierra Winds supports 280 vendors, 92 of which are local. It is projected to pay \$1.6 million to local vendors in 2014.

Sierra Winds employs approximately 208 employees with a 2013 payroll in excess of \$4 million. The projected payroll for 2014 is projected to be in excess of \$4.3 million.

It is crucial that the City do nothing that would jeopardize this employment base. The insertion of an incompatible use on the subject parcel makes the Sierra Winds business model much more difficult, makes the ability to sell the south facing units much more difficult and will have an overall negative effect on one of the City's larger private employers.

It is not the goal of Sierra Winds to minimize the impact of the car dealerships along Bell Road. They provide substantial employment opportunities, substantial payroll and generate sales tax. The auto dealers have flourished without having a storage lot on the subject parcel. The auto dealers will continue to flourish without having a storage lot on the subject parcel. The wages paid to the prospective employees at the storage lot is minuscule when compared to the potential damage to the economic model and the employment base generated by Sierra Winds.

Goals nine and ten concern the capture of retail expenditures and increase in City revenues. The proposed use is an auto storage lot. There will be no retail sales at the auto storage lot. There will be no sales tax revenues generated at an auto storage lot. The sales tax revenues generated by the Bell Road auto dealers will be the same, regardless of whether the auto storage lot is located in Glendale, El Mirage, in a County island, or somewhere along the Grand Avenue industrial corridor.

The 200 employees of Sierra Winds spend their money in Peoria. Their economic activity generates sales tax revenues for the City of Peoria. It is reasonable to assume that many of the Sierra Winds employees patronize the Bell Road auto dealers for vehicle purchases and automobile parts and maintenance. Any adverse impact on Sierra Winds which causes a reduction in its payroll will ultimately have a negative effect on the City's ability to capture retail expenditures and the ability of the City to increase revenues. A loss of employment at Sierra Winds will cause a reduction in the number of employees, a reduction in the amount of payroll and a reduction on the amount spent in the Peoria economy.

The proposed use is contrary to the purpose and goals of the North Peoria Redevelopment Area Plan and the Application should be denied.

Final Observations

The average age of the Sierra Winds residents living in apartments directly affected by the subject rezoning is 85 years. Twenty-two percent (22%) of the Sierra Winds units will be adversely affected by the noise, smell, and unsightly view of the proposed auto storage lot.

Stacy Bridge- Denzak, Planner
Greg Loper, Shawn Hutchinson, Bill Louis, Jeff Nelson
Members of the Planning & Zoning Commission
August 15, 2014
Page 6

Sierra Winds is already being adversely affected by the temporary permit which the City has given to the applicant which allows temporary parking of vehicles in this residential area. Enclosed is a photo of the subject parcel which is being used on a temporary basis as a car storage lot. This view is from one of the adversely affected apartment units at Sierra Winds. This temporary use should be terminated, not renewed, and by no means should it be converted to a permanent use. No member of the Commission would consider paying a retail price for a unit which offers this type of view when there are other, competing facilities outside of the City of Peoria which are not subject to such an unsightly vista.

The impact of the car storage lot on Sierra Winds is most telling; the temporary car storage permit began in early 2013. Since then, Sierra Winds has been compelled to offer discounts ranging from 25% to 50% of the initial entrance fee in order to overcome the negative impact of the car storage lot on the subject parcel. The adverse economic impact will grow dramatically since Sierra Winds has an attrition rate of approximately 28 to 36 residents per year. As the residents of the afflicted apartment units die or are transferred to the care center, Sierra Winds will find it increasingly more difficult to remarket the units at a sustainable price. Ultimately, this will cause a reduction in staff, a reduction in payroll and substantial, permanent damage, to one of the largest employers in the City.

The proposed use of the subject parcel is contrary to the General Plan, the Zoning Ordinance and the North Peoria Redevelopment Area Plan. It is bad land use policy and it is bad economic policy. The Application should be denied.

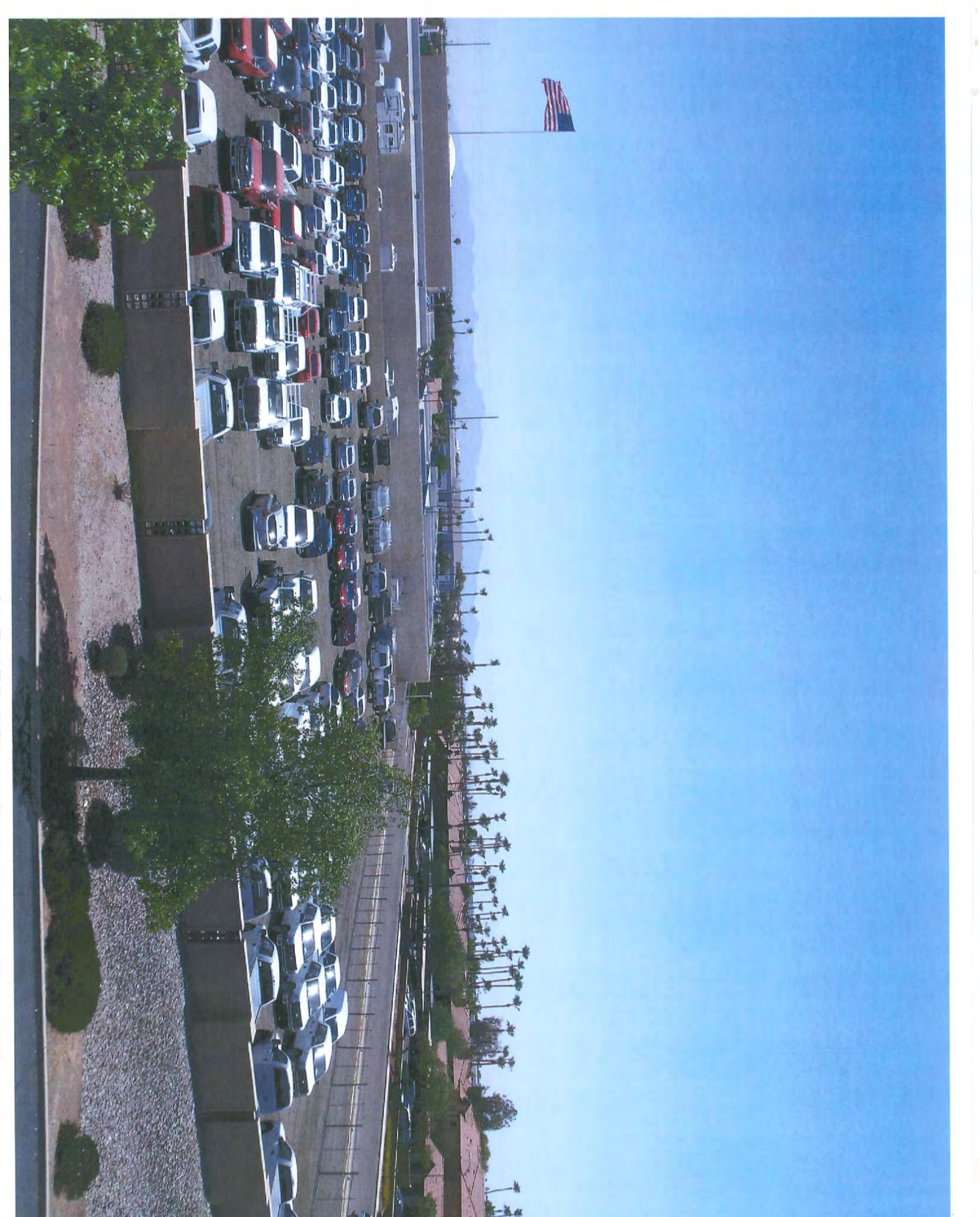
Very truly yours,

JENNINGS, STROUSS & SALMON, P.L.C.

By  _____
David Brnilovich

DBR/icg
Enclosure

cc: Michael B. Withey, Esq. - m@witheymorris.com
Vice Mayor Ron Aames - cityclerk@peoriaaz.gov



**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

Agenda Item: 36R

Date Prepared: September 17, 2014

Council Meeting Date: October 7, 2014

TO: Carl Swenson, City Manager
FROM: John R. Sefton Jr., Community Services Manager
THROUGH: Jeff Tyne, Deputy City Manager
SUBJECT: Resolution Adopting the 2014 Community Services Master Plan

Purpose:

To approve Resolution No. 2014-148 that adopts the 2014 Community Services Master Plan as an update of the 2006 Parks, Recreation, Open Space, and Trails Master Plan.

Summary:

For the past 18 months, staff and the consulting team from Norris Design, Inc. have been working with numerous stakeholders, citizens, Boards and Commissions, and other interested persons to develop the updated master plan. A variety of communication tools were used to acquire active citizen communication to help build the updated master plan. The citizen engagement process included numerous public meetings, access to updated information through an interactive web page, citizen surveys, and stakeholder meetings. City Council has reviewed the information on four different occasions throughout the duration of the project and has provided valuable input to build the master plan that is ready for final adoption.

Previous Actions:

City Council Meeting (August 27, 2014) City Council approved the Community Services Master Plan as presented regarding the findings, priorities, and recommendations.

City Council Meeting (May 20, 2014) City Council approved a contract amendment with Norris Design Inc. for additional services to complete the Community Services Master Plan.

City Council Study Session (January 21, 2014): Community Services staff and the consultant team provided a planning update of the Community Services Master Plan and requested feedback, comment, input, and direction on the master plan's findings, priorities, and recommendations.

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.

City Council Meeting (January 22, 2013): Community Services staff provided an overview to hire Norris Design Inc. to update the Parks, Recreation, Open Space and Trails Master Plan.

Options:

- A. Approve the attached Resolution adopting the 2014 Community Services Master Plan.
- B. Provide additional input and changes prior to adopting the Community Services Master Plan.

Staff's Recommendation:

Staff recommends the City Council approve Resolution No. 2014-148

Fiscal Analysis:

There is no immediate fiscal impact by approving the attached Resolution.

Exhibit 1: Resolution No. 2014-148 to adopt the 2014 Community Services Master Plan

Exhibit 2: 2014 Community Services Master Plan

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

RESOLUTION NO. 2014-148

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA ADOPTING AN UPDATED COMMUNITY SERVICES MASTER PLAN.

WHEREAS, the City Council last adopted a Parks, Recreation, Open Space and Trails (PROST) Master Plan in 2006; and

WHEREAS, the 2006 PROST was included as an element of the City's General Plan; and

WHEREAS, since the 2006 PROST was adopted, there have been extensive improvements in the City's park and recreation system, fulfilling many of the recommendations made in the 2006 PROST; and

WHEREAS, in order to update the master plan, numerous public meetings were held and a statistically valid citizens survey was completed as part of a public engagement process to identify future parks and recreation needs; and

WHEREAS, the Community Services Master Plan was built to align with the 24- Month Council Policy Goals, the General Plan, and the Sonoran Open Space Preservation Plan that is currently in progress; and

WHEREAS, the planning process was assisted by the Peoria Parks and Recreation Board, serving as the citizen steering committee that has provided extensive input, evaluation through public input on December 20, 2012, June 20, 2013, September 25, 2013, and November 21, 2013; and

WHEREAS, the Peoria Planning and Zoning Commission held a public hearing on the Community Services Master Plan on March 6, 2014 to discuss the details of the planning effort; and

WHEREAS, the Peoria City Council held a public hearing on the Community Services Master Plan on August 27, 2014 where Council approved the Plan's findings, priorities, and recommendations.

NOW THEREFORE, be it resolved by the Mayor and Council of the City of

RES. 2014-148
Community Services Master Plan
October 7, 2014
PAGE 2 OF 2

Peoria, Maricopa County, Arizona:

THAT, the 2014 Community Services Master Plan, attached hereto as Exhibit 1 and incorporated herein, is hereby adopted.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 7th day of October, 2014.

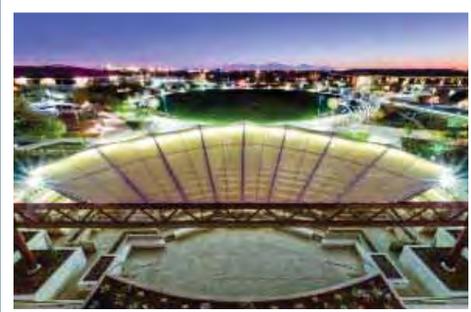
Bob Barrett, Mayor

ATTEST:

Rhonda Geriminsky, City Clerk

APPROVED AS TO FORM:

Stephen M. Kemp, City Attorney

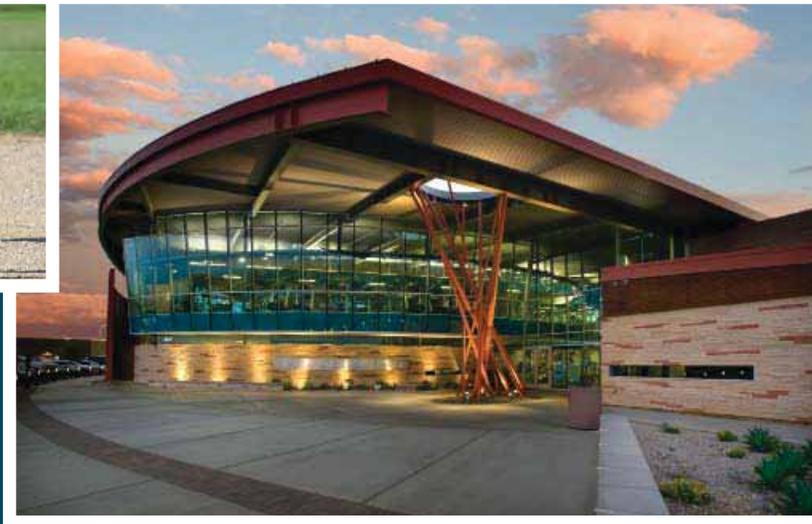


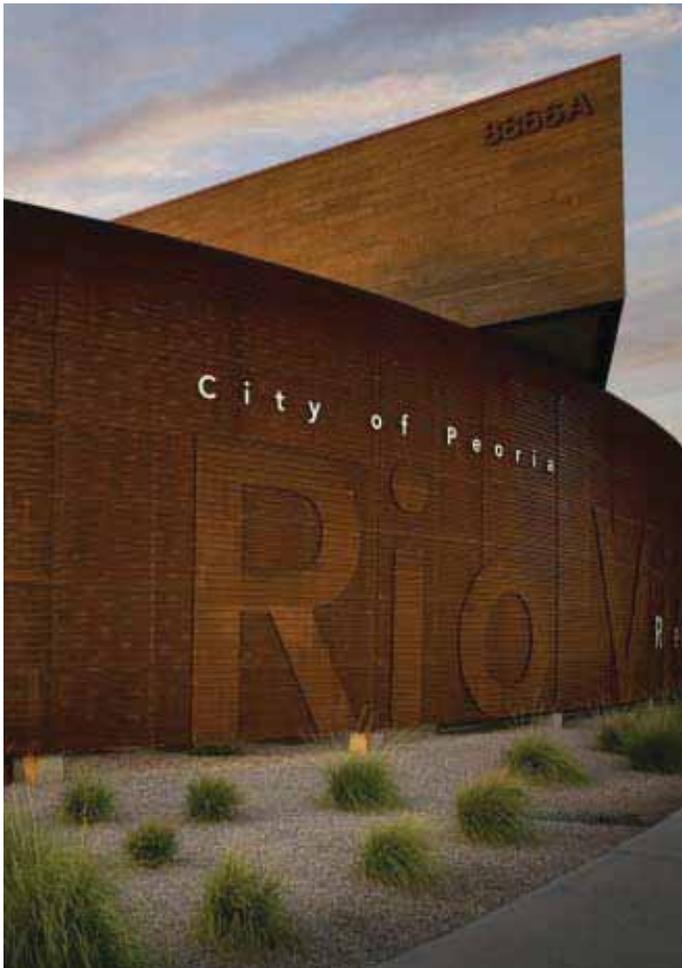
City of Peoria, Arizona

Community Services Master Plan

Implementation Strategies for Parks, Recreation, Open Space, Trails, Sports Facilities, Public Art and Libraries

Final Report | Approved by Mayor and City Council - August 27, 2014





EXECUTIVE SUMMARY

Community Services Department Mission:

To meet the needs of the citizens of Peoria by developing, implementing and maintaining quality programs, services, events and facilities which are cost effective, creative and responsive to citizen input.

The Community Services Master Plan has been developed through an interactive process between the City of Peoria, its residents, partners and stakeholders. The goal of a Master Plan is for an organization to develop a blueprint of where its consumers would like them to move toward and provide policy makers a clear direction of what it will take to achieve that vision. The Master Plan will complement the current initiative to obtain national accreditation for the

Community Services Department by the National Recreation and Park 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. Any Master Plan is a "living document" that will and must adjust to changes within the community as time passes. This is certainly true with the City of Peoria Community Services Master Plan.

This community-driven plan is intended to assist the Community Services Department by identifying the existing level of service and establishing prioritized recommendations. The first phase of the planning process for the Community Services Master Plan was the assessment of needs based upon the review of existing parks, recreation, open space, trails, sports facilities and library facilities. In analyzing these assessments, the review of recreation-related documents and the collection of new data utilized the following methods:

- Review of the master plans and studies including the 2006 Parks, Recreation, Open Space and Trails Master Plan and the 2013 Sonoran Preservation Program Planning Document.
- Hosting public input workshops.
- Review and update of the existing inventory and an analysis of parks, recreational facilities, trails, libraries and recreation programs.
- Identification of potential deficiencies in existing parks and recreation facilities with respect to park acreage standards and recreation programming needs.
- An analysis of the potential for improvement to existing parks, joint development opportunities, and public trails development recommendations.
- The review of operational and maintenance policies and standards for the Department as a whole and recommendations to maintain a safe, clean and quality parks system.
- An evaluation of the Level of Service (LOS) being provided to the community compared to local, regional and national standards.

This process included extensive community engagement including forums such as:

- A community-wide survey
- Parks and Recreation Board meetings
- Focus group interviews
- Youth group session
- Community Services, Public Works and Planning Staff interviews
- Stakeholder interviews

The team's assessment identified the following areas of focus to meet the needs of the community and advance Peoria as a leader in delivering community services.

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. 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. Staff is 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 Peoria Unified School District, Maricopa County, the Peoria Diamond Club, Special Olympics and DHS/DES. These key relationships 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 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.

The areas of focus guided a prioritized 10-Year Action Plan outlining specific goals, objectives, strategies, champions and costs complete with a timeframe for implementation (please refer to Section 14). Priorities are established based on the greatest community need, such as those identified through the community survey, level of service analysis and national standards. These recommendations have been divided into Short Term Goals (to be completed by 2014-2016), Mid Term Goals (to be completed by 2017-2019) and Long Term Goals (to be completed by 2020-2023).

Short Term Goals focus efforts and resources on continuing to maintain and improve existing facilities, programs and services, with a list of specific improvements for individual parks and facilities, as well as opportunities to expand services through partnerships and alternative funding. With regard to the Mid and Long Term Goals, as additional funds and resources are identified, the Department is guided to work to expand facilities and services through larger-scale projects to meet the changing needs of the community.

Close interaction with the public, city staff, and key stakeholders was critical throughout the master planning process. The good news that has resulted by this undertaking is the common findings from these meetings and the surveys conducted made it clear that residents and stakeholders are extremely satisfied and appreciative of the programs and facilities that are offered by the Community Services Department. Policy makers should be reassured that the decision and actions undertaken previous to this Master Plan have laid a valuable foundation that contributes to the "quality of life" that the residents of Peoria have come to appreciate.

Parks, recreation, open space, trails, sports facilities, library facilities, public art and community events are an integral part of the Peoria's community fabric, serving to strengthen its community interaction, culture, image and unique sense of place. In turn, these resources help define the quality of life and make Peoria a great place to live. The Community Services Master Plan is intended to become the guiding document for this vision as it relates to facilities and services provided by the Community Services Department. Considering the opportunities Peoria has in its future, the timing of this plan is optimal to develop sound planning, sustainable programs and operations that best benefit the residents of Peoria.

Thank you to the City Staff, Parks and Recreation Board members and residents who contributed to this plan and who continually work to make Peoria a wonderful place to live and play!

Sincerely
John Sefton
Community Services Director

Acknowledgements

The Community Services Master Plan Team would like to recognize the following people for their guidance, efforts and commitment during the development of the master plan.

Mayor and City Council

Bob Barrett - Mayor
Ron Aames - Vice Mayor, Palo Verde District
Tony Rivero - Acacia District
Carlo Leone - Pine District
Jon Edwards - Willow District
Ben Toma - Mesquite District
Cathy Carlat - Mesquite District, preceding
Bill Patena - Ironwood District

Parks and Recreation Board

Bill Collett - Chairman
Brian Derrick - Vice Chairman
William Conner
Nannette Flores
Katy O'Grady
Brent Taylor
Richard Ward

Planning and Zoning Commission

Nancy Golden - Chairman
Leigh Strickman - Vice Chairman
Leonard Spraker
Greg Loper
Shawn Hutchinson
Bill Louis
Charles Marr

Community Services Department

John Sefton - Community Services Director
Kirk Haines - Park Manager
Brenda Rehnke - Recreation Manager
Chris Calcaterra - Sports Facilities Manager
Mary Roberts - Library Services Manager
Maria Traci - Senior Management Analyst
Heidi Gannuscio - Management Analyst
The Entire Community Services Department Team

City Staff

Carl Swenson - City Manager
Susan J. Daluddung - Deputy City Manager for Development and Community Services
Jeff Tyne - Deputy City Manager for Operations and Administrative Services
Chris Jacques - Planning and Community Development Director
Shawn Kreuzwiesner - Engineering Planning Manager
Rob Gubser, AICP - Principal Planner
Jeff Sargent - Senior Planner
Andrew Granger - Engineering Director
Bo Larsen - Public Information Director
Timothy Smothers, GISP - IT GIS Supervisor

Consultant Team

Norris Design
Stacey Weaks
Hampton Uzzelle
Cindy Pedrioli

EPG

Dave Wilson
John Griffin

Leisure Vision

Ron Vine

Thank you to the citizen's of Peoria and stakeholders for attending meetings, visiting the peoriaaz.gov website and completing the community survey. We thank you for your time and effort to share your input and vision for the Community Services Master Plan

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Introduction 1





INTRODUCTION

Project Purpose & Vision

The purpose of the City of Peoria Community Services Master Plan- Implementation Strategies for Parks, Recreation, Open Space, Trails, Sports Facilities, Public Art and Libraries Master Plan is to evaluate the City's existing facilities, programs and services, assess the community's needs and desires and to provide recommendations to improve the services provided to residents and visitors of the community. This community-driven plan is intended to assist the City's Community Services Department by identifying the existing level of service and establishing prioritized recommendations in regard to facility improvements and development, recreation 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 once again a growing community in the Valley and it is critical for the Community Services Department to have measureable goals for implementation to meet the needs of residents as its services expand.

City and Department Background **City of Peoria Overview and History**

Peoria is a dynamic desert community in the northwest part of the Phoenix Metropolitan Area with roots established in the 1880's when William J. Murphy completed the Arizona Canal in 1885 to provide water from the Salt River to farm fields. With the canal completed, William Murphy traveled east to recruit people to settle in this new community. He found success in attracting people to Arizona, and over 5,000 acres of land in the new district was purchased by citizens from Peoria, Illinois. Many residences were built as well as a school and post office was established by 1889. The community continued to grow and Peoria continued to expand as a major farming community in the Valley. Peoria was incorporated in 1954 and has grown from one square mile in Old Town Peoria to more than 176 square miles of beautiful Sonoran desert in both Maricopa and Yavapai counties. The warm climate and small-town atmosphere of Peoria continues to attract people to live and visit.

Spring training has a long history in Peoria starting in the 1970s when Peoria's Greenway Sports Complex served as a minor-league training facility for the Milwaukee Brewers baseball team. The facility was located at 83rd Avenue and Greenway Road. As major league spring training (the Cactus League) developed in the Phoenix area, the Peoria Sports Complex was constructed in 1994 and developed into the first Major League Baseball spring training facility in Arizona shared by two teams. The Peoria Sports Complex is the spring training home of Major League Baseball's San Diego Padres and Seattle Mariners.



In addition to the Peoria Sports Complex, Peoria boasts nationally recognized facilities including the Peoria Center for the Performing Arts and Rio Vista Community Park and Recreation Center. The City has a strong relationship with the art and science communities, including non-profits such as the Challenger Space Center, West Valley Art Museum, and Arizona Broadway Theatre. In 1999, the land around Lake Pleasant Regional Park, the state's second largest lake, was annexed into the City but is managed by Maricopa County. Peoria is Arizona's 6th largest city in terms of incorporated area; with most of the City's growth taking place in north and northwestern Peoria, as well as some infill projects occurring in Old Town and southern Peoria. Today, Peoria is known for its quality of life, including convenient access to major transportation routes, strong schools, economy, and recreational and cultural opportunities.

The City currently serves approximately 158,135 residents and is expected to grow at a rate of 0.95% over the next 5 years, which is slightly above the rate projected for Arizona (0.81%) and the United States (0.68%). These additional residents will significantly increase the demand for the City's park and recreation facilities and services. It is important to plan for this growth in order to develop strategies and resources that will provide adequate services for both the City's current and future residents.

Community Services Department Overview

The Community Services Department manages the recreation programs and classes, parks and facilities, open space, trails, roads right-of-way maintenance, libraries, special events and the sports facilities. The primary focus of the Department revolves around providing a wide array of recreation and social programs and services

to stimulate and enhance the quality of life for residents. The Department provides activities for the entire family such as recreation classes, youth programs, and older adult activities, sports for youth and adults and a variety of community events. The Department is led by a Director and divided into four divisions, Parks, Recreation, Library Services and Sports Facilities. The Department currently includes 109 full-time employees and 32 part-time (benefitted) employees and numerous seasonal staff across all four divisions.

- The Parks Division maintains the city parks, road right-of-way landscape, trails, open space and many retention basins, as well as oversees graffiti abatement throughout the City. The Division also manages the arts and culture program for the Department. The Division develops a Capital Improvement Plan and performs plan reviews for planned developments.
- The Recreation Division manages a wide variety of programs, activities and classes for children, teens, adults, seniors and people with disabilities to promote healthy lifestyles. These programs are offered at several facilities including the Peoria Community Center, Peoria Pool, Centennial Pool, Sunrise Pool and Family Center, Woman's Club, various City parks and the Rio Vista Recreation Center. The programs include:
 - Before and after school programs (AM/PM),
 - Preschool programs,
 - Summer camps and classes,
 - Aquatics (open swim, swim teams and lessons),
 - Sports leagues and classes,
 - Teen programs,
 - Adaptive recreation opportunities,
 - Senior and active adult programs,
 - Outdoor recreation,
 - Special interest classes,
 - Special events, including but not limited to, the annual 4th of July All American Festival, Halloween Monster Bash, Old Town Holiday Festival and Peoria Arts and Culture Festival.

- The Library Services Division operates the Main Library and Sunrise Mountain Library. Both libraries offer adult, teen and youth programs and services such as story times, summer reading programs, computer classes, a teen advisory group, book clubs, and special events. The facilities also offer free Wi-Fi, free public computers, a variety of databases, access to free e-books, music downloads, a language database and interlibrary loan services.
- The Sports Facilities Division manages the Peoria Sports Complex and Peoria's Community Regional Parks (such as Rio Vista and Pioneer Parks). The Peoria Sports Complex hosts spring training games in March as well as various baseball tournaments, concerts, arts and crafts festivals, car shows, corporate events and other community events the rest of the year. The Sports Facilities division oversees the maintenance and operations of the Rio Vista Community Park and the new Pioneer Community Park. The Division develops a Capital Improvement Plan and performs plan review and construction administration for its projects. The Sports Facilities Division also performs all aspects of facilities maintenance, marketing, sponsorship sales, and business development for the three venues.

City of Peoria Community Services Department Facilities

The Peoria Community Services Department system currently includes 39 outdoor facilities/parks, one recreation center, five indoor facilities including the Peoria Community Center, Peoria Municipal Complex, Sunrise Family Center, Peoria Woman's Club, Peoria Sports Facilities, three outdoor pools and two libraries distributed throughout the City. The Department has an Intergovernmental Agreement (IGA) with the Peoria Unified School District for programming use of the gyms and pools at the schools including youth sports programs and the AM/PM program. This system provides a diverse selection of amenities and programming at each location. Developed parks include both larger and smaller spaces, ranging from the large Peoria Sports Complex and community parks with athletic fields, playgrounds and restroom facilities to the smaller parks tucked into neighborhoods. These smaller neighborhood parks include ramadas with picnic tables, small playgrounds, and benches. Rio Vista Recreation Center is currently the sole recreation center in the system and additional indoor programming space is available at the newly renovated Community Center. The two libraries also provide opportunities for the community to spend leisure time learning in a class or browsing the collection.

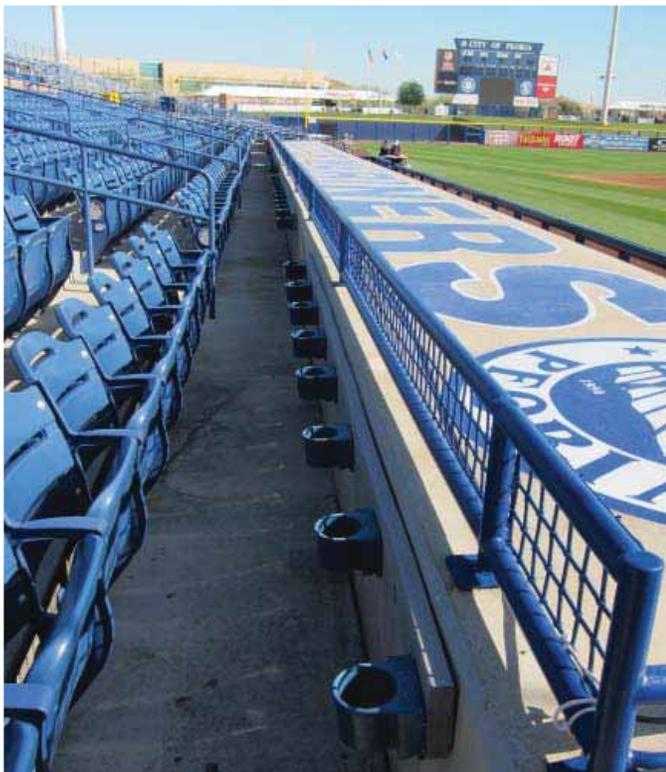


Figure 1.1 - Peoria Park and Recreation Facilities List

Location	Classification	GIS Acres
CENTENNIAL PLAZA	SPECIAL USE	4.2
OSUNA PARK	SPECIAL USE	3.3
ALTA VISTA PARK	NEIGHBORHOOD	11.4
APACHE PARK	NEIGHBORHOOD	9.2
ARROWHEAD SHORES	NEIGHBORHOOD	8.9
BRAEWOOD PARK	NEIGHBORHOOD	7.1
CALBRISA PARK	NEIGHBORHOOD	3.7
CAMINO A LAGO PARK	NEIGHBORHOOD	7.5
COUNTRY MEADOWS PARK	NEIGHBORHOOD	7.9
DEER VILLAGE PARK	NEIGHBORHOOD	17.3
DESERT AMYTHYST PARK	NEIGHBORHOOD	11.1
FLETCHER HEIGHTS NORTH PARK	NEIGHBORHOOD	4.2
FLETCHER HEIGHTS PARK	NEIGHBORHOOD	7.4
HAYES PARK	NEIGHBORHOOD	15.7
IRA MURPHY PARK	NEIGHBORHOOD	4.5
KIWANIS PARK	NEIGHBORHOOD	4.6
MONROE PARK	NEIGHBORHOOD	3.9
PALO VERDE PARK	NEIGHBORHOOD	4.1
PARKRIDGE PARK	NEIGHBORHOOD	20.0
PASEO VERDE PARK	NEIGHBORHOOD	11.8
ROUNDTREE RANCH PARK	NEIGHBORHOOD	9.5
SCOTLAND YARD PARK	NEIGHBORHOOD	8.9
SONORAN MOUNTAIN RANCH PARK	NEIGHBORHOOD	7.6
STONE PARK	NEIGHBORHOOD	0.2
SUNDANCE PARK	NEIGHBORHOOD	9.6
SUNNYSLOPE PARK	NEIGHBORHOOD	22.3
SUNRISE PARK	NEIGHBORHOOD	9.2
SUNSET PARK	NEIGHBORHOOD	11.1
SWEETWATER PARK	NEIGHBORHOOD	10.6
TERRAMAR PARK	NEIGHBORHOOD	9.4
VARNEY PARK	NEIGHBORHOOD	8.5
WACKER PARK	NEIGHBORHOOD	4.5
WEST WING PARK	NEIGHBORHOOD	19.3
WESTGREEN PARK	NEIGHBORHOOD	3.9
WESTLAND PARK	NEIGHBORHOOD	4.2
WINDROSE PARK	NEIGHBORHOOD	7.4
PIONEER PARK	COMMUNITY	85.0
RIO VISTA COMMUNITY PARK	COMMUNITY	54.7
PEORIA SPORTS COMPLEX	REGIONAL	125.1



Demographic Analysis & Community Profile

2





DEMOGRAPHIC ANALYSIS & COMMUNITY PROFILE

Background Information

One important analysis tool within a Parks, Recreation, Trails and Libraries Master Plan is to understand how local demographics and projections affect the parks, trails, facility and program needs, as well as understanding how the local demographics are either similar or different from state and national trends.

Note: Unless otherwise noted, the raw data used for the demographic analysis that follows was compiled by evaluating data from ESRI, which uses projections from the 2010 census for the 2012 and 2017 numbers.

Population Forecast

The City of Peoria, Arizona appears to be growing at a slightly higher rate than the Phoenix area and above the growth rate of Arizona and the United States. The community is projected to experience a 0.95% annual population growth rate for the 5 year period between 2012 and 2017, from 158,135 to 165,815. This rate of growth is slightly above the rate projected for the Phoenix metropolitan area (0.91%) and Arizona (0.81%) and the U.S. (0.68%) for the same period. Overall, across the nation, the population growth projections have dropped in the last two years. The projected population for Peoria is illustrated in **Figure 2.1**. It is important to note that this growth is not necessarily occurring throughout the City's land area, but primarily in the northern portion of the city where raw land is available for development of new homes and businesses.

Figure 2.1 - City of Peoria, AZ Population Projection

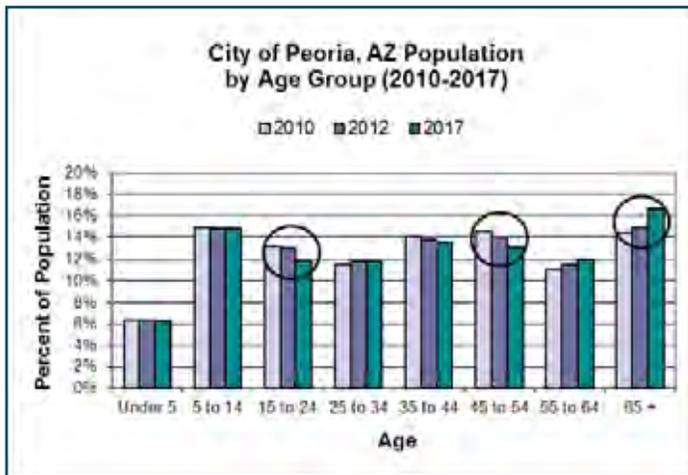


Age Distribution

A profile of the community's ages is critical to parks and recreation programming since different age groups can have extremely different needs and desires for parks and recreation facilities and programs.

Figure 2.2 illustrates the population trend of the City of Peoria by age. The trend depicted in the chart indicates a continuous decline between 2010 and 2017 in the percentage of the population of those aged 15 to 24 and 45 to 54. These age groups together typically indicate families with children moving out of the house and parents of older children or early empty-nesters. It is possible that many of them are staying in Peoria and aging in place, as there is a slight increase in the next oldest age groups of 25 to 34 and 55 to 64.

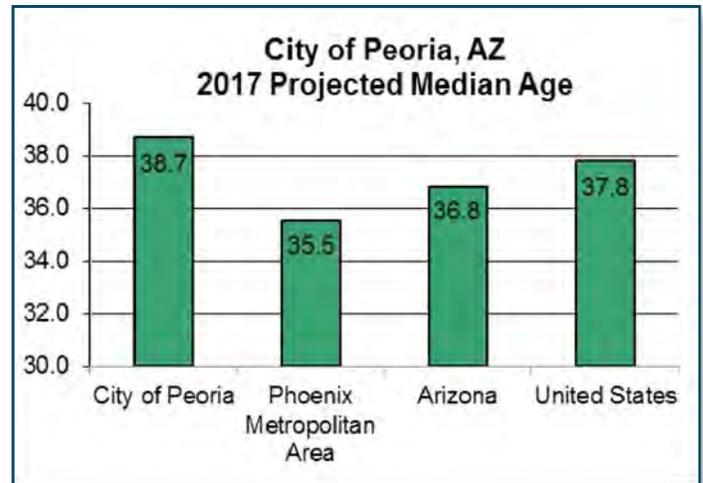
Figure 2.2 - City of Peoria, AZ Age Groups 2010-2017



Those age 55 and above have steadily been increasing since 2010, with a larger increase in those over 65. These trends indicate while there are still young families in the City of Peoria, as the population increases, their percentage of the whole will likely remain relatively stable, while those who are empty nesters or retirees are becoming a higher percentage of the population overall.

This older population is confirmed when evaluating the median age as well, as it is significantly older than the Phoenix area, Arizona and the United States (**Figure 2.3**). This figure illustrates that the City of Peoria's projected median age in 2017 will be 38.7 years, which is older than the projected median age of the Phoenix Metropolitan Area (35.5), Arizona (36.8) and the nation (37.8).

Figure 2.3 - Median Age Comparison



Despite the relatively flat growth of young families shown by the 15 to 24 and 45 to 54 categories in **Figure 2.2**, Peoria still has a higher percentage of the population within the 45 to 54 and the 5 to 14 category which confirms a higher population of families than the region, state and country (**Figure 2.4**). However, confirming the growth of those over 55 shown in **Figure 2.2** and **Figure 2.4**, shows that those over 65 are a greater portion of the population than the region, state and nation. This split in growth data means that despite the substantial number of young families within Peoria, it will be important to meet the needs not only of those families but the older adults within the community as well. The next section, Household Makeup, provides a more detailed breakdown of household makeup and trends.

Figure 2.4 - Age Group Comparisons, 2010-2017

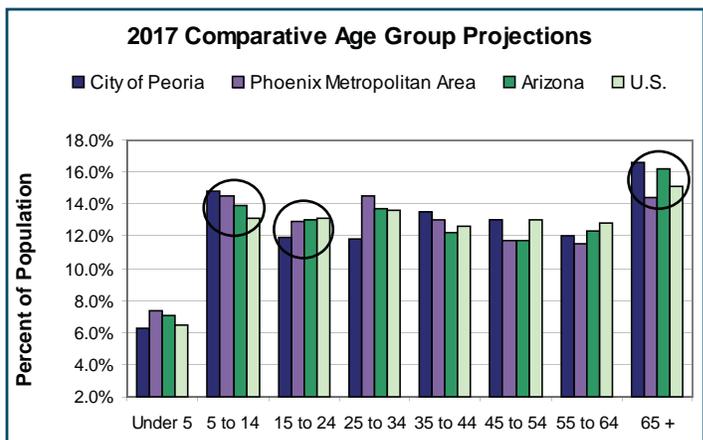


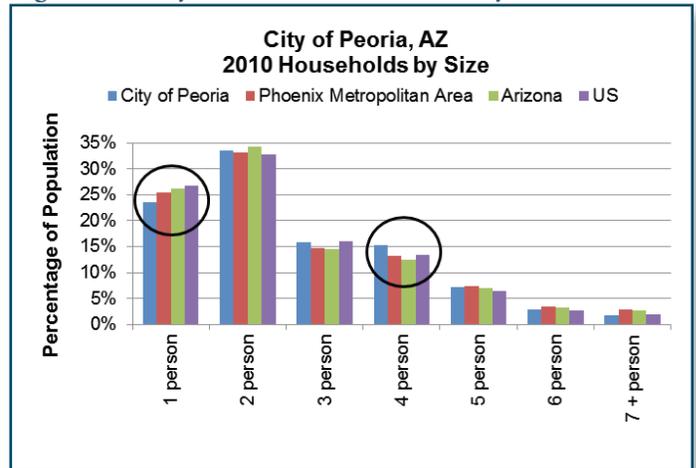
Figure 2.5 – City of Peoria, Arizona’s Demographic Groups and Recreation Needs

Age Group	2012	2017	Characteristics and Recreation Needs
Under 5	6.4%	6.3%	Preschool and toddler programs Playground users Experience park, recreation and library facilities and programs with an adult
5 to 14	14.8%	14.8%	Youth athletics and after-school programs Growing interest in non-traditional, individual activities
15 to 24	12.9%	11.9%	Teen and young adult programs Extreme sports and adventure-related activities
25 to 34	11.8%	11.8%	Adult program participants Young families
35 to 44 and 45 to 54	27.8%	26.5%	Adult program participants Combined age groups - have similar needs and demands for recreation programs and facilities Families range from preschool to early empty nesters
55 to 64	11.6%	12.0%	Active older adult programming Empty nesters approaching retirement Often have grandchildren who use facilities and programs
65 and older	14.9%	16.6%	Older adult programs Social networking and healthcare related programs Range from healthy and active to more physically inactive

Household Makeup

In 2012, Peoria’s household makeup was fairly consistent with Arizona and the Phoenix Metropolitan Area, with the average household size the same or just slightly higher (2.67) than the greater Phoenix area (2.67) and Arizona (2.63). The trend is generally stable in all of the areas over the next five years. **Figure 2.6** shows a larger segment of the households with four people and less households with just one member (compared to the Phoenix Metropolitan Area, Arizona and the United States). In 2010, 36.3% of the households in the City of Peoria included children. This is 1.0% more than the percentage of households with children in the Phoenix Metropolitan Area (35.3%) and 2.7% more than households in Arizona (33.6%). All of these statistics indicate a relatively large population of families with children living at home. However, it is also important to note that the population over the age of 55 is expected to increase more significantly than younger age groups, which will increase the number of households with 65+ as well. The larger household size and households with children, as well as the increase in the mature demographic shows a likelihood of multi-generational homes (grandparents, parents and children within the same household) as well as a divergent need of programming to meet the needs of the all age groups.

Figure 2.6 - City of Peoria, AZ Households by Size

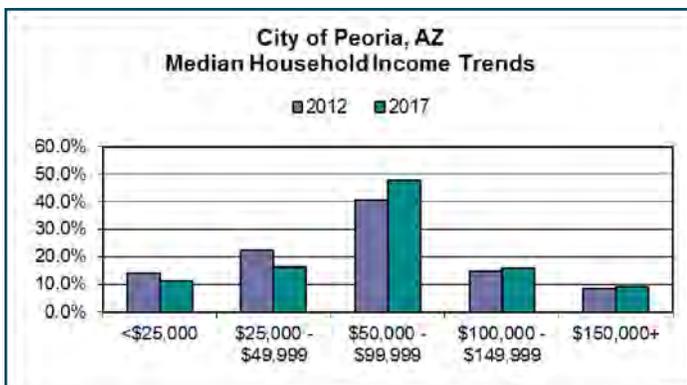


Household Income

Figure 2.7 shows an increase in household income over \$50,000 and decreases in household incomes below \$50,000 between 2012 and 2017. Yet, when reviewing household income data, it is important to keep in mind that the higher number of people in a household also impacts the amount of disposable income. When evaluating this trend against the local and state projections, the Phoenix Metropolitan Area and Arizona also see increases in household incomes over \$50,000 and a decrease below \$50,000, which is also consistent with the national trend.

Data shows that income and physical activity are positively correlated; when one rises, the other rises. The number of households in Peoria with low income levels is expected to decrease and those with moderate and higher income levels are expected to increase by 2017 (see **Figure 2.7**). For parks and recreation, income levels often influence programming, facilities and fee structures. For example, operations and maintenance costs will increase as the City takes on more parks, and when considering fee increases or additional programs or facilities, it will be important to evaluate those programs and facilities for community vs. individual benefit. Additionally, despite an upward trend in income, there may still be residents within the community that may not have the ability to pay, but may be in need of the City's services the most.

Figure 2.7 - City of Peoria, AZ Household Income Trends

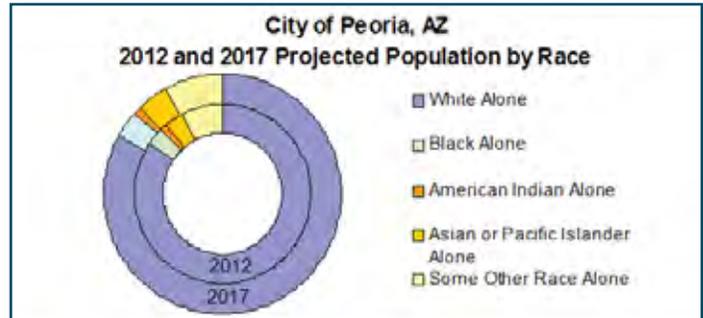


Race and Ethnicity

Race and ethnicity influence cultural trends and play a role in park and recreation needs and desires. Trends can be found in the ways that different ethnic groups use parks, recreation facilities and the types of programs they seek. As **Figure 2.8** illustrates, the City of Peoria's racial makeup is predominately "white alone" and will remain so over the next five years. The City of Peoria is less

racially diverse than the Phoenix Metropolitan Area, Arizona and the United States as a whole. The percentage of the population in 2017 that is anticipated to be "white alone" will be lower in the Phoenix Metropolitan Area (70.5%), Arizona (70.7%) and the United States (70.6%) than within the City of Peoria (80.0%).

Figure 2.8 - City of Peoria, AZ Population by Race



2017 projections for Peoria show the population identifying themselves as Hispanic at 20.5% (which is lower than the percentage of state residents (32.0%) but higher than US residents (18.4%)). Therefore, it will be important to keep in mind Hispanics in the recreation programming, services and facilities. The City should provide services, facilities and programs similarly to peer agencies within Arizona, but since the number of people identifying themselves as Hispanic is higher than national numbers, national trends in programming and services associated with race may not be as relevant.

It is also important to note that the data from the 2010 Census (and the associated projections provided by ESRI) also shows that there is a larger percentage of people who chose the "Some other Race" category in the Phoenix area (12.7%) and the state of Arizona (11.9%), though the number for Peoria (7.0%) is in line with national (6.2%) trends, although still the second highest category. These numbers for the Phoenix area and the state of Arizona are higher than typically found elsewhere in the national data. According to the article "Some Other Race" in *The Economist*, February 9, 2013; in 2010, American Hispanics were puzzled by the race versus Hispanic origins question. "Half identified themselves as white. But over a third ticked a box marked "Some other race". As a result, "some other" emerged as America's third-largest racial grouping." Therefore, the numbers in the racial data may be slightly skewed not only within the City of Peoria numbers, but on a regional and state level.

Health and Related Factors

Research shows that a person's physical activity level, which by extension is a large determinant of their overall health, is determined by many factors, including education, income, number of household members, and gender. Specifically in Arizona, according to the CDC's Physical Activity statistics, in 2007 (the latest year the data is available for the state), 52.6% of respondents meet the recommended physical activity objectives through lifestyle activities (i.e. household, transportation, or leisure-time activities). However, when specifically focusing on leisure-time physical activity, 22.4% of the respondents noted no leisure-time physical activity within the previous month, this matches the 2008 data for the Phoenix Metropolitan area as well (22.6%).

Research has also shown that the availability of opportunities to engage in physical activity is positively correlated with the amount of physical activity people engage in. Therefore, while the natural setting and mild climate of Arizona encourages physical activities, the availability of local and accessible parks and recreation services are also vital to increasing physical activity across all age sectors and plays a key role in reducing obesity rates. When evaluating the availability of these opportunities, one must consider their accessibility and proximity to residents in addition to their mere existence. Physical barriers, safety concerns, and distance to parks and facilities often prevent residents from using the facilities and programs. Research has found that larger sizes of parks and open spaces does not necessarily increase how often or how much people use them, but rather the distance to the park or open space is the greatest determining factor, especially youth, who may not be able to walk or bike to and from a larger park from their homes or school because of distance or perceived (or real) barriers such as highways, rivers and busy roadways.

According to "Physical Activity and Good Nutrition: Essential Elements to Prevent Chronic Diseases and Obesity, At a Glance 2008." *CDC*. 2008:

"Despite the proven benefits of physical activity, **more than 50% of U.S. adults do not get enough physical activity** to provide health benefits; **25% are not active at all** in their leisure time."

"Activity decreases with age, and **sufficient activity is less common among women than men and among those with lower incomes and less education.**"

"**About two-thirds of young people in grades 9–12 are not engaged in recommended levels of physical activity.**"

Key Findings

The City of Peoria is growing at a slightly faster rate than the communities around it, with the majority of growth occurring in the northern reaches of the City. The age breakdown shows a decrease in young families and an increase in residents over 65. However, the percentage of young families is still greater than other communities in the region. Therefore, this split in growth data means that while there are a substantial number of young families within Peoria, it will be important to meet the needs not only of those families but the older adults within the community as well. The focus on additional services, facilities and programs should continue to serve a broad cross-section of the population. Connecting residents to facilities and establishing facilities in proximity to residents will be important as the community grows.



Integration with Related Planning Efforts

3





INTEGRATION WITH RELATED PLANNING EFFORTS

Overview

The City of Peoria has well-established park, trail, open space, recreation and library resources serving the community and the region with facilities such as the Lake Pleasant Regional Park, Peoria Sports Complex and Community Regional Parks. The Community Services Department faces a challenge to provide for a large geographical area and a diverse population. The consultant team for this Master Plan effort has reviewed pertinent local, regional and state documents in relation to open space, trails and park and recreation planning. This review, in addition to conversations with representatives from Peoria and other agencies assists in providing a more comprehensive understanding of common goals, as well as resources to improve key partnerships for park and open space amenities, trail connections

and facilities within the City of Peoria. The planning documents highlighted in this section provide a wealth of information at a regional and community level, though only the portions most relevant to Peoria are discussed in detail within this Master Plan. The timing of this master plan is optimal for sound planning, sustainable programs and operations as many complimentary planning efforts are in process for Peoria. An important part of this process was to analyze and integrate this Master Plan with current and previous planning projects, enabling the City and its partners to streamline planning efforts and maximize the use of resources. This master plan has taken the following documents into consideration during its development:

- City of Peoria Parks, Recreation, Open Spaces, and Trails Master Plan Update, 2006
- City of Peoria Parks, Recreation and Open Space Master Plan, 2002
- City of Peoria 2011 General Plan
- City of Peoria Sonoran Preservation Program, 2013
- Youth Master Plan, 2012
- ICMA Performance Measure Reports
- Old Town Peoria Revitalization / Specific Plan, 2011
- City of Peoria Historic Preservation Master Plan, 2012
- Desert Lands Conservation Plan and Ordinance (DLCO), 2005
- P83 (Peoria Sports Complex) Urban Design Plan, 2010
- Loop 303 Specific Area Plan, 2005
- Lake Pleasant Parkway Design Theme Manual, 2005
- Arizona Statewide Comprehensive Outdoor Recreation Plan (SCORP), 2013
- City of Surprise Parks and Trails Master Plan, 2008
- CAP Trail Feasibility Study, 2004
- Maricopa County Regional Trail System Plan, 2004
- Maricopa County Parks and Recreation Strategic Plan, 2009
- Lake Pleasant Regional Park Master Plan, 1995
- Agua Fria Water Course Master Plan
- West Valley Multi-Modal Transportation Corridor Master Plan, 2001
- West Valley Recreation Corridor Design Concept Report, 1999
- Master Plan / Planned Area Developments / Specific

Plan and Improvement Plans for Master Planned Communities in Peoria (specifically Camino a Lago, Peoria Lakes, Lake Pleasant Heights, Saddleback Heights, Tierra del Rio, Vistancia, WestWing, etc.)

Reviewing these documents ensures that the efforts of this Master Plan are consistent with and complementary to the goals and strategies of the current and/or past planning efforts in the region and provides an understanding of key connections and facilities noted in other plans. This master planning effort will incorporate the accomplishments and evaluate the relevancy of these plans' remaining goals and strategies into the prioritized recommendations.

City of Peoria Planning Integration

City of Peoria Parks, Recreation, Open Spaces, and Trails (PROST) Master Plan Update, 2006

The PROST Master Plan prepared in 2006 compiled the planning efforts from:

- 2002 Parks, Recreation and Open Space Master Plan
- 1998 Peoria Trails Master Plan
- 1996 Parks, Recreation and Open Space Plan

The master plan update outlined the need for future recreational facilities and services and established a framework for future parks, trails and community center locations at a time when the City was quickly growing. The master plan recommendations identified Community Park #2 (i.e. Pioneer Community Park) and the expansion of the trail systems as key priorities, both of which are examples of capital improvement projects that have been completed or are currently under construction based on the direction of the plan. The master plan established implementation and processing tools and design criteria for recreation facilities to assist with the City's coordination on capital improvement projects and private development. The implementation and processing 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. In addition, the PROST identified the importance of both natural and improved open space areas to the community and served as a catalyst for the Peoria Sonoran Preservation Program. Ultimately, the 2006 PROST established the goals and objectives for the 2011 Peoria General Plan.

The 2006 PROST, in conjunction with the prior planning documents, established a strong framework for expanding the facilities and connectivity to meet the community needs. This 2013 Master Plan will build upon the analysis and planning contained in the 2006 document. The integration of an extensive community engagement process has provided understanding on how the implementation of the 2006 PROST goals and recommendations have thus far met the needs of the community. This 2013 effort will expand upon the vision established in the 2006 document to retain open space and interconnect key resources with a comprehensive trails system. The trail guidelines in the 2006 plan established a set of standards which provided clear guidance on the parameters on type, size and location to expand the trail network for Peoria. This 2013 master plan includes a set of guidelines that will refine and enhance those original standards.

Peoria Sonoran Preservation Program (Ongoing)

The Peoria Sonoran Preservation Program originates from the Desert Lands Conservation Master Plan (1999), which established preservation criteria and implementation of open space identification and acquisition. The 2006 Parks, Recreation, Open Space and Trails Master Plan included recommendations for open space planning as an integral component of the plan to guide the long-term planning and programming of open space for the Community Services Department. The City initiated an Open Space Master Plan to develop a framework for future preservation and acquisition. This master plan evolved into an Open Space Prioritization, Preservation & Acquisition Program, which then evolved into the Peoria Sonoran Preservation Program.



The Peoria Sonoran Preservation Program intends to balance preservation and land use, distinct from many preservation plans that simply isolate natural areas from development activity. This program is focused on determining the community and stakeholders' values and reaching a mutual understanding of how preservation can benefit the community. The Program has developed an Open Space Implementation Plan to focus on the protection of valued land and resources, identifying open space priority areas and consolidating the Open Space Tool Kit (from the 2006 PROST). This current master planning effort will serve as the planning resource for development and provisioning of facilities for open space and trails for the City of Peoria. The Goals, Objectives and Recommendations developed as part of the Implementation Plan will guide the Sonoran Desert Preservation Program's development of comprehensive strategies, tasks, and tools to achieve the ultimate vision of the City as it relates to open space resources.

City of Peoria General Plan, 2011

The General Plan is the City's long range planning and policy document which guides development throughout the City and its planning areas. Land use decisions are evaluated by City staff based on their conformance with the General Plan. The Recreation and Open Space Element in the General Plan identifies the Vision, Goals, Objectives, Policies and Strategies that provide a framework in which to identify, acquire and enhance the park, recreation, open space and trails facilities throughout the Peoria planning area. The General Plan's Recreation and Open Space Element establishes the following goals:

- Develop an accessible, comprehensive, integrated, high quality parks, recreation and open space system serving the needs of Peoria residents.
- Develop a safe, functional and enjoyable park system.
- Develop a comprehensive and diverse recreation program.
- Develop an open space system that is environmentally sensitive and self-sustaining.
- Develop a safe, multi-use and inter-connected path and trail system throughout the City.
- Develop a park, recreation and open space system that preserves and enhances cultural resources.

- Appropriately plan the unique recreational resources of the north planning area of Peoria through future master planned development.

The Recreation and Open Space Element in the General Plan establishes a clear framework to guide policy and land use decisions based on the goals, objectives and recommendations outlined in the 2006 PROST. The General Plan addresses the level of service for facility needs, acreage needs per population and the park classifications. The General Plan identifies the park sites and parkland acreage needs relative to population as depicted in **Figure 3.1**.

Figure 3.1 - Park Sites and Parkland Acreage Needs per the 2011 General Plan

Population: 155,560 Year: 2008				
Park Type	Minimum Size	Service Area	Service Area (Population)	Acres / 1,000 Residents
Neighborhood Park	8.75 AC	1/2 mile radius	5,000	1.75
Community Park	75 AC	3 miles radius	50,000	1.5
Regional Park	300 AC	10 miles radius	100,000	3
Open Space	Varies	10 miles radius	n/a	10
Total Park Lands / 1,000 Residents				16.25

Based on the acreage needs (**Figure 3.1**), the General Plan provides level of service recommendations for Parks and Open Space and the acres needed to meet the recommended level of service illustrated in **Figure 3.2**. This current master plan effort will refine the level of service and gaps in service based on the current demographics and community needs identified from the community engagement process.

Figure 3.2 - Recommended Park Level of Services Standards

Population: 155,560 Year: 2008

Park Type	Parks Required	Parks Needed	Acres Needed
Neighborhood Park	31	5	43.75
Community Park	3	1	75.00
Regional Park (Lake Pleasant not included)	1	1	300.00
Open Space			1,556.00
Total Parkland and Open Space Needed (Acres)			1,974.75

Youth Master Plan, 2012

The City of Peoria’s community leaders facilitated the development of a Youth Master Plan with input from multiple departments and outside agencies. The vision statement “Youth engaged in life, empowered to their community, equipped for a bright future” is a powerful statement emphasizing the importance of engaging the youth in the development of their community. The Youth Master Plan identifies strategic goals to enhance youth engagement in the community. This includes elements compatible with this master planning effort, including:

- Fostering community partnerships to support the youth programs and special events.
- Maintaining non-core programming such as arts education is essential to maintain and offer diverse opportunities for youth.
- Enhancing the relationships with the public safety community provides options for youth in times of need and to serve as mentors for the youth community.
- The need to address physical and financial barriers limiting user’s access to programs and facilities.
- The Community Services Department strives to address financial barriers through programs such as Peoria Play, Inc., the department’s 501c3 non-profit and funding from the Department of Economic Security (DES).

- Integrate youth representation in the community; which is essential to assessing new opportunities to address youth’s specific interests and needs.

Cultural Arts Master Plan, 2009

The City of Peoria established the Cultural Arts Master Plan to guide the development of art and culture throughout the community. The plan identifies the civic importance, economic development opportunities and quality of life benefits that arts and culture provides for the City. The plan guides the physical integration of arts and culture elements into public spaces, and the educational and economic opportunities of hosting events and programs. In addition, the master plan established funding mechanisms for improvements, a public art review process and a Public Art Program. The Cultural Arts Master Plan complements this master planning effort as it provides resources and methods to enhance the programming and destinations as a component of community experience.



Other Jurisdictions Planning Integration

Maricopa County Parks and Recreation Strategic Plan, 2009

Maricopa County conducted a comprehensive strategic evaluation of its parks and recreation system in an effort to enhance its delivery of services while balancing the operations and funding needs throughout the entire system. Lake Pleasant is a primary asset and a unique park in Maricopa County. Lake Pleasant's regional service area results in an increased demand for its amenities and the challenges associated with a high level of use. In relation to Peoria, the plan highlights the recreational, cultural and environmental value that Lake Pleasant provides to the region. The plan identifies goals to strategically develop revenue-generating facilities at Lake Pleasant while closely balancing the preservation and restoration of the Lake area. The City of Peoria's long-term relationship with Maricopa County has successfully made Lake Pleasant a major regional destination and a great location for Peoria recreational programs. The on-going relationship will be essential to work towards a collective vision for this recreation destination.

Maricopa County Regional Trail System Plan 2004

The Maricopa County Regional Trail System Plan 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 first priority trail section identified as Segment One of the master plan identifies the Agua Fria River from McMicken Dam to Lake Pleasant as a key segment of the Maricopa Trail. This segment is a priority that aligns with the West Valley Multi Modal Transportation Corridor Master Plan (2001) as well. The Plan also identifies a link between Lake Pleasant Regional Park and the Maricopa Trail in order to create a major destination along the loop. A Priority Two segment is a north-south alignment along the Lower Agua Fria River and the New River corridors to link the Peoria community to the Maricopa Trail anticipated to run along the Agua Fria River.

Arizona Statewide Comprehensive Outdoor Recreation Plan (SCORP), 2013

The 2013 SCORP evaluates statewide programs, trends and priorities for recreation. Similar trends discussed in the SCORP relate to this master plan effort, as recreation demand and needs are continuing to increase while resources are limited. The top

priorities identified in the SCORP are:

- to secure sustainable funding,
- improve collaborative planning and partnerships,
- respond to the needs of the community and evolving demographic,
- protection and preservation of the natural and cultural resources in Arizona,
- providing access to public lands,
- educating users about the opportunities and benefits of recreation.

The SCORP is an important resource in evaluating the overall health of recreation in the state of Arizona and the potential opportunities to promote collaborative efforts and expand the recreation opportunities locally and regionally.

Key Findings

The previously mentioned documents were reviewed during the information gathering efforts for this Master Plan in order to identify existing and future partnerships and regional efforts regarding open space, park and recreation opportunities for the City of Peoria. Much of the information provided in these documents places the City of Peoria in a regional context with surrounding providers. These documents assist in understanding the major goals of various agencies as well as the mission of the City itself regarding development, funding and growth and its impact on recreational resources.

Coordinate Partnerships and Fill Gaps in Service

Partnerships will continue to present opportunities to explore alternative solutions to meet the needs of the community. The documents provided a record of several local and state agencies providing park and recreation facilities as well as their long-range plans for those services. The information found in these documents is insightful for developing policies, facility definitions and guidelines, capital investment priorities, coordinating efforts for improvements and recommendations for existing and proposed trails, open space, park and recreation facilities for the City of Peoria.

Connect Communities through Recreation and Conservation

Both local and state lands are recreation destinations that also help preserve the Sonoran Desert characteristics. Significant strides have been made by the previous planning efforts, which have integrated recreational planning and conservation of resources, including ecological and historically significant areas.

The previously mentioned local, state and regional documents begin to define how the public accesses the outdoors and enjoys recreation opportunities in the area. Community planning and conservation efforts at the local level (i.e. – through neighborhoods, municipalities and special districts) are noted as ways to set aside areas for preservation and to implement proper land management techniques in order to create successful open space areas and buffers between communities. Specific land management techniques offered in these documents include:

- The creation of an interconnected trail system to guide public access away from sensitive and private lands.
Enhancing and creating existing connections and links between and within communities will provide better access to recreation amenities throughout the region.
- Preservation of agricultural or sensitive areas which limits human access
- Promotion of existing amenities with marketing, signage and partnerships between agencies.

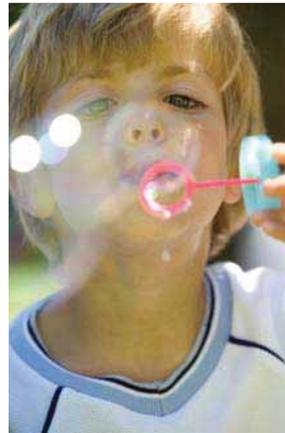
Reference Existing Documents

The reviewed documents contain a wealth of information regarding park, recreation, and open space and trail resources in the area. The documents provide strong examples of guiding principles and outline requirements for future facility development and acquisition. It will be important to utilize these documents as case studies and references for best practices and implementation strategies, whether for open space acquisition, trail design standards or marketing strategies.



Community & Stakeholder Engagement Summary

4





COMMUNITY & STAKEHOLDER ENGAGEMENT SUMMARY

Introduction

One of the primary goals of this master plan was to integrate a comprehensive public engagement approach. Community engagement with the residents of Peoria, key stakeholders and City staff throughout the needs assessment process resulted in the identification of residents' concerns, needs, and priorities regarding the operation and quality of parks and recreation facilities, programs and services. A diverse representation of interests and user groups shared their desires and needs for park and recreation amenities through a series of forums including public meetings, focus groups, and interviews. The consultant team met with the Community Services Department Staff, including Library Services, Parks, Recreation and the Sports Facilities staff. Members of other City departments and groups were also contacted, including Planning, Public Works

and Economic Development. The Parks and Recreation Board, and Peoria School District students (during Youth Government Day) also provided input. Five community engagement meetings provided an opportunity for residents to participate and voice their feedback on important issues and for the consultant to establish a baseline to commence the process of developing appropriate recommendations.

Peoria Parks and Recreation Board

The consultant team facilitated a working session with the Park and Recreation Board resulting in the following feedback. Most importantly, Peoria's strengths and successes include the commitment by the City to make parks, facilities and programming a priority through the recent economic challenges. The Community Services Department maintained programming for the youth and a strong relationship with the school districts to expand the AM/PM program despite tight budgets. The Board commended staff for making the most out of the available resources to provide quality facilities and programming for the community. The Board recognized the need for recreational facilities in the northern portion of Peoria such as a recreation center, lighted ball fields and trails. Providing a water-based amenity in northern Peoria should also be considered. The Board identified the need to explore the diversification of the programs offered in order to accommodate adaptive recreation and youth and senior needs. In addition, the master planning process should consider recreation trends so Peoria can accommodate the community's evolving needs to make Peoria a great place to live well into the future.

Community Services Department – Staff Input

The consultant team facilitated a series of discussions with staff members of the Community Services Department including members of the Library Services, Parks, Recreation and Sports Facilities Divisions regarding their perceptions about the strengths, challenges, opportunities and concerns about their roles and the development of their Division within the Department. These facilitated discussions were intended to identify what the Department is currently doing well, in addition to both the internal and external challenges that may be negatively impacting the delivery of the Department's programs and services.

The Community Services Department staff identified a number of strengths representative of the facility and program successes. The

new director has made an immediate impact, empowering staff members to foster successes and strive for new opportunities to enhance services. A prime example of collaboration within the Community Services Department is the management, maintenance and operations of the Rio Vista Recreation Center and Community Park. Rio Vista has proven to be a tremendous community resource, with usage increasing year after year. The Recreation and Sports Facilities Divisions share responsibilities to deliver quality programming and facilities at this location. Communication, cooperation and collaboration between the divisions are continually improving to achieve maximum efficiency and quality services.

The City of Peoria's Parks and Peoria Sports Facilities Divisions have leveraged their available resources to sustain an impressive level of maintenance and an overall quality product for the community. The quality of maintenance is illustrated through venues such as the Peoria Sports Complex and Rio Vista Community Park which attract users from throughout the region to play on its highly manicured sports fields. In addition, recently added parks such as Scotland Yard are serving the community well and demonstrate the quality of amenities provided by the Parks Division. Reinvestment in the park system is a paramount initiative for Peoria which is highlighted at Varney Park with the lighted ball fields and new play equipment. The opening of the Pioneer Community Park is a great example of the Department's passion, attention to detail, and ability to deliver capital projects to the community.

The Department's staff is dedicated to exploring opportunities to increase the level of service provided to the community in all realms of recreation and education. The staff understands the challenges they face and what resources would enable them to do their jobs better and grow the services being offered. In addition, staff recognizes that programming can only be provided and expanded if these activities are sustainable and/or have adequate funding from both traditional and alternative funding sources. The City maintains Intergovernmental Agreements (IGAs) with the Peoria Unified School District for the use of facilities for AM/PM, summer programs, classes and sports. The shared use of the school facilities creates an additional logistical challenge for the Recreation staff to manage the scheduling at these locations. The current



capacity of existing fields and facilities greatly impacts scheduling for recreation programs, sports leagues tournaments, swim lessons and teams, as well residents' ability to use facilities for open play.

Based on our discussion with the Recreation staff, Rio Vista Recreation Center is programmed to capacity during certain times of the day. This same sentiment was also echoed by Library Staff. In order to maintain quality programming, both Divisions evaluate each program's performance to enhance delivery or replace with desired programming. Staff in both Divisions noted the opportunity to expand programs, events, classes and leagues if space and staff are available to accommodate the additional programs. As the demand for indoor programming increases, the need for additional facilities will become more significant. In addition, providing access via additional trails or public transportation to parks, libraries and indoor facilities is an important consideration to increase participation.

Staff is regularly evaluating opportunities to increase programming and revenue generation for the City. However, these opportunities are limited by the current availability of specific facilities such as lighted athletic fields, the recreation center and library spaces and trail connections linking facilities in Peoria. Staff recognizes that there are limited resources for the development of new facilities and collaboration and support will be imperative from City Council, community organizations, local businesses, and the school districts.

In order to implement the potential opportunities and goals identified by staff, there are many factors that need to align in

order to overcome the external threats that could impede the Department's growth and progress. Some of these concerns include future funding availability due to the slow economic recovery compounded by the decline in the availability of traditional and alternative funding. The current economic recovery may influence residents' willingness to support a funding mechanism such as a bond for facility development.

Fees and charges are analyzed annually in accordance with the City Council Policy on Community Services Recreation Pricing and Fees. A market study of similar programs in other jurisdictions and private business is done to ensure the fees are competitive in order to avoid losing users to adjacent jurisdictions as well as rewarding residents for staying within Peoria for those services. Additionally, preservation of open space has been identified as a significant community priority for Peoria. The community has committed to preserving the natural and cultural features within Peoria. In response to the community's priority, the Peoria Sonoran Preservation Program was initiated to balance the planning and development of natural and improved open space areas for the community.

Youth Input

As part of Youth Government Day on April 4th, 2013, the consultant team had an opportunity to facilitate a focus group with enthusiastic teen representatives. The focus group session included a presentation of the master planning process which established the framework for a group breakout session to capture the teen's parks, recreation and programming interests and needs. When asked what they like to do for fun, most noted that they like to hang out with friends, and many noted they like to play sports, swim, play basketball, skate and/or enjoy music events.

Working with the youth to harness their creative capital, the small group session culminated with a ranking of preferred improvements to existing parks. The groups noted improvements and additions such as lighted ball fields, basketball courts, an additional skate park and places to gather and hang out. If the youth were building a new park, a few of the top items they would incorporate include an amphitheater, skate park, a pool with a lazy river and/or water park, sports fields and a snack shack (Figure 4.1). When asked what

they would put into a new indoor facility, many of them identified a teen gym (versus a gym for younger kids), game room, pool, snack bar/places to sit and eat, dance floor, and a room for books/movies/Wii/music. Overall, the input from the teen representatives highlighted the trends of increasing need for individual recreation in addition to traditional team sports programming for Peoria's younger residents.

Figure 4.1 - Youth Government Day Meeting - Top 10 Amenities

Water Park / Water Slide / Swimming Pool
Amusement Park w/ misters
Food Court
Picnic / Grilling area
Concert Area / Amphitheater
Game room
Fitness Center / Spa
Lake
Zip line
Trails- Running and Equestrian



Public Meeting and Focus Group Input

A series of public meetings and focus group meetings were held between January and April of 2013. The public meetings brought together approximately 150 participants consisting of various stakeholders, user-group representatives, community leaders and residents. A vast majority of the participants enjoy living in Peoria because of the quality of life it offers and the unique features it boasts. Peoria's location provides easy access to many desired regional amenities as well as many positive attributes such as great schools, a wide variety of activities and facilities, a sense of community and access to open space. The groups recognized the diversity of users, ranging in age, ability levels and interests. Throughout the meetings, participants agreed upon several strengths:

- The quality of facilities, including the Peoria Sports Complex, Rio Vista Recreation Center and Community Park and the new Pioneer Community Park
- A diversity of quality programs offered
- Dedication of staff to provide high quality activities to a broad range of users
- Trail networks
- Lake Pleasant Recreation Area

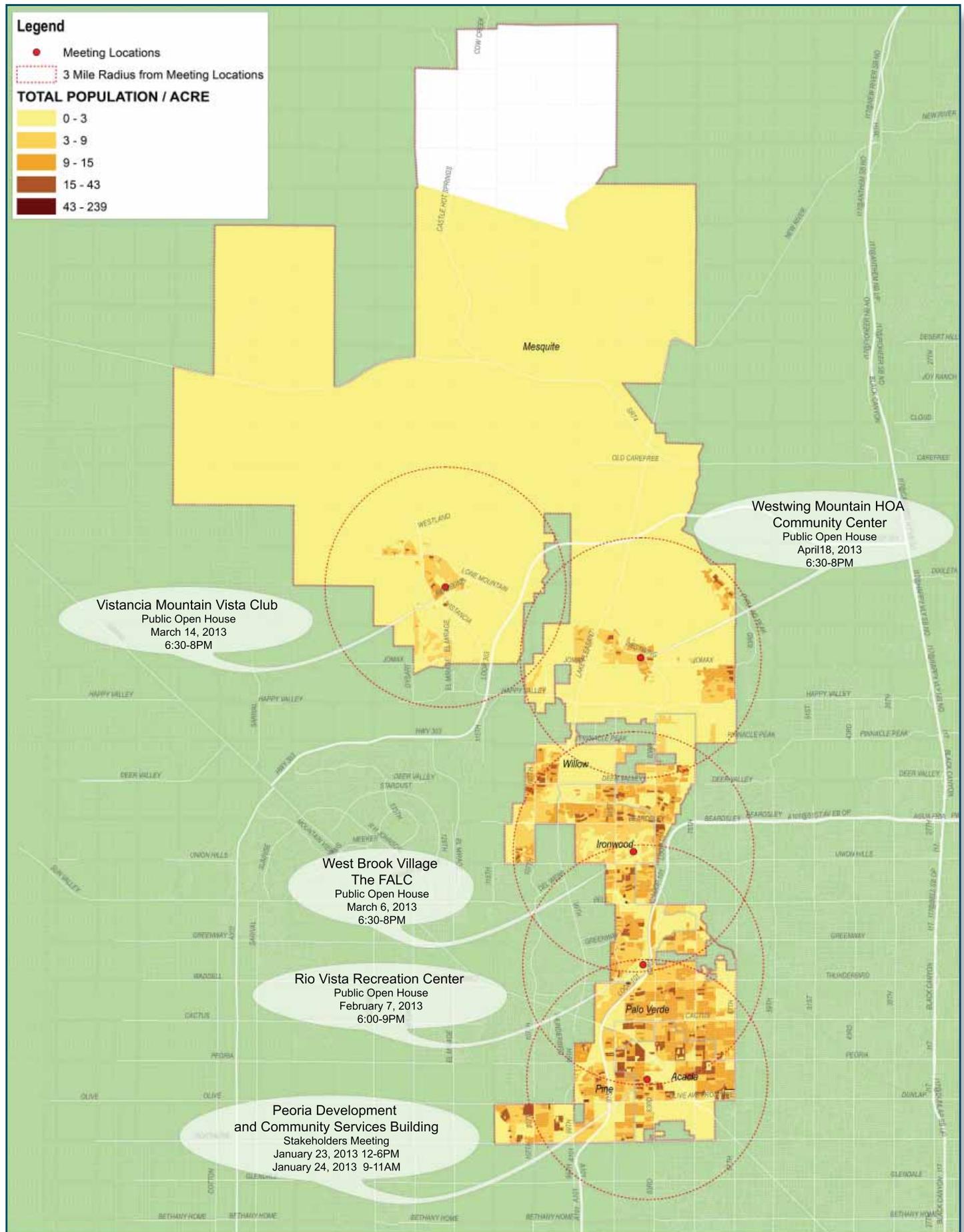
Participants were then asked to share the weaknesses or challenges that Peoria faces in terms of providing community services to residents. The majority of identified weaknesses were regarding the lack of specific facilities, such as additional recreation centers and sports fields north of Bell Road. The travel distance to existing facilities was commonly conveyed as an issue by northern Peoria residents. Other challenges shared by the participants were the need for more lighted sports fields (both diamond and rectangular), more adult leagues, and field and amenity availability, since several venues see demand (both practice time and game time) exceeding the current capacity. Connectivity to open space areas is an additional challenge, including establishing important connections and improving existing trail linkages. Current trail connectivity needs to be evaluated to improve access to the trail network through additional trailheads and crossings. Consideration for public transportation and safe bicycle and pedestrian routes to facilities was also noted by participants. In addition, another challenge the Department currently faces is the need to increase physical activity

among youth and adults, which contributes to health and wellness now and as they age. Programming options will require refinement to engage the community to address their needs and desires.

Figure 4.2 - Peoria Meeting Summary

12/20/2013	Staff Sessions
12/20/2013	Parks & Recreation Board Meeting
1/23/2013	Stakeholder Sessions
1/24/2013	Stakeholder Sessions Park Site Visit
2/7/2013	Stakeholder / Staff Meetings Staff Meetings
2/7/2013	Public Meeting- Rio Vista
2/8/2013	Peoria Sports Complex Team Meeting
3/6/2013	Stakeholder / Staff Meetings Main Library Staff Recreation Team Recreation Team Parks Team
3/6/2013	Public Meeting Westbrook Village
3/7/2013	Stakeholders / Staff Meetings Sunrise Library Staff Peoria Sports Complex Team Director Meeting Recreation Team Parks Team- Rio Vista
3/14/2013	Peoria Sports Complex Intercept Surveys
3/14/2013	Public Meeting Vistancia
4/4/2013	Youth Meeting Staff Working Meeting
4/18/2013	Public Meeting WestWing
5/1/2013	Director Meeting
5/2/2013	Open Space Coordination Meeting
6/20/2013	Parks & Recreation Board Meeting
7/2/2013	Mayor and Council Study Session
9/25/2013	Parks & Recreation Board Meeting
11/21/2013	Parks & Recreation Board Meeting
1/21/2014	Mayor & Council Study Session
2/6/2014	Planning Commission Meeting

Figure 4.3 – Public Meeting Locations



In response to the challenges, the participants were tasked with identifying opportunities for future facilities, programs and services. For example, the groups identified connectivity as a challenge and envisioned expanding the links between facilities by trails along the washes and bike lanes on roadways. At the meetings, participants consistently requested facilities such as a recreation center, lighted field complex and a dog park as amenities strongly needed to serve the community. This was readily apparent for those living north of Bell Road, and was reiterated at each of the public sessions. A community park in northern Peoria is a high priority on participants' wish list, integrating a multigenerational center, sports fields and an additional library. An aquatics facility was requested to provide additional public swimming and expand the programming capacity and convenience for aquatics. However, the interest in an indoor pool was mixed. Additionally, several specific suggestions included:

- Expanding the arts and cultural events offerings and venues.
- Retrofitting tennis courts for Pickleball.
- Evaluating existing parks to improve functionality and provide improved amenities to the community.

Participants inquired about the potential opportunities with vacant or underutilized City parcels that could provide new park space to meet the demand for parks. Integrating recreational uses with open space preservation is a high priority for residents. Regional amenities such as Lake Pleasant provide incredible opportunities for trail expansion and recreational programming opportunities such as competitive events and kayaking clinics. Biking, hiking and walking trails and pathways are important amenities and meeting attendees see an opportunity to expand the network not only to provide residents with connectivity but to establish Peoria as a destination for biking and hiking.

The meetings highlighted the importance of funding to successfully implement these improvements. Partnerships with local organizations were discussed as a way to increase awareness of programs and facilities, to open up additional communication and marketing channels, and as a possible source of funding or sponsorship. Other methods residents suggest for increasing community awareness about facilities and services are through increased marketing in local publications and at special events in addition to 'Get Active' and the website updates.

Key Findings

The focus group and public meetings made it evident that the stakeholders, users, and residents are all very appreciative of the quality facilities and programs currently offered in Peoria, and recognize that the Community Services Department is doing a terrific job. The Department is fortunate to have support from the community, and should work to address any concerns in a timely manner and maintain open communication in order to identify the resources to address them. Residents realize that significant growth is expected and have a desire to preserve the valued characteristics of the area and provide some additional facilities and programs to bring services closer to home. Some recreation facilities on resident's wish list include a recreation center, lighted sports fields, aquatic center, trails and open space. Of course, the residents recognize that any new facilities must have the funding to not only construct the improvements but to support the operations and maintenance. From the working sessions, staff and the participants envision a myriad of opportunities to expand and improve the programming, services, facilities and destinations.



Community Survey Summary

5





COMMUNITY SURVEY SUMMARY

Introduction and Methodology Overview

Leisure Vision conducted a Parks and Recreation Needs Assessment Survey on behalf of the City of Peoria in the spring of 2013. The purpose of the survey was to help establish priorities for the future development of amenities and services/programs, and is being conducted as a component of a citizen-driven master plan. The survey was designed to obtain statistically valid results from households throughout the City of Peoria. The survey was administered by a combination of mail, phone, and online.

The research conducted by Leisure Vision produced noteworthy findings and analysis that will be beneficial to the City of Peoria as the agency moves forward with implementation of this master plan. This statistical analysis illustrates residents' perceptions of existing parks and recreation facilities and programs, providing insight into

what residents want and how much they are willing to pay. The analysis allows the City to understand such things as interest and participation in outdoor recreation activities, as well as priorities for development of facilities, trails and programs; as well as open space conservation and natural resource management for the next ten years. This information will help guide the City on how to get the most out of any investment it makes in parks, recreation, library and sports programs and facilities.

Leisure Vision worked extensively with City of Peoria officials in the development of the survey questionnaire. This work allowed the survey to be tailored to issues of strategic importance to effectively plan the future system. A seven-page survey was mailed to a random sample of 4,000 households throughout the City of Peoria. Approximately three days after the surveys were mailed each household that received a survey also received an automated voice message encouraging them to complete the survey. In addition, about two weeks after the surveys were mailed Leisure Vision began contacting households by phone. Those who indicated they had not returned the survey were given the option of completing it by phone.

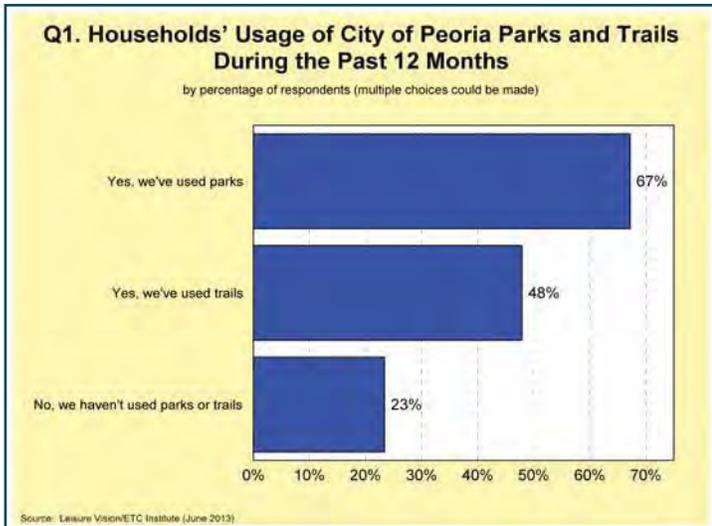
The goal was to obtain a total of at least 800 completed surveys. This goal was accomplished, with a total of 811 surveys having been completed. The level of confidence is 95% with a margin of error of +/-3.4%. The following pages summarize major survey finding.

Major Survey Findings

Use of City of Peoria Parks and Trails - Sixty-seven percent (67%) of households have used City of Peoria parks during the past 12 months, and forty-eight percent (48%) have used City of Peoria trails during the past 12 months. Twenty-three percent (23%) of households have not used City of Peoria parks or trails during the past 12 months. See **Figure 5.1**.

Of the households that have used City of Peoria parks or trails in the past 12 months, forty percent (40%) rated the overall condition of the parks/trails as "excellent", and fifty-three percent (53%) rated them as "good". An additional six percent (6%) of households rated the parks/trails as "fair", and only one percent (1%) rated them as "poor".

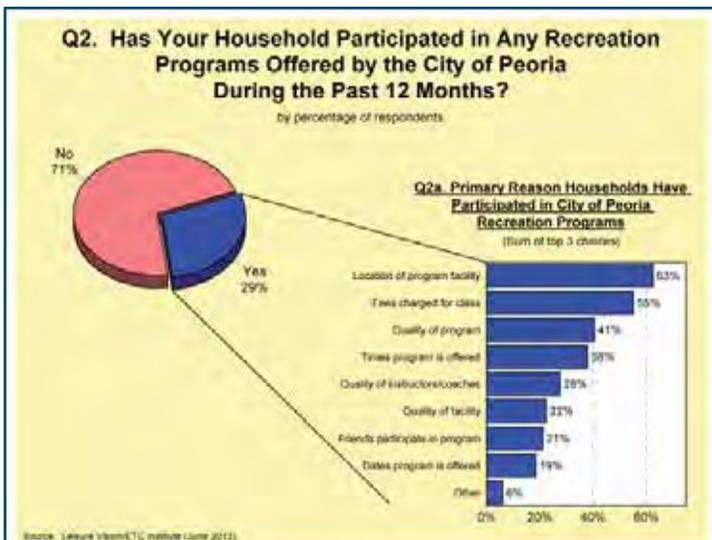
Figure 5.1 - Peoria Parks and Trails Usage



Participation in City of Peoria Recreation Programs - Twenty-nine percent (29%) of households have participated in City of Peoria recreation programs during the past 12 months.

Of the twenty-nine percent (29%) of households that have participated in City of Peoria recreation programs during the past 12 months, the most frequently mentioned reasons that households have participated in the programs are: 1) location of program/facility, 2) fees charged for the class, and 3) times the program is offered. See **Figure 5.2**.

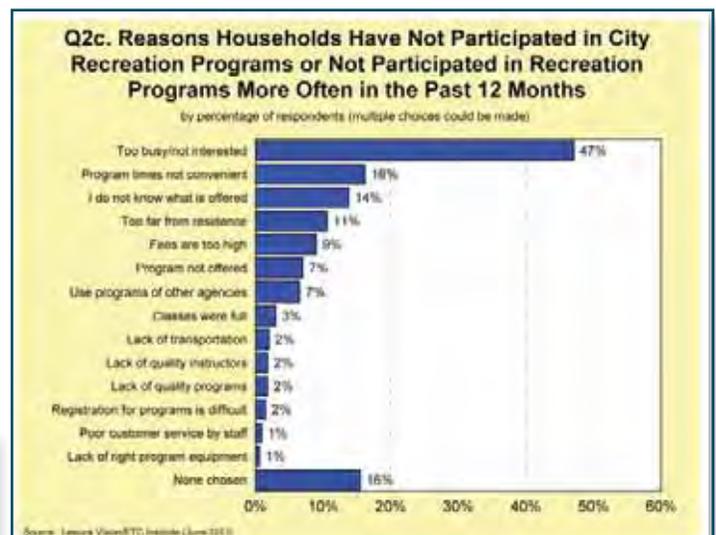
Figure 5.2 - Peoria Recreation Program Usage



Overall Quality of City of Peoria Recreation Programs. Of the twenty-nine percent (29%) of households that have participated in City of Peoria recreation programs during the past 12 months, forty-nine percent (49%) rated the overall quality of the programs as “excellent”, and forty-eight percent (48%) rated them as “good”. An additional three percent (3%) of households rated the programs as “fair”, and less than one percent (1%) rated them as “poor”.

Reasons Preventing Households From Using City of Peoria Recreation Programs More Often. The most frequently mentioned reasons preventing households from participating in City of Peoria recreation programs more often are: “too busy/not interested” (47%), “programs times are not convenient” (16%), and “I do not know what is offered” (14%). See **Figure 5.3**.

Figure 5.3 - Reasons for not Participating in Peoria Recreation Programs

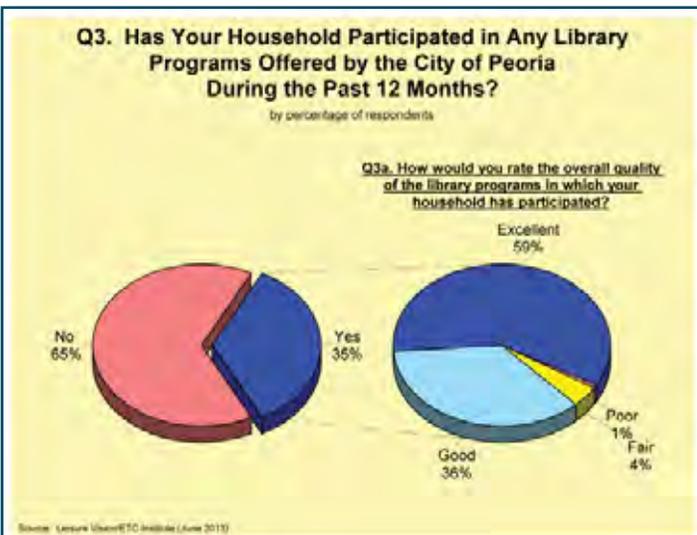


Participation in City of Peoria Library Programs. Thirty-five percent (35%) of households have participated in City of Peoria library programs during the past 12 months. Of the thirty-five percent (35%) of households that have participated in City of Peoria library programs during the past 12 months, fifty-nine percent (59%) rated the overall quality of the programs as “excellent”, and thirty-six percent (36%) rated them as “good”. An additional four percent (4%) of households rated the programs as “fair”, and only one percent (1%) rated them as “poor”. See **Figure 5.4**.

Reasons Preventing Households From Using City of Peoria Library Programs More Often. The most frequently mentioned reasons preventing households from participating in City of Peoria library programs more often are: “too busy/not interested” (36%) and “I do not know what is offered” (20%).

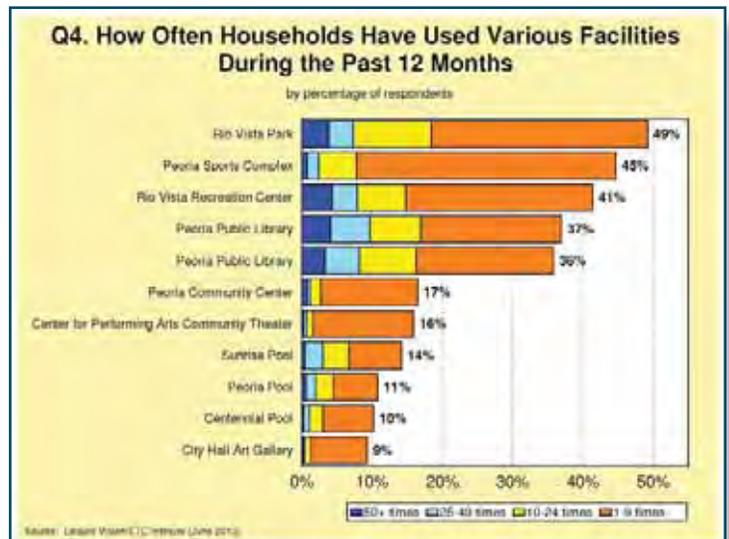
Purposes for Which Households Used Libraries. The most frequently mentioned purposes for which households have used libraries during the past 12 months are: checked out a book (49%), checked out a movie (20%), used a library computer (8%), and attended a children’s program (8%).

Figure 5.4 - Quality of Library Programs



Use of Facilities Operated by the City of Peoria Community Services Department. Forty-nine percent (49%) of households have used Rio Vista Park at least once during the past 12 months. In addition, forty-five percent (45%) of households have used the Peoria Sports Complex, and forty-two percent (42%) have used the Peoria Sports Complex, and forty-two percent (42%) have used the Rio Vista Recreation Center at least once during the past 12 months. See **Figure 5.5**.

Figure 5.5 - Frequency of Facility Use



Ways Households Learn About City of Peoria Parks, Trails, Recreation, and Library Programs. The most frequently mentioned ways that households have learned about City of Peoria parks, trails, recreation, and library programs during the past 12 months are: “Get Active” Quarterly Brochure (55%), City of Peoria website (32%), from friends and neighbors (28%), and Peoria Independent Newspaper (18%). See **Figure 5.6**.

Figure 5.6 - Ways Households Learn About Programs



Parks and Recreation Facilities Households Have a Need For.

The parks and recreation facilities that the highest percentage of households have a need for are: walking and biking trails (71%), small neighborhood parks (68%), libraries (61%), large community parks (60%), outdoor picnic shelters (50%), playgrounds (48%), and indoor fitness and exercise facilities (48%). See **Figure 5.7**.

Figure 5.7 - Needed Parks and Recreation Facilities

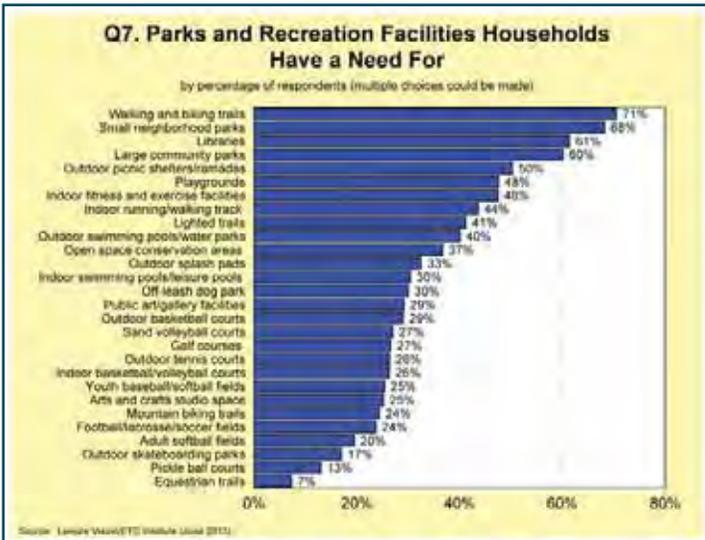
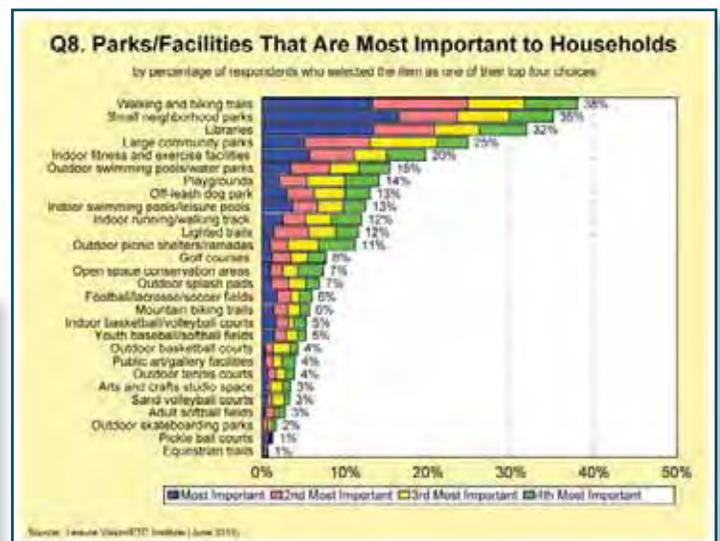


Figure 5.8 - Most Important Parks and Facilities



Parks and Facilities That Are Most Important to Households.

Based on the sum of their top four choices, the parks and recreation facilities that are most important to households are: walking and biking trails (38%), small neighborhood parks (35%), libraries (32%), large community parks (25%), and indoor fitness and exercise facilities (20%). See **Figure 5.8**.

Most Important Benefits of Parks and Recreation Facilities.

Based on the sum of their top three choices, the benefits of parks and recreation facilities that are most important to households are: improve physical health and fitness (55%), make Peoria a more desirable place to live (46%), increase property values in surrounding area (29%), and help reduce crime (26%).

Recreation Programs Households Have a Need For. The recreation programs that the highest percentage of households have a need for are: adult fitness and wellness programs (43%), community special events (35%), museums, arts and cultural programs (32%), outdoor recreation programs (29%), water fitness programs (29%), and youth sports programs (29%). See **Figure 5.9**.

Recreation Programs That Are Most Important to Households. Based on the sum of their top four choices, the recreation programs that are most important to households are: adult fitness and wellness programs (31%), community special events (20%), youth sports programs (18%), and museums, arts and cultural programs (16%). See **Figure 5.10**.

Recreation Programs in Which Households Currently Participate Most Often at City of Peoria Parks and Recreation Facilities. Based on the sum of their top four choices, the recreation programs in which households participate most often at Peoria parks and recreation facilities are: youth sports programs (13%), community special events (13%), adult fitness and wellness programs (9%), and youth learn to swim programs (9%).

Figure 5.9 - Needed Recreation Programs

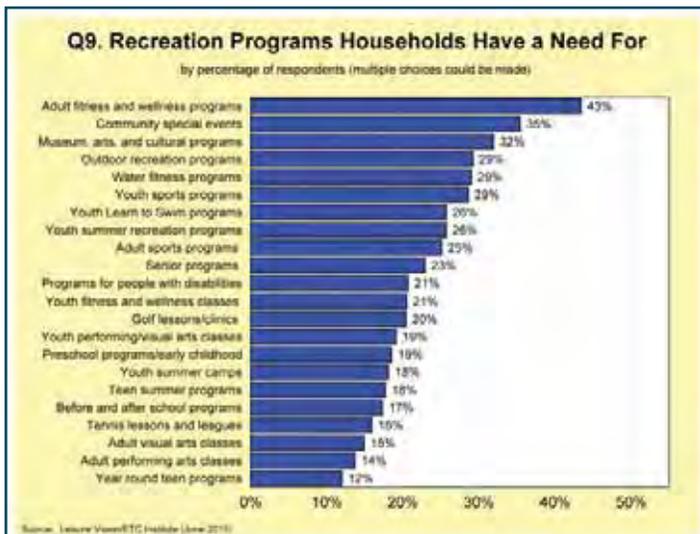
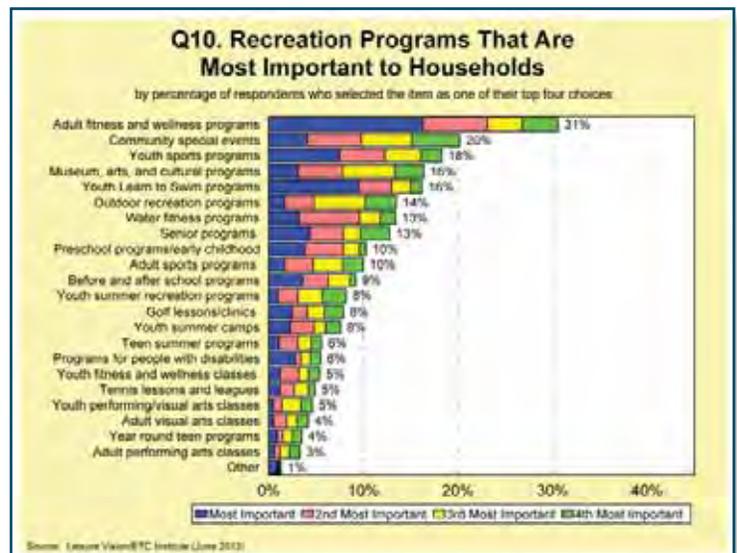


Figure 5.10- Most Important Recreation Programs



Support for Actions the City of Peoria Could Take to Maintain/ Improve the Parks and Recreation System with Current Tax Dollars. Based on the sum of their top 3 choices, the actions that households are most willing to fund with current tax dollars to maintain/improve the parks and recreation system are: maintain and improve existing neighborhood and community parks (48%), fix-up/repair aging recreation facilities (34%), and maintain and improve existing libraries (33%). See **Figure 5.11**.

Support for Actions the City of Peoria Could Take to Acquire/ Develop New Amenities for the Parks and Recreation System with Additional Tax Dollars. Based on the sum of their top three choices, the actions that households are most willing to fund with additional tax dollars to acquire/develop new amenities for the parks and recreation system are: develop additional walking, hiking, and biking trails (30%), purchase land to preserve open space and green space (26%), develop lighting along multi-use trails (21%), and purchase land for developing passive facilities (20%). See **Figure 5.12**.

Figure 5.11 - Maintenance/Improvements with Current Tax Dollars

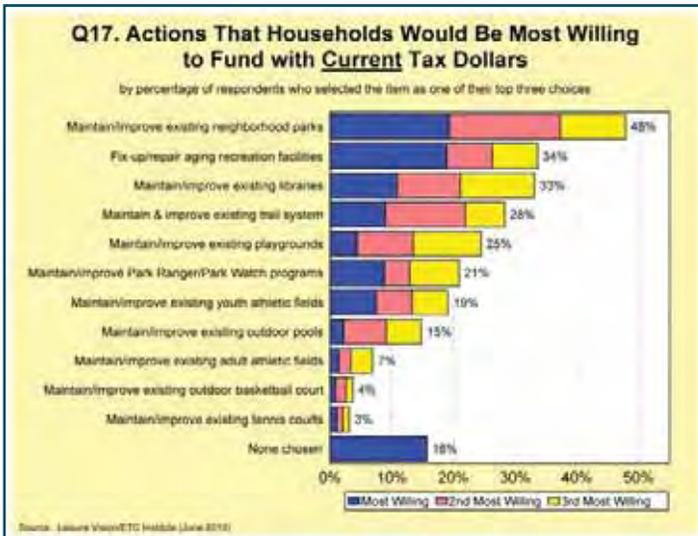


Figure 5.13 - Additional Tax Support for Parks and Recreation Facilities

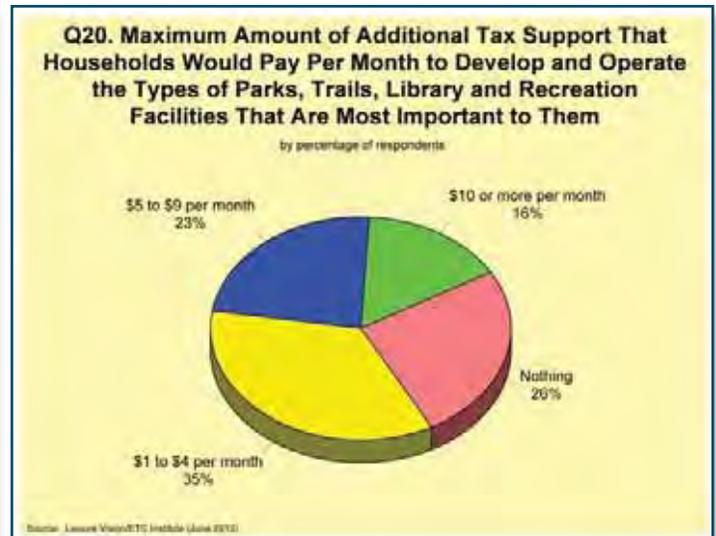
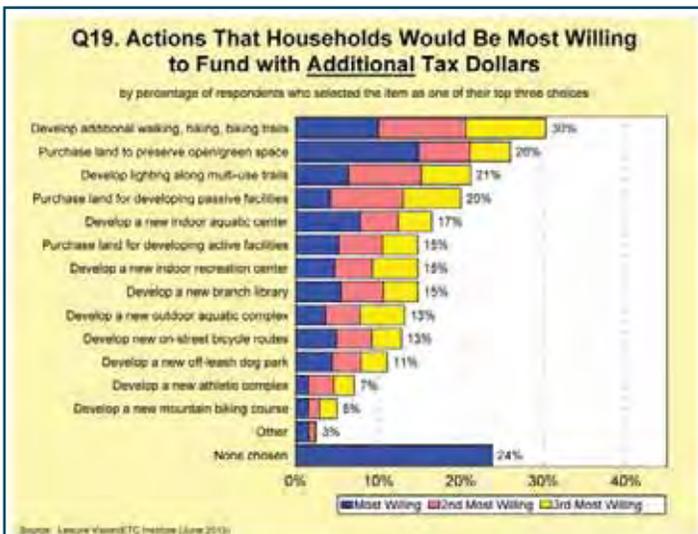
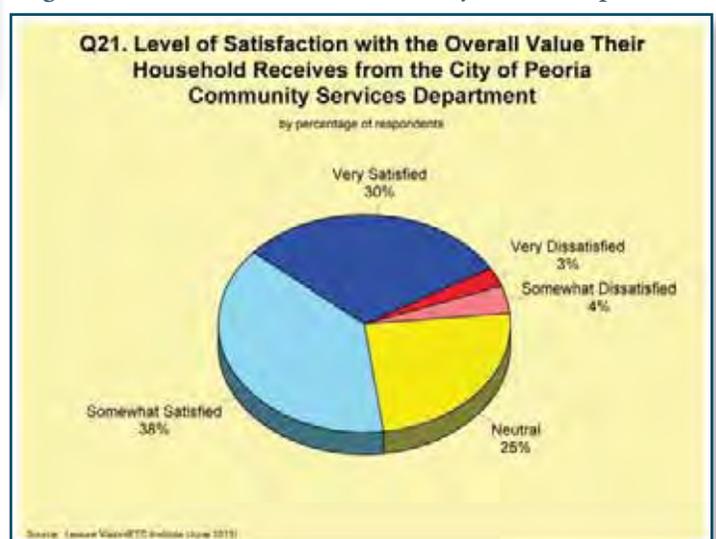


Figure 5.12 - Acquisition/Development of New Amenities with Additional Tax Dollars



Satisfaction with the Value Received from the City of Peoria Community Services Department. Sixty-eight percent (68%) of households are either “very satisfied” (30%) or “somewhat satisfied” (38%) with the overall value their household receives from the City of Peoria Community Services Department. Only seven percent (7%) of households are either “very dissatisfied” (3%) or somewhat dissatisfied” (4%) with the overall value their household receives from the City of Peoria Community Services Department. In addition, twenty-five percent (25%) of households indicated “neutral”. See **Figure 5.14**.

Figure 5.14 - Satisfaction with Community Services Department



Paying Additional Tax Support to Develop and Operate Parks and Recreation Facilities. Seventy-four percent (74%) 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 thirty-five percent (35%) that would pay \$1-\$4 per month, twenty-three percent (23%) that would pay \$5-\$9 per month, and sixteen percent (16%) that would pay \$10+ per month. See **Figure 5.13**.

**Please refer to the full 2013 Parks and Recreation Needs Assessment Survey – Final Report (separate document) for detailed responses, charts, graphs, a comparison of Peoria to National Benchmarking Data, as well as Cross Tabular Analysis.*



Park, Recreation & Library Trends

6





PARK, RECREATION & LIBRARY TRENDS

Overview

Based on the shifting demographics of the City's service area, the Community Services Department is serving a diverse cross-section of residents, as both young families and older adults make up a large portion of the population. The City of Peoria's Community Services Department needs to position its programming and facilities to accommodate not only the area's aging population, but also youth and families within the community. Analyzing park, recreation and library trends can help identify what programs and services are increasing in popularity for different demographic groups, as well as activity-based trends. Following are some of trends associated with the relevant user groups in the City of Peoria.

General Trends in Recreation and Libraries

Technology

Advances in technology have both benefits and drawbacks to engaging people in outdoor recreation. In some cases, the digital technology (smart phones, tablets, portable DVDs and video games) can compete for the leisure time available to families, both at home and while traveling. However, many people use those same devices to find information about parks, trails, programs and events and even use them within the parks themselves. According to the *2013 Arizona Statewide Comprehensive Outdoor Recreation Plan (SCORP)*, by Arizona State Parks; "Some parks are using technology to draw teenagers in. Officials at Santa Monica Mountains National Recreation Area are experimenting with a Pocket Ranger game that simulates activities available in the park. The game can be downloaded from a website to iPods and other devices and continued in the park as a kind of scavenger hunt. Other parks have apps available for smart phones which allow visitors to access information about the park easily, and apps that help identify birds, plants, and wildlife, which allows visitors to enjoy an educational experience while using technology." In addition to digital technology, improvements to recreational equipment is allowing more people to access outdoor activities, as well as to recreate at a higher level.

Libraries are also using technology to publicize events and programs, through websites and social networking. According to the *2012 State of America's Libraries*, a special report from the American Library Association, and in talking with City of Peoria library staff, libraries are now not only providing literacy skills for patrons, but libraries are also working to assist their users with digital literacy in order for them to take advantage of the resources available digitally. The number one technology for libraries is e-books. These are affecting the use within the library, the library's website, and the collections of libraries throughout the country. According to the report, *Library Services in the Digital Age*, (Pew Internet Project, January 22, 2013), there is also interest in libraries providing "digitization resources for local history materials, professional-grade office services such as videoconferencing, as well as renovated spaces that would encourage collaboration".

Marketing and Communications

Just like the private sector, it is important to strongly promote public programs and services so as to win customers and retain their loyalty. According to the *2013 Arizona SCORP*, 66% of Involved Recreation Users heard about outdoor recreation opportunities on the internet, with 48% from Parks and Recreation agency websites. 63% of those users also heard about opportunities through word of mouth, so the need to maintain quality facilities and customer service will be as important as an online presence.

It is important to use effective marketing mediums as well as messaging to target various demographic and user groups. Following is a summary of some of the strategies to marketing to the different generational demographic groups within the City:

- The Matures/Silent Generation (born between 1921-1945)
 - Mediums – direct mail, fliers, brochures, word of mouth and some email.
 - Messaging – simple, straight-forward and summarized communications.
- The Baby Boomers (born between 1946-1964)
 - Mediums – direct mail, email, web searches, word of mouth and print media.
 - Messaging – sell upscale facilities and programs, as well as unique experiences.
- Generation X (born between 1965-1980)
 - Mediums – flyers, email, internet, texting, and word of mouth.
 - Messaging – straight-forward, interest and topic-based communications.
- Generation Y (born between 1981-1995)
 - Mediums – texting, social networking websites, internet.
 - Messaging – sell trendy, exciting and adventurous activities.
- Generation Z (born between 1995 and 2010)
 - Mediums – texting, social networking websites, internet and through parents
 - Messaging – interactive activities, also be responsive and update content and programming.

Demographic-Based Participation and Trends Recreation Based Activity

In 1990, there were only ten states where less than 10% of the population was obese and the remaining states had 10-14%. In 2011, not a single state has less than 20% obesity rate, Colorado is the lowest at 20.3%, and in 39 states, 25% or more of the population are obese. Arizona's obesity rate in 2011 was 24.7%. Engaging all portions of the population and teaching them how to better integrate recreation and physical activity into their daily lives through programming and education is imperative to combat the rise of obesity in Arizona and across the country. According to the executive summary of *US Trends in Team Sports, 2011* (sponsored by the Sporting Goods Manufacturers Association); participation in team sports saw a slight increase in 2011 after a reduced number of participants during the core of the recession, specifically in the younger teenage group. This includes traditional sports like tackle football, basketball, baseball and soccer as well as rugby, lacrosse and various forms of volleyball. The study also notes that participation in team sports makes one more interested in trying a new fitness activity.



Youth - Participation in out-of-school activities and programs offer support for youth and working families, as well as benefiting youth socially, emotionally, and academically. According to the Women's Sports Foundation 2008 report, *Go Out and Play*; 84% of youth in 3rd to 12th grade have participated at some point in organized or team sports, with 72% participating within the last year. The top physical activities varies by gender, with Dancing, Swimming/ Diving, Basketball, Jogging/Running/Cross Country and Volleyball the top five for females and Basketball, Football, Soccer, Jogging/Running/Cross Country and Swimming/ Diving the most popular among males. Interest in organized sports and activities is diverse in youth. Team sports that are increasing in participation include ice hockey, indoor soccer and lacrosse. Non-traditional and individual activities such as extreme sports, as well as after-school arts, culture and fitness programs are also increasing in popularity and could fill the arts and fitness void that is growing wider in schools.

Although today's youth continue to participate in physical activities, many are still not meeting recommended weekly activity levels. Less than 3 in 10 high school students get at least 60 minutes of physical activity every day (CDC's facts about physical activity). Although the quantity of activity is low, the most popular types of outdoor activities that youth do participate in involves a vigorous amount of activity.

Young Adults – Peoria's demographics indicate a slight drop in young adults over the next five years (ages 15 to 34). National trends typically show that young adults are even less active than youth, though younger adults are more likely to meet the 2008 *Physical Activity Guidelines* for aerobic activity than older adults (according to the CDC). The frequency of outdoor activity starts to drop off from youth to young adulthood (around age 18). The types of activities young adults participate in are the same, but there is a drastic decline in the number of outings and activities.

As youth and young adults' age, they tend to prefer individual, indoor activities over team sports and outdoor recreation, a statistic which is even more prominent for females than males. It is also important to consider that activity levels and outdoor participation seem to decline at different ages for females and males. The drop-off in outdoor participation between the "child" age group (6 to 12 years old) and the "teenage" group (13 to 17) is sharper among

girls than boys. According to the 2010 report, *A Special Report on Youth* (Outdoor Foundation), for females, outdoor activities are more popular than team sports and indoor fitness activities until about age 22, when indoor fitness activities becomes more popular. Despite the slight drop in this segment of the population, is essential that recreation programs consider targeting young women and men and encourage recreation to continue into adulthood.

Most Frequent Outdoor Activities of Youth and Young Adults (Age 6-24)

- Running on roads or paved surfaces - 81.9 average annual outings per youth participant
- Skateboarding - 64.2 average annual outings per youth participant
- Bicycling on roads or paved surfaces - 62.8 average annual outings per youth participant
- BMX bicycling - 61.8 average annual outings per youth participant
- Mountain bicycling - 39.7 average annual outings per youth participant

Most Popular Outdoor Activities of Youth and Young Adults (Age 6-24)

- Running on roads or paved surfaces - 22.2% of youth ages 6 to 24
- Bicycling on roads or paved surfaces - 21.3% of youth ages 6 to 24
- Freshwater fishing - 17.2% of youth ages 6 to 24
- Car and backyard camping - 16.3% of youth ages 6 to 24
- Hiking - 12.1% of youth ages 6 to 24

Most Common Cross-over Indoor Recreation Activities (Age 6-24)

- Bowling - 39% of youth outdoor participants
- Fitness Walking - 33% of youth outdoor participants
- Free Weights - 26% of youth outdoor participants
- Basketball - 25% of youth outdoor participants
- Billiards/Pool - 25% of youth outdoor participants

Compilation data in the Outdoor Industry Foundation's 2010 report, *A Special Report on Youth*.

Older Adults – In 2017, 28.6% of Peoria’s population is anticipated to be over the age of 55. This portion of the population will need programming to accommodate their diverse interests. It is also important to consider that there are two distinct groups within this segment of the population, the Baby Boomers (ages 53 to 71 in 2017) and the Matures/Silent Generation (ages 72 to 96 in 2017). Baby Boomers’ leisure time is increasingly being spent doing physical activities, in educational classes, partaking in adventure travel, and attending sporting events. These trends may be the result of the fact that for many, retirement is starting earlier than it has in the past. Approximately 70% of the current retired population entered retirement before the age of 65. These new retirees are younger, healthier, and have more wealth to spend for the services they want. This may explain the changing demands, nationally, from traditional low-cost social services and senior events, (such as social activities, cards, passive recreation, and volunteering), that the Matures/Silent Generation have historically participated in.



Hispanic Community – Approximately 20% of Peoria’s population identifies themselves as Hispanic, therefore it is important to understand the recreation trends associated with this cultural group. The three valued and influential aspects of Hispanic culture are family, community and personalization. Hispanics strongly value the interpersonal relationships within their families and within their communities. They don’t differentiate between their immediate and extended family and church is the primary form of community for many. Therefore, it is common for Hispanics to live and participate in activities as a “multi-generational extended family”.

Hispanic outdoor recreation participants often:

- Prefer to recreate in larger groups and prefer forested sites with water features and amenities to support a day-long, extended family social outing with on-site meal preparation.
- Are interested in an outdoor experience with a strong social recreation component, such as facilities and programs that involve families, programs for children and youth, and family-oriented entertainment events and festivals.
- Identify stress relief and having a good family experience as the most important features of a satisfying outdoor recreation excursion.
- Enjoy picnicking, day hiking, camping, and large family gatherings in outdoor settings.

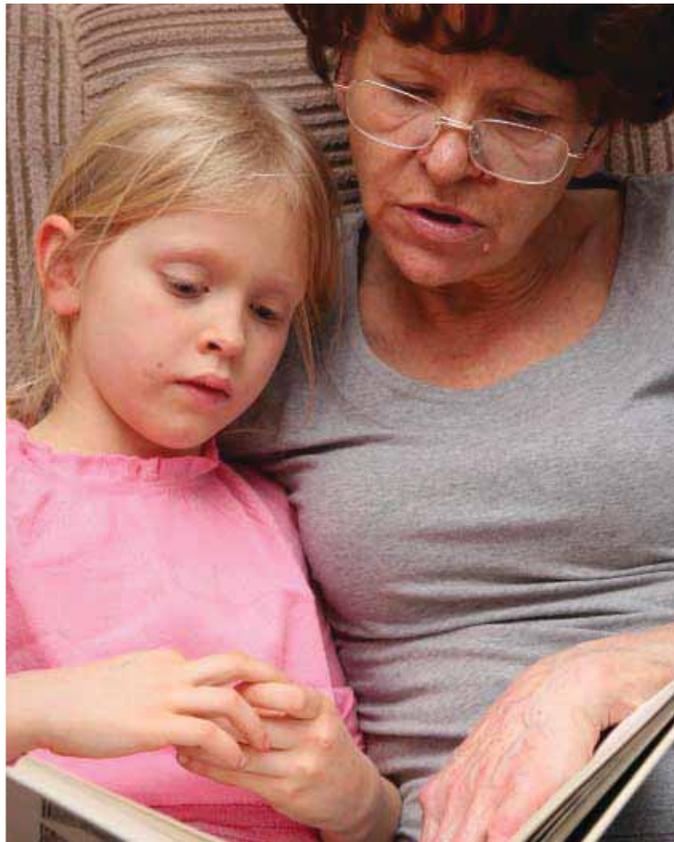
Per the 2006 UCLA Anderson School of Management, Applied Management Research Program report, *The Hispanic Community and Outdoor Recreation*; many Hispanics do not participate in sports due to lack of time, (71% of males and 64% of female Hispanics). However, while participation levels are lower than other ethnicities, when they do participate, there is an interest in both team sports and individual sports. The trending six favorite sports:

- Football
- Basketball
- Running
- Walking
- Soccer
- Swimming

In addition to organized sports, there is also an interest in general physical activity. According to the Outdoor Foundation's *Recreation Participation Report*, 2012, the most popular physical activities among Hispanics ages 6 and older are:

- Running / Jogging and Trail Running
- Road Biking, Mountain Biking
- Car, Backyard, and RV Camping
- Freshwater, Saltwater and Fly Fishing
- Hiking

Physically and/or Mentally Challenged – The City's recreation programs and indoor and outdoor facilities should strive to be "universally" accessible. The physically and/or mentally challenged population is a growing group. Communities should reach out to increase awareness and inclusive opportunities for physical activity for individuals who may otherwise be overlooked. In addition, investing in park and recreation renovations and updates that makes facilities more user-friendly for individuals of all abilities could help increase the activity level of these park and recreation participants. Recreation programming could include specific teams or leagues for specific physical or mental limitations, or incorporation into the mainstream classes, sports and activities, depending on interest and ability to accommodate the needs within facilities.



Library Use Activity

Libraries are used by every age group and every demographic, however, the trends on frequency and type of use varies. Despite the increase in accessibility to the internet and digital media, physical libraries are still considered very important to the majority of Americans as part of their communities. "91% of Americans ages 16 and older say public libraries are important to their communities; and 76% say libraries are important to them and their families," per *Library Services in the Digital Age* (Pew Research). People use libraries for a variety of purposes, including both leisure and non-leisure based activities. A majority (70%) of libraries reported increased use of public access computers, though many also reported that the internet connection speed and number of computers was inefficient, per the American Library Association's *2012 State of America's Libraries* report. In addition to computer use, 76% of libraries offer e-books for patrons to borrow per *Libraries, Patrons and Ebooks* (Pew Research). Many librarians, including Library Services staff in Peoria, note a reduction in the number of patrons needing research assistance, which is a significant change from previous years and assumptions about a library's role in the community. According to *Libraries, Patrons and Ebooks* (Pew Research), the need for research assistance is around 20% for those over the age of 16.

Youth and Young Adults – Library patrons between the ages of 6 and 17 are the primary users of library services, whether it is for story times or using the computers for research or video games. This generation also is a significant user of e-books and library websites from outside the physical library. The Pew Research Center's October 23, 2012 report, *Younger Americans' Reading and Library Habits* notes the following use trends for those between the ages of 16 and 29:

- 60% of Americans under age 30 used the library in the past year. Some 46% used the library for research, 38% borrowed books (print books, audiobooks, or e-books), and 23% borrowed newspapers, magazines, or journals.
- 83% read a book in the past year. Some 75% read a print book, 19% read an e-book, and 11% listened to an audiobook.

- Among Americans who read e-books, those under age 30 are more likely to read their e-books on a cell phone (41%) or computer (55%) than on an e-book reader such as a Kindle (23%) or tablet (16%).

Adults – Library use drops off once a formal education program is no longer part of a person’s activity. However, adult use increases again if they have children, through attendance at story times or for free community events and activities. According to *Library Services in the Digital Age* (Pew Research), in the past year, 53% of Americans ages 16 and older visited a library or bookmobile. While at the library, the breakdown of activities is typically as follows:

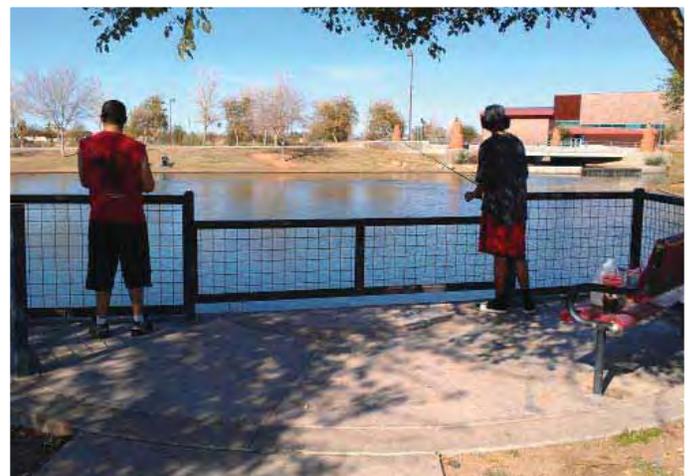
- 73% of library patrons in the past 12 months say they visit to browse the shelves for books or media.
- 73% say they visit to borrow print books.
- 54% say they visit to research topics that interest them.
- 50% say they visit to get help from a librarian.
- 49% say they visit to sit, read, and study, or watch or listen to media.
- 46% say they visit to use a research database.
- 41% say they visit to attend or bring a younger person to a class, program, or event designed for children or teens.
- 40% say they visit to borrow a DVD or videotape of a movie or TV show.
- 31% say they visit to read or check out printed magazines or newspapers.
- 23% say they visit to attend a meeting of a group to which they belong.
- 21% say they visit to attend a class, program, or lecture for adults.
- 17% say they visit to borrow or download an audio book.
- 16% say they visit to borrow a music CD.

Older Adults – With more leisure time available upon retirement, use of the library by older adults does not necessarily increase. Based on information from the *Libraries, Patrons and Ebooks* (Pew Research) report, adults over 65 are the least likely to have used a library in the past 12 months, while those ages 16-17, virtually all of whom are still students, are by far the most likely ages group to have visited a library. However, as noted previously, 41% of users say they visit to bring a younger person to a class or program. Some of these people are grandparents or caregivers over 65.

Activity-Based Trends

Less Time for Recreation and Leisure – Americans have less leisure time now than ever before which has led to changes in recreation patterns. According to the Outdoor Foundation’s *2012 Participation Report*, 33% of people say they don’t have time for outdoor recreation and 17% say they are too busy with family responsibilities. People have less free time after taking care of their daily responsibilities, which means activities are moving towards unstructured, individual, and drop-in programs.

Activity Leads to New Activities – Regardless of age, involvement in outdoor recreation leads to a likelihood of trying new activities. According to the Outdoor Foundation’s *2012 Participation Report*, 87% of those who hiked participated in another outdoor activity. Other “gateway” activities include camping, bicycling, fishing, running/jogging/trail running. Focusing on youth involvement in outdoor recreation is beneficial, as it may lead to more active adults who participate in a variety of outdoor recreation opportunities throughout their lives.



Arts and Culture

Art and cultural offerings such as music, theater, crafts and dance create a positive social environment and bridge differences in participant's ages, income and ability. They also provide alternatives to traditional outdoor activities. These classes can parlay into interest and participation in local festivals which offer opportunities to provide diverse cultural experiences to residents as well as tourists.

A recent trend emerging in libraries across the country is the development of Makerspaces. These are places to collaborate, build, create and produce things from robots to jewelry or where patrons can publish their own work (digital production labs or equipment). The Peoria Library currently offers Lego workshops, and this movement would take it one step further to provide a variety of tools for patrons to create and collaborate, including designated spaces for creation-based activities as well as group meeting and collaboration spaces. In addition to innovative changes to the library space, basic programming such as story times, classes and cultural events that are free and for all ages are very important to 63% of Americans, according to the *Library Services in the Digital Age* report, (Pew Research).



Extreme Sports

Participation in recreation has shifted over the past decade and the demand for “extreme” sports has increased. According to the 15th annual *SUPERSTUDY® of Sports Participation*, from 1998–2001, the largest gains in sports participation have come from the new “Extreme” Sports, which includes sports such as Skateboarding (+73%), Artificial Wall Climbing (+57%), Wakeboarding (+38%), Paintball (+30%) and Snowboarding (+25%), as well as activities like BMX, mountain biking and in-line skating. These new action sports have gained ground at the expense of traditional American pastimes such as Baseball (-7%), Basketball (-9%) or Touch Football (-4%).

Special Events & Festivals

According to William Gartner, author of *Trends in Outdoor Recreation, Leisure and Tourism*, the parks and recreation industry has seen a rapid increase in the demand for special events and festivals in the recent years, ranging from arts and culture to sports and tourism. Influences impacting these trends may include the decline of the economy, which has kept people traveling closer to home; as well as increases in population, mobility and travel. Additionally, ties to corporate sponsors, philanthropic causes, and marketing opportunities, the retirement and diverse interests of the Baby Boomers, and desires of urban-based consumers to engage in unique experiences are potential contributors to the growing demand for special events.

Tourism

According to the *2013 Arizona SCORP* Report, in 2011, 32.8 million total overnight domestic visitors traveled to Arizona . International visitors make up nearly 13 percent of the state's total visitation (37.6 million), and 82.3% of Arizona's overnight domestic visitors were considered leisure visitors. These visitors listed “visiting friends and relatives” as the primary reason for visiting Arizona, followed by “touring and participating in a special event.”

Tourism Programs in Arizona to Promote Outdoor Recreation

Also according to the *2013 Arizona SCORP*, the Arizona Office of Tourism “recognizes outdoor recreation as an important activity travelers want to experience while visiting Arizona. These travelers fall into one of three behavioral categories: (1) immersion/entertainment tourist; (2) the outdoor tourist; and (3) the

relaxation tourist. Arizona's outdoor visitor enjoys low-exertion activities in beautiful and distinctive outdoor locations different from what they have available to them at home. Other visitors seek a high-exertion adventure experience." One amenity that is a huge draw in the City of Peoria for outdoor tourists is Lake Pleasant. In 2009, Lake Pleasant was 9th in the Top 25 Natural Attractions of Arizona, according to the Arizona Office of Tourism's 2010 Report, with 436,000 visitors.

Spring Training – According to the *2012 Cactus League Economic Impact Report*, 56% of game attendees are from outside Arizona and attending Spring Training games is the primary reason for their visit (98%). This is specifically significant for the City of Peoria, since they are home to the Seattle Mariners and San Diego Padres during the month of March. Spring training has a major economic impact, boosting the local economy not only within the City of Peoria but throughout the Phoenix Metropolitan Area. The top four other activities these visitors partake in includes shopping, fine dining, sight-seeing/touring and visiting family/friends.

Other Tourism Trends

- Sustainable Tourism - programs or activities such as cultural and heritage programs, art walks, farmers markets, ecotourism, sustainability events, urban trail systems, wayfinding signage programs and carbon offset programs.
- Arizona Wine tourism – Nearly 30 percent of winery visitors in Arizona also participate in outdoor recreation activities.
- Geocaching – a cache is hidden and the coordinates are posted on a website. This brings visitors to places they may not otherwise visit.
- Niche Tourism (per the *2013 Arizona SCORP*) – may include obscure topics such as dark tourism (unpleasant places), abandoned highways, abandoned factories, ghost towns, historic bridges, schools etc.

Park and Recreation Facility Trends

The current national trend is toward a “one-stop” facility with a wide variety of amenities to serve all ages. Large, multi- purpose, and multi-generational community recreation centers help park and recreation agencies increase cost recovery, promote retention, and encourage cross-use. Facilities and amenities that are becoming more common include:

- Multi-purpose recreation centers (65,000 to 125,000+ sq. ft.) for all ages and abilities
- Leisure and therapeutic pools
- Weight and cardiovascular equipment
- Interactive game rooms (exer-gaming)
- Nature education centers
- Regional playgrounds for all ages of youth
- In-line hockey and skate parks
- Indoor walking tracks
- Dog parks
- Climbing walls
- BMX tracks
- Indoor soccer
- Cultural art facilities
- Regional and local trails creating a network throughout a region

A shift has also occurred in urban planning from designing around the automobile to designing public spaces that encourage physical activity and engage a community. The most significant amenity that a city can offer potential residents is a public realm that creates a sense of community and increases the quality of life, which in turn attracts and retains residents and businesses and strengthens a community's economy.

Library Facility Trends

New library facilities are thinking sustainability. Peoria's Sunrise Mountain Library integrates many sustainable features including recyclable materials, low-flow plumbing and natural lighting. Both new and renovated libraries are being designed with the evolving function of libraries in mind, including incorporating meeting spaces and community rooms, flexible spaces, separate children and teen areas, technology spaces (like computer labs), quiet study areas and overall improved building accessibility.

As the technology progresses, people want easier access to the resources offered by the Library, and many patrons perform tasks such as reserving books and paying fines online. There is also interest in providing kiosk facilities throughout communities where books can be checked out without going into a branch. People's perception of efficiency and the need for efficient government spaces has also driven an interest in combining multiple uses into one stop, such as a library/community/recreation center. This type of facility shares spaces such as restrooms, lobbies and meeting rooms. This also allows each family member to use the service they want at the same time or for patrons to check out books and recreate or take a class without having to drive to two separate destinations.



Key Findings

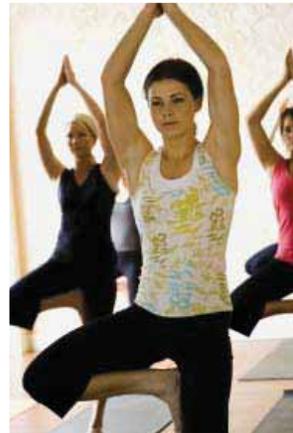
In order to decrease growing obesity rates, the emphasis should be on promoting all forms of exercise and the recreational programs offered by the Community Services Department. Both children and adults should be targeted in an informational campaign explaining how physical activity can provide a fun, enjoyable way for families to stay fit and healthy. Schools, social media and the internet should be the primary avenues for distributing information to the youth of Peoria, while flyers and word of mouth are additional methods to use with adults. Programs and facilities should remain as flexible as possible and accommodate the interests and needs of the community. Library services are a primary indicator of quality of life within a community. Even if residents don't use a library, they are still very supportive of the resource. Libraries are a place to find information, spend time relaxing, learn something and participate in community events. These facilities need to not only continue to provide base services people have come to expect but also diversify their facilities to accommodate new programming and technology.

The increased use of technology in every facet of life has changed the landscape of leisure time as we know it. Americans (and by extension, Peoria residents) are less active today than ever before. Both recreation and library services are having to adapt to the new ways in which users receive information as well as use their services, as many patrons use smart phones and e-readers every day. Current generations, born and bred in prosperity, are looking for amenity-rich and meaningful recreation experiences, increasing the need for programs, facilities and infrastructure. Lands, programs, services and facilities will have to provide quality experiences to accommodate the demands of park, recreation and library users. Facilities will need to be programmed to meet the varying demands of users as well. Accommodating multiple age groups at once will better attract family-oriented populations. Additionally, flexible facilities that can accommodate varying forms of activity such as traditional sports, unstructured programs, and arts and cultural activities will meet the desires of a diverse population.



Recreation & Library Programming Analysis

7





RECREATION & LIBRARY PROGRAMMING ANALYSIS

Overview

The Community Services Department is responsible for providing many facets of recreation and leisure activities for the residents of Peoria. The Department operates the physical spaces for people to recreate or spend time in, such as parks, recreation centers and libraries, and also provides the programming within those facilities. These programs are extensive in their breadth, from sports leagues to school-based programs and craft classes.

Recreation Programming

School-Based Programs

The Department provides a before and after school program, school break camps and Summer Camp; all of which are licensed through the Department of Health Services (DHS) with funding available through the Department of Economic Security (DES) for low income families. The AM/PM (i.e. before and after school care) program is based in 21 Peoria Unified School District elementary schools and are open to children in Kindergarten through age 14. These programs provide parents with an option for their children to attend in the morning, evening or both and from one to five days a week. The school break camps for winter and spring breaks are an extension of the AM/PM program and provide kids with art, recreation, and field trip activities as well as snacks. The school break program is based out of a few select schools throughout the City. The Summer Camp Program is an extension of the AM/PM Program during the summer months and includes a drop-in option and daily field trips. Summer Camp for grades 1 through 5 is a drop-in program from 8am to 2:30pm at seven PUSD schools, eight weeks during the summer. The program offers a full schedule of on-site activities and daily field trips. With these programs, parents have the opportunity to have their child involved in recreational programming fifty-one weeks of the year between 6am and 6pm.

Preschool-Aged Programming

In addition to the programming provided for school-aged children, the Community Services Department also provides options for the younger set. Lil Learners is an all-day preschool for ages 3 ½ to 5 and located at the Sunrise Family Center. The format changes slightly for this group during school breaks, and in the summer swimming lessons and field trips are offered. During the summer, the Tiny Tots program for ages 4 to 5 is also offered at two elementary schools and includes on-site activities and field trips.

Youth Special Interest

Beyond the school-based preschool age activities, there are numerous special interest classes for parents to choose from for their young children, including introduction classes to team sports and parent and child classes, including art, music and dance or tumbling, most being offered at Rio Vista Recreation Center, school-aged youth special interest offerings include classes, sports camps, teams and individual opportunities. These programs are offered at City facilities as well as in partnership with outside providers such as Polar Ice,

Peoria Pines Golf Club and Paseo Racquet Center. Classes offered directly through the Community Services Department include introductory classes in fencing, dance, golf and tennis as well as various science-based programs. Theatre Works, based at the Peoria Center for Performing Arts, supplements Department programming by providing theatre-based “Youth Works” classes, workshops and camps for development of acting, dancing, puppetry, music and script writing. One unique facet of the programs offered by the City of Peoria is the opportunity for youth and adults to be in some of the same classes, specifically programs such as kayaking at Lake Pleasant, scuba diving, geocaching, martial arts and guitar classes. This is a great way to serve multiple generations and have them also learn from one another.

Sports and Fitness

The Department offers a variety of camps, sports leagues and individual sports opportunities throughout the year for both youth and adults. The primary focus of the sports programming through the department is recreation-based, and provides the opportunity for participants to learn or enhance their skills while socializing with friends. The Recreation Division offers seven different youth recreational sports which are played during quarterly seasons, and as kids move into a more competitive level, they play in leagues offered by other organizations. This includes leagues in flag football, kickball and tee ball, soccer, and track and field. Kids can play kickball as early as age 3, soccer at 5 and flag football at 6. These opportunities are offered typically through age 13, but in some cases go to 17. Adult sports include quarterly leagues in six different sports for men, women and co-ed teams. Sports Special Events include the Hershey’s track and field meets, Itty Bitty Golf Open and the newly formed Runner’s Series, which includes one run per month.



Teen Programming

The success of teen programming is often hit or miss depending on interest and the schedules of busy teens. The Community Services Department provides many opportunities for teens (ages 12 to 17) to connect and get out and try something new. Recent program offerings include dodge ball on Friday nights at Rio Vista, a teen fit challenge, a junior high dance once a month, and an acting class. A primary focus of the teen programming is one-time or reoccurring trips to various destinations, whether it’s through the Step Out program during school breaks or as part of the Xtreme Teen program. The Step Out program is offered for 6th through 9th graders during the summer and is a drop-in program located at three high schools. On-site activities are programmed along with field trips to keep youth engaged. There are also options for “after hours” sessions which includes transportation to and activities at Rio Vista Recreation Center where the parent can pick them up. The Xtreme Teen program has recently included trips to Flagstaff Extreme Adventure Course, Arizona Snowbowl, and a river rafting trip for three days, as well as trapeze and paintball.

Adult Special Interest Classes

In addition to the variety of sports leagues and community activities open to adults, there is also a comprehensive selection of special interest classes. The majority of the classes are offered at Rio Vista Recreation Center, including both the recreation classes and educational-style classes. Recreational class offerings include options such as tai chi, beginner’s golf and tennis, zumba offerings, and dance classes. Educational-type classes include options such as jewelry making, digital photography, writing, foreign language, and home/life improvement courses such as organization and money management.

Older Adult Programs

The senior programs are as diverse as the rest of the programming offered by the Community Services Department, and typically occur at the newly remodeled Community Center. There are various ongoing programs including a nutrition program that offers lunch five days a week for a nominal fee as well as showings of classic movies, speakers and day trips. Weekly meetings of groups for a variety of free card and board games as well as pay bingo and a book club. There are two craft groups organized through the Department, one meets at the Community Center and a new group meets at the Sunrise Mountain Library. In addition to the

weekly programs, health and fitness offerings include classes such as tai chi, chair exercise, blood pressure screenings and even a Wii bowling tournament. Other classes offered throughout the year include classes in ceramics, AARP Driver Safety, an acting class, firearms training, and computer-based programs. Seniors are also encouraged to participate in the community's special events as well as those hosted specifically for them. These include a craft and bake sale, fun walks throughout the year, and holiday parties at the Community Center. The Silver Sneakers program, which includes membership classes and seminar, is offered at the Rio Vista Recreation Center for qualified older adults that have health plans that include it in their benefits package.

Adaptive Recreation Programs

The selection of activities within the Adaptive Recreation portion of the department's programming is diverse. It provides opportunities not only for young participants but adults as well. Many of the programs are for teens and adults, while others are kid-centric. The PLAY Program is for young participants and includes activities such as bowling, and swim lessons. In conjunction with Special Olympics, the City of Peoria offers year-round opportunities for those over age 8 for team sports such as football and softball as well as individual track and field and swimming competitions. Extensive social opportunities are integrated into the programming with dances for teens and "Saturday Socials" for those over 16 which includes field trips throughout the Phoenix area. The Friday Night Dance attracts participants from across the valley. The City is also a contracted provider for the Department of Economic Security, Division of Developmental Disabilities (DES/DDD). This allows the City to offer after school and summer recreation programs for students as well as an adult day recreation program.

Aquatics

The City owns, operates, schedules and maintains the outdoor pools located at the three high schools, Sunrise, Centennial, and Peoria. An intergovernmental agreement with PUSD is in place to allow the high school use of the pools for swim teams and PE classes during the school year. Therefore, City programming occurs on weekends during the spring and daily throughout the summer when school is not in session.

All three pools are heated and the Recreation Division begins offering swim lessons in mid- March and continue until school

starts. Open swim starts at the end of May and goes through August and includes a few special events on holidays like Memorial Day and Father's Day. The swim lesson offerings are comprehensive and cover children ages 6 months through 18 as well as adults. Classes include parent-tot classes, progressive levels of swim lessons for youth, swim team prep classes and private lessons. There are also courses in lifeguard training for 15 years and up, deep water aerobics classes for adults and a teen aqua boot camp. The City also organizes swim and dive teams for youth which fill up quickly. During public input, there was mixed interest in additional pool facilities, including an indoor/year-round facility. However, while some residents saw it as a need, others were satisfied with having a pool at home or as part of their HOA community and did not see a need for an additional City-operated pool indoors.

There were over 8,100 participants in swim lessons, 580 on the swim team and an average of 233 people per day for open swim in 2012.

Community and Special Events

The City of Peoria produces or hosts over 30 special events throughout the year. In 2013-2014, there are plans to host neighborhood events in four council districts and signature events in the northern part of the City. The events include park dedications, the all-American July 4th Festival, P83 Party, Bravo Peoria, and the Peoria Arts and Culture Festival (in conjunction with the Peoria Unified School District). Special Events are held in a variety of locations including the Peoria Sports Complex, parks, Old Town Peoria or other venues. Each special event has a planning team comprised of city staff and an external partner to coordinate the details and implement the event with varying teams depending on size and location of the event.

Pricing Policies

Pricing is regularly evaluated by the Department in order to meet the budgeted cost recovery for each program and benefit the community. The department charges fees based on the City Council Policy on Community Services Recreation Pricing and Fees for programs and rentals of fields, facilities and ramadas, Rio Vista passes, drop-in aquatics, sports leagues, and library fines. In general, fees appear to be comparable to other agencies in the Phoenix Metropolitan area, especially on resident fees. See **Figure 7.1** for comparison with nearby agencies.

Figure 7.1 - Sampling of Program and Rental Fees

Item	Resident / Non-Resident Fees				
	Peoria	Glendale	Surprise	Chandler	Mesa
Open Swim (youth)	\$1/\$1	\$2.50/\$3.50	\$1/\$5	\$1	\$1.25-\$2
Open Swim (adults)	\$2/\$2	\$5/\$6 senior \$3/\$4	\$2/\$5	\$2.25 senior \$1.25	\$2.50-\$4
Swim Lessons – youth	\$20/\$26-\$52	\$26/\$49	\$25/\$45	\$9-\$31/\$13-\$42	\$22/\$27
Adult flag football league (per team)	\$450/\$450		\$300		\$475
Adult softball league (per team)	\$500/\$500	\$505/\$595	\$400		\$490
Ramada rental – single (up to 25 people)	\$5/\$13.75/hr		\$3.75/7.50/hr		\$10.25/hr
Ramada rental – double (up to 50 people)	\$7.50/\$18.75/hr	\$10 to \$25	\$6.25/\$12.50/hr	\$5/hr	\$15.50/hr
Ramada rental – group (up to 100 people)	\$15/\$37.50			\$14/hr	\$20.50/hr
Ramada rental – pavilion (up to 300 people)	\$45/\$112.50/hr			\$39/hr	\$25.75/hr

**In most jurisdictions, the ramada rentals are for 4 hour blocks, but costs have been shown at an hourly rate for comparisons.*

**Data as of Spring 2013*

The current fee structure is set up in a manner that covers program costs but does not make significant revenue in nearly every programming category and facility rentals. The fees required to participate in Community Services programs appear to be comparable with other agencies within the region. The department should monitor the fees and the demand for specific facilities and programs. Increasing fees especially for non-residents can be one method to collect additional revenue, especially when it's determined that even a small fee increase will not deter most enrollees. Also, the department should evaluate pricing ramadas at different parks differently, with those being in higher demand being a higher cost.

A youth scholarship program is in place to assist residents with fees for youth programs. This allows youth that may not otherwise be able to participate the opportunity to do so. In order to qualify, a resident parent or legal guardian must be a participant in a state or federal assistance program or their annual income must fall within the federal HUD low-income guidelines. Based on past enrollment data, the majority of those who use the scholarships play sports, followed by registrations for special interest classes. There is very little scholarship interest for teen programs. The department has also seen a significant jump in families and children applying for the program with a 47% increase in total children between 2011 and 2012. Funding is available through the Department of Economic Security for low income children in enrolled in the City's Department of Health Services licensed programs. The 2012 Youth Master Plan recommended overcoming financial barriers to

increase youth participation, and this program would be a primary method to meet that goal. However, there is some concern within the department that the scholarship fund does not support itself and some of the qualifications may be too flexible. One of the possible qualifications is participation in the reduced lunch program provided by the school districts; however, the qualifications for that program are fairly lenient in comparison to the other assistance programs. The flexible qualifications results in a high volume of participants in the youth programs under the scholarship, with some that may not necessarily need it. This therefore impacts the ability of the department to provide for those with a higher level of need as well as to the revenues of the department.



Recreation Programming Analysis

Overall, the recreation programming offered by the Community Services Department is very comprehensive and offers something for everyone. The Department does an excellent job providing a mix of opportunities and pursuits available to the community. Staff also doesn't hesitate to adopt new programs and is open to new ideas presented by members of the community, and will also purge classes and programs that have low interest. The opportunities for the youth of Peoria to get out and try new activities and be active are plentiful. The coverage for care around the school schedule is excellent through the AM/PM program and summer programs. Adult and Older Adult programming is well represented, especially at the newly remodeled Community Center.

Partially due to a lack of appropriate spaces, the programs for youth and adults in art and crafts are lacking, other than the few craft programs currently offered and the Young Rembrandts after school session. Theatre Works offers the performing arts programs, but the information for their programming is not always included in the Get Active guide, which is confusing and may impact participation rates. There is also a lack of depth to the active programs for older adults. While the Department sponsors Silver Sneakers programs, the information on the opportunities of the program and program-specific classes are difficult to find. Additional opportunities for seniors to stay active in a class-based environment would be beneficial.

The fees required to participate in Community Services programs appear to be comparable with other agencies within the region. The department should monitor the fees and the demand for specific facilities and programs. Increasing fees can be one method to collect additional revenue, especially for non-residents. Also, the department should evaluate pricing ramadas at different parks differently, with those being in higher demand being a higher cost.

Library Programming

The Peoria Public Library provides a variety of materials for patrons to check out and offers many free classes, story times and activities for residents of all ages at both library branches. This includes extensive computer classes, story times for toddlers, 3 to 5 year olds, families and teen activities such as gaming parties, movies and crafts. Based on public and library staff input, both facilities are heavily used by all age groups and the programs are quite popular.

Youth Programming

For the youngest members of the community, both library locations offer multiple story times throughout the week for newborn through 6 years old, as well as special readings and presentations during school breaks and around holidays throughout the year. The Main Library also offers Lego club for 7 to 12 year olds and a "Young @ Art program for 5 to 12 year olds.

Teen programs are typically date-specific events instead of weekly. Programs for the teens include daily movies during school breaks, craft events (such as duct tape art and canvas bags), how to manage your money, and after hours gaming parties. In addition to the typical summer reading program for kids, there is also a summer reading program geared towards teens.

Adult Programming

Adult programming is primarily focused on computer and e-reader classes with one occurring nearly every day at both locations (also offered in Spanish at the Main Library), ranging from computer basics, basic e-mail, and how to use eReaders, to more specialized classes in Digital Photography and Microsoft Office at the Sunrise Mountain branch. Other non-computer related offerings include book clubs, card and board game afternoons and special event type programs, including master gardener presentations, and other special interest events and activities.

Friends of the Peoria Public Library

In addition to the programs hosted directly by the staff at the libraries, the Friends of the Peoria Public Library (the non-profit organization benefitting the library) coordinates for-sale book areas in each library, and hosts guest speakers and special events that promote literacy and education in art, science, music and math (specifically for the 6 to 12 year old age group). This small group coordinates logistics, gains sponsors and organizes the large number of participants these events draw. Events such as Bravo Peoria (book sale and festival), Art Day, Pirate Day, Miss Lady Bug and Friends (a ladybug release and education event that recently drew 450 people), all help raise money to fund additional programs and promote collections of the library.

Library Programming Analysis

The free programming offered by the Peoria Public Library is comprehensive and appears to address the primary needs of the community, especially from a technology standpoint. During public meetings and meetings with staff it was mentioned that despite the popularity of the programs, there is a limit on physical space in which to expand the existing programming, especially computer classes. There was some interest in expanding the offerings for adult computer classes either through the library or through the recreation programming. Potential solutions to this would be upon renovation of the Main Library, incorporating 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 existing and future library buildings.

The popularity of the programming at the libraries shows the passion and dedication of the staff and Friends group. However, this popularity in programs is also very taxing on the busy staff and small volunteer group. In order to grow the programs and continue to host successful events, the Department may want to consider working with an events coordinator or programs manager that can work within the existing framework of staff and volunteers as the library system and associated programs grow. The need for an events coordinator position in other divisions is also seen as a need, therefore having a division that supports the events, marketing and sponsorship efforts of the entire department may be appropriate.

Key Findings

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 fees for participation also appear to be in line with other agencies within the region. The opportunities for the youth of Peoria to get out and try new activities and be active are plentiful. The coverage for care around the school schedule is excellent through the AM/PM program and summer programs as well as a variety of activity-based classes and team sport opportunities. Adult and Older Adult programming includes some sport-based activities at the Rio Vista Recreation Center, Senior Water Aerobics at Peoria Pool and more sedentary activities are hosted at the newly remodeled Community Center. In addition to the recreation programming, the free programming offered by the Peoria Public Library is comprehensive and appears to address the primary needs of the community. The library programs for all ages are very popular.

The shortfalls of the offerings organized by the Department include programs for youth and adults in art and crafts. Other than the few craft programs currently on the schedule that don't require specialty facilities or make too big of a mess, the offerings are limited. There is also a lack of depth to the 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. Overall, as the demand for programming needs increase the physical space for programming will need to increase to accommodate the interests of the community.



Benchmarking Analysis

8





BENCHMARKING ANALYSIS

Comparative Analysis and Data

Benchmarking is a tool often used by agencies to measure where they fall in comparison to other similar agencies in regard to park acreage, budgets, staffing numbers and revenue recovery. This tool will give the City of Peoria's managers and decision-makers an indication of how the Community Services Department is delivering services, facilities and programs to its residents in comparison to other agencies in the region and the nation. The purpose of this analysis is also to provide a snapshot of Peoria's parks and recreation resources, services and facilities, as well as provide a means to evaluate the City's progress over time.

Benchmarking does have variables that may affect direct comparisons and those that may not be reflected in the data provided. For example, agencies in some cities may manage and operate sports leagues, while others may have nonprofit or community groups that provide athletics. This may affect staffing levels, per capita spending, as well as operating budget totals. Further, some agencies operate libraries (such as Peoria and Westminster), while still others operate golf courses or performing arts centers.

The level of detail that is delivered from other agencies may not reflect what is available from the City of Peoria, but every effort has been made to clarify the data when necessary. The benchmarking information presented here can be used as a catalyst for the City of Peoria to continue to research best practices for more specific areas as they are needed, and primarily to benchmark against itself for improvements and resources needed over time.

Data Sources

The City of Peoria requested specific information from seven comparable agencies. This data was then used to directly compare the City against those agencies in select categories. See **Figure 8.1** for the details of the data. The departments that provided feedback included Chandler, AZ; Fort Collins, CO; Lakewood, CO; Mesa, AZ; Santa Clarita, CA; Scottsdale, AZ; and Westminster, CO; communities of similar size that provide similar recreation, park and trail services.

The communities were chosen primarily due to the perceived similarities to the City of Peoria and through discussions with Department management. Some of the key benchmarking data sought includes:

- Population
- Parks, open space and recreation acres
- Staffing and operations (full and part-time employees)
- Total operating and capital budgets
- Cost recovery (ability to generate revenues internal to the department to offset operating expenses)
- Types and numbers of specific parks and recreation facilities per population

Some readily apparent variables to consider when evaluating Peoria against these agencies includes:

- Peoria's responsibilities and associated data includes two libraries. Chandler, Westminster and Scottsdale do as well. However, Scottsdale's budget and staffing numbers are only for Parks and Recreation. Peoria also manages the Peoria Sports Complex, and only Mesa and Scottsdale have a similar venue(s).
- Chandler, AZ data shows 20 pools (multiple uses such as competition, diving wells and leisure amenities were counted separately) which may skew the numbers in comparison to other agencies. Lakewood, CO has various locations with both indoor and outdoor pools, and those were counted as separate facilities.
- Fort Collins, CO data is provided for the parks and cemeteries department only. There is a separate recreation department which operates the pools and indoor facilities that was not included in the data.
- Lakewood, CO initially noted two properties as "Developed Parkland" but based on further analysis, those parcels, equivalent to 5,000 acres have been reclassified as open space for this analysis because their characteristics more closely match the other agency's open spaces.
- Over 99% of Fort Collins, CO and Mesa, AZ's funding comes from the general fund; the other agencies distribution of funding is more varied.
- Mesa, AZ also manages a convention center.
- Santa Clarita, CA has a low number of acres of developed park land (337 acres) and 6,030 acres of designated open space.
- Scottsdale, AZ provided information for the Parks and Recreation Department; the data did not include staffing and budget numbers for the libraries and human services departments within their Community Services Division.
- Westminster has a separate Golf Enterprise budget which was included in the total funding noted in the comparisons.

In addition to the direct contact with specific agencies, this benchmarking analysis also uses national medians and averages gathered from national sources. The National Recreation and Park Association's (NRPA) new GIS-based tool, PRORAGIS provides data of similar communities in order to assist in comparing amenities against national averages on data for similarly sized and funded communities. The *2013 Parks and Recreation National Database Report* by NRPA was used as an overall comparison on facility benchmarks, this included all agencies that participated in the PRORAGIS program in 2012, including counties and special districts as well as cities (this is noted in the figures as "PRORAGIS-all agencies"). Customized reports were also assembled from PRORAGIS data from 2010, 2011 and 2012 for Cities between 100,000 and 200,000 population and budgets between \$5,000,000 and \$35,000,000 (this is noted in the figures as "PRORAGIS-similar agencies"). The PRORAGIS customized reports included a total of 6, 11 and 15 reporting City agencies respectively. While this data most closely resembles the parameters of operations for Peoria, it is not nationally comprehensive because of the low number of agencies reporting data and may be more similar to the sampling collected directly from Peoria.

Another source of national information is the Trust for Public Lands (TPL) *City Park Facts* Reports published in 2010, 2011 and 2012 for fiscal years 2008, 2009 and 2010 respectively. This data is collected from the 100 largest (population based) municipalities in the country and includes all park facilities within the boundaries of the jurisdiction, and budgetary data is combined if there are multiple agencies managing those resources. There may be some overlap within this report and the data collected by Peoria and PRORAGIS. Arizona jurisdictions in the TPL reports include Phoenix, Mesa, Scottsdale, Chandler, and Glendale as well as Tucson. The number in the sampling is greater here; therefore the averages may be more stable. However, all of these agencies are larger than Peoria and therefore may have larger budgets, acres of parkland and staff resources than the City of Peoria.

CITY OF PEORIA COMMUNITY SERVICES MASTER PLAN | PARKS AND FACILITIES BENCHMARKING

Name of City, Agency/Department:	City of Peoria, AZ Community Services Department	City of Chandler, AZ Community Services Department	Fort Collins, CO Parks Department	City of Lakewood, CO Community Services Department	City of Mesa Parks, Recreation and Commercial Facilities	City of Santa Clarita, CA Parks, Recreation and Community Services Department	City of Scottsdale, AZ Community Services Division - Parks and Recreation Department	City of Westminster, CO Parks, Recreation and Libraries Department
Year of Data:	2012	2011-2012 (2012 PRORAGIS)	2012	2012	2012	2012	2012	2012
JURISDICTION INFORMATION								
Square mileage that your incorporated jurisdiction serves	179	64.71	56	41.6	136.45	52.03	182.40	34.00
Jurisdiction Total Operating Budget	\$258,352,782	\$438,417,419	\$356,700,000	\$136,620,349	\$1,264,000,000	\$133,053,038	\$607,766,792	\$97.4m(GF); \$55.4 (Utility Enterprise); \$152.8m (Tot)
Jurisdiction Capital Budget	\$158,055,797	\$238,115,808	\$31,200,000	\$16,590,004	\$859,756,928	\$26,323,236	\$629,171,100	\$27.1m (Grand Total 2013); \$27.9m (Grand Total 14)
Jurisdiction Population	158,135	240,000	144,000	144,000	446,518	176,971	217,385	112,000
PROGRAMS								
What is your total annual number of participants attending programs, classes and small events?	287,307	4,001,254	200,000	Cumulative-623,500	14,642	1,312,525	5,134,478	736,500
Does your department charge non-resident fees? Yes/No	yes	Yes	No	yes	Yes	Yes	Yes	YES
BUDGET/FUNDING								
Operating Budget/Revenue								
What are your department's TOTAL operating expenditures for your fiscal year?	\$22,667,624	\$26,529,439	\$12,892,033	\$34,068,694	\$27,923,983	\$20,365,628	\$20,658,159	\$14.8m (note - Golf Enterprise separate \$3.5m)
Per capita operating expenditures	\$143.34	\$110.54	\$89.53	\$236.59	\$62.54	\$115.08	\$95.03	\$132.14
What percentage of your total operating expenditures are in the following categories? (Percentages must add to 100%)								
a. Personnel Services (expenditures for all salaries, wages and benefits)	50%	55%	52%	52%	42.80%	66%	63%	61%
b. Operations (expenditures for all functions of the Department)	49%	28%	38%	34%	48%	28%	35%	38%
c. Capital (expenditures for capital equipment and projects and debt srvc. paid from the oper. funds)	1%	17%	6%	14%	9.20%	5%	2%	1%
d. Other			4%			1%		
What are your department's TOTAL non-tax Revenues for your fiscal year?	\$6,514,576	\$4,358,849		\$18,672,086	\$15,289,938	\$3,858,900	\$5,893,959	\$5.71m (add 2.8m for Golf Enterprise)
What percentage of your annual non-tax revenues came from the following sources? (Percentages must add to 100%)								
a. Facility entry fees/memberships	13%	41%		31%		7%		30% or 1,714,741
b. Programs and class fees and charges	72%	25%		16%		75%		40% or 2,300,144
c. Facility Rentals	5%	13%	40%	5%		12%		5% or 307,854
d. Facility, property or ROW leases				0		6%		NA
e. Concessions, resale items		1%		3%				1% or 30,391
g. Other	6%	6%	60%	44%				24% or 1,356,870
h. Other	5%	14%		1%				
Cost Recovery Percentage	28.7%	16.4%	0.0%	54.8%	54.8%	18.9%	28.5%	46.5%

Name of City, Agency/Department:	City of Peoria, AZ Community Services Department	City of Chandler, AZ Community Services Department	Fort Collins, CO Parks Department	City of Lakewood, CO Community Services Department	City of Mesa Parks, Recreation and Commercial Facilities	City of Santa Clarita, CA Parks, Recreation and Community Services Department	City of Scottsdale, AZ Community Services Division - Parks and Recreation Department	City of Westminster, CO Parks, Recreation and Libraries Department
Capital Budget								
What was your department's total capital budget in 2012?	\$56,489,213	\$9,211,180	\$802,243	\$4,860,835	\$2,560,099	\$1,350,000	\$8,799,213	\$4,300,000
What percentage of your annual capital construction and acquisition budget came from the following sources? (Percentages must add to 100%)								
a. Local government general fund (tax supported)	8%	33%	100%	1%	99.96%	15%		
b. Local government dedicated fund (non-general funds)	8%	5%		87%		60%		
c. General obligation bonds	70%	62%		0		25%	100%	
d. Revenue bonds				0				
e. State grants/funding				11%				
f. Federal grants/funding	1%			1%				
g. Private grants/funding					0.04%			
h. Gifts								
i. Other	22% (County Transportation Tax)							
j. Other	29% (MDA Bonds)							
Per capita total expenditures (operating and capital)	\$500.44	\$148.92	\$95.10	\$270.34	\$68.27	\$122.71	\$135.51	\$247.06
PERSONNEL								
How many full-time (full-benefit/year-round) positions are in your parks and recreation department budget?	109	190	66	176	122	105	150	157 FTE + 19 FTE Golf Enterprise = 176 FTE
Full-time employees per 1,000 residents	0.69	0.79	0.46	1.22	0.27	0.59	0.69	1.57
How many non-full-time employee positions are in your parks and recreation department budget?	944	369	165	600	230	380	111	
Part-time and seasonal employees per 1,000 residents	5.97	1.54	1.15	4.17	0.52	2.15	0.51	0.00
Number of Benefitted employees?	153	190		176		0		
Number of non-benefitted (seasonal)?	791	369	165	600	230	0		
What was the total personnel expense for the parks and recreation department for the year? (please include salaries and wages, bonuses, payroll taxes, employee benefits, retirement plan contributions, etc.)	\$11,328,661	\$14,829,630	\$6,703,857	\$17,674,304	\$11,946,236	\$12,747,039	\$13,067,859	\$9m + \$1.6m Golf Enterprise = \$10.6m
How many volunteers are in your parks and recreation department?		4,355	n/a	650	2,609	7,500	3,563	3,900
Number of Hours Worked Annually by Volunteers	103,862	40,830	34,000	23,574	58,840	33,000	35,438	33,600
FACILITIES								
How many of the following facilities does your parks and recreation department/agency operate?								
Recreation center(more active than community center):	1	1		4	3	8	14	6
Please report the total square feet of the facility(ies):	52,000	62,000		160,231	108,006	34,947	109,317	206,225
Community Center (more passive than recreation center):	3	2		4		1	12	
Please report the total square feet of the facility(ies):	36,000	44,300		45,117		17,626	45,421	NA
Senior center:	0	1		1	1	0	2	1
Please report the total square feet of the facility(ies):	N/A	10,399		32,700	5,832.7	N/A	57,372	22,000
Teen Center:	0	2		0	1	0		
Please report the total square feet of the facility(ies):	0	14,004		n/a	900	N/A		NA
Total Indoor Facilities	4	6	0	9	5	9	28	7
Total Indoor Facility Square Footage	88,000	130,703	0	238,048	114,739	52,573	212,110	228,225

Name of City, Agency/Department:	City of Peoria, AZ Community Services Department	City of Chandler, AZ Community Services Department	Fort Collins, CO Parks Department	City of Lakewood, CO Community Services Department	City of Mesa Parks, Recreation and Commercial Facilities	City of Santa Clarita, CA Parks, Recreation and Community Services Department	City of Scottsdale, AZ Community Services Division - Parks and Recreation Department	City of Westminster, CO Parks, Recreation and Libraries Department
Playground (ages 5-12, and older):	36	62	42	54	62	21	36	39
Tot Lots (ages 2-5):	22			1		20		NA
Total Playgrounds and Tot Lots	58	62	42	55	62	41	36	39
Swimming pool (indoor)	0	0		4				2
Competition pools:	0	0		2	0	0		0
Non-Competition pools:	0	0		2	0	0		2
Number Owned by Department:	0	0		4	0	0		2
Number Owned by others and used through agreement?:	0	0		0	0	0		NA
Swimming pool (outdoor)	3	20		3	9	8	4	1
Competition pools:	3	3		1	9	4	4	0
Non-Competition pools:	0	17		1		4		1
Number Owned by Department:	3	7		3	9	8		1
Number Owned by others and used through agreement?:	0	13		0		0		NA
Spraygrounds/splash pools:	2	3	3	2	2	1	6	3
Total Pools and Spraygrounds	3 pools, 2 splash pad	20 pools, 3 splash pads	3 splash pads	7 pools, 2 splash pads	9 pools, 2 splash pads	8 pools, 1 splash pad	4 pools, 6 splash pads	3 pools, 3 splash pads
Skate Park:	2		5	3	2	1	2	1
Charges a fee for use of facility(ies)?	no	No	no	no	No	No	No	No
Rectangular multi-use fields (e.g. football/soccer)	47	19	50	12	10	20	29	29
Regulation size: (120x75+)	6	8		6	10	15	11	6
Small-sized fields:	41	11		6		5	18	23
Lighted vs. Unlit	10 lighted	12 lighted		2	10	11 lighted vs. 9 unlit	18 lighted vs 11 unlit	29
Diamond fields (e.g. baseball/softball)								
Baseball (grass infield) fields:	29.5	6	36	1	15	0	24	7
Lighted	19	6	12	0	15		21	0
Not Lighted	10.5	0	24	1			3	7
Softball (dirt infield) fields:	10	19		30	16	14	31	23
Adult	4	10		28		12	18	5
Youth	6	9		2		2 T-ball	13	18
Lighted	4	9		8	16	8	28	6
Not Lighted	6	10		22		6	3	17
Total Diamond Fields	39.5	25	36	31	31	14	55	30
Sports stadium/arena:	1	0	0	n/a	2	0	1	
Seating Capacity of Stadiums/Arenas	11,000	0		0	12,500 and 15,000	N/A	12,000	NA
Gyms	1	4		6	4	1	2	2
Number Owned by Department:	1	1		6	2	1	2	2
Number Owned by others and used through agreement?:	25	3		0	2	0	0	0
Library	2	3		0		3	5	2
Within your department or another department?	Within department	Within Department		0	No	Administrative Services Department	Not in Parks and Recreation Department - in Library Department	
Indoor Performing and/or Visual Arts/Community Center	1	1	1	2	150 - Conference Theater	0	1	NA
Outdoor Amphitheatre:	1	0	0	2		0		
Seating Capacity of Amphitheatre:				3,569	General Admission 5,000	N/A		NA

Name of City, Agency/Department:	City of Peoria, AZ Community Services Department	City of Chandler, AZ Community Services Department	Fort Collins, CO Parks Department	City of Lakewood, CO Community Services Department	City of Mesa Parks, Recreation and Commercial Facilities	City of Santa Clarita, CA Parks, Recreation and Community Services Department	City of Scottsdale, AZ Community Services Division - Parks and Recreation Department	City of Westminster, CO Parks, Recreation and Libraries Department
PARK LANDS								
How many individual parks or sites does your department/ agency maintain and/or have management responsibility over?						58		
Total Number of Developed Parks	39							
Number of Parks	39	69	66	80	58	29	42	54
Number of Park Acres	570.5	1,529.0	1,314.0	2,049.0	2,358.0	337.0	974.4	2,965.0
Acres per 1000	3.61	6.37	9.13	14.23	5.28	1.90	4.48	26.47
Total Number of Non-Park Sites (water quality facilities, fire stations, etc.)	46							
Number of Non-Park Sites	46		15		3 - Convention Center, Amphitheatre, Cemetery	1	15 sites (fire station, well site, city property), all other is median/ROW	
Number of Non-Park Site Acres	63.2		83.00			0.5	531.65	
Total Acres of Right-of-Way maintained by your agency	358.1		68.00	58				208 acres of row & 32 acres of medians
Total Number of acres per 1000	6.27	6.37	10.17	14.63	5.28		6.93	28.62
Of the undeveloped land for which your department has management responsibility over or maintains, how many acres of land are:			108					
Designated Open Space Acres	1,000	0		5,115	737	6,030	0	2,815
Conservation Lands - Managed Habitat		0		N/A			0	
Preservation Land Acres (no management)		0		N/A			0	
What is the total mileage of greenways and trails managed by your agency?			32 miles					
a. Multi-purpose - No Equestrian	0	33		198	1.2		0	74 miles
b. Multi-purpose - Equestrian permitted	39.4	12		14		38.1	0	0
c. Hiking/walking only	10.5	0		1.2			0	NA
d. Bicycling only - not including bike lanes	0	0		130			0	9.5 miles within right of way
e. Equestrian only	0	0		15			0	NA
f. Other	0	0			.25 Nature Trail	35.7	0	NA
Total Trail Mileage	52.6	45	32	358.2	1.2	73.8		83.5 miles
Total Acres Maintained or Managed	1,991.8	1,529.0	1,573.0	7,222.0	3,095.0	6,367.5	1,506.1	6,020.0
Total Acres per 1000	12.60	6.37	10.92	50.15	6.93	35.98	6.93	53.75
Operating expenditures per acre of land maintained or managed	\$11,380	\$17,351	\$8,196	\$4,717	\$9,022	\$3,198	\$13,717	\$3,040
PARK & RECREATION MASTER PLAN								
Is your Agency's Master Plan available online?		No	No	Yes	Yes	Yes	Yes	Yes
URL Location:				http://www.lakewood.org/ community resources/about us.aspx	http://mesaaz.gov/parksrec/ GoldMedal2025.pdf	www.santa-clarita.com	http://www.scottsdaleaz.gov/ departments/Community_ Services/parks/Document_ Library_for_Parks_ Recreation	http://www.ci.westminster. co.us/ParksRec.aspx

Benchmarking Analysis

Community/Agency Overview

The City of Peoria has a population that is slightly lower than the average of the communities benchmarked against (158,135 Peoria vs. 211,553 average of the other seven). The communities benchmarked against range from a population of 112,000 (Westminster, CO) to 446,518 (Mesa, AZ). One item to note is that Peoria has the potential to more than double its population with future development, maybe more so than many of the other benchmarked agencies, including Fort Collins, CO; Lakewood, CO; Westminster, CO; and Mesa, AZ which are largely built out within their existing boundaries compared to Peoria.

A long-used “guideline” of 6.25 (minimum) to 10.5 (optimal) acres per thousand (1,000) residents has been replaced by NRPA with customized reports in PRORAGIS. The new PRORAGIS data is intended to compare agencies that are similar in population, acres of land and budget instead of the hard number guideline previously used. Based on the data from the customized report and from PRORAGIS for participating City agencies across the nation the median and average acres per thousand (1,000) residents is as follows:

- 2012 – 15 participants – 9.1 median and 16.8 average
- 2011 – 11 participants – 6.6 median and 10.1 average
- 2010 – 6 participants – 12.6 median and 16.8 average

Therefore, we could assume that the average range for Cities of a similar size as Peoria across the nation is between 6.6 acres and 16.8 acres. Also worth noting is the 2012 TPL report, the median for all Cities is 13.1, however, according to their report, as population density increases, the acres per 1,000 residents goes down, therefore the medians in four density classifications is between 6.7 and 20.5 acres/1,000 residents. A fair assessment of an average for a community of Peoria’s size is the median noted in 2012 data of 9.1 acres per 1,000 residents.

Peoria actively manages 1991.8 acres of land, including developed parks, non-park sites, and right-of-way, with 570.5 acres being developed parks. This calculates to 3.61 acres of developed park acres per 1,000 residents, and 6.27 acres of managed land per thousand residents (not including open space, conservation and preservation

lands). See **Figure 8.2**, **Figure 8.2a**. This results in a low acres per 1,000 residents’ ratio compared to the benchmarked communities on developed park land (second to last, above Chandler, AZ) below the range set by the last three years of PRORAGIS data and the TPL data for 2012. See **Figure 8.2**. However, when non-park acreage is added to the park acreage number, Peoria has the largest jump in acres/1,000 of any of the agencies benchmarked against. This isn’t necessarily a positive shift, as it shows that the Peoria Parks Division is managing a significant amount of non-developed park acres such as detention basins, and specifically road right-of-way areas (358.1 acres). When including the open space areas into the total acres, Peoria adds an additional 1,000 acres to their inventory, which keeps them generally in the middle of the benchmarked agencies, and again doubles their acres per 1,000 residents to 13.07. See **Figure 8.3** for more details.



Figure 8.2 – Developed Park Acres per 1,000 Residents

Agency	Total Acres of Developed Parks	Acres of Developed Parks per 1,000 Residents
Westminster, CO	2,965.0	26.47
Lakewood, CO	2,049.0	14.23
2012 TPL Median	n/a	13.10
Fort Collins, CO	1,314.0	9.13
2012 PRORAGIS Median	n/a	9.10
Chandler, AZ	1,529.0	6.37
Mesa, AZ	2,358.0	5.28
Scottsdale, AZ	974.4	4.48
Peoria, AZ	570.5	3.61
Santa Clarita, CA	337.0	1.90

Figure 8.2a - Total Acres Managed per 1,000 Residents

Agency	Total Acres Managed	Acres Actively Managed per 1,000 Residents
Westminster, CO	3,205.0	28.62
Lakewood, CO	2,107.0	14.63
Fort Collins, CO	1,465.0	10.17
Scottsdale, AZ	1,506.1	6.93
Chandler, AZ	1,529.0	6.37
Peoria, AZ	991.8	6.27
Mesa, AZ	n/a	n/a
Santa Clarita, CA	n/a	n/a

Data in this figure **does** include areas such as water quality basins, road rights-of-way and medians. Santa Clarita's amount of right-of-way area maintained is unknown; Mesa does not provide acres maintained for an additional convention center, amphitheater and cemetery.

Data does not include open space or conservation land space in either **Figure 8.2** or **8.2a**.

Figure 8.3 - Total Acres (Including Open Space) Managed per 1,000 Residents

Agency	Total Acres of Managed Land	Total Acres Maintained or Managed per 1,000 Residents, Including Open Space Areas
Westminster, CO	6,020.0	53.75
Lakewood, CO	7,222.0	50.15
Santa Clarita, CA	6,367.5	35.98
Peoria, AZ	1,991.8	12.60
Fort Collins, CO	1,573.0	10.92
Mesa, AZ	3,095.0	6.93
Scottsdale, AZ	1,506.1	6.93
Chandler, AZ	1,529.0	6.37

For this comparison, the information on Lakewood's data has been revised to show two properties their agency classifies as developed parks as part of the open space numbers included in Figure 8.2a instead of within the Developed Parks number (5,000 acres). These parcels include large expanses of unmaintained hilly native vegetation, mountain biking and hiking trails, campgrounds and bodies of water but are not what is typically considered a "developed" park.

Agency Resources

Like many other communities, Peoria has not filled many vacant full-time positions in order to manage the budget over the past few years. In addition, Peoria relies heavily on seasonal staff for recreational programming, peak park maintenance times, Spring Training baseball at the Sports Complex, tournament staffing at both the Sports Complex and Rio Vista Community Park, and library pages at both library locations. This is reflected in the ratios, (see **Figure 8.4**) which show an average full-time employee ratio and the highest part-time/seasonal ratio of all of the agencies employing approximately 944 part-time and seasonal workers annually.

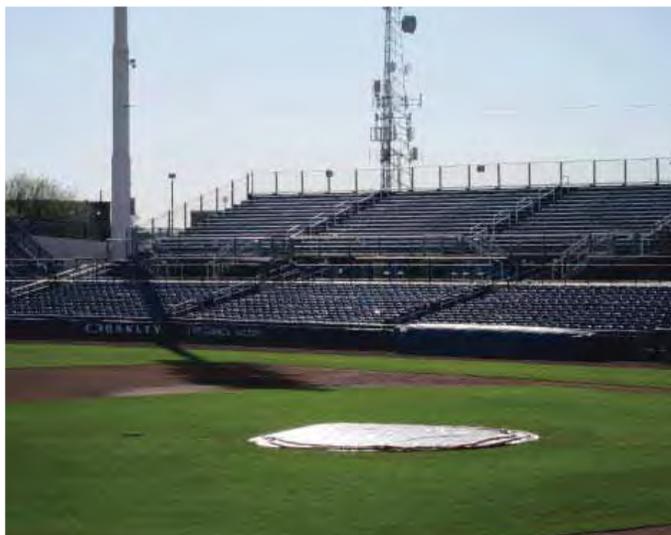


Figure 8.4 - Full-time and Part-time/Seasonal Labor Pool Ratios

Agency	Full-time Employees	Full Time Employee Ratio per 1,000 Residents	Agency	Part-Time/ Seasonal Employees*	Part-Time Employee Ratio per 1,000 Residents
Westminster, CO	176 FTE	1.57	Peoria, AZ	944	5.97
Lakewood, CO	176	1.22	Lakewood, CO	600	4.17
Chandler, AZ	190	0.79	Santa Clarita, CA	380	2.15
Peoria, AZ	109	0.69	Chandler, AZ	369	1.54
Scottsdale, AZ	150	0.69	Fort Collins, CO	165	1.15
Santa Clarita, CA	105	0.59	Mesa, AZ	230	0.52
Fort Collins, CO	66	0.46	Scottsdale, AZ	111	0.51
Mesa, AZ	122	0.27			

*Part time includes benefitted and non-benefitted seasonal employees

The total operating expenditures of the Peoria Community Services department (including the Administrative staff, Parks Division, Recreation Division, Sports Facilities Division and Library Services Division) per resident is at \$143.34, which is well above the FY2010 median of \$59 (Trust for Public Lands, *2012 City Park Facts, 5: Total Spending on Parks and Recreation Per Resident by City*) and the 2012 customized data from PRORAGIS (\$87.62). Peoria's number includes the expenditures for the Sports Complex and the library services, both of which are not typical services in most agencies (and stadiums are not included in the TPL number). Also, the Peoria Sports Complex is subsidized by a 1/2 cent sales tax in Peoria. In comparison to the benchmarked cities, Peoria has the second highest operating budget of the five cities. Lakewood, CO (\$236.59) has more expenditures per person than Peoria, while the others all have less. See **Figure 8.5**. Depending on what each department is responsible for, the numbers for all jurisdictions may be accounting or not accounting for similar budget items.

Additional items other agencies may be responsible for include golf courses and cemeteries. Also, when evaluating the trends of the PRORAGIS and TPL data, the information in both sets shows the highest median number for total operating expenditures in 2010, a dip in 2011 and a rebound in 2012 that is still not above 2010 numbers.

Figure 8.5 - Per Capita Operating Expenditures

Agency	Per Capita Operating Expenditures
Lakewood, CO	\$236.59
Peoria, AZ	\$143.34
Westminster, CO	\$132.14
Santa Clarita, CA	\$115.08
Chandler, AZ	\$110.54
Scottsdale, AZ	\$ 95.03
Fort Collins, CO	\$ 89.53
2012 PRORAGIS Median	\$ 87.62
Mesa, AZ	\$ 62.54
2012 TPL National Median	\$ 59.00

When evaluating the total expenditures of each department (total expenditure includes both operating and capital expenditure), Peoria is well above the FY2010 national average of \$82 (*Trust for Public Lands, 2012 City Park Facts, 5: Total Spending on Parks and Recreation Per Resident by City*) and the highest of the benchmarked communities at \$500.14 per capita, in part because Peoria has the highest capital budget of the benchmarked agencies (\$56,469,213 compared to the average of \$4,195,003 of the other agencies). This includes significant funds for the construction of Pioneer Community Park and the Peoria Sports Complex Clubhouse Renovation. See **Figure 8.6**. Lakewood, CO is second in total expenditures with \$270.34 per capita because of a large operating budget and Mesa remains at the bottom with \$68.27 per capita despite an average operating budget and average capital budget of compared agencies but a much larger population. Peoria's large number is primarily due to the capital expenditures used to construct Pioneer Community Park. The City will likely be closer to the median of other agencies in years without major park construction. The significant variance between agencies in both the operating and capital expenditures is a reflection of how each municipality is emerging from the recession. It also speaks to their funding sources, those having the largest capital budgets appear to use dedicated funds and general obligation bonds to fund projects instead of relying on the tax-supported general fund. **Figure 8.7** shows how the cities rank with regard to total operating expenditures per acre (not maintenance-specific). Based on these figures, the City of Peoria is well above (at \$11,380 per acre) all other agencies except Chandler, AZ (\$17,351) and Scottsdale, AZ (\$13,717). Peoria is also above the median number pulled from the PRORAGIS data for 2012, which was \$8,530 per acre.

Figure 8.6 - Per Capita Total Expenditures (Operating and Capital)

Agency	Per Capita Total Expenditures
Peoria, AZ	\$500.14
Lakewood, CO	\$270.34
Westminster, CO	\$247.06
Chandler, AZ	\$148.92
Scottsdale, AZ	\$135.51
2012 PRORAGIS median	\$126.81
Santa Clarita, CA	\$122.71
Fort Collins, CO	\$ 95.10
2012 TPL Median	\$ 82.00
Mesa, AZ	\$ 68.27

Figure 8.7 - Operating Expenditures per Total Acres Managed (Including Open Space)

Agency	Operating Expenditures Per Acre
Chandler, AZ	\$17,351
Scottsdale, AZ	\$13,717
Peoria, AZ	\$11,380
Mesa, AZ	\$ 9,022
2012 PRORAGIS Median	\$ 8,530
Fort Collins, CO	\$ 8,196
Lakewood, CO	\$ 4,717
Santa Clarita, CA	\$ 3,198
Westminster, CO	\$ 3,040

Cost Recovery

Peoria's cost recovery percentage (28.7%) (as calculated with no tax-based revenue in the benchmarking analysis, which differs from the budget and funding analysis) is the third lowest of the agencies polled with Lakewood, CO and Mesa, AZ having the highest at 54.8%. Peoria's rate falls below the national average of 34% for cost recovery as well (Dr. John Crompton, Texas A&M University). **Figure 8.8** details the cost recovery of all cities polled. Based on the City of Peoria's budget information, the Recreation and Sports Facilities Divisions have a very high level of cost recovery that help support the less lucrative portions of the department, including no revenue generated by the Parks Division and the low cost recovery (under 10%) for Library Services Division. The Sports Complex generates a significant economic impact for the community that is realized through General Fund capture rather than directly to the Community Services Department. The Department needs to 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 and developing a pricing policy and cost recovery goals that incorporate the community's values as well as the mission of the Department, as this number may be acceptable based on the policy and mission of the Department.

Figure 8.8 - Cost Recovery Rankings

Agency	Cost Recovery Percentage
Lakewood, CO	54.8%
Mesa, AZ	54.8%
Westminster, CO	46.5%
National Average	34.0%
Peoria, AZ	28.7%
Scottsdale, AZ	28.5%
Santa Clarita, CA	18.9%
Chandler, AZ	16.4%
Revenue information was unavailable for Fort Collins, CO	

Parks and Facilities

Peoria has a variety of parks and facilities throughout the City. With four indoor facilities, 39 parks, three pools, and two libraries the City provides a diverse selection of places for its residents to recreate and spend their leisure time. Within those parks and open spaces are amenities that draw people to the park. These amenities are benchmarked independently from the total park acreages as

well. Since the agencies polled vary in size, a comparison of parks and facilities is done on a per population basis. The previously-used industry standards for facilities was a single benchmark per amenity, however, new evaluations tend to look at where an agency falls against other similar agencies and not a set standard.

Indoor Facilities and Gyms

Peoria and other benchmarked agencies have a diverse selection of indoor recreation facilities (not including libraries and cultural arts-based facilities such as theatres and art centers), and the square footage and types of facilities varies widely as well. See **Figure 8.9** which shows the total indoor facilities and their respective square footage totals as well as the average population per facility. Peoria has the third highest number of residents per facility (39,534) of indoor facilities behind Mesa, AZ and Chandler, AZ and falls below the averages in the data by the Trust for Public Lands (22,222 per facility) and the summary data from the 2012 PRORAGIS data for all agencies (24,683 per facility). Based on the response received from the public input meetings and the survey, there is demand for additional indoor recreation facilities, and the benchmarking data also supports those desires.

Indoor facilities vary in their organized spaces and uses, however, gymnasiums are an amenity that is often incorporated into a recreation center. Based on the feedback from the benchmarked agencies, Peoria is using significantly more gyms owned by others through agreements (25 compared to 2 by Santa Clarita, CA and none by the other agencies that provided data). This shows that the Department is maximizing the community resources available to them but also has a significant dependence on others (i.e. the School Districts) for gym-based programming. This is not an unusual situation, as it is not realistic to build and operate enough gyms to meet a community's demand. It also shows the importance of good relationships with other agencies and strong intergovernmental agreements to establish clear cut expectations and responsibilities.

Figure 8.9 - Indoor Recreation Facilities Totals and Population per Facility

Agency	Total Indoor Facilities	Total Indoor Facility Square Footage	Population per Indoor Facility
Scottsdale, AZ	28	212,110	7,764
Lakewood, CO	9	238,048	16,000
Westminster, CO	7	228,225	16,000
Santa Clarita, CA	9	52,573	19,663
2012 TPL Average Recreation/Senior Centers	N/A	N/A	22,222
2012 PRORAGIS Average – All Agencies	N/A	N/A	24,683
Peoria, AZ	4	88,000	39,534
Chandler, AZ	6	130,703	40,000
Mesa, AZ	5	114,739	89,303

Swimming Pools and Spraygrounds / Splash Pools

Pools provide a needed respite during the heat of the Arizona summer. During public input, there were varying opinions as to the need for an additional pool facility (and whether it should be indoor or out). Peoria currently owns and operates three pools at the high schools with programming during the summer months and in the spring. When evaluated against the other agencies, Peoria is slightly below average, the City also falls below the Trust for Public Lands 2012 average of 40,000 residents per pool. One item to note, when divided into indoor and outdoor, only Lakewood and Westminster in Colorado have indoor pools (and often outdoor pools at the same facility); the benchmarked agencies in California and Arizona have no indoor pools. In addition, according to the 2013 PRORAGIS Data Report provided by NRPA, of the 63% of agencies (including counties and special districts) that provide an outdoor pool, the median population per pool is 33,128. See **Figure 8.10** for more details regarding pools, splash pools/spraygrounds and the average number of residents per pool in each agency.



Figure 8.10 - Pool and Sprayground Totals and Population per Pool

Agency	Total Number of Pools	Total Number of Spraygrounds	Population per Each Pool
Chandler, AZ	20	3	12,000
Lakewood, CO	7	2	20,571
Santa Clarita, CA	8	1	22,121
Westminster, CO	3	3	37,333
2012 TPL Average	N/A	N/A	40,000
Mesa, AZ	9	2	49,613
Peoria	3	5	52,712
Scottsdale, AZ	4	6	54,346
Fort Collins, CO	By another department	3	N/A

Playgrounds and Skate Parks

Playgrounds, Tot Lots and Skate Parks provide destinations for the youth of the community to recreate in a non-organized manner. Playgrounds of various sizes are offered throughout the Peoria community. When benchmarked against other agencies, Peoria has one of the largest number of playgrounds and tot lots. When evaluated on the number of facilities per population, Peoria is the second highest, and above both the PRORAGIS and TPL Averages. See **Figure 8.11** for more information. In addition to playgrounds, skate parks are an amenity that is very popular and heavily used but not as prevalent as playgrounds. With two skate parks, Peoria has one skate park for every 79, 068 people. This is well above the other benchmarked agencies (except Fort Collins, CO and Lakewood, CO), as well as above the TPL's national average of 1 skate park for every 200,000 residents.



Figure 8.11 - Playground Totals and Population per Playground

Agency	Age 5+ Playgrounds	Age 2-5 Playgrounds	Total Playgrounds	Population per each Playgrounds
Lakewood, CO	54	1	55	2,618
Peoria, AZ	36	22	58	2,726
Westminster, CO	39	0	39	2,872
2012 PRORAGIS Average	n/a	n/a	n/a	3,280
Fort Collins, CO	n/a	n/a	42	3,429
Chandler, AZ	n/a	n/a	62	3,871
Santa Clarita, CA	21	20	41	4,316
2012 TPL Average	n/a	n/a	n/a	4,348
Scottsdale, AZ	36	0	36	6,038
Mesa, AZ	n/a	n/a	62	7,202

Athletic Fields – Mixed-Use Rectangular and Diamond Fields

Fields for team sports are in high demand in all jurisdictions, and fields are heavily programmed during peak seasons. In Peoria, there are forty-seven (47) rectangular mixed-use fields designated for use with additional flat turf areas in the bottom of detention basins and in the outfields of baseball/softball diamonds or in park areas without sufficient parking to host games. The City has 39 total diamond fields of various sizes for baseball and softball. Compared to other agencies, Peoria is above average on rectangular mixed-use fields and about average for ball diamonds, see **Figure 8.12** for more information. One item to note on Peoria's inventory is that most of the rectangular fields are small fields and could not be adapted for use as football fields or regulation-sized soccer fields if necessary. In addition to the total number of fields, it appears that the majority of the benchmarked agencies have more total fields without lights, especially rectangular fields and softball diamonds. Scottsdale has the most prolific amount of fields with lights, both rectangular and diamonds.

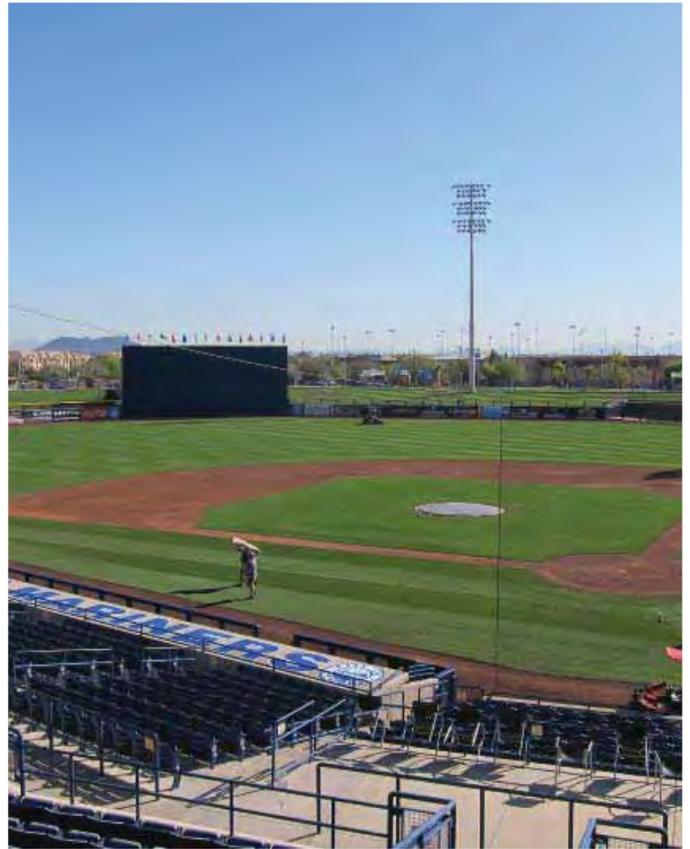


Figure 8.12 - Athletic Field Analysis

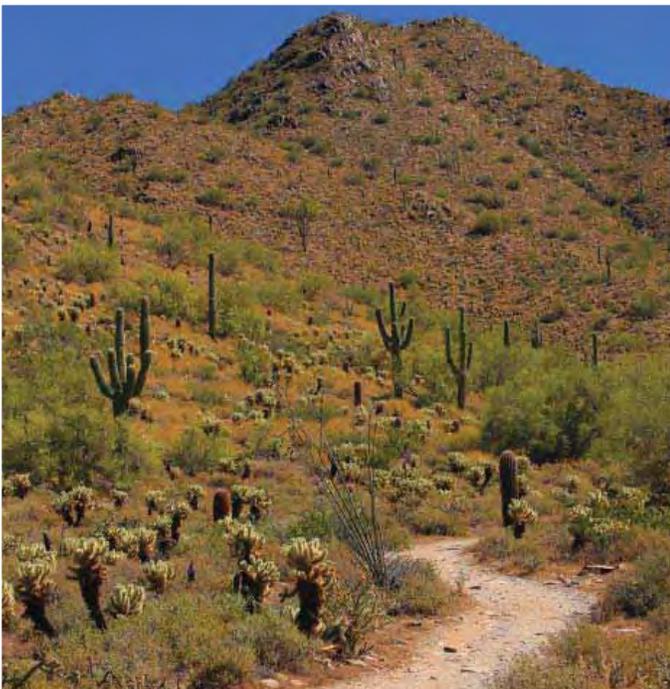
Agency	Total Rectangular Fields	Population per Each Rectangular Field	Agency	Total Diamond Fields	Population per Each Diamond Field
Fort Collins, CO	50	2,880	2012 PRORAGIS Average – All Agencies	n/a	2,900
Peoria, AZ	47	3,365	Westminster, CO	30	3,733
2012 PRORAGIS Average – All Agencies	n/a	3,783	Scottsdale, AZ	55	3,952
Westminster, CO	29	3,862	Fort Collins, CO	36	4,000
Scottsdale, AZ	29	7,496	Peoria, AZ	39	4,003
Santa Clarita, CA	20	8,849	Lakewood, CO	31	4,645
Chandler, AZ	19	16,632	2012 TPL Average	n/a	5,263
2012 PRORAGIS Range for Same Type Agencies	n/a	10,909 to 48,676	Chandler, AZ	25	9,600
Lakewood, CO	12	12,000	2012 PRORAGIS Range for Same Type Agencies	n/a	7,783 to 40,985
Mesa, AZ	10	44,652	Santa Clarita, CA	14	12,641
			Mesa, AZ	31	14,404

Trails

Trails, including multi-user hard surface trails, soft surface equestrian trails, hiking trails and nature trails are the links that tie a park system together and provide access to destinations around a city or region. When measured against the other benchmarked agencies and on the total miles of trails, Peoria is slightly above average with 73.9 miles, while the population per mile of trail varies widely from agency to agency. See **Figure 8.13**. It is important to note in this analysis, that the data provided by the agencies was for trails they managed or maintained, and that the total sidewalks and trails not within their management are not included in these figures, nor are bike lanes on roadways, this specifically includes zero trails maintained by Scottsdale, AZ, although there are trails within that community.

Figure 8.13 - Total Miles of Trails Analysis

Agency	Population per Mile of Trail	Total Miles of Trails (all types)
Lakewood, CO	402	358.2 miles
Westminster, CO	3,489	83.5 miles
Santa Clarita, CA	2,398	73.8 miles
Peoria, AZ	2,140	73.9 miles
2012 PRORAGIS Median Mileage of Trails – Similar Agencies	n/a	32.1 miles
Fort Collins, CO	4,500	32.0 miles
Chandler, AZ	5,333	45.0 miles
Mesa, AZ	318,941	1.4 miles



Libraries and Arts Facilities

Libraries and Indoor Performing Arts or Visual Arts centers are a special type of facility, and not all agencies have management over such amenities, so comparisons are not as comprehensive in these two categories. Regarding libraries, within the agencies benchmarked against, Peoria and Westminster both have two libraries and Chandler has three that are managed within the department. Data for Scottsdale only included parks and recreation in the budget and staffing numbers, excluding information on its five libraries. The City of Santa Clarita operates libraries, just not within the Parks, Recreation and Community Services department. Per data provided by the Library Services Division, Peoria had 651,166 visits total to the libraries in FY2012. This results in 4.1 visits per capita (not including website visits), which compared against the data provided by the *Institute of Museum and Library Services report (Table 8 for FY2010)* is slightly below the per capita average for the state of Arizona (4.6 visits per capita). In addition, total circulation numbers include 1,802,705 for Peoria's libraries, which is an average of 11.4 per capita, compared to 8.4 per capita average for the State of Arizona in the same report. The number of registered card holders with the Peoria Public Library is right in line with the per capita average of Arizona; both are at 0.7 registered card holders per capita. This shows that the visitor numbers in Peoria may be lower but that residents and non-residents have access to materials and are interested in the services the Library provides (i.e. through the acquisition of library cards). The ability to access the libraries within Peoria may be a barrier to additional visits, as there is no public transportation within the City, and the two library locations may not be conveniently located for people to get to on their own.

When evaluating Performing Arts and Visual Arts centers, more of the benchmarked agencies oversee outdoor amphitheaters and indoor performing art centers than libraries. According to the data within the customized PRORAGIS report, agencies of a similar size with a similar budget have one performing or visual arts center for every 140,912 people, which shows Peoria is generally in line with similar reporting agencies at 1 for 158,135 residents. See **Figure 8.1** for more information regarding the total number of libraries, indoor arts centers and outdoor amphitheaters in each agency.

Key Findings

The City of Peoria benchmarked itself against seven other communities; Chandler, AZ; Fort Collins, CO; Lakewood, CO; Mesa, AZ; Santa Clarita, CA; Scottsdale, AZ and Westminster, CO. The population of Peoria is slightly below the average of the other agencies, but it also has a potential to increase in population within its existing boundaries more so than some of the other agencies. In general, Peoria is below other agencies and the national averages for total acres of parkland per 1,000 residents at 4.08, though they are right in line with others based on the total acres they maintain at 6.75. Therefore, they are maintaining as much park land as non-park land, including detention basins, road rights-of-way and medians. These numbers will change significantly downward as additional residents move into the community unless larger parcels of park land are put in place.

In addition to being on the lower end of the ratios for parkland, the number of indoor facilities (and associated square footage) as well as swimming pools shows a need for additional facilities of both types, which was also noted during community input sessions. Peoria is currently average or above average within the benchmarked analysis for other amenities such as ball fields and mixed-use rectangular fields, skate parks, playgrounds and miles of trails. However, the demand for ball fields and rectangular fields throughout the community is very high, and many of the rectangular fields are not able to accommodate sports or age groups that require a larger playing surface. Also, most of the rectangular fields are not lit for play after sunset.

When benchmarked against other agencies, the resources of Peoria's Community Services Department's per capita operational expenditures are above average. However, the agencies benchmarked against Peoria account for a wide variety of facilities and services that may skew those numbers, especially since Peoria operates libraries and the Sports Complex within the department's budget. In addition to funding, Peoria is average on the ratios of full-time employees compared to the other agencies; however, the part-time and seasonal staff is very high. Again this could be in part due to the Sports Complex and Spring Training staff as well as the other division's seasonal needs (such as pool operations, and park maintenance).

Overall, Peoria is well positioned with the existing infrastructure, staffing and resources; however, it is imperative that these levels, at a minimum be maintained (and in some cases, grow), as additional people move into the community and the number and types of facilities grows.



Facility Inventory & Conditional Analysis

9





FACILITY INVENTORY & CONDITIONAL ANALYSIS

Introduction

A fundamental part of the planning process is to establish the current level of service (LOS) that the City of Peoria Community Services Department and its park, trail and recreation facilities are providing to the community. In order to determine the LOS, the consultant team conducted a GPS inventory, GIS mapping, and a conditional assessment of all City of Peoria park and recreational facilities. The result is an accurate and comprehensive accounting of all park assets, from the largest assets such as park parcels and land holdings, to smaller amenities such as playground structures and drinking fountains. The breadth of information collected will provide the City of Peoria with a clear understanding of all their current assets and their existing conditions. The GIS database will allow city staff to quickly access the park inventory and assessment information,

which will aid in park planning and replacement budgeting efforts. In addition, the format of the GIS data will allow city staff to fully participate in the National Recreation and Park Association's (NRPA) Park and Recreation Operating Ratio & Geographic Information System Benchmarking Database (PRORAGIS). Through PRORAGIS, the Community Services Department can generate reports and conduct comparative performance analyses with other participating agencies. In turn, this data will also provide a greater understanding of park levels of service, maintenance and user needs, and subsequently a better overall park experience for the community. Also see the Level of Service and Mapping Analysis section for more information on the LOS findings.

Inventory Methodology

The inventory was completed and compiled in three steps:

- Collection and assessment of existing GIS data.
- Site visits and evaluation of the existing conditions, quantitative and qualitative assessment of parks and recreation facilities (completed Winter – Spring 2013).
- Processing and evaluating the results of site visit evaluations within a GIS environment.

The first step of the inventory process included the assembly of all the GIS base data and digital aerial photography from the City's Information Technology Department. This data was used to generate a comprehensive list of parks and recreation facility locations under the management of the City of Peoria Community Services Department. The list in **Figure 9.1** included parks, recreation and community centers, pools, libraries, retention/detention basins, and road rights-of-way. The data provided by the City also included facilities used by the department as part of intergovernmental agreements with the school districts, such as school courts, fields, and gymnasiums. Only facilities operated or maintained by the Department were inventoried and assessed.

Figure 9.1 – Inventory and Conditional Analysis

Location	Overall Score	Primary Score	Support Score	Classification	GIS Acres
Alta Vista Park	63%	63%	63%	NEIGHBORHOOD	11.4
Apache Park	64%	64%	62%	NEIGHBORHOOD	9.2
Arrowhead Shores	54%	56%	51%	NEIGHBORHOOD	8.9
Braewood Park	67%	70%	58%	NEIGHBORHOOD	7.1
Calbrisa Park	61%	60%	62%	NEIGHBORHOOD	3.7
Camino a Lago Park*	60%	60%	NA	NEIGHBORHOOD	7.5
Country Meadows Park	57%	57%	56%	NEIGHBORHOOD	7.9
Deer Village Park	66%	68%	58%	NEIGHBORHOOD	8.7
Desert Amethyst Park	57%	60%	49%	NEIGHBORHOOD	11.1
Fletcher Heights North Park	66%	65%	67%	NEIGHBORHOOD	4.2
Fletcher Heights Park	63%	63%	63%	NEIGHBORHOOD	7.4
Hayes Park	58%	60%	51%	NEIGHBORHOOD	15.7
Ira Murphy Park	64%	66%	59%	NEIGHBORHOOD	4.5
Kiwanis Park	63%	65%	59%	NEIGHBORHOOD	4.6
Monroe Park	63%	65%	58%	NEIGHBORHOOD	3.9
Palo Verde Park	66%	66%	65%	NEIGHBORHOOD	4.1
Parkridge Park	63%	63%	65%	NEIGHBORHOOD	20.0
Paseo Verde Park	65%	66%	61%	NEIGHBORHOOD	11.8
Roundtree Ranch Park	60%	60%	58%	NEIGHBORHOOD	9.5
Scotland Yard Park	76%	79%	67%	NEIGHBORHOOD	8.9
Sonoran Mountain Ranch Park	63%	60%	71%	NEIGHBORHOOD	7.6
Stone Park	39%	40%	36%	NEIGHBORHOOD	0.2
Sundance Park	65%	66%	63%	NEIGHBORHOOD	9.6
Sunnyslope Park	65%	64%	67%	NEIGHBORHOOD	22.3
Sunrise Park	69%	70%	65%	NEIGHBORHOOD	9.2
Sunset Park	66%	64%	74%	NEIGHBORHOOD	11.1
Sweetwater Park	64%	63%	64%	NEIGHBORHOOD	10.6
Terramar Park	65%	62%	73%	NEIGHBORHOOD	9.4
Varney Park	71%	75%	60%	NEIGHBORHOOD	8.5
Wacker Park	62%	64%	55%	NEIGHBORHOOD	4.5
West Wing Park	63%	62%	65%	NEIGHBORHOOD	19.3
Westgreen Park	66%	65%	68%	NEIGHBORHOOD	3.9
Westland Park	66%	64%	71%	NEIGHBORHOOD	4.2
Windrose Park	64%	63%	66%	NEIGHBORHOOD	7.4
Pioneer Park	84%	88%	72%	COMMUNITY	85.0
Rio Vista Community Park	69%	69%	72%	COMMUNITY	54.7
Peoria Sports Complex	76%	75%	78%	REGIONAL	125.1
Centennial Plaza	84%	88%	70%	SPECIAL USE	4.2
Osuna Park	64%	60%	77%	SPECIAL USE	3.3

Figure 9.1 – Inventory and Conditional Analysis (cont.)

Location	Overall Score	Primary Score	Support Score	Classification	GIS Acres
* in design					
CENTERS					
Peoria Community Center	80%	80%	80%	FACILITY	4.0
Rio Vista Recreation Center	70%	72%	69%	FACILITY	N/A
POOLS					
Centennial Swimming Pool	63%	63%	60%	FACILITY	0.6
Peoria High School Swimming Pool	62%	63%	60%	FACILITY	0.5
Sunrise Swimming Pool	64%	65%	60%	FACILITY	1.5
OTHER FACILITIES					
Peoria Municipal Complex	N/A	N/A	N/A	FACILITY	33.6
Peoria Municipal Operations Center	N/A	N/A	N/A	FACILITY	26.7
Peoria Women's Club	60%	60%	60%	FACILITY	0.1
Sunrise Family Center	60%	60%	60%	FACILITY	0.2
OTHER LOCATIONS					
	COUNT				
Libraries	2				
Fire Stations	5				
Basins	39				
Trails	73.9 Miles				
Medians/ROWs	358.12 Acres				

Another goal of assembling the data was to determine the level of detail in the current inventory in comparison to the level of detail in the PRORAGIS database. As of January 2013, the City of Peoria Community Services Department did not have a GIS-based inventory that included individual park amenities such as athletic fields and picnic shelters, including these assets will support full participation in the PRORAGIS database. **Figure 9.2** lists the categories of park assets that were to be inventoried during the site visit phase of the inventory. The asset nomenclature in **Figure 9.2** matches the PRORAGIS nomenclature so that the data can be easily entered into the PRORAGIS database.



Figure 9.2 - Inventoried Assets

Administrative	Performing Arts Venue
Arbor	Pet Waste Dispenser*
Archeological Site	Picnic Ground or Area
Backstop*	Picnic Shelter (aka Ramada)
Baseball	Picnic Table*
Basketball	Pier/Dock
Batting Cage*	Play Equipment*
Bench*	Playground
Bleacher*	Plaza*
Bullpen*	Recreation/Community Center
Concession	Restroom
Diving Well	Scenic Overlook
Drinking Fountain*	Scoreboard*
Grill*	Seatwall*
Historic Building	Shade Structure*
Horseshoes	Sign*
Horticultural Garden	Skate Park
Kiosks	Slide*
Lake	Soccer
Landscaped Bed or Area	Softball
Loop Trail*	Sprayground
Maintenance Structure	Swimming Pool
Memorial	Tennis
Mixed Use Field	Trash Receptacle*
Multipurpose Court	Recycling Receptacle*
Off-leash Dog Area	Visual Arts/Crafts
Open Play Area	Volleyball
* not a standard item inventoried in PRORAGIS	

The second step of the inventory process was to visit and evaluate all of the facilities, which was completed in Winter/Spring 2013. These visits included a comprehensive inventory of the assets listed in **Figure 9.2** using GPS technology. Each park evaluation included assessment and ranking of both the primary assets and support assets. The primary assets, those amenities residents would specifically come to the park or facility to use, were evaluated based on the criteria listed in **Figure 9.3**. The support assets, including items such as seating, bike racks, restroom facilities, etc. are considered assets which enhance a user’s experience but are not features of the park which are typically the primary reason for use of the facility. A standard list of typical support assets was created prior to the site visit, and while on-site, each element on the list was evaluated based on the criteria in **Figure 9.3** and the following criteria:

- Does a facility with the existing primary assets and of this size need this support asset? If it is not present, should it be?
- Is there a sufficient number of each support asset present for a facility of this size and capacity?
- Is this support asset located appropriately within the facility for convenient use by the public?
- Is this support asset operational and functional, or should it be repaired or replaced?

In addition to tangible features in the list of support assets, categories which were more of an evaluation of the broad “sense of place” or overall function of the facility’s design were also included. These broad categories were evaluated by assessing the overall facility, access, as well as the site’s setting. As a follow-up to the consultant team’s evaluation, the data was reviewed and finalized with City staff, including any necessary corrections and input of missing data into the GIS Database.

In the third step of the inventory process, the conditional ratings were tallied for each park and a conditional score was compiled for both primary and support assets. These conditional scores are combined to give an overall conditional score for the park. Refer to **Figure 9.1** for the list of the primary and support asset scores and overall park scores. In addition, maps of each facility and asset spreadsheets are included in the Appendix.

Figure 9.3 – Primary and Support Asset Rating Scale

Rating	Description
5	An Asset which meets the needs of the community in a manner significantly above average and is of excellent quality and condition. No additions or enhancements are necessary in either asset level; however, continued maintenance to maintain this elevated level of service is required.
4	An Asset which provides above-average service to the community and is of great quality and condition.
3	An Asset which adequately meets the needs of the community and is of average quality and condition. Enhancements or additional quantities may be appropriate for either type of asset, but are not necessary.
2	An Asset which is nearly inadequate at meeting the needs of the community and is of below-average quality and condition. Replacement or renovation should be anticipated for the future.
1	An Asset which is significantly below average in meeting the needs of the community, and is significantly below average in quality and condition. In both categories, the amenity may be unusable or already removed but not replaced with this ranking. For support assets, in most cases, additional quantities or improvements are recommended.
0	An Asset which is significantly below average in meeting the needs of the community, because it is dangerous in quality and condition. Primary assets with a rating of ‘0’ are a hazard and need to be removed or replaced. A Support Asset that needs to be added to the facility in order to adequately serve its users.
X	Some support assets show an X instead of a ranking in the evaluation matrices. This indicates that the asset is not present and is not necessary for the facility, and therefore not evaluated.

Park Inventory and Analysis

Until 1995, the National Recreation and Park Association (NRPA) published classification standards for parks which were based on park size and location. At that time, the NRPA classified a mini park as less than an acre, a neighborhood park as ideally 5-10 acres, a community park as 30-50 acres, and a large urban park as 50-75 acres. A variation of these classifications was used in the City of Peoria 2002 Parks, Recreation, and Open Space Master Plan and the 2006 City of Peoria Parks, Recreation, Open Space, and Trails Master Plan Update. Those reports classified parks as one of the following types: Neighborhood (5-10 acres), Community (60-100 acres), Regional (100-400 acres), or Special Use Park (added in 2006 to address parks of various sizes that do not fit into traditional park categories). This report will continue to use the classification structure applied in the previous City reports for the sake of consistency. The following gives a description of the different types of parks contained in this inventory and analysis effort.

Neighborhood Parks

Inventory – Thirty-four (34) neighborhood parks make this classification the most common within City of Peoria system. The parks range in size from under an acre (Stone Park) up to over 22 acres (Sunnyslope Park) and serve a population living within ½ mile of the park. Facilities typical to this park class include: open turf areas and youth sport-oriented spaces, playgrounds, ramadas, walking paths, multi-use courts, and off-street vehicular parking. 15 neighborhood parks totaling 144.6 acres are located north of Bell Road. An additional 153.5 acres in 19 neighborhood parks are south of Bell Road.



Analysis – The neighborhood parks are of a consistently high quality. It is remarkable that out of thirty-four parks, only five (Arrowhead Shores, Country Meadows, Desert Amethyst, Hayes, and Stone) have scores that indicate that they have fallen below a level of service that is considered adequate in meeting the needs of the public. Out of the five, only four are slightly below the standard LOS and one (Desert Amethyst) was only recently classified as a park, as it was formerly a basin. It is also worth noting that of the two highest ranking neighborhood parks, Scotland Yard is very new and Varney is one of the oldest parks in the system. This fact highlights that the City of Peoria has made a successful effort to regularly maintain and update all of the parks that are currently in the system. The repair of court surfaces, and updating the safety surfacing in the playgrounds should be an area of focus in the future at all neighborhood facilities.

The neighborhood parks are also very consistent in the amenities they provide. Most parks have a restroom building, at least one sports court, open play areas, and shaded playgrounds with equipment for both toddlers and school-aged children. The consistency of the parks creates a cohesive community image, but the Community Services Division should also continue to consider opportunities to meet the public demand for niche facilities in the neighborhood parks such as off leash dog parks, skate parks or pads, and pickle ball courts. Recent examples of niche facilities are the dog parks at Sunnyslope and Scotland Yard Parks.

Community Parks

Inventory – Community parks within the Peoria system range in size between 15 and 100 acres and provide recreational uses for multiple neighborhoods. Community parks include all the assets typical of the neighborhood parks as well as facilities that might be too expensive to include at most neighborhood parks. Community parks typically accommodate larger events and groups than neighborhood parks, and the site includes higher numbers of common facilities such as picnic areas, playgrounds, and sports fields. The Sports Facilities Division operates this classification which currently includes two community parks, Rio Vista Community Park and the newly finished Pioneer Community Park (near the intersection of Olive Avenue and 83rd Avenue).

Rio Vista Community Park is the flagship park in Peoria and includes many unique recreation features such as the recreation center, a large lighted skate park, fishing lake, and sand volleyball complex. Large ramada groupings, outdoor grills, a playground, and a large tournament-level ball field quad, two additional girls softball fields, and one dedicated little league diamond provide a greater diversity in amenities than is commonly found at the neighborhood park level. Other unique resources available at Rio Vista include a splash pad, batting cages, and a concessionaire. Rio Vista Park is also notable for its location on the Agua Fria river corridor, which is a part of the New River regional trail system. The New River Trail connects to over twenty seven miles of existing shared-use trails within the City of Peoria.



The recently completed Pioneer Community Park will also provide a similar level of both unique and high quality facilities. Amenities included are:

- A tournament-level ball field six-plex,
- Accommodations for up to four lighted soccer fields,
- A three-cell dog park,
- A fishing lake with piers,
- Large group ramada and picnic area,
- A special use plaza with horticulture garden,
- Large areas of unprogrammed open turf.

The Phonline trail is also planned to connect Pioneer Park to the New River Trail

Analysis – Rio Vista Community Park, located adjacent to the Agua Fria River, is a popular destination and a highly used park. Residents who attended some of the public meetings cited Rio Vista Community Park as one of the attractive features that drew them to move to Peoria. However, this popularity also works against the park, as residents complained that it was difficult to find a parking space during peak times. Residents who lived further away commented they never visited the park for this reason. The completion of Pioneer Community Park may help alleviate some of the demand at Rio Vista, but also suggests there is an unmet need for community park-level facilities in the system, especially to the north.

Regional Parks

Inventory – The Peoria Sports Complex is a unique facility both within the Peoria parks system as well as in the Phoenix Metropolitan area. The complex has served as a Major League Baseball (MLB) training and development facility for the San Diego Padres and the Seattle Mariners since 1992, and was the first to combine two MLB teams. The facility itself is focused around the main stadium where Cactus League spring training baseball games are played during the month of March. This facility is an important economic draw to the City. The lawn seating portion of the stadium is iconic of Cactus League baseball, and visitors have access to a number of support facilities such as concessions, the box office, batting cages, and kids play areas. Practice facilities for the teams are located around the periphery with varied levels of public access. Major League Baseball is the most highly publicized

use of the Peoria Sports Complex but the facility also is host to many other leagues during the other eleven months of the year, including the Arizona Summer League, Arizona Instructional League, the Peoria Javelinas, and international teams. The Sports Complex is also used for local and national amateur youth and adult baseball tournaments. Non-baseball events such as concerts, car and RV shows, and private parties and weddings, bike races, and motorcycle training classes are also regularly held at the facility. In addition, the City of Peoria sponsors an annual Easter Event, the All American Festival during the Fourth of July, and the Halloween Monster Bash at the Sports Complex. Many businesses such as restaurants and shops have also located in proximity to the Peoria Sports Complex to take advantage of the attraction.

Analysis – The Peoria Sports Complex is the most significant asset in the Peoria parks system and is demonstrated through all aspects of its management and presentation to the public. Funding for maintaining the site reflects this priority. Public wayfinding signage in the facility is well-defined, allowing visitors to move efficiently through the site where appropriate, while maintaining boundaries for team-only areas in the complex. The design has adequate parking for the events that are currently scheduled but future plans to redevelop a 17-acre portion of the site may jeopardize the parking capacity for some types of events.

Special Use Parks

Inventory – Special use parks include facilities in unique settings that may not be traditionally associated with park and recreation services. The Peoria parks system includes two special use parks – the Johnny E. Osuna Memorial Park, at the corner of Peoria Avenue and Highway 60, and Centennial Park at the City Hall Complex, both of which are urban plazas with open turf areas and commemorative art features.

Analysis - Both parks are well-maintained, aesthetic sites with site furnishings and features, like the Amphitheater at Centennial Park, that are of a high quality. The sites lack traditional park facilities such as playgrounds or sport courts but provide plaza areas for gatherings or festivals, and public art. Parking at each site is shared. In the case of Centennial Park, the site itself lacks directly adjacent parking and is instead located between a number of municipal

buildings and the Main Library making its use almost a discovery for those who happen to find themselves walking along the historic memorial path between buildings. Public use at these two parks was observed to be light compared to more traditional parks during the park inventory, but does not mean the special use parks are rarely used. Access issues to the parks may be a constraint on their use and the lack of traditional park facilities may mean few people plan multiple visits to the sites, other than during events.

Trails

Inventory – Peoria currently has 73.9 miles of various types of trail. 42.1 miles of the existing trails are designated as shared-use. Shared-use paths typically have both a 12’ hard surface path for cyclists and walkers and an 8’ decomposed granite path for equestrian use. Another 21.3 miles are sidewalk connector trails that connect neighborhoods to the regional trails. The remaining 10.5 miles are designated as hiking trails. There are eight regional trail systems that are planned to pass through Peoria. Five of the eight are regional shared-use trail systems: the Arizona Canal, New River, Skunk Creek, Agua Fria, and CAP Canal. In addition, there are two regional bike paths planned: the Loop 303 and Carefree Highway, and the Castle Hot Springs Road, which is an unpaved



road on Bureau of Land Management and County land that is popular for providing access to BLM managed trails for off-road vehicle use. The City of Peoria Parks Division also maintains roughly 10.5 miles of hiking trails at the East Wing, West Wing, and Sunrise Mountain open spaces and has plans to build an additional 3.25 miles at Twin Buttes northern area of the Vistancia neighborhood.

Analysis – The existing trails system connects a number of parks including Rio Vista Community Park and serves as an important mode of transportation to and from the parks and around the community. As Peoria grows, the need for alternate modes of transportation will also increase. There is an additional 211.3 miles of trails planned in the Peoria trails system. Of those, 17.2 will be for equestrian use, 145.9 will be shared use, and another 48.2 will be for hiking only. The Vistancia HOA also owns and maintains a private trail system (the Discovery Trail) within its community. The City should prioritize connections to and an access agreement with the Vistancia HOA in order to span the gap between the developed portions of the city south of Vistancia and the public open space north of Vistancia. Increasing access to the existing Peoria trail system with dedicated, developed trailheads, improved bike lanes, and connections to neighborhood parks should also be a priority for the City in the future.

Open Space

Inventory – The northern portion of the City is comprised of a patchwork of undeveloped Federal, State, and County Lands. The City of Peoria Planning and Community Development departments are currently in the process of developing the Open Space Prioritization, Preservation, and Acquisition Program which aims to identify high priority open space areas and planning strategies to acquire and protect them. The Peoria Sonoran Preservation Plan documents that effort. In addition to those lands, there are roughly 1,000 acres of dedicated open space that are managed by the City of Peoria Parks Division within the suburban area of the city. These include parcels along the New River, Skunk Creek, and Arizona Canal floodplains, and mountain preserves at West Wing Mountain, East Wing Mountain, Sunrise Mountain, Palo Verde Open Space, and Calderwood Butte.

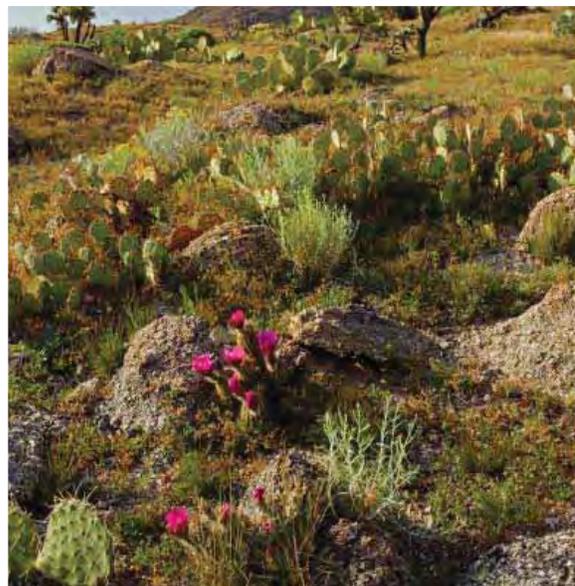
Analysis – These open spaces host nearly all of the City of Peoria's trail systems. The trails in the floodplains provide extensive off-

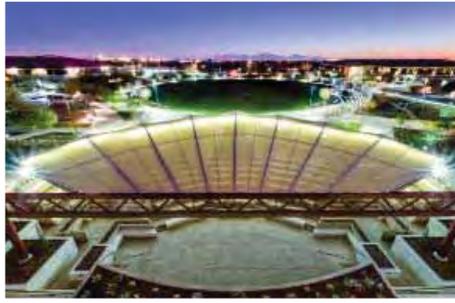
street bicycle routes that connect Peoria with the neighboring municipalities. The mountain preserves are home to the hiking paths. Future plans to add to these trail systems will enhance their value over time. These open spaces also provide and protect critical habitat for native Sonoran Desert species, and also protect historic and ancient cultural sites.

Basins

Inventory – The City of Peoria Parks Division maintains thirty-nine (39) flood control basins ranging in size from a quarter acre to six acres.

Analysis – The basins vary greatly in their aesthetic qualities and in their potential to function as active recreation areas. As mentioned in the neighborhood parks section above, some basins have been promoted to park status (i.e. Desert Amethyst and Wacker). Some basins already have park-like assets. Basin BN036 (located on the corner of Sunnyside Drive and 76th Lane) for example is about a half-acre with a turf bottom, mature shade trees, a picnic shelter, and trash receptacles. Although it is currently not financially realistic for the Community Services Department to manage new parks that are less than 8 acres, this basin could be even further developed with the addition of small active amenities such a swing set, or a small court such as bocce or a half-basketball court. If there was sufficient public demand for park space in older neighborhoods, many of these small basins could be developed to function as neighborhood pocket parks. In this case, partnerships with HOA's and neighborhood groups could be created to potentially finance the operations and maintenance of additional amenities.





Level Of Service (LOS) & Mapping Analysis 10





LEVEL OF SERVICE (LOS) & MAPPING ANALYSIS

Level of Service (LOS) Methodology

The consultant team used a “value-based” approach to assess the existing LOS. This model is not static; it evolves as the community changes. The team incorporated all of the information gathered through the community feedback (focus groups, staff and stakeholder meetings and statistically-valid survey), inventory, conditional assessments and spatial analysis to measure the Level of Service currently being provided to the Peoria community. The LOS analysis included the cumulative relationship of each facility’s location, service area, and conditional assessment scores – resulting in data which reflects the cumulative and average LOS across the Peoria community.

In the recommendations section of this document, prioritized improvements, potential re-purposing and new facilities are recommended to increase the Level of Service and best meet the current and future needs of the community. A list of policy criteria for these standards includes, but is not limited to the following:

- Population served
- Accessibility (ADA, bicycle, pedestrian, transit, and automobile)
- Environmental and natural resources
- Land use requirements
- Park and recreation development and maintenance
- Parks, trails and open space system connectivity
- Service area

Level of Service Guidelines

During the 1980’s, a set of standards was developed to assist agencies in measuring Level of Service (LOS) and help determining whether jurisdictions were meeting suggested “norms” with regard to types of parks, the amenities that should be in a park, and how many acres of parkland an agency should have. These guidelines are a starting point, as they do not take into account the unique qualities and needs of communities across the country. Local trends, climates and the popularity of some activities over others often dictate a greater need for particular facilities. The guidelines serve as a good baseline for determining a minimum standard for parks and primary amenities. These guidelines, coupled with input received from the community, analysis of participation numbers for various activities and comparisons to similar communities, provide the necessary additional information for determining the number of facilities that are appropriate.

These guidelines, last updated in 1995, provide a template of typical park classifications, number of acres a system should have and recommended service levels based on population. Since these guidelines are relatively outdated, they are strictly intended as a guideline and do not take into account the unique character of the City of Peoria. For a public park provider such as the City, the guidelines suggest, “A park system, at a minimum, should be composed of a ‘core’ system of park lands, with a total of 6.25 to 10.5 acres of developed open space per 1,000 residents.”

The types of parks that can be included to meet the standards can be a combination of the following classifications outlined by the NRPA:

- Mini Park
- Neighborhood Park
- School Park
- Community Park
- Regional Park
- Special Use Park
- Natural Resource Area/Preserve
- Greenway

Each classification is based upon the types of amenities, size, service area, and access to the facility. A detailed description of the different types of parks can be found in the Appendix and general summaries of the park classifications used in the Peoria parks system can be found in the Inventory and Conditional Analysis section of this report.

Park Classification and Distribution Analysis

Utilizing the park categories as developed by NRPA, existing parks in the City of Peoria were classified as Neighborhood, Community, Regional or Special Use. **Figure 10.1** includes a comprehensive list of facilities noting classification and acreage of the properties overseen by the City of Peoria Community Services Department.

The Peoria park system includes thirty-nine (39) outdoor facilities/parks distributed across the City. The park system provides a diverse selection of amenities in a variety of sizes and diverse programming at each facility. Generally, the Community Parks provide lighted facilities for organized athletics, larger playgrounds, lakes, and niche assets such as skate parks, dog parks, and recreation centers. The smaller Neighborhood Parks also play an important role in the system by providing picnic pavilions, small playgrounds, basketball and tennis courts, and informal athletic fields within neighborhoods. Overall, the Peoria park system provides a comprehensive system of open green spaces available for public use.



Figure 10.1 - Peoria Park Facilities

NAME OF FACILITY	CLASSIFICATION	ACRES
Alta Vista Park	NEIGHBORHOOD	11.4
Apache Park	NEIGHBORHOOD	9.2
Arrowhead Shores	NEIGHBORHOOD	8.9
Braewood Park	NEIGHBORHOOD	7.1
Calbrisa Park	NEIGHBORHOOD	3.7
Camino a Lago Park*	NEIGHBORHOOD	7.5
Country Meadows Park	NEIGHBORHOOD	7.9
Deer Village Park	NEIGHBORHOOD	8.7
Desert Amethyst Park	NEIGHBORHOOD	11.1
Fletcher Heights North Park	NEIGHBORHOOD	4.2
Fletcher Heights Park	NEIGHBORHOOD	7.4
Hayes Park	NEIGHBORHOOD	15.7
Ira Murphy Park	NEIGHBORHOOD	4.4
Kiwanis Park	NEIGHBORHOOD	4.6
Monroe Park	NEIGHBORHOOD	3.9
Palo Verde Park	NEIGHBORHOOD	4.1
Parkridge Park	NEIGHBORHOOD	20.0
Paseo Verde Park	NEIGHBORHOOD	11.8
Roundtree Ranch Park	NEIGHBORHOOD	9.5
Scotland Yard Park	NEIGHBORHOOD	8.9
Sonoran Mountain Ranch Park	NEIGHBORHOOD	7.6
Stone Park	NEIGHBORHOOD	0.2
Sundance Park	NEIGHBORHOOD	9.6
Sunnyslope Park	NEIGHBORHOOD	22.3
Sunrise Park	NEIGHBORHOOD	9.2
Sunset Park	NEIGHBORHOOD	11.1
Sweetwater Park	NEIGHBORHOOD	10.6
Terramar Park	NEIGHBORHOOD	9.4
Varney Park	NEIGHBORHOOD	8.5
Wacker Park	NEIGHBORHOOD	4.5
West Wing Park	NEIGHBORHOOD	19.3
Westgreen Park	NEIGHBORHOOD	3.9
Westland Park	NEIGHBORHOOD	4.2
Windrose Park	NEIGHBORHOOD	7.4
Pioneer Park	COMMUNITY	85.0
Rio Vista Community Park	COMMUNITY	54.7
Peoria Sports Complex	REGIONAL	125.1
Centennial Plaza	SPECIAL USE	4.2
Osuna Park	SPECIAL USE	3.3
* in design		

Level of Service (LOS) Analysis

Park Area per 1000 Residents

While the old guidelines are intended to only be a guide, they do serve as a benchmark in which to evaluate the service being provided in a geographic area, in this case, within the municipal boundaries of the City of Peoria. The guidelines recommend a service level between 6.25 (minimum) and 10.5 (optimal) acres per 1,000 residents. A customized report from the 2012 NRPA PRORAGIS database indicates the median park acreage of 9.1 per 1,000 residents among jurisdictions with similar populations and budgets as Peoria.

Figure 10.2 shows those guideline's recommended minimum and maximum standards as well as the current level of service being provided by the City of Peoria. Both **Figure 10.2** and **10.3** will be used for development of recommendations for new facilities and renovation projects. Deficiencies in the current service patterns, facility distribution and community demand for improved service and specific amenity needs will result in facility recommendations for both existing facilities and future development.

Figure 10.2 uses the 2012 population and **Figure 10.3** uses the projected population for 2017 to determine where the shortfalls and overages in the park system exist. Relative to park acreage, Peoria manages 570.5 acres of parkland, calculating to 3.61 park acres per thousand residents. However one key item to note is that Peoria currently counts the New River, Skunk Creek, and Arizona canals as open space. These facilities would be considered greenways in many jurisdictions because they contain a paved shared-use path, are maintained by the Community Services Department, and connect several parks in the Peoria system and beyond. Together these areas comprise an additional 350 acres of developed parkland. Including these areas as developed parkland would bring the total acreage in the system up to 920.6 and the park acres per 1,000 residents up to 5.82. Although this is still below the recommended minimum of 6.25 acres/1000 residents, it is closer to the standard and a fairer assessment of the level of service. If all of the open space acres under the City of Peoria Community Services Department's management were added (1,000 acres), Peoria would boast 1,570.6 acres and a park area ratio of 9.9. This figure compares favorably with the median value of 9.1 acres reported in the 2012 NRPA PRORAGIS customized data. It should be noted that these calculations do not take into account school properties (other than the few that have

intergovernmental joint-use agreements and are managed by the City), church properties, private schools, basins with park assets, or facilities outside the boundaries of Peoria. It also does not include the private parks that the homeowners associations operate within Peoria. Although the facilities listed above do alleviate the need for some amenities, they can have limited or restricted access and, therefore do not provide the same opportunities for residents as public park facilities. Due to their limited access, these acres are not incorporated into the LOS methodology or analysis.

By other means of comparison, Peoria's level of service in terms of park area is above average. For instance, The Trust for Public Land (TPL) has also collected data on parkland relative to population. Their study, *2012 City Park Facts* measured all public park lands within the top 100 largest jurisdictions (by population) in the United States (even if managed by agencies other than the jurisdiction being evaluated). By the standard for measurement used in that report, Lake Pleasant Regional Park (18,560.1 acres) would be included in the total park acreage for Peoria. That would bring the parkland total within the City's boundaries to 20,121 acres and place Peoria as the city with third most acres of park land in the TPL's comparison cities, behind Anchorage, Alaska and Chesapeake, Virginia.



Figure 10.2 - Peoria LOS Compared to Older Guidelines (2012 population)

2012 Population - 158,135						
	Minimum Guideline		Maximum Guideline		Peoria's Current Service Level	
	Min ac/1000 pop	Acres required	Max ac/1000 pop	Acres required	Current ac/pop	Acres provided
Mini Parks	0.25		0.50		0.00	
2012 Total Ac Required		39.5		79.1		0.0
Neighborhood Parks	1.00		2.00		1.89	
2012 Total Ac Required		158.1		316.3		298.3
Community Parks	5.00		8.00		0.88	
2012 Total Ac Required		790.7		1265.1		139.6
Regional Parks	0.00		0.00		0.79	
		0.0		0.0		125.1
Greenways / Special Use Facilities / Indoor Facilities	0.00		0.00		0.05	
		0.0		0.0		7.5
	6.25	988.3	10.50	1,660.4	3.61	570.5

Figure 10.3 - Peoria LOS Compared to Older Guidelines (2017 population)

2017 Population - 165,815 (Projected)						
	Minimum Guideline		Maximum Guideline		Peoria's Projected Service Level (w/ Existing Facilities)	
	Min ac/1000 pop	Acres required	Max ac/1000 pop	Acres required	Proposed ac/pop	Acres provided
Mini Parks	0.25		0.50		0.00	
2017 Total Ac Required		41.45		82.91		0.0
Neighborhood Parks	1.00		2.00		1.80	
2017 Total Ac Required		165.82		331.63		298.3
Community Parks	5.00		8.00		0.84	
2017 Total Ac Required		829.08		1,326.52		139.6
Regional Parks	0.00		0.00		0.75	
		0.00		0.00		125.1
Greenways / Special Use Facilities / Indoor Facilities	0.00		0.00		0.05	
		0.00		0.00		7.5
	6.25	1,036.34	10.50	1,741.06	3.44	570.5

Park and Recreation Assets

In addition to acreage for park facilities, programmed assets (a.k.a. – amenities) within the parks have also been evaluated against similar agencies that provided data for PRORAGIS for 2012. This allows the consultant team and City staff to benchmark Peoria against other similar agencies across the nation to determine the amenity shortfalls and overages in the current system, weigh them against community needs and desires, and plan for additional facilities as existing parks are updated and new park land is acquired (see **Figure 10.4**).

Comparison to the 2012 data shows that the number of facilities is adequate in many categories however the data suggests that there is a shortage of gym facilities, playgrounds, tennis courts, regulation size rectangular fields, softball, and youth baseball fields. **Figure 10.4** shows the median population per facility type for the similar jurisdictions that participated in the 2012 PRORAGIS database. Rows highlighted in light brown indicate areas where Peoria is below the median score for a specific facility. A caveat to the customized PRORAGIS facilities data is that currently the statistical sample is low; however the results are comparable to those of the Trust for

Public Land's report. **Figure 10.5** provides a comparison of the median number of facilities per residents for the largest 100 cities in the United States to Peoria's facilities per resident. The TPL and NRPA studies each show an adequate number of basketball courts and dog parks, but there is a potential shortage of playgrounds and tennis courts in Peoria. However, the relative shortage of playgrounds is likely exaggerated due to the fact that there are no mini parks in the Peoria park system and the shortages of tennis courts should be evaluated with current recreational trends and the needs expressed by the community in mind. It is also worth noting that although **Figure 10.5** shows that Peoria is meeting the community's need for baseball diamonds, **Figure 10.4** indicates that within that category there is a shortage of youth-oriented baseball diamonds. **Figure 10.4** suggests that a similar situation may also be true of regulation rectangular fields for soccer.

Level of Service Key Findings

Taken together, the data from the PRORAGIS database and the Trust for Public Spaces report indicates that the City of Peoria is currently providing an adequate level of service for park size and most facility types to its constituents. However, Peoria can improve its level of service by adding facilities for organized sporting events for youth and adults. Also noteworthy is that because of the shape of the jurisdictional boundary and the recent trend for community development in the northern part of the city, the park amenities are not distributed evenly across the city. New park development should focus on areas north of Bell Road and on developing larger parks that can support the demand for lighted athletic fields.

Figure 10.4 – NRPA PRORAGIS Population per Facility Comparison

	2012 PRORAGIS Median Population per Facility – Similar Agencies	Peoria Population per Facility
Recreation/Community Center	49,583	39,534
Gym	50,686	158,135
Playground	3,280	4,393
Tot Lots	21,091	7,188
Tennis court (outdoor)	6,204	6,325
Basketball court (outdoor)	12,250	3,261
Rectangular fields - Soccer, Lacrosse, Field Hockey (Regulation Size)	12,488	26,356
Rectangular fields - Soccer, Lacrosse, Field Hockey (Small-Sided Fields)	10,909	3,857
Diamond Fields - Baseball with 90 ft base paths	35,000	7,355
Diamond Fields - Baseball with 50-65 ft base paths and mound	7,783	19,767
Diamond Fields - Softball (youth)	20,137	26,356
Diamond Fields - Softball (adult)	40,985	39,534
Dog Park	85,686	31,627
Performing and/or Visual Arts/Community Center	140,912	158,135

Figure 10.5 - 2012 TPL City Park Facts Median Facility per Population

	Median	Peoria Facility per Population
Recreation/Community Center/ 20,000 residents	0.7	0.5
Playground/ 10,000 residents	2.2	2.3
Tennis court (outdoor)/ 10,000 residents	1.8	1.6
Basketball Hoops/ 10,000 residents	2.3	6.1
Ball Fields/ 10,000 residents	1.6	2.5
Dog Park/ 100,000 residents	0.6	3.2
Skate Parks/ 100,000 residents	0.4	1.3
Swimming Pools/ 100,000 residents	2.1	1.9

GIS Mapping and Spatial Analysis

Aerial Information and GIS Data Gathering Process

The consultant team received digital aerial photography and the principal GIS base data from the City of Peoria Information Technology Department. The Department was able to supply the team with the following GIS-based data layers:

- Assessors Parcels
- Census Blocks and Tracts
- City of Peoria Council Districts
- Corporate Limits
- Park Locations
- Public School Locations
- Road and Recreational Trail Centerlines
- GIS data generated by the 2006 Parks, Recreation, Trails, and Open Space Master Plan Update

The Information Technology Department's data layers were supplemented with high resolution color, geo-referenced aerial photographs (2008 and 2010 flights) which allowed the consultant team to identify the majority of parks and facility assets. Additional base data was created by the Consultant team to enhance the data provided by the aforementioned sources. The additional layers included:

- Primary and support assets (point data collected in the field by Consultant)
- Park Asset Polygons (polygons digitized by Consultant from aerial photographs)

This data will be supplied to the City of Peoria Community Services staff for acceptance and long-term use within their GIS network in ArcMap ready format. A detailed summary series as well as the conditional assessment workbook of this data gathering effort will be delivered in Microsoft Office Excel workbook format. The conditional assessment workbook contains the formulas required for future score and asset updates related to each location.

The consultant team created a park and recreation facility atlas, detailing the known primary assets, secondary assets, and boundary of each outdoor recreation facility. Limitations related to the aerial image ground resolution were overcome through the field visits conducted by the team. All primary assets were reviewed in the field for location accuracy, assessed in regard to condition and maintenance and then were catalogued into the GIS database.

Once the inventory was completed by the Consultant team, it was submitted to City staff for review and approval. The asset inventory is current as of May 2013. Also see the **Appendix** for the inventory sheets.

The Consultant team assembled the data layers and aerial photograph within ESRI's ArcMap™ 10.1 software. ArcMap was employed for all data creation, inventory mapping and spatial analysis. The use of this software is widely accepted and is standard for all GIS-based projects. Additionally, Photoshop and InDesign were used for standard map cartography. The data used to create the maps is digital and therefore dynamic. Periodic changes to the data will occur within an ArcMap environment in order to maintain spatial accuracy and database enhancements. The maps are representative of the data as it stands at the time of publication.

Additional Uses for the GIS Database

The digital nature of the GIS dataset is dynamic, and therefore can change and grow with the park system. Asset layers are collections of similar assets (i.e. ballfields, playgrounds, pools, etc.) which have associated databases. The databases contain information such as size, location, surface, etc. which pertains to individual assets (i.e. the playground at Varney Park).

In addition to storing information about individual assets, the databases are designed in a manner that allows the user to understand – through ArcMap's geoprocessing and query tools – the spatial relationships of all assets. Spatial relationships can be made within a single asset layer, for instance, a ranking of the size of all the playgrounds in the park system. Also, relationships can be made between multiple asset layers, such as how many playgrounds are within Census tracts having a population density of less than 5,000 per square mile? These databases were developed to support analysis and queries required for short and long-range planning efforts.

Another very important facet of the database is its ability to support Level of Service analysis. This is commonly handled by simply generating a "buffer" with a specified radius around a given asset or park type. Areas that lie within the buffer are serviced by the entity. When all the service area buffers for a given asset type are overlapped, gaps in service can be identified. The GIS dataset was developed to support both quantitative and qualitative analysis.

This provides the City of Peoria with a more robust means of truly understanding not only the quantity and distribution of the amenities they are providing to their residents, but the quality of those amenities as well.

Another capability within the dataset is focused upon analysis of the surface types found within the entire park network: irrigated turf, athletic turf, ballfield skin, etc. This will allow the Community Services Department to make data-based decisions regarding irrigation, improvements and maintenance analysis of the park system.

GIS Analysis

Following the primary data gathering process, the data was used to generate a series of GIS-based analytical layers and maps to determine radius-based Level of Service (LOS) coverage for outdoor recreation facilities. The LOS analysis includes the cumulative relationship of each facility's location, service area, and conditional assessment scores - resulting in a series of maps detailing the City's cumulative and average LOS. Each park classification was assigned a radius service area, which were largely guided by NRPA standards, with customizations made based on the land area of Peoria.

- Neighborhood Parks – ½ Mile
- Community Parks – 5 Miles
- Regional Parks – 10 Miles
- Special Use Facilities – 3 Miles
- Trail – ½ Mile
- Basins (with recreation assets) – ¼ Mile

City of Peoria Mapping and Spatial Analysis

Overview - Cumulative Level of Service Maps

Map A shows the location of all the public recreation facilities within the City of Peoria. Maps B, C, D and E, were created overlapping the service area radii of each of the public facility locations and adding the scores for each park in the conditional assessment and inventory performed by the consultant team. The result illustrates the intensity of the level of service for any given point within the city of Peoria. Areas with higher LOS (blue) have a greater quantity and quality of parks and recreational facilities. Areas with lower LOS (yellow) have less access to adequate parks and recreational facilities, based on their geographic location. One item to note is that while a geographic area may have many facilities within proximity to it, if the cumulative quality (conditional assessment)

of the multiple facilities is low then the overall area will have a lower level of service. The same also applies if an area has a higher density of adequate or above adequate parks, then the overall LOS in the area in proximity to those parks will be high. These maps also only account for the service provided by the City of Peoria. Many areas are also served by private parks. Map F shows the location of private parks (with a 1/4 mile service radius) in relation to the cumulative level of service to illustrate the extent of private park provider service

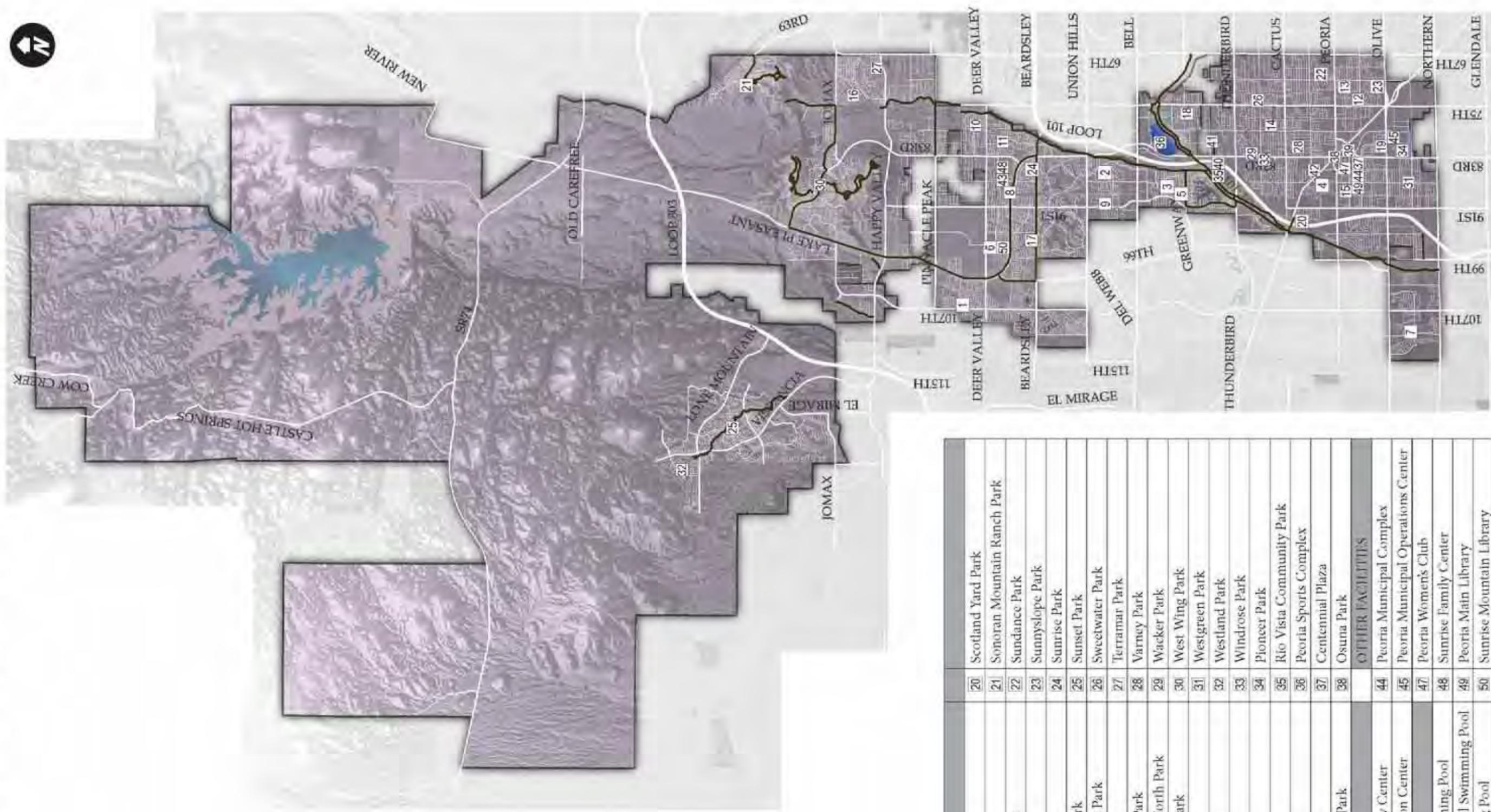
Overview - Average Level of Service Maps

Maps G, H, I and J illustrate the average Level of Service across the various geographic areas of the City. Like the Cumulative Level of Service maps, they are created by overlapping the service area radii for the facilities. However, the conditional scores are averaged rather than summed. The result gives a graphic indication of the average quality of the park service for a given area. The analysis provides a simplified view of the general (average) level of service, regardless of concentrations from multiple recreation locations. Areas where the average falls below the desired LOS should be targeted for potential improvements to existing parks and recreation facilities and/or creation of additional recreation locations. However, it is important to note that deficient areas may also fall within locations where improved or additional services are not required or justified – such as industrial or agricultural areas.

Overview - Travel Analysis

Maps K and L illustrate the average driving and walking distance to parks across the various geographic areas of the City. Map K displays the distance by road from each park facility and provides a sense of the drive time to a park from points within Peoria. This provides a more realistic service area for the parks because it takes actual travel distance into account rather than a straight line distance from the park. For residents with access to a car or public transit this indicates how accessible the park facilities are to their home or work. All highways, major, and minor roads were included in this analysis. The distance intervals align with the service area radii used in the Level of Service maps. Map L displays the pedestrian access via road and trail to each park facility and provides a sense of the walking time to a park from points within Peoria. Major and minor roads, and trails were included in this analysis. Highways were excluded because they are not accessible by foot or bike. The distance intervals indicate a range of typical trip distances.

PEORIA PARKS, RECREATION AND TRAILS EDUCATION MAP

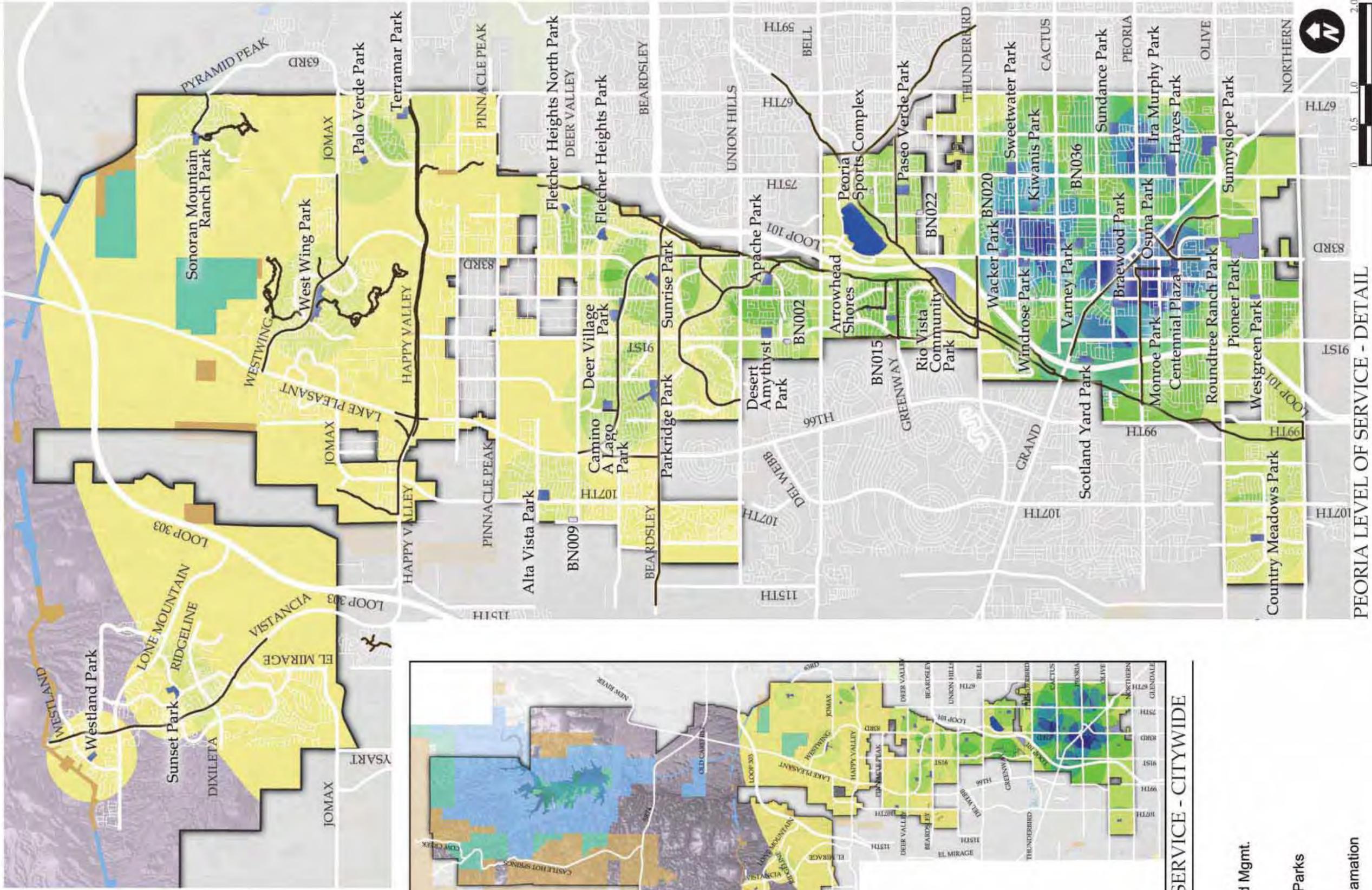


MAP - A

PARKS		
1	Alta Vista Park	20
2	Apache Park	21
3	Arrowhead Shores	22
4	Braewood Park	23
5	Calbrisa Park	24
6	Camino a Lago Park	25
7	Country Meadows Park	26
8	Deer Village Park	27
9	Desert Amethyst Park	28
10	Fletcher Heights North Park	29
11	Fletcher Heights Park	30
12	Hayes Park	31
13	Ira Murphy Park	32
14	Kiwanis Park	33
15	Monroe Park	34
16	Palo Verde Park	35
17	Parkridge Park	36
18	Paseo Verde Park	37
19	Roundtree Ranch Park	38
CENTERS		
39	Peoria Community Center	44
40	Rio Vista Recreation Center	45
POOLS		
41	Centennial Swimming Pool	47
42	Peoria High School Swimming Pool	48
43	Sunrise Swimming Pool	49
		50
OTHER FACILITIES		
	Peoria Municipal Complex	44
	Peoria Municipal Operations Center	45
	Peoria Women's Club	47
	Sunrise Family Center	48
	Peoria Matn Library	49
	Sunrise Mountain Library	50

PARKS - LEVEL OF SERVICE

CUMULATIVE LOS

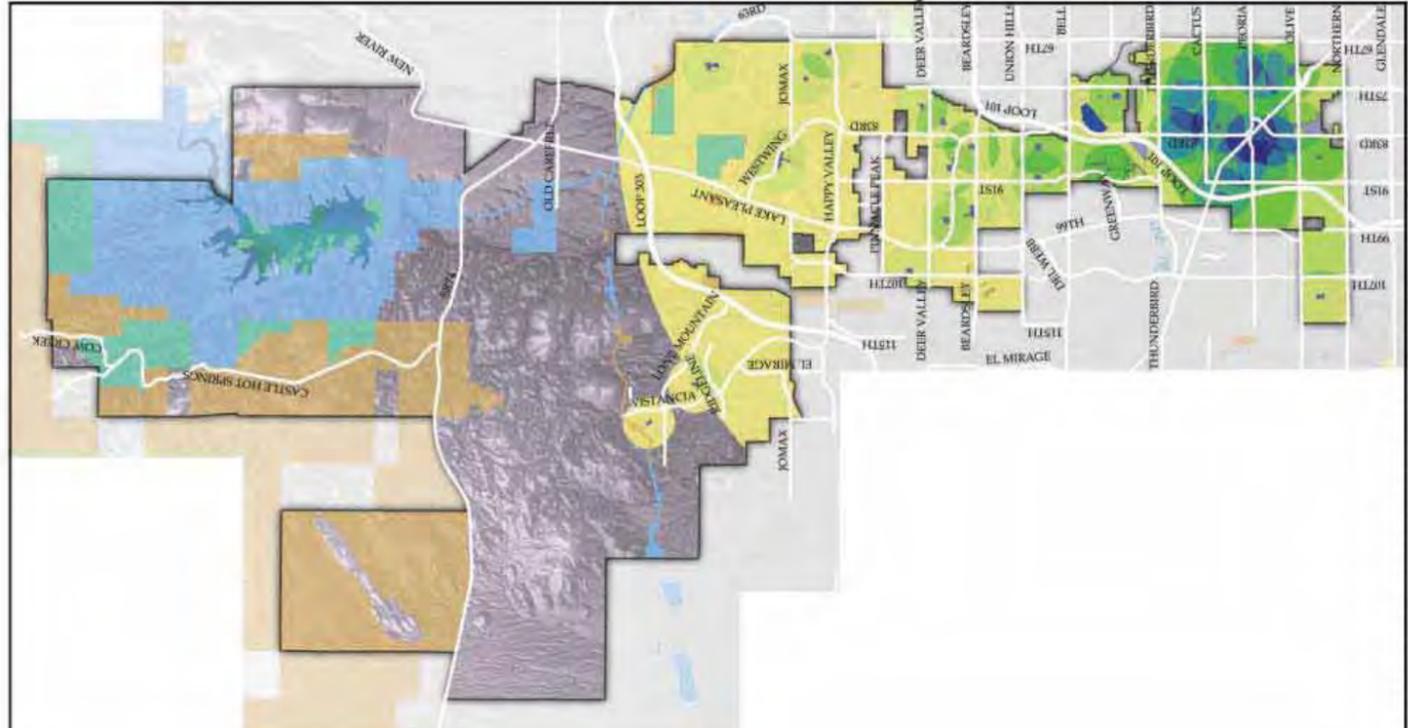


PEORIA LEVEL OF SERVICE - DETAIL

CONDITIONAL ASSESSMENT - CUMULATIVE LOS



MAP - B



PEORIA LEVEL OF SERVICE - CITYWIDE

PUBLIC LANDS

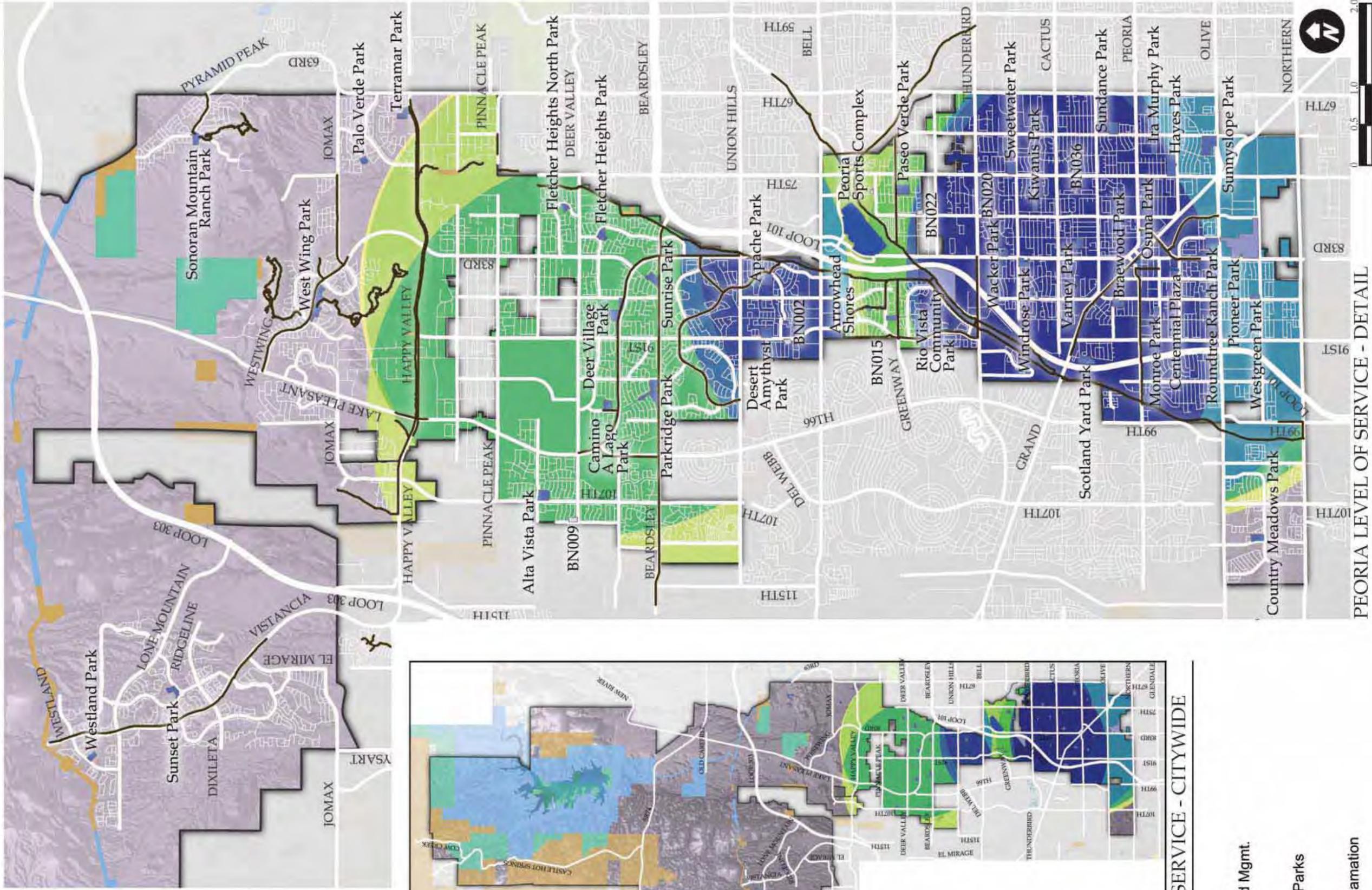
- Bureau of Land Mgmt.
- Tonto N.F.
- Local or State Parks
- Luke A.F.B.
- Bureau of Reclamation
- County Land
- Game and Fish

PUBLIC RECREATION FACILITIES

- Basin
- Community
- Neighborhood

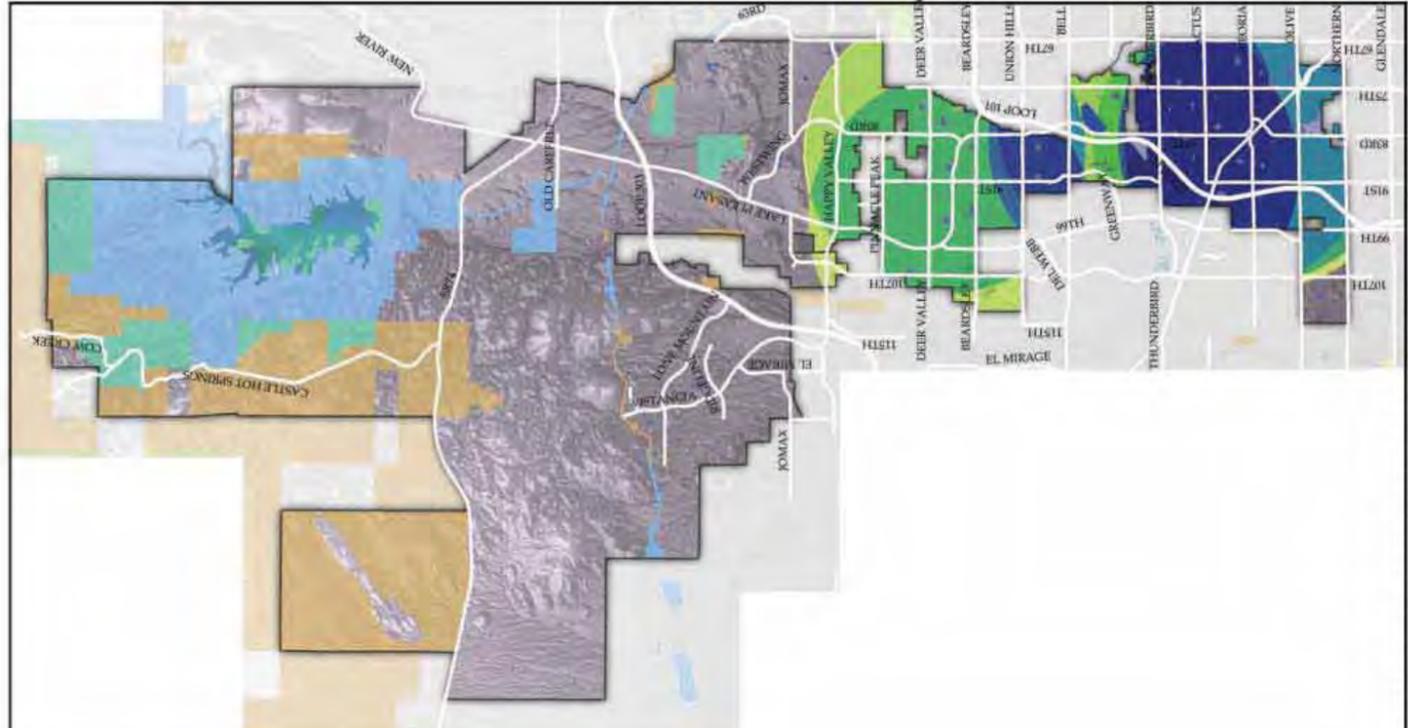
ACTIVITIES - LEVEL OF SERVICE

CUMULATIVE LOS



PEORIA LEVEL OF SERVICE - DETAIL

CONDITIONAL ASSESSMENT - CUMULATIVE LOS

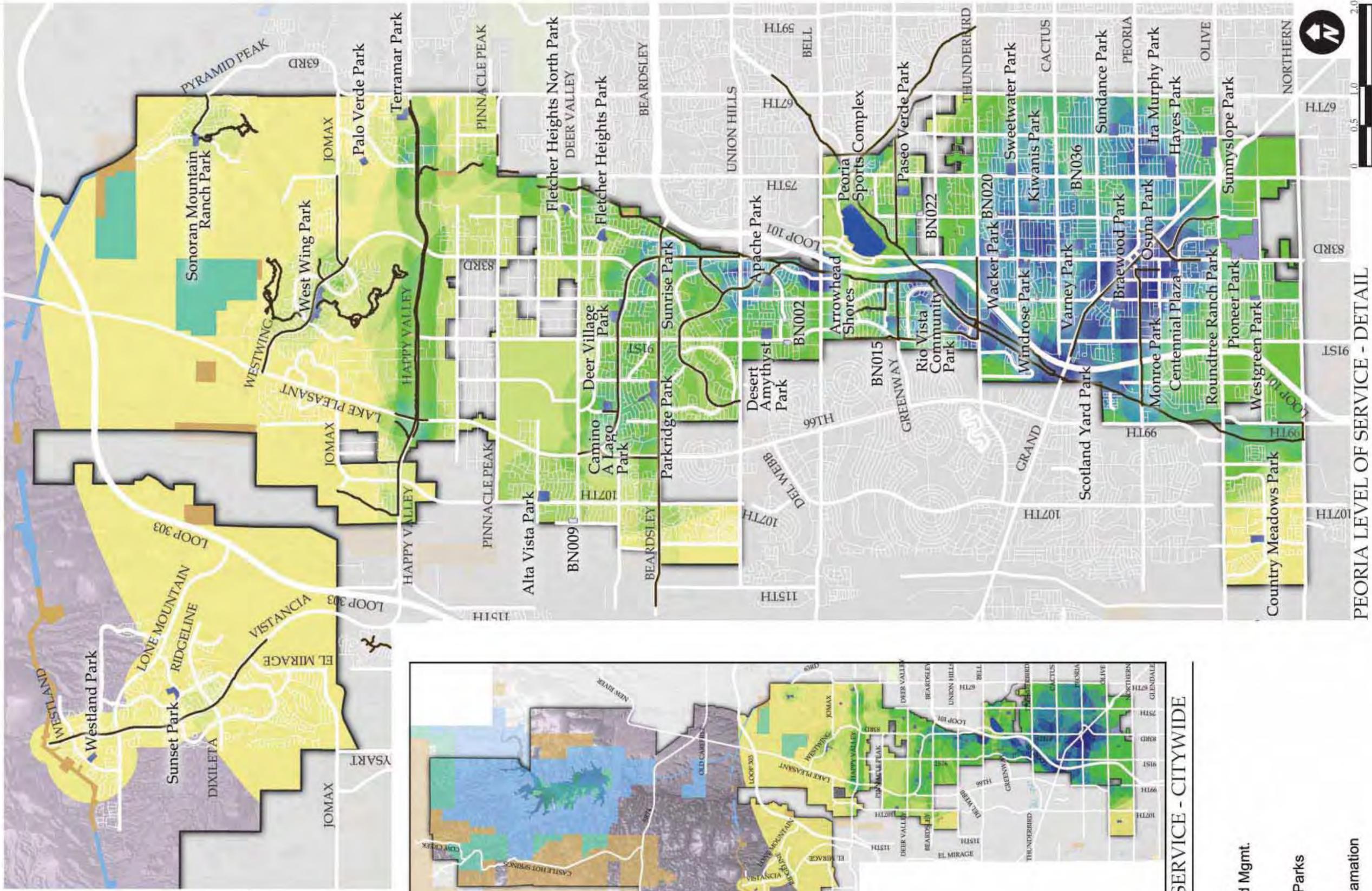


PEORIA LEVEL OF SERVICE - CITYWIDE

- PUBLIC LANDS**
- Bureau of Land Mgmt.
 - Tonto N.F.
 - Local or State Parks
 - Luke A.F.B.
 - Bureau of Reclamation
 - County Land
 - Game and Fish
- PUBLIC RECREATION FACILITIES**
- Basin
 - Community
 - Neighborhood

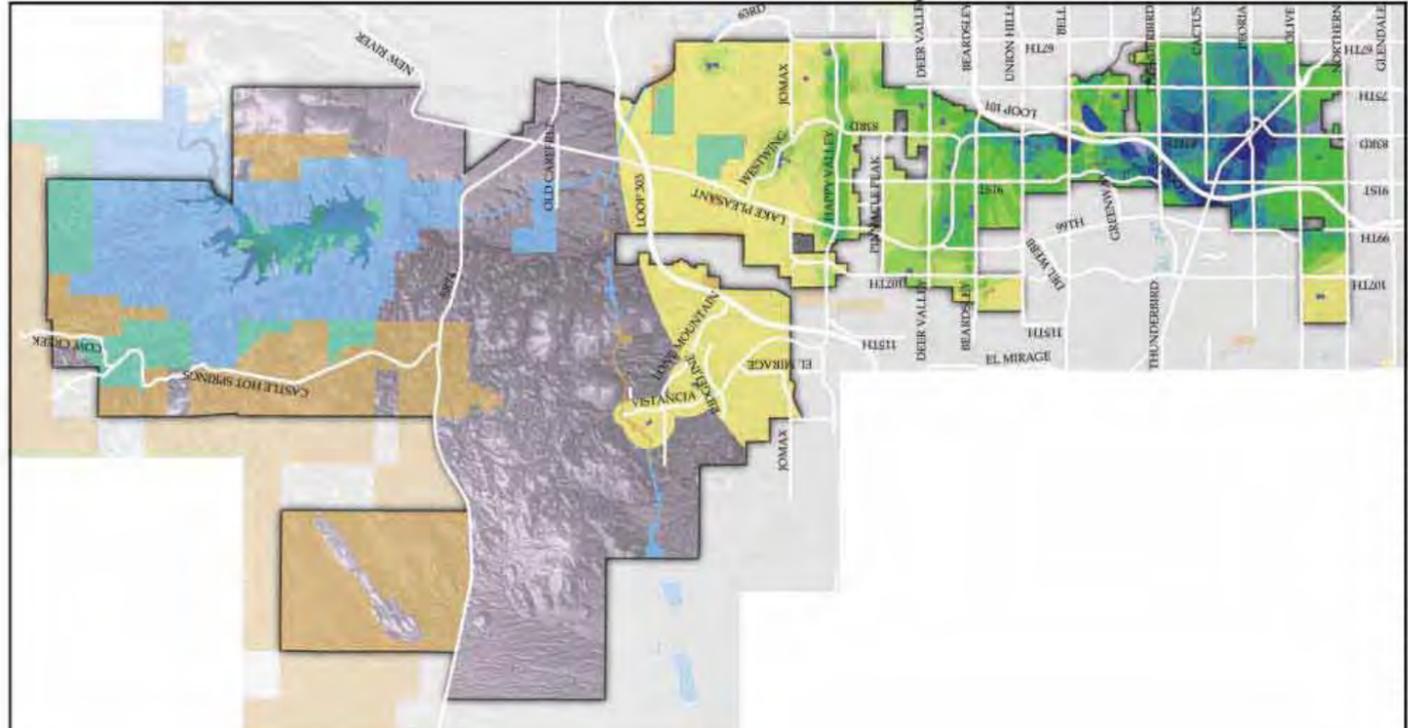
COMPOSITE - LEVEL OF SERVICE

CUMULATIVE LOS



PEORIA LEVEL OF SERVICE - DETAIL

CONDITIONAL ASSESSMENT - CUMULATIVE LOS



PEORIA LEVEL OF SERVICE - CITYWIDE

PUBLIC LANDS

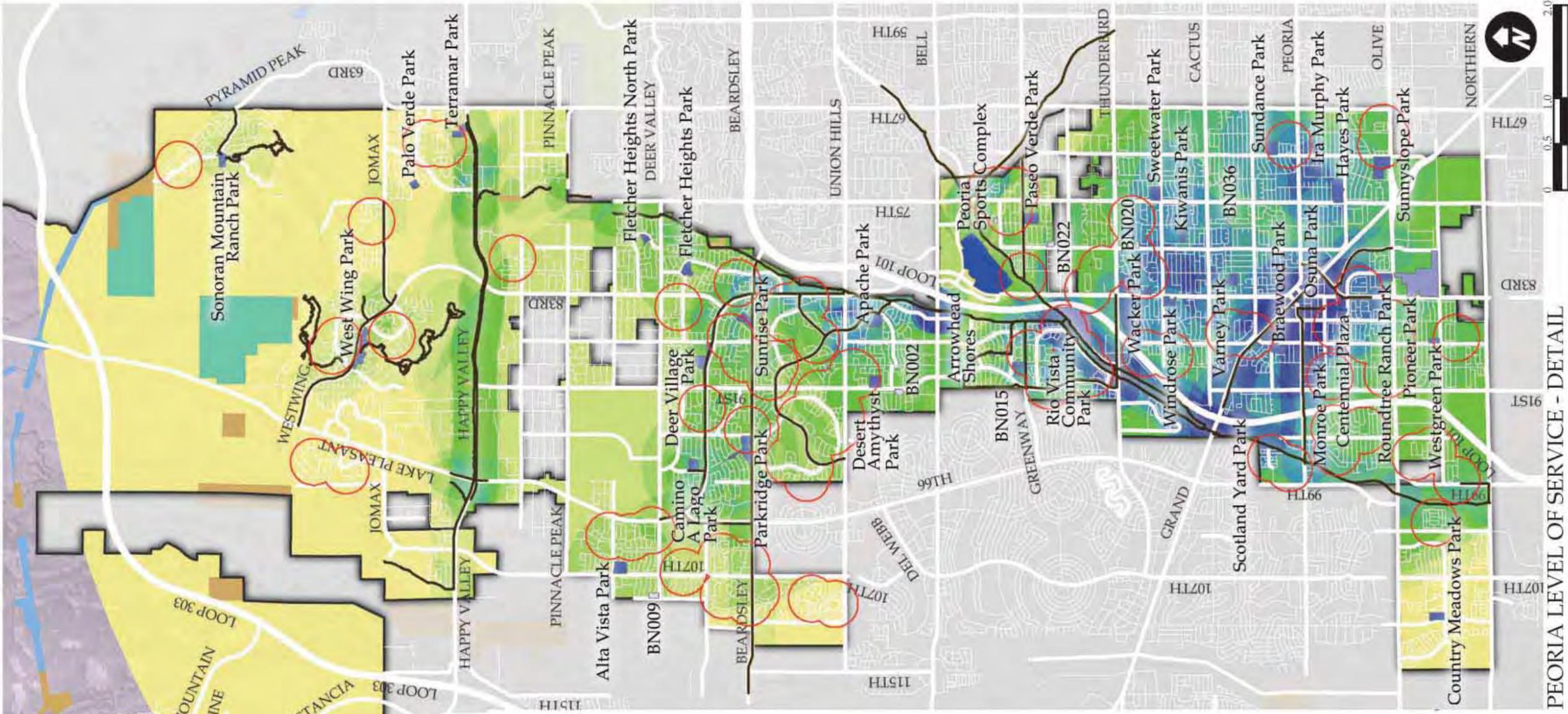
- Bureau of Land Mgmt.
- Tonto N.F.
- Local or State Parks
- Luke A.F.B.
- Bureau of Reclamation
- County Land
- Game and Fish

PUBLIC RECREATION FACILITIES

- Basin
- Community
- Neighborhood

COMPOSITE - LEVEL OF SERVICE - PRIVATE PARK SERVICE

CUMULATIVE LOS



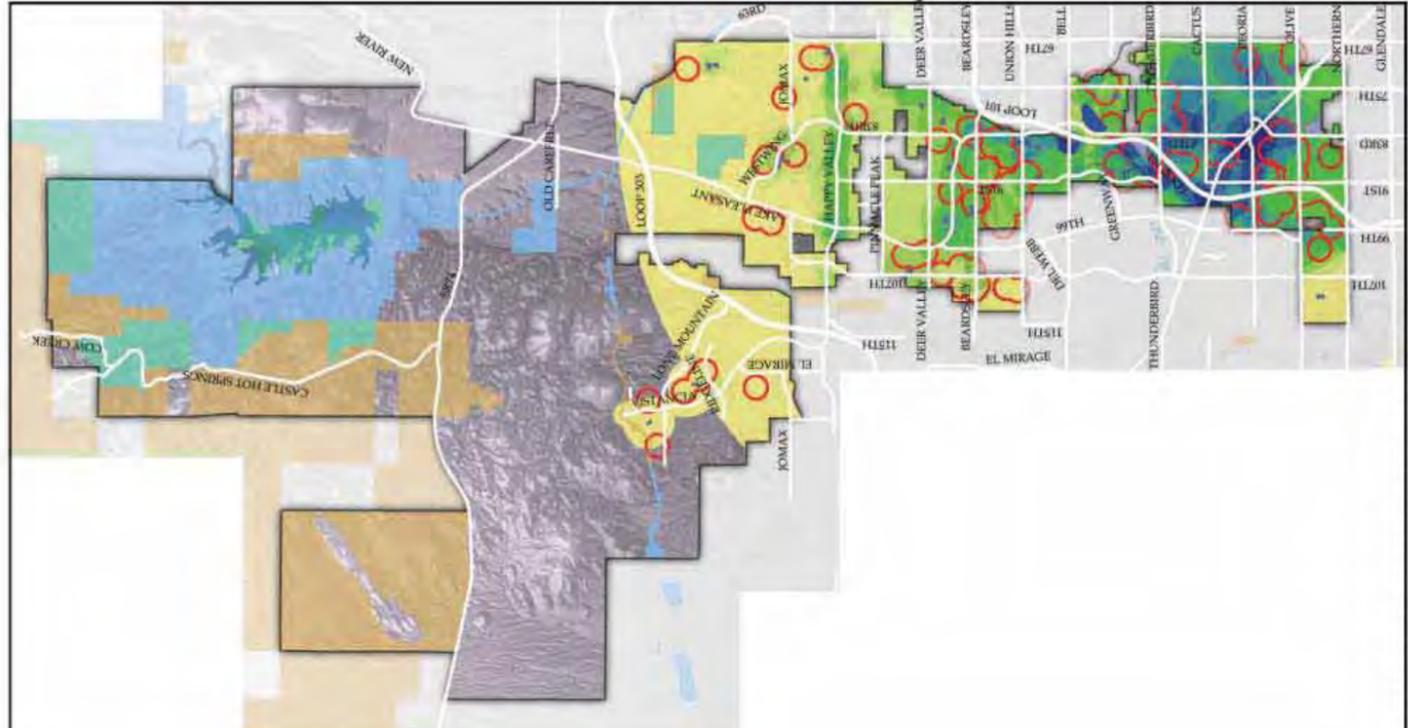
PEORIA LEVEL OF SERVICE - DETAIL

CONDITIONAL ASSESSMENT - CUMULATIVE LOS



○ PRIVATE PARK - 1/4 MILE SERVICE AREA RADIUS

MAP - F



PEORIA LEVEL OF SERVICE - CITYWIDE

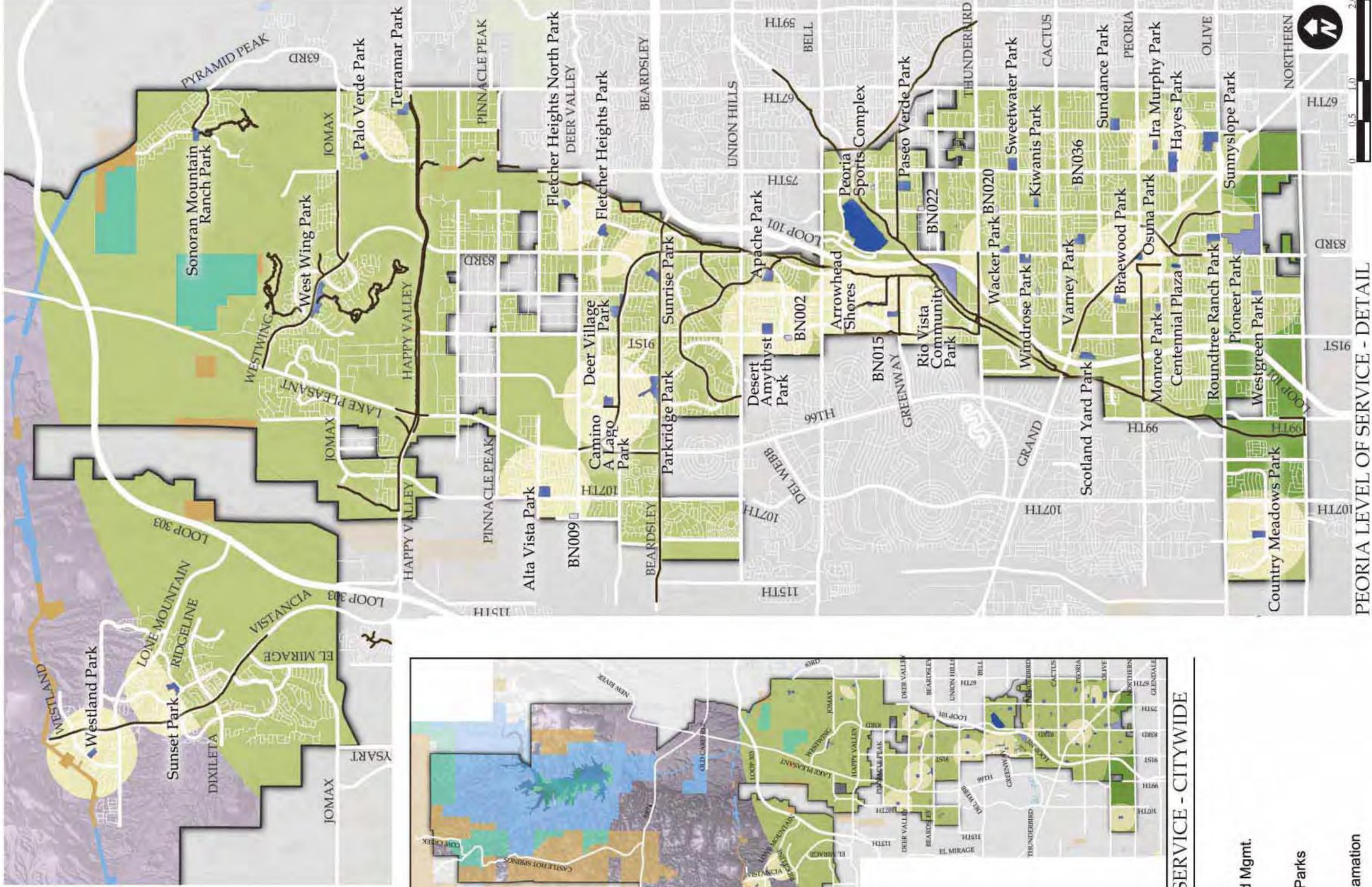
- PUBLIC LANDS**
- Bureau of Land Mgmt.
 - Tonto N.F.
 - Local or State Parks
 - Luke A.F.B.
 - Bureau of Reclamation
 - County Land
 - Game and Fish

PUBLIC RECREATION FACILITIES

- Basin
- Community
- Neighborhood

PARKS - LEVEL OF SERVICE

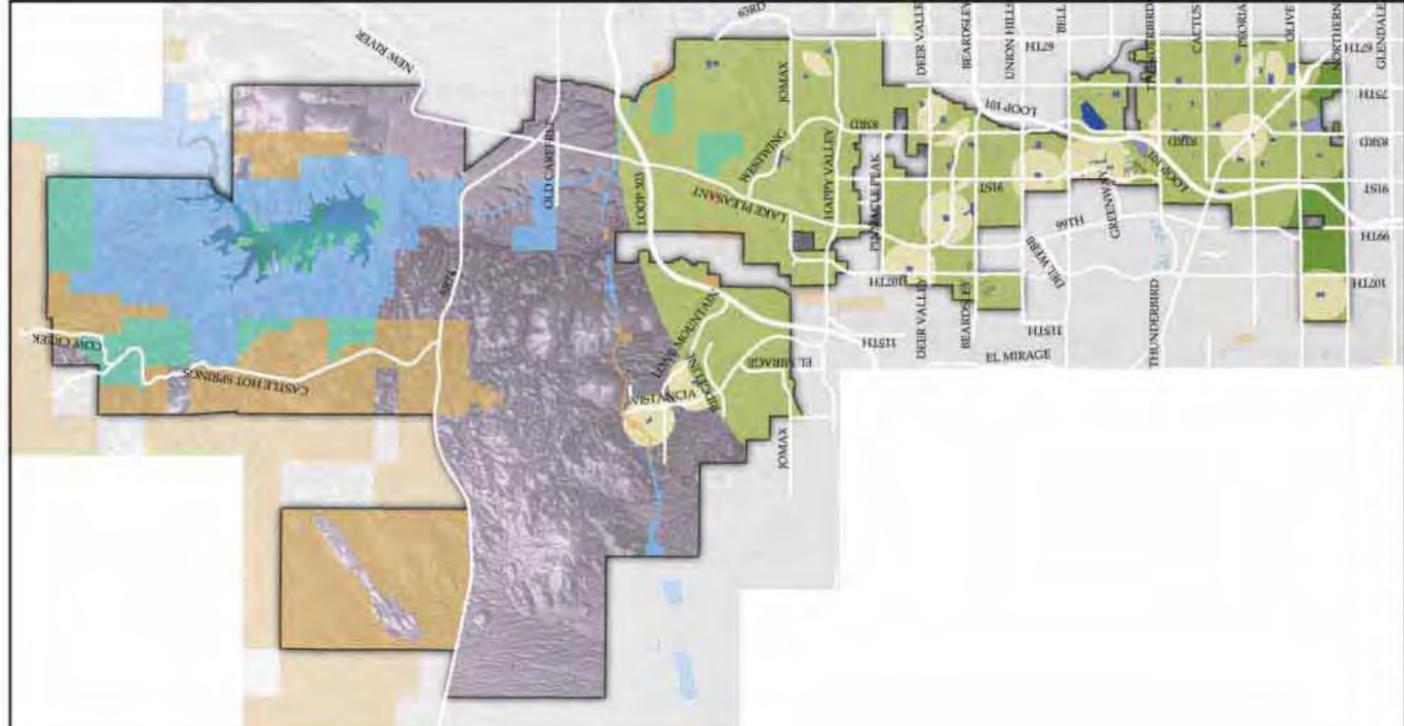
AVERAGE LOS - PERCENTAGE



PEORIA LEVEL OF SERVICE - DETAIL



MAP - G



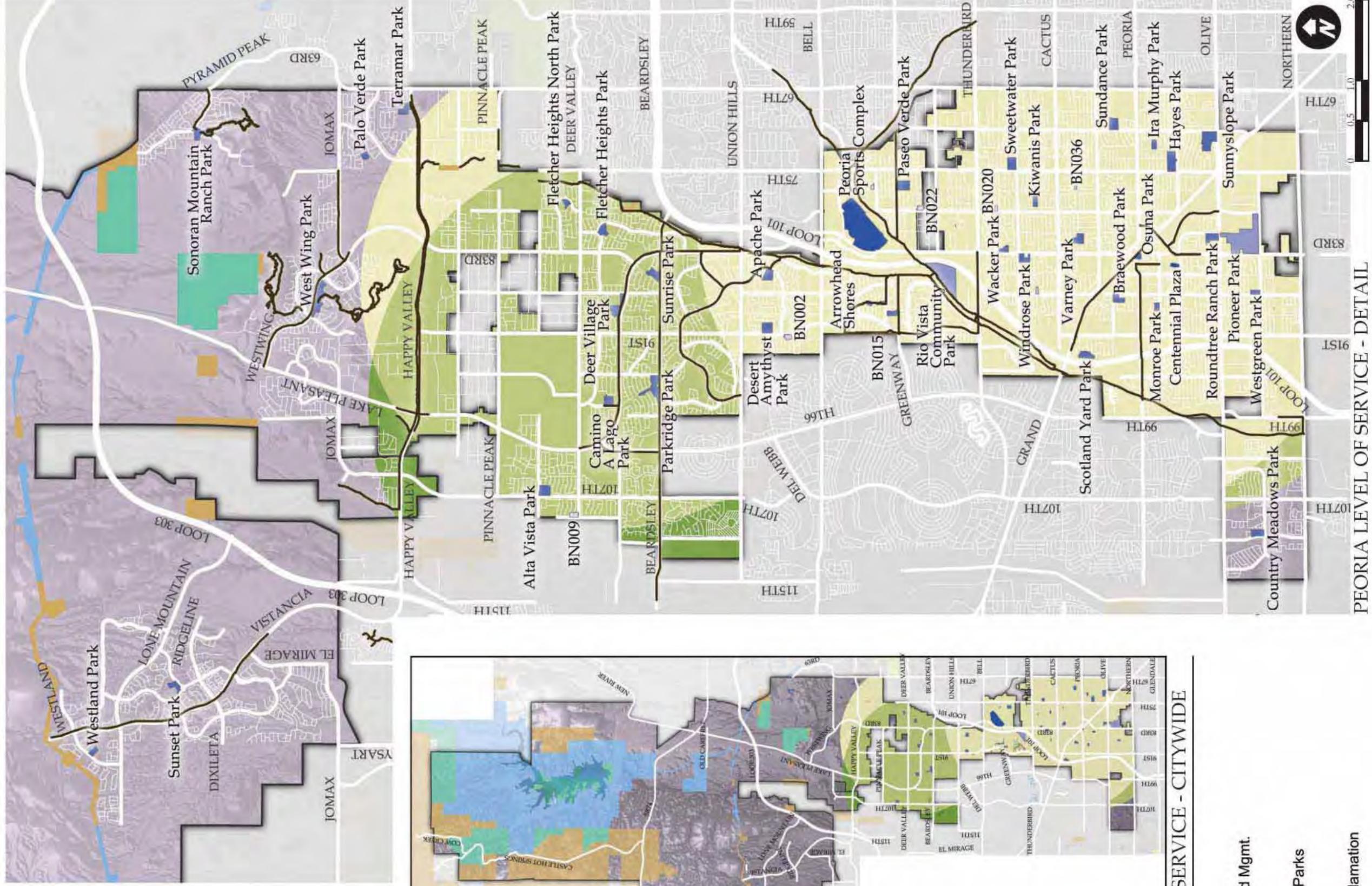
PEORIA LEVEL OF SERVICE - CITYWIDE

- PUBLIC LANDS**
- Bureau of Land Mgmt.
 - Tonto N.F.
 - Local or State Parks
 - Luke A.F.B.
 - Bureau of Reclamation
 - County Land
 - Game and Fish
- PUBLIC RECREATION FACILITIES**
- Basin
 - Community
 - Neighborhood

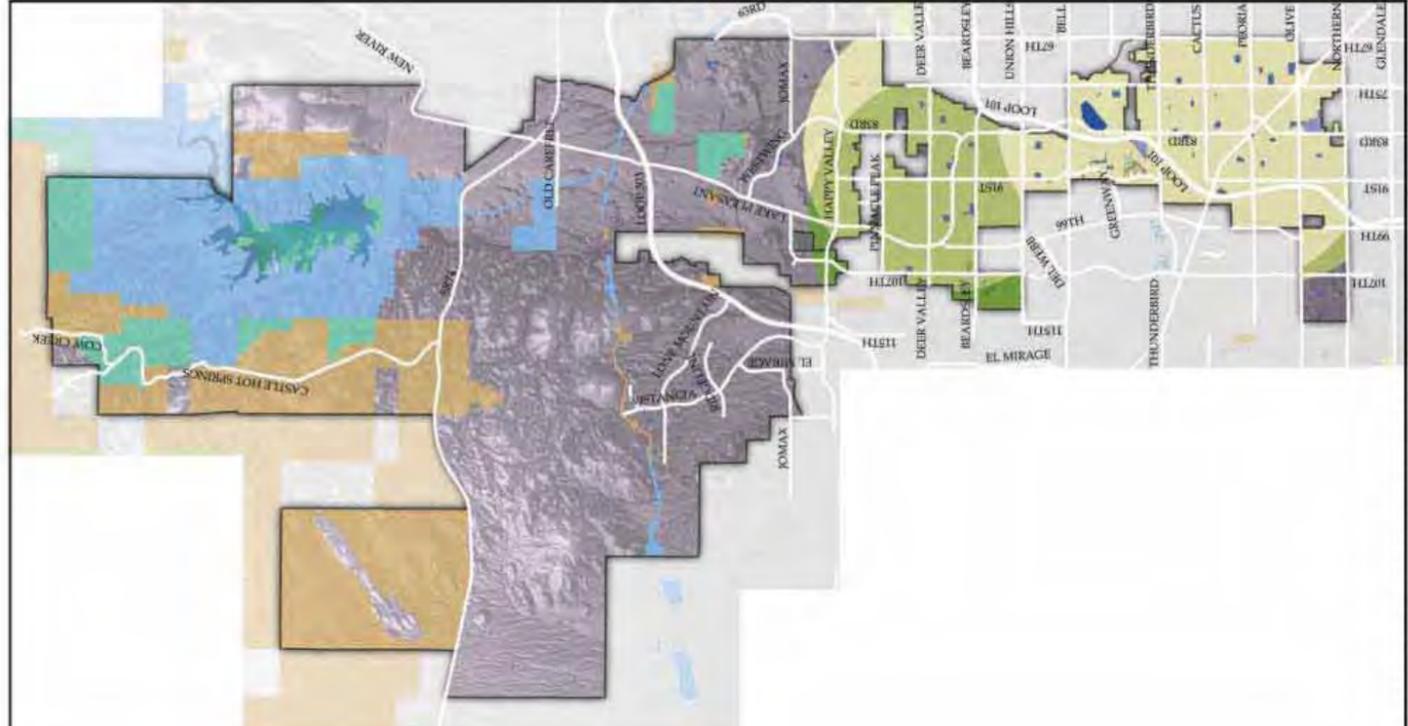
ACTILITIES - LEVEL OF SERVICE

AVERAGE LOS - PERCENTAGE

AVERAGE
PERCENTAGE
CONDITIONAL
SCORE



PEORIA LEVEL OF SERVICE - DETAIL



PEORIA LEVEL OF SERVICE - CITYWIDE

PUBLIC LANDS

- Bureau of Land Mgmt.
- Tonto N.F.
- Local or State Parks
- Luke A.F.B.
- Bureau of Reclamation
- County Land
- Game and Fish

PUBLIC RECREATION FACILITIES

- Basin
- Community
- Neighborhood

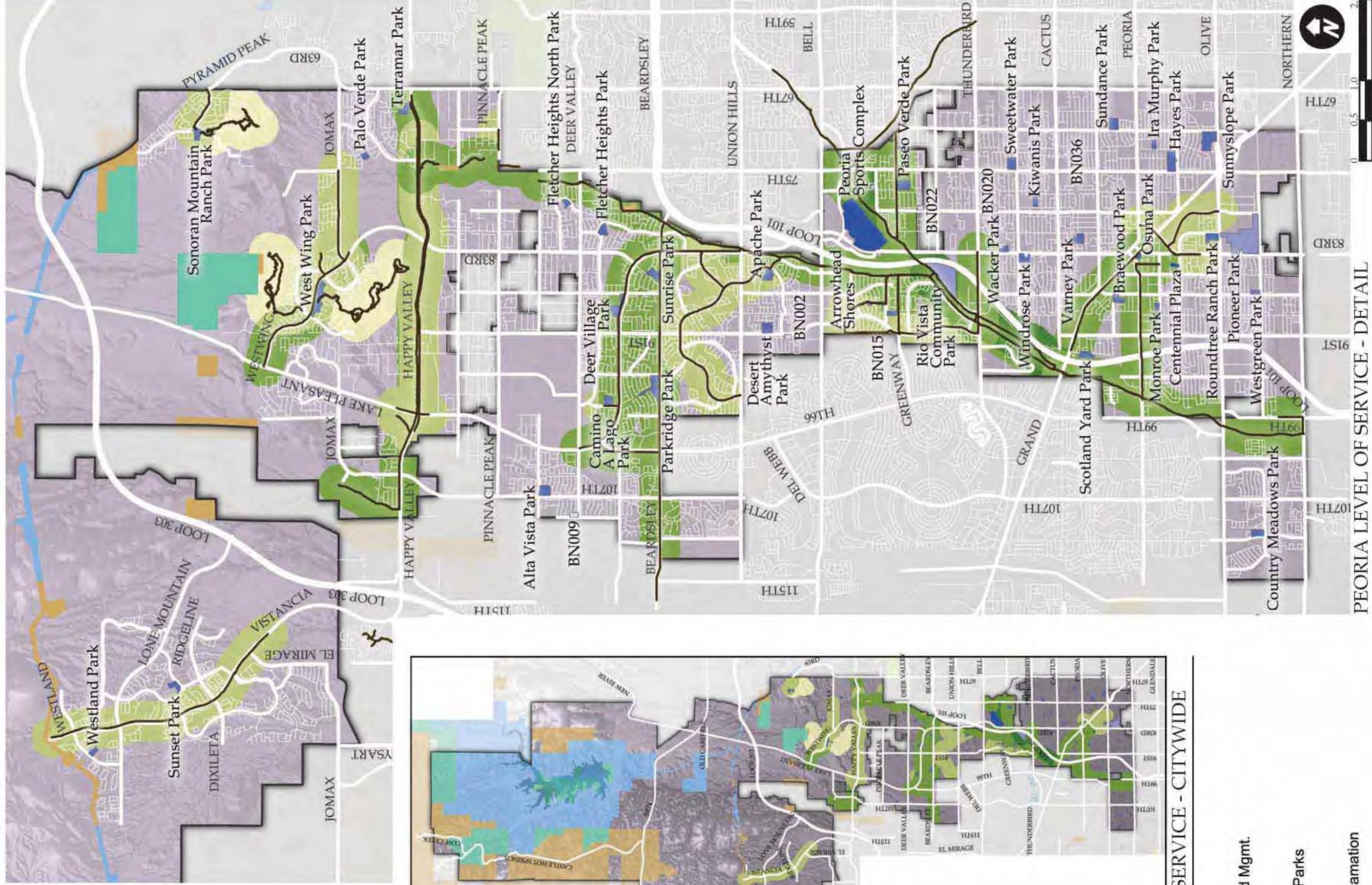


MAP - H

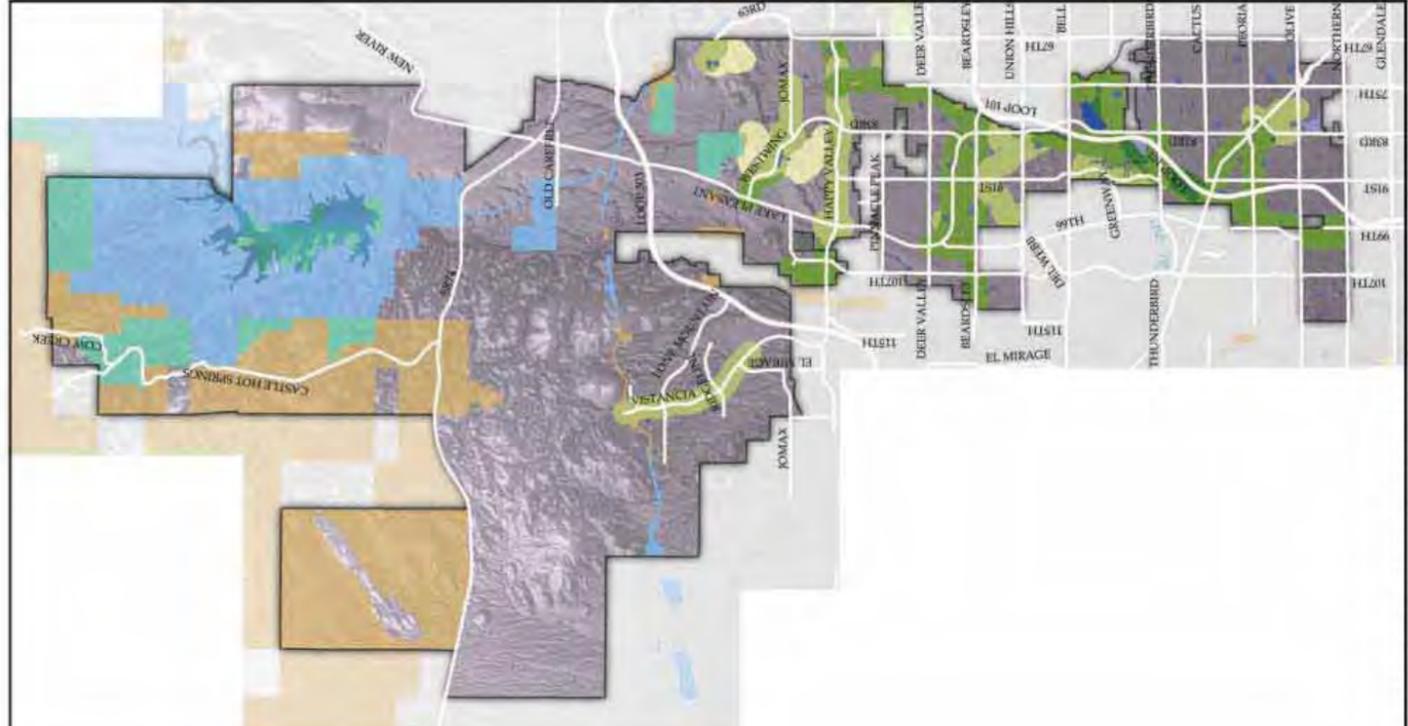
RAILS - LEVEL OF SERVICE

AVERAGE LOS - PERCENTAGE

AVERAGE
PERCENTAGE
CONDITIONAL
SCORE



PEORIA LEVEL OF SERVICE - DETAIL



PEORIA LEVEL OF SERVICE - CITYWIDE

PUBLIC LANDS

- Bureau of Land Mgmt.
- Tonto N.F.
- Local or State Parks
- Luke A.F.B.
- Bureau of Reclamation
- County Land
- Game and Fish

PUBLIC RECREATION FACILITIES

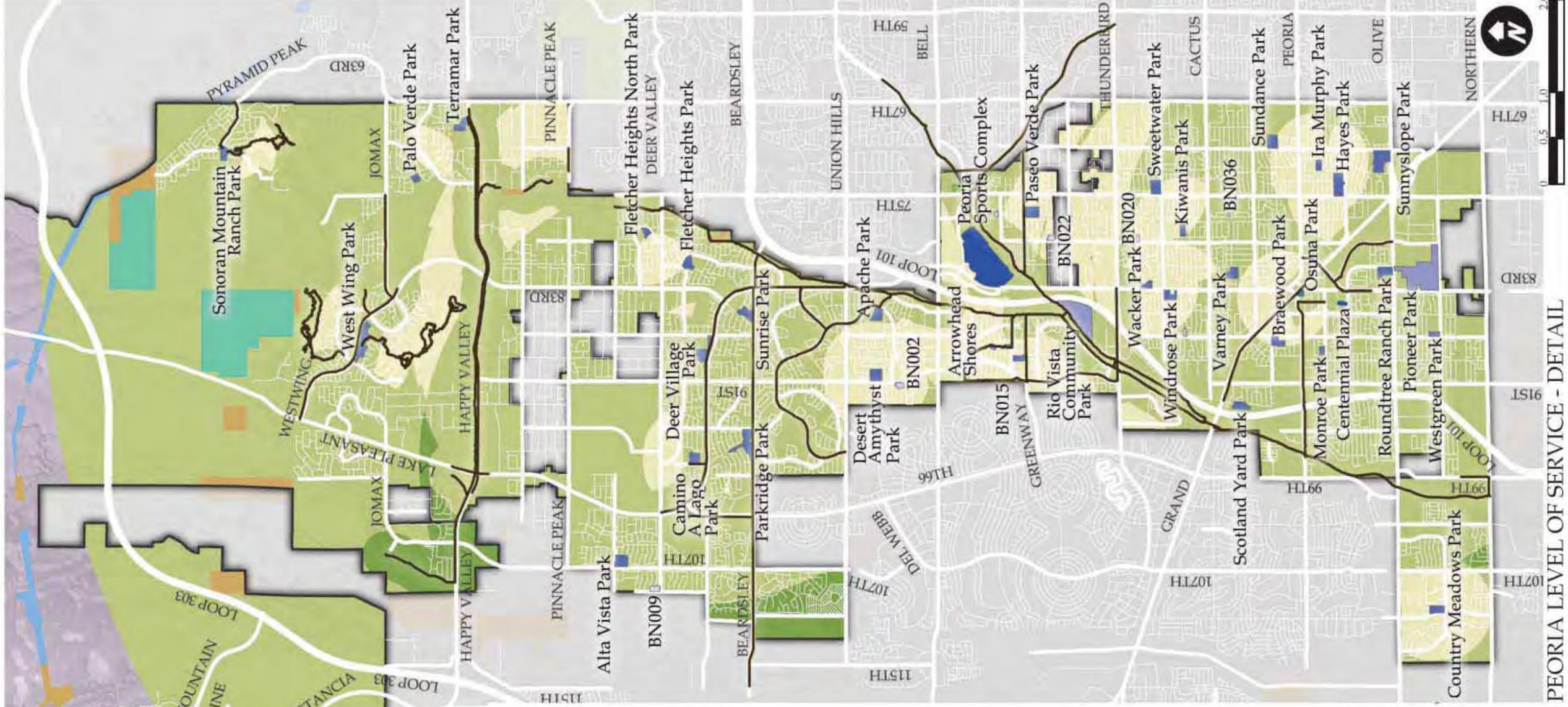
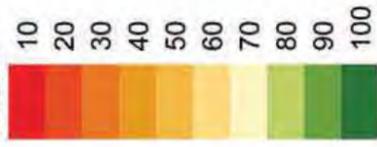
- Basin
- Community
- Neighborhood



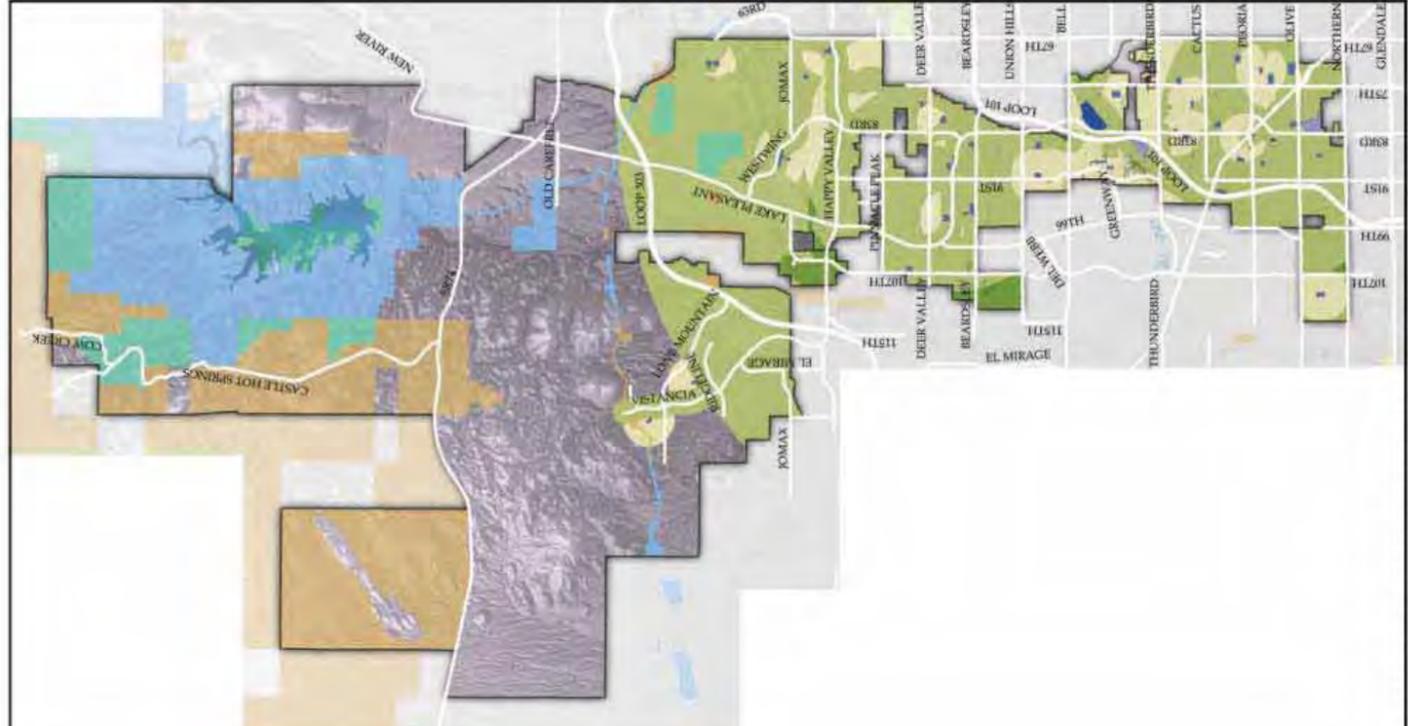
COMPOSITE - LEVEL OF SERVICE

AVERAGE LOS - PERCENTAGE

AVERAGE
PERCENTAGE
CONDITIONAL
SCORE



PEORIA LEVEL OF SERVICE - DETAIL



PEORIA LEVEL OF SERVICE - CITYWIDE

PUBLIC LANDS

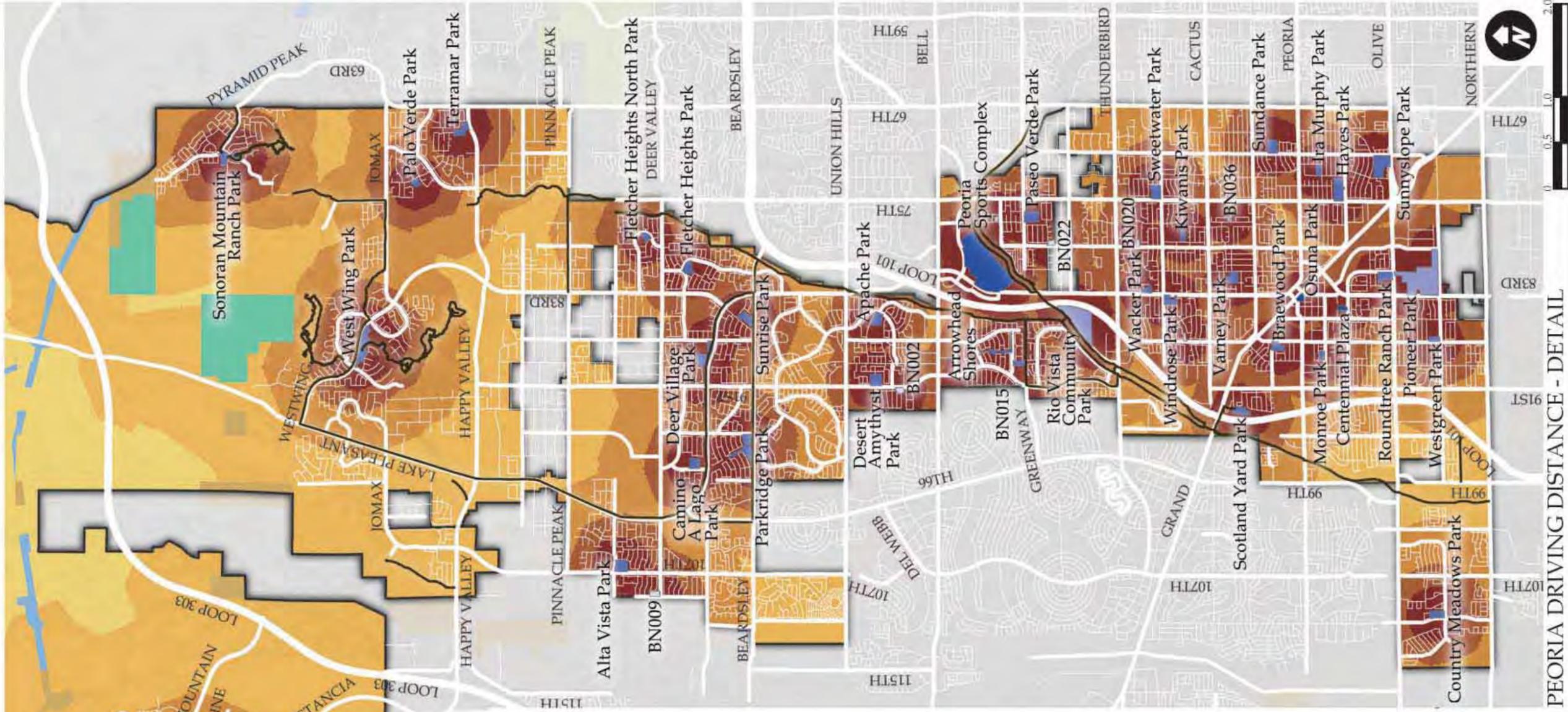
- Bureau of Land Mgmt.
- Tonto N.F.
- Local or State Parks
- Luke A.F.B.
- Bureau of Reclamation
- County Land
- Game and Fish

PUBLIC RECREATION FACILITIES

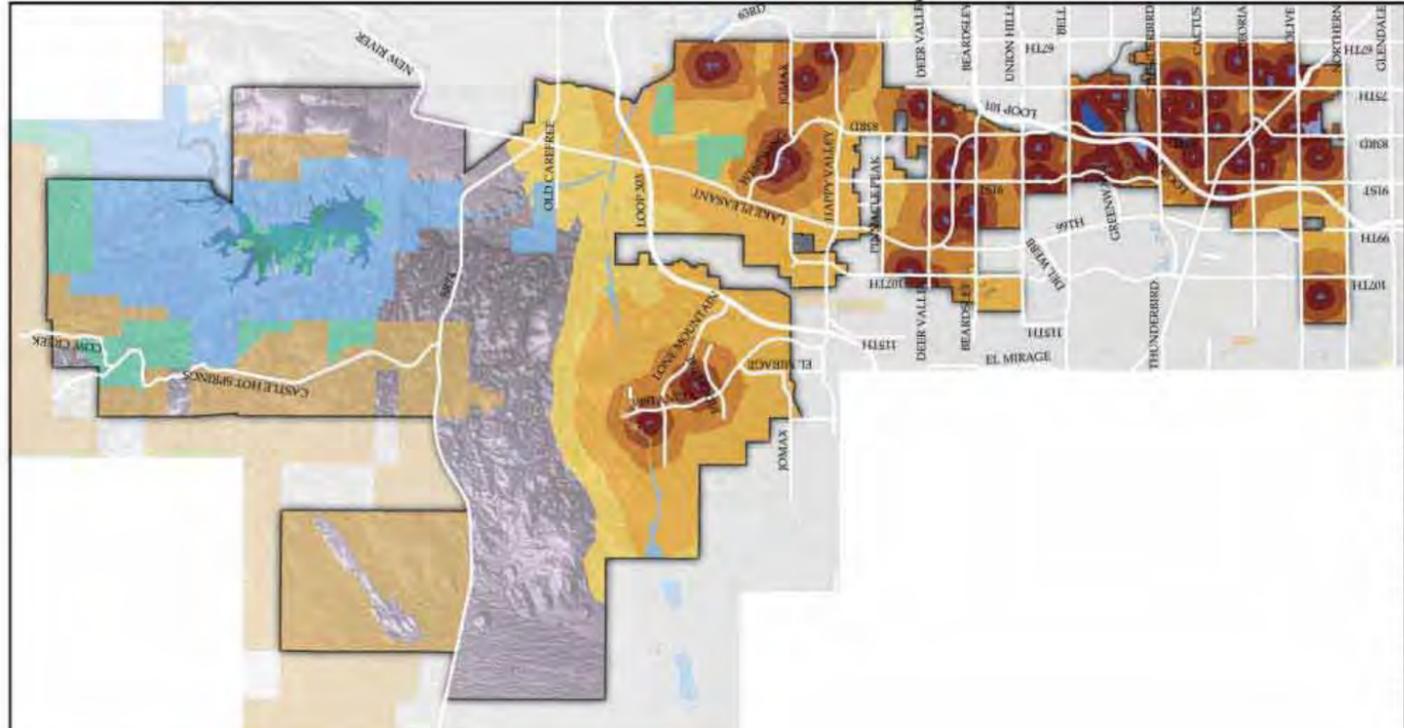
- Basin
- Community
- Neighborhood



ACCESS ANALYSIS - DRIVING DISTANCE



PEORIA DRIVING DISTANCE - DETAIL



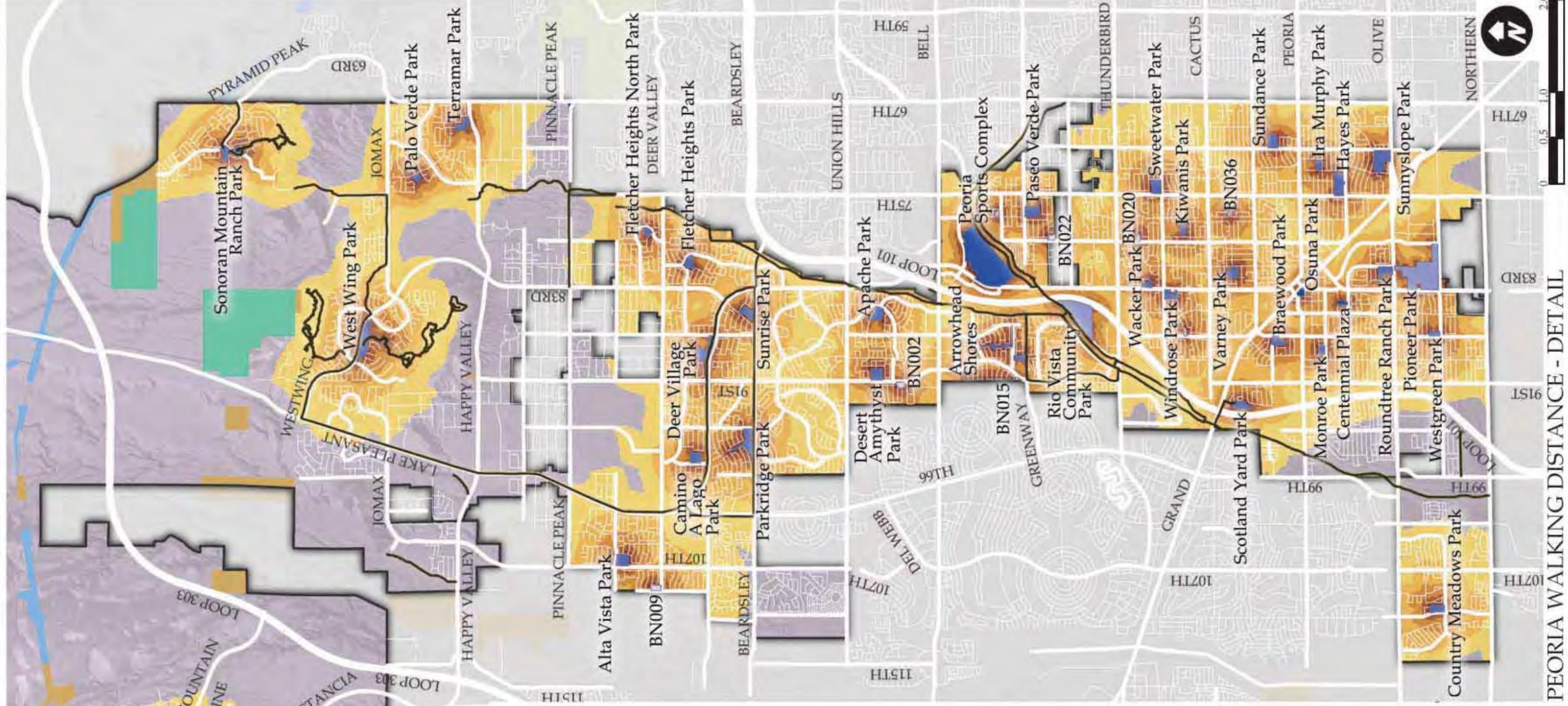
PEORIA DRIVING DISTANCE - CITYWIDE

DRIVING DISTANCE LEGEND

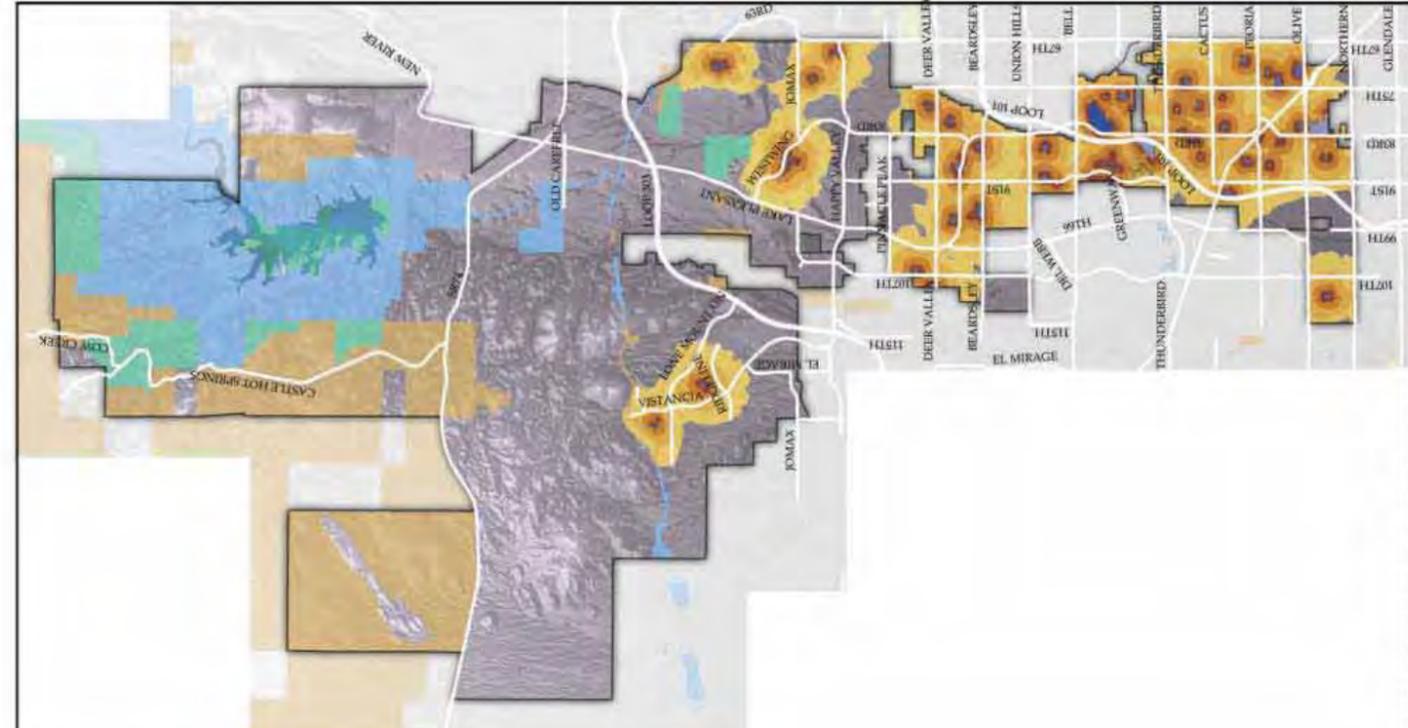
- 0 - 1/4 Mile
- 1/4 - 1/2 Mile
- 1/2 - 1 Mile
- 1 - 3 Miles
- 3 - 5 Miles

This map displays the distance by road from each park facility and provides a sense of the drive time to a park from points within Peoria. This provides a more realistic service area for the parks because it takes actual travel distance into account rather than a straight line distance from the park. For residents with access to a car or public transit this indicates how accessible the park facilities are to their home or work. All highways, major, and minor roads were included in this analysis. The distance intervals align with the service area radii used in the Level of Service maps.

ACCESS ANALYSIS- WALKING DISTANCE



PEORIA WALKING DISTANCE - DETAIL



PEORIA WALKING DISTANCE - CITYWIDE

WALKING DISTANCE LEGEND

- 0 - 100 Feet
- 100 - 500 Feet
- 500 - 1/4 Mile
- 1/4 - 1/2 Mile
- 1/2 - 1 Mile

This map displays the pedestrian access via road and trail to each park facility and provides a sense of the walking time to a park from points within Peoria. Major and minor roads, and trails were included in this analysis. Highways were excluded because they are not accessible by foot or bike. The distance intervals indicate a range of typical trip distances



Resource & Funding Analysis 11





RESOURCE & FUNDING ANALYSIS

Funding and Budgeting Overview

Budget Process

The City of Peoria operates on a July 1 - June 30 fiscal year (FY) and budgets on a one year cycle. The City maintains a long-range fiscal perspective through the use of an annual operating budget, 10-year capital improvement plans, and multi-year financial forecasting. The City Council adopts the annual budget after public hearing(s). Budget preparation and approval is an ongoing process that begins immediately after the budget adoption with monthly financial reporting of revenues and expenditures and financial projections for the current and subsequent fiscal years. At the midpoint of the fiscal year, the finance team engages in a midyear review of the current fiscal year budget and begins the process of developing the budget for the next fiscal year.

The City Council may modify appropriations of funds for projects at any time with majority approval. Changes in appropriations of funding during the year must be submitted by the City Manager to the City Council for review and approval, and must be accompanied by appropriate fiscal impact analysis. The level of expenditures is controlled at the General Fund level, and appropriations lapse at the end of each fiscal year unless re-appropriated by the City Council in the following fiscal year. The City Manager is authorized to transfer budgeted appropriations within the control accounts, including capital projects, provided no change is made to the total amount provided for any one fund.

Peoria's budget is based on the following strategic objectives established by Council to guide financial and operational decisions to achieve community expectations.

- Community Building
- Enhancing Current Services
- Preserving our Natural Environment
- Total Planning
- Economic Development
- Leadership and Image

The strategic budgeting approach requires the directors of each department to consult with their team to evaluate trends, options and opportunities to address the citizen's needs. The budget process includes an analysis of the true cost of delivering services to the community. The directors and their staff are responsible for aligning budget requests with the Council's strategic goals in order to identify the performance criterion.

In regard to cost recovery through user fees, the City establishes and maintains a master schedule of fees for market-based transactions, with fees and charges set at a level that recovers the complete cost of all direct and indirect activity costs and all overhead costs, for most services unique to the City of Peoria. For all services offered in a competitive, market-based economy or for services having partial cost recovery objectives, cost recovery ratios may vary according to policy objectives.

Funding Sources

The City of Peoria uses a variety of revenue sources to fund its services and expenditures. These include general property taxes, sales taxes, fees associated with licenses and permits, interest and rents, charges for services, court and traffic fines and other taxes and revenues. **Figure 11.1** is a comparative breakdown of the percentages of these sources for the City's FY 2010 through 2014 budgets.

Through this period of economic recovery, Peoria has experienced a decline in overall revenues over the past four years. Despite the decline in revenues, Peoria has seen a slight increase in General Fund revenues and has maintained a level of stability with its funding sources mainly relying on taxes, most notably property and sales taxes, and intergovernmental revenues through the state shared sales tax and urban revenue sharing which comprise 72% of the General Fund revenues in the adopted FY 2014 budget. Also, 94% of the General Fund revenues in the FY 2014 budget come from five sources as depicted in **Figure 11.2**. Peoria's revenue sources include a variety of Enterprise Funds; the Sports Complex Fund and Impact Fee Fund specifically provide an additional source of revenue for the Community Services Department.

The City has began to see the results of the slow economic recovery in FY 2013, as projected general fund revenues grew 4% over FY 2012. A few factors combine to create a more positive revenue picture: the first signs of sales tax growth in three years; fractional upticks in building permits and plan checking and the increase in intergovernmental revenue sharing. With the growth in development, FY 2014 should reflect additional signs of recovery through the increase in City revenues.

General Financial Outlook

Peoria is in a similar position to many of its peer cities in Arizona. The overall economic outlook for the State and Peoria are better than in the last fiscal year but it is anticipated that the recovery in the area will come slowly. Based on the FY 2014 budget, sales taxes, while no longer stagnant are expected to exceed projections by 4% and are forecasted for a modest 2% growth. Property taxes continue to be impacted by the local housing market. Assessed valuations are expected to increase in FY2014 and result in the growth of property tax collection. The City is projecting modest growth over the next 3 to 5 years which is prudent based on all the economic indicators.

Figure 11.1 - City of Peoria General Fund Revenues (FY 2010– 2014)

General Fund Revenues (%GF)	FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2013 Estimate	FY 2014 Budget
Taxes	39.17%	39.38%	40.20%	39.71%	39.23%
Charges for Services	21.62%	22.73%	22.71%	22.54%	21.89%
Fines and Forfeitures	2.59%	3.07%	2.53%	1.90%	1.99%
Interest Income	0.52%	0.28%	0.19%	0.17%	0.16%
Intergovernmental	33.38%	30.13%	30.55%	32.42%	33.32%
License and Permits	1.64%	1.81%	2.11%	2.17%	2.07%
Miscellaneous	0.64%	2.15%	1.22%	0.70%	0.64%
Rents	0.43%	0.44%	0.49%	0.39%	0.60%
Revenues- Special Events	N/A	N/A	N/A	N/A	0.10%

Figure 11.2 - City of Peoria Major Revenue to the General Fund (FY 2010– 2014)

Major Revenue (%GF)	FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2013 Estimate	FY 2014 Budget
Sales Tax	31.50%	31.75%	33.23%	33.39%	34.36%
Intergovernmental Revenue	33.38%	30.13%	30.55%	32.42%	33.32%
Charges for Service	21.62%	22.73%	22.71%	22.54%	21.89%
Franchise Tax	4.10%	4.20%	4.10%	3.90%	2.70%
Property Tax	3.27%	3.06%	2.53%	2.70%	1.87%
Total	93.87%	91.87%	93.12%	94.95%	94.14%

Budget Overview

City Budget

The City's proposed budget for FY 2014 projects total expenditures to be \$468,000,000, which is a decrease of 1.0% from the estimated expenditures for FY 2013 (\$473,000,000) and a 12.5% decrease from the FY 2010 budget as depicted in **Figure 11.3**.

Community Services Department Budget

Peoria's Community Services Department's total FY 2014 budget is \$27,140,050, which is a 0.08% increase from the estimated FY 2013 budget and almost 8.5% below the peak comparable set in FY 2009. Funding for the Community Services Department decreased after FY 2009 but has experienced a modest increase over the past two fiscal years.

The Department uses a variety of revenue sources to fund its services and expenditures. These include taxes, fees and permits, licenses,

charges for services, fines and forfeits, grants, impact fees, and the enterprise fund for the Peoria Sports Complex. In addition, Peoria's Capital Improvement Plan has successfully funded several major improvements for the Department. In 2013, Pioneer Community Park was constructed per the capital improvement plan.

In order to fund the reinvestment and development of existing and future facilities, the City enforces impact fees for parks, trails and open space improvements as depicted in **Figure 11.4**. It is important to note that impact fees are "banked," unless a specific project has been identified for that fiscal year. The Peoria Sports Complex Fund provides a significant share of the revenue to operate the Sports Complex facility and is specifically dedicated to the day-to-day operations and maintenance. See **Figure 11.5**.

The Department's diversity of funding sources is a benefit for the department moving forward. Another benefit is an established

Figure 11.3 - City of Peoria Overall Budget (FY 2010– 2014)

Fiscal Year	FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2013 Estimate	FY 2014 Budget
Operations	\$207,400,00	\$204,100,000	\$207,300,000	\$218,700,00	\$228,907,176
Capital Projects	\$199,400,00	\$139,300,000	\$158,100,000	\$170,400,00	\$154,119,932
Debt Service	\$66,500,000	\$57,400,000	\$43,600,000	\$40,700,000	\$41,522,892
Contingency	\$61,700,000	\$54,300,000	\$51,000,000	\$43,200,000	\$43,450,000
Total Expenditure	\$535,000,000	\$455,000,000	\$460,000,000	\$473,000,00	\$468,000,000
Percent Change	-21.0%	-14.9%	-1.0%	2.8%	-1.0%

Figure 11.4 - Community Services Department Impact Fee Fund (FY 2010 – 2014)

Fiscal Year	FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2013 Estimate	FY 2014 Budget	Percent of Budget
Neighborhood Park Development Fee	\$618,336	\$433,825	\$774,396	\$1,025,927	\$853,146	53%
Park/Recreation Dev Fee	\$391,806	\$374,357	\$576,241	\$745,717	\$620,046	38%
Open Space Dev Fee	\$55,431	\$46,624	\$31,784	\$0	\$0	0%
Trails Dev Fee	\$96,759	\$62,562	\$46,021	\$0	\$0	0%
Library Dev Fee	\$109,019	\$91,055	\$141,803	\$167,479	\$139,194	9%
Total	\$1,271,351	\$1,008,423	\$1,570,245	\$1,939,123	\$1,612,386	

Figure 11.5 -Community Services Department Sports Complex Fund (FY 2010 – 2014)

Fiscal Year	FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2013 Estimate	FY 2014 Budget	Percent
Charges for Services	\$1,312,592	\$1,204,478	\$1,271,361	\$1,261,487	\$1,318,142	45%
Rents	\$1,571,860	\$1,424,837	\$1,484,343	\$1,473,163	\$1,598,500	55%
Total	\$2,884,452	\$2,629,315	\$2,755,704	\$2,734,650	\$2,916,642	

higher portion of funding going to operations and maintenance of existing facilities. It will be necessary to increase funding for the operations and maintenance as new facilities are delivered. For example, in FY 2014 the Sports Facilities budget has increased to allow for the addition of staff to manage the new Pioneer Community Park. The net effect of these trends has allowed the Department to maintain service to the existing programs, services and facilities through the recent economic recession.

Community Services Department provides through the Rio Vista Recreation Center, Peoria Community Center and the Libraries for public benefit which ultimately impacts the total cost recovery of the department.

Peoria's combined Community Services Department's total FY 2014 budget is depicted in **Figure 11.6**. The cost of service budgets (**Figure 11.7**) highlight the specific delivery of programs and services to meet the community's needs. The cost of service delivery reflects the primary market needs that Peoria focuses on, such as youth services (AM/PM program, summer programs and youth sports), and the regional draws such as spring training and sports tournaments. It is also important to note the civic services the

Figure 11.6 - Community Service Department Budgets (FY 2010 – 2014)

Fiscal Year	FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2013 Estimate	FY 2014 Budget	Percent of Budget
Personal Services	\$12,742,653	\$12,107,228	\$11,582,203	\$13,137,940	\$14,111,526	52%
Contractual Services	\$9,571,161	\$9,047,278	\$9,438,104	\$10,057,275	\$10,761,995	40%
Commodities	\$1,507,963	\$1,578,477	\$1,626,803	\$1,777,027	\$1,931,529	7%
Capital Outlay	\$99,887	\$61,775	\$87,928	\$2,145,711	\$335,000	1%
Total	\$23,921,664	\$22,794,758	\$22,735,038	\$27,117,953	\$27,140,050	
Percent Change	-11.07%	-4.71%	-0.26%	19.28%	0.08%	

Figure 11.7 - Community Services Department Cost of Service Budgets (FY 2010 – 2014)

Fiscal Year	FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2013 Estimate	FY 2014 Budget	Percent
Administration	\$914,302	\$780,930	\$599,231	\$1,338,095	\$1,408,295	5.19%
Rec-Youth Programs	\$5,746,582	\$5,367,298	\$5,482,057	\$4,969,189	\$5,210,905	19.20%
Rec-Adult Programs	\$189,621	\$166,659	\$190,779	\$614,627	\$657,901	2.42%
Rec-Special Populations	\$583,656	\$560,087	\$539,315	\$639,650	\$722,243	2.66%
Rec-Facilities	\$1,716,832	\$1,788,525	\$1,801,637	\$2,062,725	\$2,167,549	7.99%
Rec-Special Events	\$261,401	\$278,006	\$480,418	\$587,527	\$463,155	1.71%
Parks	\$4,469,249	\$4,376,965	\$4,417,604	\$4,824,686	\$4,974,107	18.33%
Sports Facilities	\$5,476,658	\$5,111,589	\$5,069,838	\$7,363,373	\$6,543,366	24.11%
Libraries	\$4,275,520	\$4,089,933	\$3,864,442	\$4,219,591	\$4,402,457	16.22%
Arts Commission	\$204,449	\$224,766	\$193,754	\$223,489	\$230,072	0.85%
Percent for Art	\$85,192	\$50,000	\$95,985	\$275,000	\$360,000	1.33%
Total	\$23,923,462	\$22,794,758	\$22,735,060	\$27,117,952	\$27,140,050	
Percent Change	-11.06%	-4.72%	-0.26%	19.28%	0.08%	

Capital Improvement Funding

Capital improvement funds are intended for major physical improvements or a non-recurring betterment to the physical property of the City, which differentiates from ordinary repairs or maintenance. These funds have fluctuated significantly over the past five years from a range of \$29 million in FY 2010 to 64 million in FY 2013 and are projected at \$46 million for FY 2014. Peoria's capital funds are primarily developed through General Obligation Bonds, Municipal Development Authority Bonds and Impact Fees. However, given the slow economic recovery, the increase in development and the collection of development impact fees (revised criteria based on A.R.S. §9-463.05 for Development Impact Fees (DIF) dedicated to parks and recreation) will slowly improve over the next few years. A bond referendum would be timely to serve as a catalyst for the improvements. However, for future planning it will be important to align the impact fee levels with the funding required for recommended parkland acquisition and facility development. See **Figure 11.8**.

Cost Recovery Analysis

In order to make comparison to Community Services Departments throughout the country, the average cost recovery (revenue over expenses) level for the Department was calculated (**Figure 11.9**). This calculation shows the average cost recovery level from 2010-2014 is 39% (based on gross revenues from the General Fund and revenues from the Sports Complex Fund, it does not include revenues from the Impact Fees Fund), with a remaining subsidy level of 61%. This number has remained consistent over the past five years from FY 2010 to FY 2014. Examples across the country show a wide range of subsidy levels or tax investment, from 15% to 80% and higher, depending upon the mission of the organization, construction funding payback, operation funding availability, the community's philosophy regarding subsidy levels and user fees, and the structure of agency budgets. As depicted in **Figure 11.9**, the Department has been recovering modest revenue over the past few years as the economy has slowly improved and household financial belts are showing signs of loosening.

Budget and Funding Analysis

It is important to recognize the many benefits that Peoria's Community Services Department provides the community, including economic (business attraction and recreation tourism), health, environmental and quality of life advantages. The value that the community places on parks, recreation and leisure is strongly illustrated by the satisfaction levels indicated on the Community Survey (see the Community Survey section for more information). Considering these values, as well as the City's growing need for additional parks and facilities, increasing costs for utilities and maintenance, and the growing demand for programs and services, the City needs to plan a budget to support these additional services, capital investments and increasing costs.

The City's managed park acreage (including open space) per thousand residents equates to a Level of Service (LOS) of 9.9 acres/1,000 residents, which is above the 2012 median of similar agencies participating in PRORAGIS of 9.1 acres/1,000 residents. But when the open space areas are removed from the equation the actual developed park acreage per thousand falls under the national averages (3.61 acres/1,000). The City's current ratio elicits questions about the need for a dedicated and/or an additional funding source for parkland acquisition, park and facility development, and facility operations and maintenance. Given the amount of land and infrastructure that the Department maintains, as well as the many needs and desires for capital development for new recreation facilities and amenities, it is going to be increasingly important to work to establish a steady stream of funding for the Department.

Although Department funding has remained consistent, it is evident that in the future, in order to keep the City on pace with other progressive community service providers and to provide recreation 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 and recreation and/or higher or additional fees.

Figure 11.8 - Capital Improvement Funding (FY 2010 – 2014)

Fiscal Year	FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2013 Estimate	FY 2014 Budget
Capital Improvement Budget	\$29,312,335	\$35,398,518	\$56,849,824	\$64,574,050	\$46,155,168

Figure 11.9 - Community Services Department's Cost Recovery (FY 2010 – 2014)

Fiscal Year	FY 2010 Expenses	FY 2010 Revenue	FY 2010 Cost Recovery	FY 2011 Actual	FY 2011 Revenue	FY 2011 Cost Recovery	FY 2012 Actual	FY 2012 Revenue	FY 2012 Cost Recovery	FY 2013 Estimate	FY 2013 Revenue	FY 2013 Cost Recovery	FY 2014 Budget	FY 2014 Budget Revenue	FY 2014 Cost Recovery
Administration	\$914,302			\$780,930			\$599,231			\$1,338,095			\$1,408,295		
Rec-Youth Programs	\$5,746,582	\$4,542,054	79%	\$5,367,298	\$4,394,975	82%	\$5,482,057	\$4,527,970	83%	\$4,969,189	\$4,396,966	88%	\$5,210,905	\$4,252,334	82%
Rec-Adult Programs	\$189,621	\$69,337	37%	\$166,659	\$71,825	43%	\$190,779	\$81,649	43%	\$614,627	\$484,309	79%	\$657,901	\$835,072	127%
Rec-Special Populations	\$583,656	\$525,697	90%	\$560,087	\$501,466	90%	\$539,315	\$457,433	85%	\$639,650	\$443,403	69%	\$722,243	\$446,420	62%
Rec-Facilities	\$1,716,832	\$1,041,889	61%	\$1,788,525	\$1,047,941	59%	\$1,801,637	\$1,112,347	62%	\$2,062,725	\$1,114,373	54%	\$2,167,549	\$1,148,613	53%
Rec-Special Events	\$261,401	\$139,160	53%	\$278,006	\$145,795	52%	\$480,418	\$197,594	41%	\$587,527	\$270,750	46%	\$463,155	\$269,500	58%
Parks	\$4,469,249	\$53,456	1%	\$4,376,965	\$41,386	1%	\$4,417,604	\$28,890	1%	\$4,824,686	\$42,000	1%	\$4,974,107	\$42,000	1%
Sports Complexes	\$5,476,658	\$2,930,107	54%	\$5,111,589	\$2,678,527	52%	\$5,069,838	\$2,828,696	56%	\$7,363,373	\$2,792,650	38%	\$6,543,366	\$3,210,502	49%
Libraries	\$4,275,520	\$269,222	6%	\$4,089,933	\$281,919	7%	\$3,864,442	\$295,910	8%	\$4,219,591	\$275,500	7%	\$4,402,457	\$289,122	7%
Arts Commission	\$204,449			\$224,766			\$193,754			\$223,489			\$230,072		
Percent for Art	\$85,192			\$50,000			\$95,985			\$275,000			\$360,000		
Total	\$23,923,462	\$9,570,922	40%	\$22,794,758	\$9,163,834	40%	\$22,735,060	\$9,530,489	42%	\$27,117,952	\$9,819,951	36%	\$27,140,050	\$10,493,563	39%
Percent Change	-11.06%			-4.72%			-0.26%			19.28%			0.08%		

Dr. John Crompton from Texas A & M, a leading educator and researcher on the benefits and economic impact of leisure services indicates that the national average of cost recovery is around 34%. Based on this information, the Department's cost recovery in the adopted FY 2014 budget (39%) is above the national average. Although there is always room for improvement, it is important to consider that this is not only affected by the macro economy but also community and political values of fee levels. Regardless, there are some program areas that could increase revenue generation through the creation of new fees, new assessments or adjusting fee levels. Please see the Recreation and Library Programming Analysis Section for further a sampling comparison of fees in neighboring jurisdictions.

Yet, it is important to consider that the stability of revenues is somewhat uncertain given the slow economic recovery, which has resulted in decreasing property values, limited credit capacity, rising energy and operations costs, and declining consumer spending, all which will still have potential impacts on future tax revenue. In addition, the populace may be more reluctant during the economic recovery 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 also be proactive in identifying, seeking out and supporting matching funds for grants and alternative funding (see the Appendix for suggested sources).

Lastly, cost recovery policies, detailed reporting, and tracking should be maintained. 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. The cost recovery tracking will increase cost recovery levels and revenue to the department. In addition, 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.

Key Findings

Despite the slow economic recovery that the country and region are facing, the City has been fortunate to maintain relatively steady operations due the City Council's prudent and conservative financial planning and the leadership of the Administration. There were positive trends established for the department. Specifically, the department has been able to maintain their Level of Service (LOS) with reduced funding and reduced reliance on the General Fund. Restructuring and a renewed focus at the Administrative level has allowed the Department to hold the line and continue to serve with very limited and restrictive resources.

The City of Peoria serves an estimated population of 158,135 and likely also residents of Glendale and Sun City. Peoria manages 1991.8 acres of parkland (including open space), and has a healthy capital budget (\$12,870,491) amongst the peer benchmark cities (See the Benchmarking Analysis Section). It is critical that Peoria maintain the capital improvement budget to construct new facilities and replace aging amenities and establish a steady funding

source in order to increase the Community Services Department's budget for operations and maintenance.

Peoria's 2014 cost recovery percentage (39%) is comparable to the agencies polled with Lakewood, Colorado and Mesa, Arizona having the highest at 54%. Peoria's rate is above the national average of 34% for cost recovery (Dr. John Crompton, Texas A&M University). The City should continue to explore opportunities to increase the cost recovery through additional or increased fees, which will release funding for additional programs, services and facilities. In addition, the City of Peoria will implement a revised impact fee structure per A.R.S. §9-463.05 for fees dedicated to parks and recreation to supplement the funding sources for capital projects and operations. The stable financial position of the City of Peoria provides a solid foundation for the Department to increase reinvestment in facilities, programs and services as the economy improves.



Service, Management & Operations Analysis 12





SERVICE, MANAGEMENT & OPERATIONS ANALYSIS

Department Overview

The Community Services Department provides valuable quality of life programs, operations and services to Peoria's citizens through parks, recreation programming, special events and library services. The department not only organizes, promotes and hosts special events and recreation classes, but also is responsible for the library collection and maintaining parks and trails. According to the National Citizens Survey, the parks and recreation programs offered by the City are rated above the national benchmarks, which reflect on staff, who promote and support those quality of life amenities. To meet future demand the Department will need to expand smartly and in key areas to support additional facilities and programs as they come on line, whether they are parks, trails or libraries, staff will be needed in all divisions.

Overall Organizational Structure & Staffing

The department is led by a director, currently John Sefton, with four full time and two part-time administrative staff and divided into four divisions with a manager for each of those divisions. As of March 2013, there were a total of 109 full-time employees and 32 part-time (with benefits) employees divided into the four divisions (with 7 vacant positions), see **Figure 12.1**. Additional FTE's were added to the budget in 2013 FY for the Sports Facilities Division to cover operations at Pioneer Community Park when it opened in late 2013. There are also multiple situations where seasonal or part time (without benefits) employees (PTNB) are employed in order to maintain the high level of quality and customer service the public expects, whether for special events, seasonally or on a consistent basis throughout the year. Parks, Recreation, Sports Facilities and Library Services all operate very different programs but are often required to work together to prepare for an event or organize recreation or library programming in parks or at the Sports Complex.

Figure 12.1 – Community Services Department Organization Chart



Parks Division Staff & Resources

The Parks Division of 28 employees (25 full-time positions (with three currently vacant), and 4 part-time positions) is currently led by one Manager, Kirk Haines, one Parks Supervisor (South), and a ROW Contract Coordinator. The North Parks Supervisor position is currently vacant. In addition to the management staff, there are Parks Crew Leaders, Parks Worker IIIs, Parks Worker IIs, and part-time Parks Worker Is, as well as two specialized technicians in Irrigation and one in Graffiti Abatement. The organization of the Parks Division allows for each of the Parks Supervisors, Crew Leaders and Workers to do more than one job and accomplish various tasks without having to wait on someone else. In addition to the full and part-time (with benefits) employees, this division also relies on seasonal staff (PTNB) from March to October to meet the demand of the growing season and high volume of recreational programming on ball fields.

Parks staff currently handles maintenance in all of the park facilities as well as the majority of the water quality basins, all trails, open space, the Old Town Peoria streetscape and graffiti abatement city-wide (the Sports Complex and Rio Vista Community Park fall under the Sports Facilities division). The division also contracts with a private provider for the landscape maintenance in rights-of-way, 12 retention basins and the City Hall campus. The Parks Division is also responsible for helping with weed mitigation and irrigation maintenance at the fire stations but the maintenance of the landscape is the responsibility of the Fire Department at this time, though staff will often assist. The current structure of the division is partially a result of the recent economic downturn, as the City maintained knowledgeable and long-term staff and did not replace staff in Worker I and Worker II positions. Also see the Operations and Maintenance Analysis section for a detailed evaluation of this Division and its maintenance operations.

Parks Division Analysis

Strengths

- Longevity of the staff.
- Each employee has the ability, training and authorization to do more than one task within the park (i.e. not just mowing all day, every day). Staff appreciates this format, as it allows them to do something different every day, take ownership in the parks they maintain and prevents burnout.
- Knowledgeable staff.
- When talking with staff, they felt that they were well-trained and had the certifications and education necessary to complete their jobs.
- Maintenance contracts on non-core facilities such as rights-of-way and detention basins allow staff to focus on park and trail facilities.

Challenges and Opportunities for Improvement

- Staff is currently very top-heavy with lots of experienced employees and no one for them to mentor and share their knowledge which also reduces the opportunity for promotion within the Division.
- Additional safety seminars (or casual “tailgate” sessions in a park), maintenance method education and educational presentations about products within the systems or methods by product representatives.
- Operations in northern Peoria requires substantial drive time from the Municipal Operations Center (MOC) in South Peoria. Reduce windshield time.
- Streamline opening/closing of parks to minimize impacts on workload and improve efficiency.
- Maintain the focus on parks and trails and the quality of those facilities.
- Improve trimming/forestry schedule – dedicated staff or contract the services.

Recreation Division Staff & Resources

The Recreation Division of 48 employees (39 full-time positions, (with one vacancy) and 9 part-time) is led by a Recreation Manager, currently Brenda Rehnke. The supervisor team includes nine supervisors, including three Recreation Supervisors, Aquatics Supervisor, Teen Supervisor, Rio Vista Recreation Center Manager, Special Interest Class Supervisor, Financial Systems Supervisor and Special Events Supervisor. Beyond these managers and supervisors, there are multiple Recreation Coordinators, Recreation Programmers and Recreation Specialists as well as Custodians for Rio Vista, an Aquatics Maintenance Specialist, Administrative Assistants and Customer Service Representatives. The Division also hires PTNB staff to support all recreation programs and facilities. This division coordinates and schedules a diverse selection of programs and manages recreational facilities for community members, including:

- Aquatics programs and pools
- Pre-school program at the Sunrise Family Center
- AM/PM programs at the elementary schools
- Summer Recreation programs for Tiny Tots and Grades 1-5
- Summer Camps at the elementary schools
- Teen programs
- Outdoor Recreation
- Special interest classes for youth and adults
- Sports leagues and individual sport opportunities for both youth and adults
- Adaptive programming for members of the community with disabilities
- Senior Programs
- Special Events
- Rio Vista Recreation Center
- Peoria Community Center

The programs offered by the Community Services Department are well-attended and positioned to maximize the physical spaces available, including parks, ball fields, swimming pools, school gyms, and meeting rooms at Rio Vista Recreation Center and the Peoria Community Center. While the public feels that the City is meeting their needs and providing programming they use, as the community's population grows, the facilities will also need to expand in order to grow the programming to support that population; otherwise the level of satisfaction will decrease.

Recreation Division Analysis

Strengths

- Comprehensive selection of programs.
- Passionate and talented staff coordinating the programming and facilities.
- The central location of the Community Services Department is beneficial for communication among staff.
- Staff noted they work with great people and there is substantial longevity in the department, which creates a solid base of institutional knowledge.
- Staff's willingness to jump in and help when needed.
- Newly remodeled community center is drawing multiple age segments.
- Strong partnerships for successful programs, including:
 - Special Olympics
 - Youth sports leagues
 - Peoria Unified School District
 - Area businesses

Challenges and Opportunities for Improvement

- With staff longevity, it is difficult for upward mobility or lateral position changes.
- There is no set training program, which may not be necessary, as mentoring is fairly prevalent for those who want to learn.
- Facilities (indoor and parks) are at capacity and there are not enough facilities to expand programming.
- Additional staff to assist during peak times:
 - Adding seasonal or part time Customer Service Representatives positions (for work at the administration office customer counter) for the seven intensely busy months,
 - 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,
 - Add a full-time maintenance technician for the pools and evaluate the need to reclassify the current maintenance position to a Maintenance Coordinator,

- Additional marketing support,
- Add more part-time staff to cover customer service at ball fields on the weekends.
- Improve coordination between programs, divisions and even within the office.
 - 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.
 - Programming for ball fields and facilities (ramadas and ball fields) and the necessary maintenance is a fine balancing act between maximizing the facilities and over-programming. Coordination between the programming and rental groups and the parks maintenance staff needs to be enhanced in order to make sure there aren't conflicts between users and the maintenance staff. The coordination will ensure the facility can handle the user load and turnover and also the maintenance staff will not be spraying, mowing or trimming during someone's event at a ramada.
- Develop a flexible budget item to take care of immediate needs and accommodate changes in programming opportunities. This is especially a concern when staff needs to spend money to initiate a program but the income from the program will cover the expense after commencement.
- Evaluate revenue streams – should some of the revenue from sports or recreation programs go back into the same type of programming?
- Coordination between sports programming and parks maintenance staff regarding quality and delineated tasks on ball fields.

Sports Facilities Division Staff & Resources

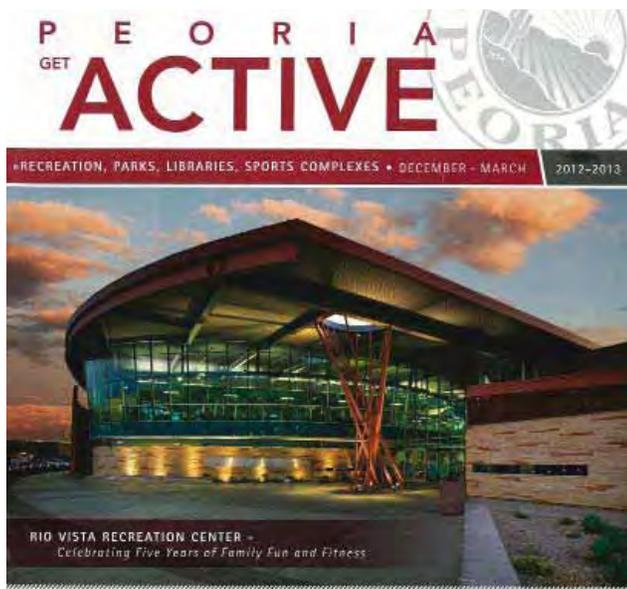
The Sports Facilities Division of 24 full time employees (currently no vacancies excluding additional future positions for Pioneer Park) is led by the Sports Facilities Manager, currently Chris Calcaterra, with support from an administrative assistant. There are two (soon to be three) Maintenance Supervisors and one Sports Complex Manager. The maintenance supervisors provide oversight to maintenance coordinators, crew leaders and facility workers. The Sports Facilities Division also includes an irrigation technician and a mechanic under their group. In addition to the employees with benefits, the Division also hires temporary and seasonal staff, including Gamers, which may include customer service and maintenance positions for spring training games, stadium security for various events at the Sports Complex, seasonal staff for coverage of tournaments at both the Sports Complex and the Community Parks, as well as additional maintenance staff at Rio Vista. The Division also maintains a relationship with the local high school agricultural program to engage seasonal part-time students learning about turf science. In addition to paid employees, the Peoria Diamond Club, a non-profit organization, supports the daily operations at the Sports Complex with volunteers in the parking lot and throughout the stadium, during Spring Training. They also contribute some proceeds from their efforts to their grant program to benefit the youth of Peoria.

In addition to meticulous maintenance at the Sports Complex and Rio Vista (and soon at Pioneer Community Park), the Sports Facilities Division is also a business-based Division within the Community Services Department that focuses on booking revenue-producing events at its facilities. A primary portion of their operations include working with outside entities such as tournament promoters, and the two Major League Baseball teams (Seattle Mariners and San Diego Padres), and concert and special event promoters. This includes not only booking the events but securing sponsorships at various levels for the facilities and individual events as well as working with other Department staff to promote any events that are community/public focused (like car shows, concerts and holiday events).

Sports Facilities Division Analysis

Strengths

- Destinations such as Peoria Sports Complex and Rio Vista are in demand and well-used by residents and visitors.
- Events held at the Sports Complex are a major tourist draw into the City of Peoria.
- Special events are well-attended.
- The Sports Complex has been a great destination during the last 20 years and money has been set aside for facility upgrades in the next few years, including two new clubhouses for the teams, and refurbishment of the facility for an improved visitor experience.
- A nearly 95% retention of guest services part-time/seasonal staff.
- Volunteers – estimated 20 volunteers for marketing plus 40 for special events.
- Strong partnerships with:
 - State Department of Game and Fish who stock the ponds at Rio Vista,.
 - The Diamond Club for volunteer support at the Sports Complex.
 - The Chamber of Commerce for promotion of the facilities.



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Challenges and Opportunities for Improvement

- No rewards program for returning seasonal employees in place.
- Coordination with recreation programming staff regarding special events – needs are different for different types of events.
- Recreation booking coordination on facilities between divisions, including for large tournament events and local users.
- Maintenance and cost of upkeep on fishing lakes at Rio Vista.
- Replacement schedule for elements within facilities – need to be built into the budget.
- Turnover rate on part-time employees is high – recoup time/cost of 6 week training.
- Maintenance fund?

Library Services Division Staff & Resources

The Library Services Division of 37 employees (20 full-time, 17 part-time positions with two vacancies currently) is led by Mary Roberts, the current Library Manager, who is based out of the Main Library. Supporting the Library Manager, are the Branch Manager and the associated Librarians, Library Operations Coordinators, Specialists and both full-time and part-time Library Assistants needed to operate both library branches. There is also a Senior Librarian at each branch for adult and youth services, and a Senior Acquisition Librarian and Library Assistants from the Technical Services staff that serve both branches. In addition to the part-time benefitted employees, both library locations include part-time non-benefitted pages (PTNB) to assist with re-shelving the collection. In addition to paid employees, the City of Peoria Libraries has a non-profit organization, the Friends of Peoria Libraries that supports literacy efforts within the library system through fundraisers, special events and sponsorship of programs.

Both library branches are experiencing a high level of activity with patrons using their programs, computers, and checking out their media resources. However, with the advent of e-readers, the library and its role as a community resource is in flux. Librarians throughout the country and in Peoria are consistently being called to assist on technology-related questions instead of research and collections-related questions, which underutilizes their library

knowledge and skills. Peoria has worked to address this issue by hosting frequent classes on e-reader and technology basics. Library staff are also noticing a reduced need for reference materials and a reference librarian. There is also a strain on the financial resources to maintain a print collection while increasing the offerings of the e-books. This is compounded by the high cost of the e-books by multiple publishers, and is not solely a Peoria issue.

Library Services Division Analysis

Strengths

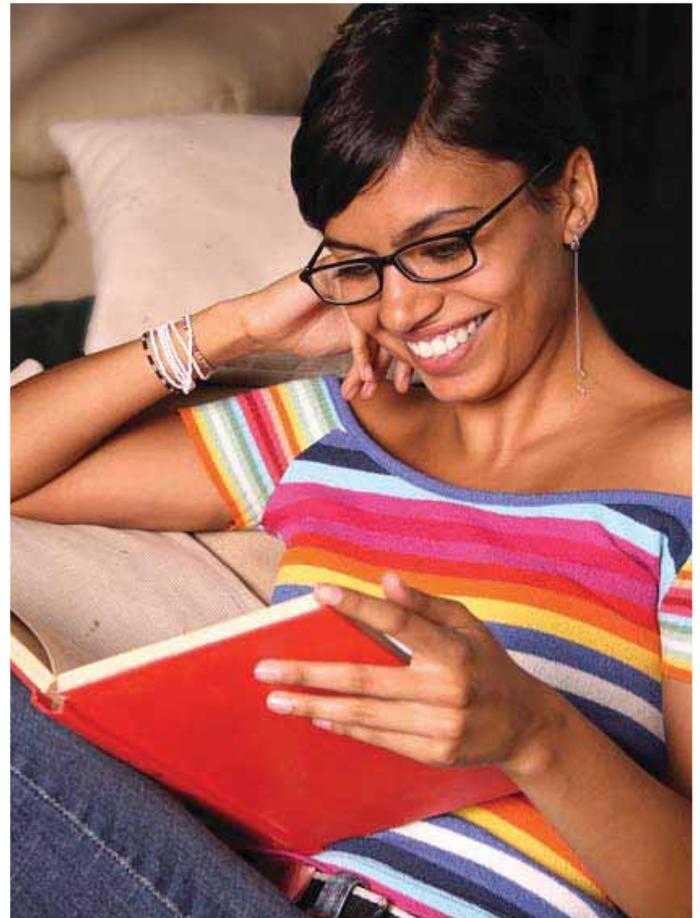
- Programs are popular and well-attended, especially children's programs.
- Friends of Peoria Public Library provide additional funding and support for literacy programs.
- Staff is passionate about what they do and serving the community.
- Excellent customer service.
- The collection is strong; resources are being used, including print, digital, audio and the technology such as computers and e-readers.
- Full service is maintained 7 days a week, even in the economic downturn.
- Outreach program with the schools – Ready, Set, Read program – 1st graders get a library card.

Challenges and Opportunities for Improvement

- Lack of security, for both the people and the materials in the building, especially at the Main Branch. This is in part due to the layout of the building which makes full view of all areas difficult.
- In both buildings, the layout of the back-of-house spaces is tight for equipment, work space and carts, but staff manages.
- Minimal space available for the Friends of the Peoria Public Library to sell their books to raise money.
- A need to accommodate teens in both locations with a space of their own.
- Improve both staff computers and computer lab computers.
- Develop a solution to accommodate technology classes in both branches.
- Not enough meeting spaces in both branches (for

classes and other types of meetings).

- Remodel the Main Library.
 - Address security and lack of visual sight lines in various areas.
 - Improve handicap access and slopes to front entrances.
 - Get staff involved in any future library design.



Support Assets and Policies Analysis

General

The Community Services Department's Divisions work well independently and between themselves but do also rely on outside departments for various needs. Day to day operations may need the assistance of Information Technology and the Public Works/Utilities Departments as well as Human Resources during peak hiring times for seasonal employees in all four divisions. They also work to review development plans for the Planning and Engineering Departments. The Fire Safety Department conducts safety training for the Parks Division, and the Police Department may be involved in property damage or crimes that occur within the parks, along trails or within the recreation center or libraries. The Department also works closely with the Office of Communications for distribution of the Get Active guide and advertising of its special events. In numerous scenarios, because of the nature of 7-day a week operations within many parts of the Community Services Department (Libraries, Parks and Recreation programs and facilities are open 7 days a week), the staff has encountered difficulties in receiving a quick response from Information Technology and Public Works Facilities Division because their staff is limited outside of standard office hours for repairs to computer networks or equipment, and drinking fountains and lights in parks.

Marketing & Event Coordination

The Community Services Department occasionally requests the services of the Office of Communications, however the majority of the marketing, event coordination, sponsorship acquisition and graphic design coordination (even if contracted out) for the special events and programming is led by members of the Recreation and Sports Facilities Divisions. The promotion for Department programs and events includes but is not limited to the Get Active Brochure, email blasts, direct mail pieces, print ads, the City website, interactive marketing and the social media sites such as Facebook and Twitter.

The Special Events Supervisor is responsible for creating a planning team of City staff (which may include people from various Community Service Divisions) to implement budgeted events. In addition to event promotion and coordination, it is also important for many of the special events to incorporate sponsorships to help

with promotion and offset operating costs. The sponsorships not only include special events such as the All American July 4th Festival, but more permanent advertisements on the outfield walls at the Sports Complex and Rio Vista Community Park as well as indoors at Rio Vista Recreation Center and the Community Center. The graphic design of the Get Active brochure is the responsibility of the Special Interest Classes Supervisor who compiles the scripts written by staff and assembled by an outside contractor; however, most flyers about special events and programs are designed by the Office of Communications and distributed by Community Services' staff. The website is under the purview of the Office of Communications, Facebook updates and Twitter accounts are all managed by various staff, depending on workload and time available.

Marketing, graphic design, sponsorship sales and event coordination are in demand within each of the Recreation, Sports Facilities and Library Divisions. These tasks are currently being covered by two staff members in Recreation dedicated to special events and various other staff and volunteers for all three Divisions. However, it may be appropriate to establish a separate division or group that could oversee these four categories of promotion for all of the Divisions. The specific needs of the three divisions differ greatly, and the sheer volume of demand in the four categories of marketing, event coordination, sponsorship and graphic design could easily employ multiple staff. This would also free up the Recreation and Sports Facilities staff to devote their full attention to their areas of expertise, as well as assist Library staff and Friends of the Peoria Public Library with the programming they are organizing independently at library facilities. In addition to traditional marketing and graphic design work, there is also a need for flyers and programs that are written in Spanish.

It is also important to note that the four categories discussed here are often assumed to be the same under a general moniker of "marketing", however, the sales of sponsorship opportunities is very different than a graphic designer, an event coordinator and someone promoting the Department.

Technology

The staff of the Community Services Department uses a variety of programs and technology to do their jobs every day. This includes desktop computers in all divisions, cell phones to communicate between staff in the office and in the field. The software used by the agency is typically job-specific and allows staff to do their job efficiently and seamlessly. This includes software for recreation programming, program registration, library collection tracking and check out and scheduling systems. The Parks Division also uses public sector management software (Hansen) that allows them to track work orders and efficiencies, as well as a remote irrigation controller for park irrigation systems. The Recreation staff is also responsible for maintaining the social media presence of the Department and will also send out email blasts. In every agency, it is difficult to stay on the cutting-edge in hardware and software technology. However, in a customer-service oriented agency such as the Community Services Department, it is imperative that the technology stay as current as possible in order to not impact the efforts to gain new patrons as well as affect the experiences of existing users.

Human Resources

The Human Resources department for the City of Peoria is responsible for all hiring and associated paperwork for the City, including only the benefitted employees within the Community Services Department. Hiring part-time, non-benefitted (PTNB) and seasonal staff to cover seasonal needs is primarily the responsibility of staff within the Community Services Department. In addition to traditional staffing for full and part-time positions, the Community Services Department also has a large number of part-time and seasonal employees. This includes:

- Maintenance staff in the Parks, Recreation and Sports Facilities Divisions,
- Part-time customer service positions at the Sports Complex,
- Recreation Leaders, Instructors, Lifeguards and Referees in the Recreation Division,
- Library page positions at both libraries.

The hiring of seasonal and (PTNB) staff through the Community Services Department without an official Human Resources representative is something that has resulted in frustrations

throughout the department, including the lengthy and sometimes inconsistent process for hiring, the amount of paperwork for the employees coordinating the hiring, and a lack of incentive for returning seasonal employees. However, the comprehensive background checks for specific positions have been noted as a benefit to the safety of participants and strength of the programs offered by the Department.

Parks and Recreation Board

The Parks and Recreation Board, formulated through the City's hierarchy, is made up of seven members who serve in an advisory and public outreach role regarding the long-term development and grant applications for the parks, recreation and trails amenities within the City.

Partnerships

Partnerships are also an integral part of the Community Services Department structure and provide additional support for programs, facilities and funding that the Department would not otherwise be able to offer. Some of the more significant connections include:

- The Peoria Unified School District works with the Department to provide indoor school facilities and fields for recreation programs. Many of the outdoor fields within their properties are also used for practices and/or games of youth leagues. Several parks are built adjacent to schools and share amenities as well. This relationship is solidified through multiple IGAs that delineate responsibilities, availability and costs associated with the use of the facilities.
- The Friends of the Peoria Public Library is currently a small group of people that assist the library with programming and funding for programming by raising money through sponsorships of events and book sales (both within the library and as special events).
- The AFSCME (American Federation of State, County and Municipal Employees) Union, specifically the local chapter, supports the non-exempt employees of the City of Peoria, and dues from employees are optional. The Recreation, Parks and Sports Facilities Division have a larger percentage of unionized

employees than the City in general. The Union negotiates with the City for contracts and then a Memorandum of Understanding is finalized that define salaries, cost of living increases, the handling of layoffs, personal leave, etc. When not in contract negotiations, the Division Managers meet with the local representatives to address any concerns before they become significant problems.

- Other partnerships include:
 - Maricopa County
 - Yavapai County
 - Flood Control District of Maricopa County
 - Peoria Diamond Club
 - Arts Commission
 - Library Board
 - Youth Advisory Board
 - Theater Works
 - Special Olympics
 - Little Leagues (various)
 - Peoria Chamber of Commerce
 - Local businesses

Key Findings

The Community Services Department is led by a director and divided into four divisions with a manager for each of those divisions. Parks, Recreation, Sports Facilities and Library Services all operate very different programs within this department but work towards one common goal of serving the community. The Parks Division, primarily responsible for maintenance of the parks and trails includes staff that opens and closes the parks and covers all maintenance tasks associated with the park properties, including irrigation and graffiti abatement. The Recreation Division includes 39 full time employees and a multitude of part-time staff to organize and run hundreds of programs, summer camps, trips, lessons and special events and manage recreation facilities throughout the year. The Sports Facilities Division coordinates the programming and maintenance activities at the Peoria Sports Complex as well as the fields and all the amenities at Rio Vista and Pioneer Community Parks. This not only includes hosting the Seattle Mariners and the San Diego Padres during the Cactus League Spring Training, but also special events, tournaments and leagues. Library Services includes staff and two library locations that serve Peoria. The library

staff is responsible for the day-to-day operations of both branches, the library collection and programming at both facilities.

All four divisions have dedicated and passionate staff that work to achieve high customer satisfaction with the services being provided. Despite tight budgets, the staff has managed to maintain a high level of quality in maintenance, programming and library collections in part due to these employees. While every effort is made for seamless communication between divisions, some improvements could be made to minimize conflicts in programming and maintenance. In addition, because of the popularity of the parks, programs, special events and library services, the staff and facilities can often be stretched thin. This can create tension with users if programming conflicts or maintenance issues arise. There is also a significant amount of drive time for maintenance staff because of the large geographical area of the City and the Maintenance Operations Center (MOC) being located in the south part of town. Solutions to reduce windshield time for Parks staff would be appropriate.

In addition to the many tasks undertaken by the Community Services Department staff, marketing, sponsorship sales, and graphic design have also been included in the responsibilities for various staff members within the department. This includes developing flyers for programs and events, the Get Active program guide and promoting and finding sponsors for programs and events. Because of the multitude of programs and events hosted by the department, it may be appropriate to create an additional division or additional positions specifically dedicated to the promotion of the department and its programs, and one that can work seamlessly among all of the divisions. The parks, recreation facilities, programs and libraries are open and active seven days a week. This also means that things break and resources are needed outside of the standard business hours of the City. Support resources in the Facilities and Information Technology Departments seven days a week would be appropriate in order for the Community Services Department to maintain a high level of customer service every day of the week.



Operations & Maintenance Analysis 13





OPERATIONS & MAINTENANCE ANALYSIS

Divisions Overviews

Organizational Structure and Responsibilities

The Parks Division and Sports Facilities Division are two independent divisions within the Community Services Department. The Parks staff currently handles maintenance in all of the park facilities except the Sports Complex, Rio Vista Community Park And Pioneer Community Park (those fall under the purview of the Sports Facilities Division), as well as the majority of the water quality basins, all trails, open space, the Old Town Peoria streetscape and graffiti removal city-wide. They also assist the other divisions or the City on setup and clean-up for special events which occur at various locations. The Parks Division also is responsible for maintenance of street rights-of-way, 12 retention basins and the City Hall campus; this work is directed by Parks Division staff but the maintenance

work is contracted to outside companies. They are also responsible for helping with weed mitigation and irrigation maintenance at the fire stations but the maintenance of the landscape is the responsibility of the Fire Department at this time.

The Sports Facilities Division is responsible for maintenance and operations of the Peoria Sports Complex, the ball fields, amenities and grounds at Rio Vista Community Park, and Pioneer Community Park. The Division has a significant focus on maintenance of these facilities; however, they also organize and oversee special events, concerts, and tournaments to use those facilities, as well as find sponsors and market their events. Often, these events and the scheduling of activities are developed in collaboration with the staff from the Recreation Division. The focus of this section of the report is on maintenance practices; please see the Operations, Management and Service section for more information regarding the non-maintenance activities of the Department.

Parks Division

Staff and Training

The Parks maintenance staff has done a good job of maintaining the facilities at an effective level. The satisfaction of the public with the quality of the parks maintenance is generally high. It is apparent the staff takes ownership and pride in their work. One of the contributing factors to the level of maintenance performed is the fact that many of the staff is senior level with significant years of experience. Even the staff recognizes that many of the daily assignments being performed are by staff that could be considered over-qualified. This in part is a reflection of the past economic conditions where entry and mid-level positions have not been filled due to hiring freezes. The preferred model is a hierarchy of staff for each crew with a crew leader, a mid-level and an entry-level member. This would help reduce the crew costs and create a structure for training lower level staff to eventually get promoted into positions of more responsibility.

In order to establish an efficient work effort, enhance the staff's interest in their routine and offer some diversity in their work assignments, the City has arranged the parks maintenance work into two groups. One group is assigned to parks north of Bell Road and the second group addresses the parks south of Bell Road. Each group is made up of several crews and each crew typically consists of three

staff members with one serving as the crew leader. The crews are assigned to a number of parks they maintain for approximately three months and then they rotate the crews to another group of parks.

There are a number of advantages derived from this approach of rotating the crews among the parks. It provides diversity in terms of the settings the crews are working in. It enables the crews to gain familiarity with numerous parks in the system. The crews know their work will be observed by another crew following each rotation so this system of peer review adds to the level of maintenance consistency desired by management and the public.

During discussions with staff they noted they like the current structure of their work activities where they are able to do different maintenance tasks every day. This is in contrast to some municipalities who assign crews to specific tasks that they perform every day, for example, a crew that just mows grass and another crew that does trash and general cleanup. The variety of assignments keeps the work more interesting and they feel that if the jobs were segmented into specific crews performing a more repetitious task, staff burnout rates would be higher. They also indicated they are well-trained and have the certifications and education necessary to complete their jobs; however, there is interest in additional safety seminars and educational presentations about products within the system by product representatives.

The department does have a Standard Operating Procedures manual and a Turf Management Program manual which defines the general assignments, tasks and procedures required for these areas of maintenance. This establishes a baseline for work procedures and providing the manuals to new employees can assist in their understanding of Peoria's operating procedures. There are also forms for day-to-day operations including park damage reports; graffiti report forms, call-in procedures, and chemical and equipment check out forms to assist in tracking and streamlining daily maintenance tasks and equipment demand.

Staff Responsibilities

Parks staff is responsible for opening parks, which includes opening restroom buildings, cleaning up trash and handling the recycling at each park. Then they are responsible for all turf maintenance

(including mowing, edging, fertilizer/chemical applications, etc.), visual inspection of all amenities for wear, damage or graffiti, irrigation management and system maintenance, clean-up of walks and other hard surfaces, and some ball and athletic field preparation. As previously mentioned, staff will do all or most of these tasks within each park instead of being assigned to one task across the region of facilities (i.e. mowing).

Regarding inefficiencies, a few significant items need to be resolved in order to maximize staffing and financial resources. The first is the large amount of windshield time for maintenance teams between the Maintenance Operations Center (MOC) and the 39 parks and additional non-park sites. This is especially significant for those maintaining parks north of Bell Road, because the MOC is located in the southern-most portion of the City. In addition to the typical drive time during a day, there are also inefficiencies in the opening and closing of park sites, as one staff member per region is opening all parks (includes opening gates, restroom buildings, handling trash and recycling and observing any new damage or graffiti) and therefore driving between multiple properties instead of staying on-site, working with the group arriving to complete other maintenance tasks. A similar level of inefficiency occurs as the parks close and one person drives to all parks, locks restroom buildings and access gates.

While the Parks staff receives accolades for their meticulous attention to detail and maintain the parks at a high level, staff themselves noted that tree/shrub trimming and forestry-based maintenance is the most frequently deferred task in every park. This is in part because of the resources and time necessary to complete this task, but it also isn't a priority and there is little documentation as to how often and when specific species should be trimmed or have been trimmed. In addition to non-programmed maintenance, when employees find lights or drinking fountains that are broken, instead of having the resources to repair them, they must put in a request to the Facilities Division of the Public Works Department. This process can significantly impact users of the park, especially if the repair is needed on a weekend or evening when Facilities staff is not as available and park patrons cannot use drinking fountains or path lights are not working.

Efficiency is significantly impacted with staff absences and personal time off (PTO). While no one begrudges an employee to take time off for vacation, illness or family obligations, the Parks Division is significantly impacted by absences because the absent employee leaves a gap in the work force slated to complete the scheduled tasks for the day. This condition is magnified by the fact that most of the employees making up the crews have seniority and have accrued more PTO time than entry-level staff would have available. Therefore, the remaining staff takes longer to complete weekly or daily maintenance on the same park space than normal, and they fall behind on the day or week of work, which then results in deferred maintenance on non-routine items, such as the forestry tasks noted previously.

Figure 13.1 Parks Division Organization Chart



Staffing Ratios

The Parks Division appears to have an adequate number of personnel to maintain the park system. The *maintenance-oriented* 24 full-time (including irrigation technicians and graffiti abatement staff and vacant positions, but excluding parks manager) and 4 part-time FTE (2 benefitted (2 at 0.5 FTE equals 1), and 3 FTE non-benefitted, excludes the cultural arts coordinator) employees (equaling 28 FTEs) maintain 354.2 acres of City-owned parks, water quality basins, and Old Town Peoria (1,000 acres of open space, the contracted-out right-of-way (356.9) acres, contracted out basins (15.9 acres), fire stations (4.8 acres) and the parks maintained by the Sports Facilities Division (264.8 acres) have been excluded from the total since it is not directly maintained by the employees of the Division). This affords 12.7 acres of maintenance for every employee. The International City/County Management Association (ICMA) has indicated that best practice agencies fall within a 12:1 ratio, with the national average at 20:1. Per the NRPA's *2013 Parks and Recreation National Database Report, Figure 18*, the median of all reporting agencies in 2012 with 251 to 1,000 acres is 17.1 acres per FTE. According to the customized PRORAGIS report for 2012, the median is 17.7 per FTE for similarly sized and budgeted agencies nationally. It is important to note that maintenance in the trail corridors is not included in these calculations, as that area is classified as part of the open space, therefore an associated amount of acres of actively maintained along those trails would add to the total acres of maintenance responsibility. Peoria's 12.7:1 ratio as calculated falls within the median averages of similar agencies throughout the country, therefore, Peoria should work to maintain the current maintenance staff levels as the system grows.

As previously noted, in addition to the acres maintained by employees of the City, the road right-of-way landscape, the Fire Stations and some of the detention basins are contracted out. These contracts total 377.6 additional acres. If these acres were part of those 28 FTE's responsibility, the ratio would jump to 26.1 acres per employee for the total 731.8 acres, which is significantly above the median averages nationally. Therefore, if any of these contracts 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 current level of service. Again, these calculations do not include any part of the 1,000 acres of open space, including the trail corridors.

As the number of acres of parks and trails grows with development primarily in the north portion of the City, Peoria will quickly fall outside of the best practices and the national average staffing ratios. Therefore, as the system grows, the City needs to plan for additional maintenance staff and also consider developing a MOC north of Bell Road. The development of a northern area MOC may be in conjunction with one of the community parks being proposed in that area or it may be associated with another municipal project. This will be especially important in the future if the Division is maintaining active recreation facilities, such as ball fields and multi-purpose fields, as those facilities typically require additional hours game preparation tasks and a more intensive maintenance regiment.

It is challenging to identify concrete baseline ratios for staff per acre or cost per acre for comparison purposes due to the varied approaches the different regional municipalities take regarding park maintenance. Furthermore because of the desert setting, the requirements for landscape care and management in the southwest requires different priorities and levels of effort as compared to parks on the national level. One of the municipalities which in a general sense is comparable to Peoria is the City of Chandler, Arizona. Initial contact with the parks manager from Chandler revealed he too has had difficulty in justifying efforts and costs to fairly evaluate the performance of his staff in comparisons to other Cities. He did provide the following general information:

- Chandler has an in-house work force of 38 maintenance personnel (3 supervisors, 6 maintenance technicians, and 29 grounds keepers).
- An approximate rule of thumb ratio Chandler uses is one maintenance staff member per 20 acres of park development, even though this ratio doesn't correspond to current numbers (1,529 acres for 38 maintenance staff equals one staff per 40.2 acres). It is important to note though that Chandler contracts the turf mowing operations for the parks to landscape maintenance services.
- Street rights-of-ways are maintained under the direction of a different department.
- City calculations in Chandler indicate that when the benefit days off are calculated for the staff the effective work effort is about 5 hours productivity for an 8 hour day. (62.5 % efficiency).

- Peoria provided data for PTO time in February, March and April of 2013, the average in those three months was 14% absence rate, which translates to just below 7 hours productivity for an 8 hour day. (86% efficiency).

In addition to information provided via interview with Chandler's Parks Manager, data in **Figure 13.2** was also used from the data evaluated for the benchmarking section of this report.

	Peoria, AZ	Chandler, AZ	Mesa, AZ	Scottsdale, AZ
Total Acres Maintained or Managed (Includes Open Space)	1,991.8	1,529.0	3,095.0	1,506.1
Total Acres per 1000 Residents	12.60	6.37	6.93	6.93
Operating Expenditures per Acre of Land Maintained or Managed	\$11,380	\$17,351	\$9,022	\$13,717

As previously noted, right-of-way areas in Chandler are maintained in a separate department, versus Peoria, where it is included in the total acres. It is understood that the operating expenditures in Peoria include the budget for all divisions within the department. The data for Chandler, Mesa and Scottsdale are not confirmed as to whether it's a department total or a maintenance-specific number.

Sports Facilities Division

Staff and Training

The Peoria Sports Complex, Rio Vista and Pioneer Community Parks are maintained at a high level, in part because of the quality necessary to meet the needs and standards of the Major League Teams at the Sports Complex. It is also imperative that the fields at all three facilities can handle a large volume of tournament play outside of just spring training in March. In addition to the maintenance responsibilities at the facilities, there is also staff responsible for programming and promotion of tournaments and events as well as seasonal staff that provides customer service during events and Spring Training. However, the primary focus of this section of the report is on the maintenance operations within the division. Maintenance staff is cross-trained and efficient in the methods they use to prepare the facilities for heavy ball field use throughout the year. They are trained to understand complete issues and address the needs of the facilities as they arise. In addition to standard maintenance, the Peoria Sports Facilities Division also hires a seasonal part-time student through the agriculture program at area high schools to expose selected students to the science of agronomics (turf science). There are also irrigation technicians and nearly all maintenance staff is certified for chemical spraying.

Staffing Ratios

The Sports Facilities Division appears to have an adequate number of personnel to maintain their portion of the park system. The 12 full-time (excludes the mechanic) and 14 FTE part-time employees (equaling 26 FTE) maintain 264.8 acres of the sports complex, Rio Vista Community Park, (Additional staff will be hired to cover the maintenance and operations of Pioneer Community Park). This affords 10.2 acres of parkland for every employee. This 10.2:1 ratio falls well between the average and best practices average of other agencies throughout the country. However, it is important to note that the types of facilities that are the focus of the Sports Facilities Division require a more refined level of maintenance and a much higher level of user expectation than a standard park system; therefore, the national comparisons are not as relevant to these facilities. A measurement that would reinforce the above average ratio of staff/acre would include a comparison of users per acre. By the nature of the facilities there is a much higher level of use based on users/year as compared to the demand and use levels of a typical neighborhood park.

Budget and Funding

The Community Services Department provides a diverse offering

of services, including the maintenance provided by the Parks Division and the Sports Facilities Division. It is difficult to separate out maintenance costs within the Sports Facilities Division, since they also provide programming coordination for the facilities under their supervision. However, **Figure 13.4** does show information regarding the total budget allocated in both divisions in order to compare them as equivalently as possible.

In addition to this analysis, please also refer to the Benchmarking Analysis section which includes analysis of park acres per capita, operating and total budget of the department per capita and expenditures per acre. The data provided in that section is for the entire Community Services Department and not just the Parks or Sports Facilities Divisions.

Figure 13.3 - Sports Facilities Division Organization Chart

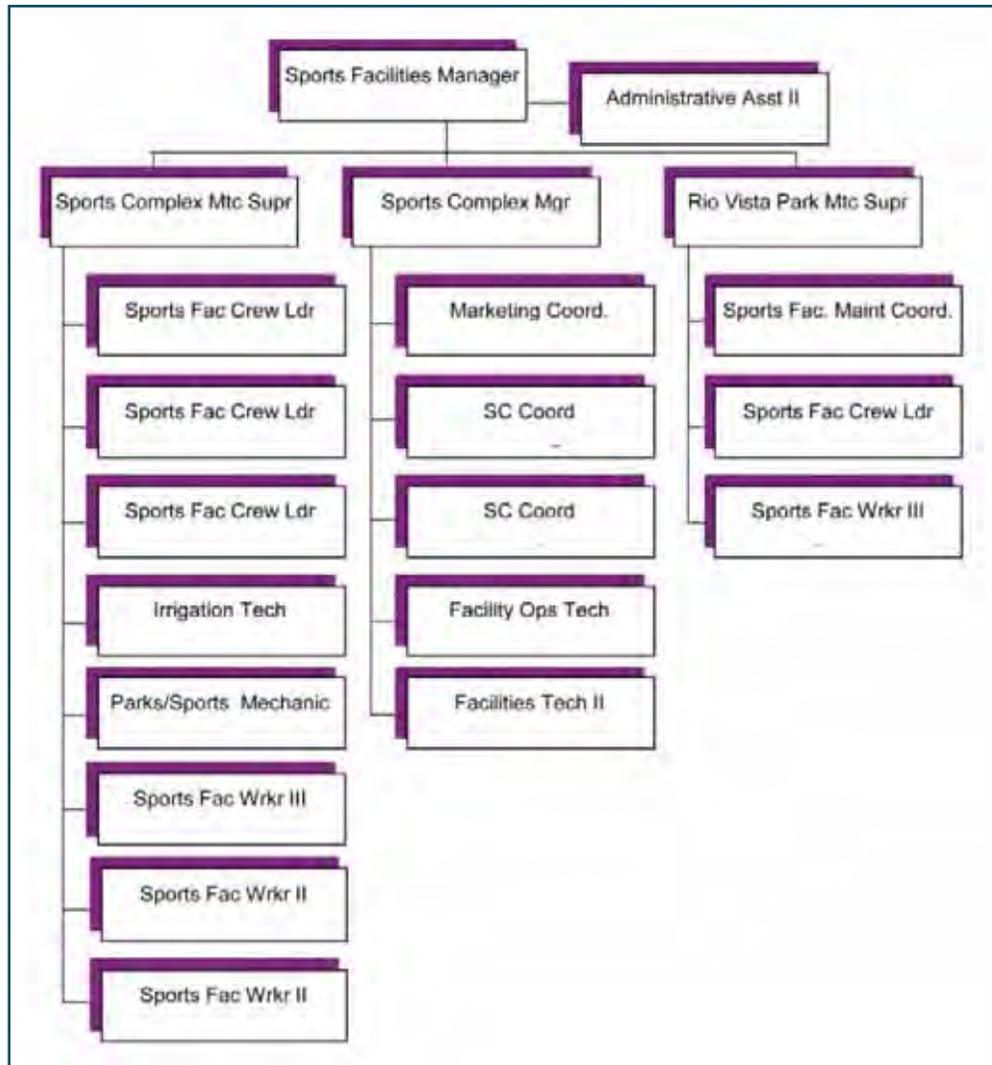


Figure 13.4 - FY2012 Budget Analysis Based on Actuals

	Parks Division	Sports Facilities Division
Total Budget*	\$3,845,152	\$5,398,791
Maintenance-oriented Employees (FTE)	28	26
Total Acres	354.2 acres	264.8 acres
Budget per Acre	\$9,369.28 per acre	\$21,699.32 per acre
Budget per Staff	\$13,7326.86 per FTE	\$207,645.81 per FTE

*Parks Division includes budget line items for Parks North, Parks South but excludes Right-of-Way since it is contracted out. Sports Facilities Division includes budget line items for Rio Vista Community Park and Peoria Sports Complex.

Maintenance Standards & Best Practices

In order to program for maintenance, it is important to understand the time requirements for maintenance operations. Currently the Department, specifically the Parks Division, uses a checklist for each crew leader to fill out to track which parks have been worked in and generally what tasks are completed on a weekly basis, but this system does not track the hours it takes the employee to complete each task or to drive from park to park. One method to improve the understanding of man hours per park and per task is to undertake a more detailed analysis of staff hours per month on each task. 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. This type of maintenance analysis would not only benefit the efficiency of maintaining existing parks but can be used as a tool for future park maintenance. This type of analysis has been specifically recommended by Bill Beckner, currently with NRPA, but formerly an owner of a consulting firm (CEHP, Inc.) that specialized in maintenance analysis. See **Figure 13.6** for a sample maintenance analysis chart.

As an example, once the Department understands how long it takes to clean a bathroom building, clean up trash on a per acre basis and mow an acre, this data can be used as designs for future parks are completed. Area and quantity take-offs for acres of sod, miles of trails, naturalized areas, trees, trash cans and bathroom buildings, etc. can be done on the design to understand an average of how many man-hours it would take to maintain that park, not only month-by-month but a FTE for the year. This would directly justify budgeting for additional staff and equipment as the park comes online, which would minimize an interruption in the quality of service throughout the system.

Key Findings

The Parks Division and the Sports Facilities Division provide maintenance services for the park and trail facilities throughout the Peoria system. Each division operates very differently due to the type of facilities they maintain. The Parks Division is responsible for parks, trails, open space, Old Town Peoria streetscape, and some detention basins. They also contract out additional detention basins and right-of-way landscaping. This results in management of 354.2 acres (excluding open space) for the maintenance-oriented 28 FTE within the division. Based on these numbers, the ratio of 12.7 acres per employee is well within the national and comparable agency standards. The Sports Facilities Division provides maintenance and programming for the Peoria Sports Complex, Rio Vista and Pioneer Community Parks. This totals 264.8 acres of park land for the 26 maintenance-oriented employees. Because of the high level of maintenance required by the MLB teams that use the Peoria Sports Complex and the unique approach to managing these larger facilities independently of the other parks, the budget numbers and FTE ratios are hard to compare to national standards.

The level of maintenance within the Peoria parks system by the Parks Division is generally considered to be very good based on the level of satisfaction of residents as evidenced in recent community surveys. However, there are a few items that would assist in improving the internal operations and efficiencies and ultimately help the maintenance divisions grow seamlessly as additional facilities come online. This includes:

- Reducing the amount of windshield time for maintenance teams between the Maintenance Operations Center (MOC) and the 39 parks and additional non-park sites. Especially for maintenance of parks north of Bell Road.
- Evaluate alternative methods for opening and closing of park sites and the large quantity of associated drive-time. This may be an effort that can be effectively done through a service contract with a security company.
- Tree/shrub trimming and forestry-based maintenance is frequently deferred. This is in part because of the resources and time necessary to complete this task, but it also isn't a priority and there is little documentation as to how often and when specific species should be

trimmed or have been trimmed.

- Assess the process required to repair some park facilities and amenities such as drinking fountains, plumbing repairs and lights. Instead of having the resources to repair them, staff must put in a request to the Facilities Division of Public Works. This process can significantly impact users of the park and the availability of the park facilities due to the extended time to process the repair. Some of the facilities in need of repair such as at a ramada may result in a loss of revenue due to a lack of availability or user dissatisfaction, requesting refunds for rental costs. The situation is especially difficult if the repair is needed on a weekend or evening.
- The Parks Division would benefit from a detailed maintenance task tracking and analysis. 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. This can then 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.



Recommendations & Prioritized Action Plan

14





Recommendations & Prioritized Action Plan

Introduction

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 further 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.

It is important to note the cost estimates included in the Prioritized Action Plan chart are within a range of accuracy of +/-10%, based on the information available during the project. Unless otherwise noted, consultant fees or technical reports required as part of the approval or construction process are not included in the estimated costs. However, it can be assumed that such fees could be as high as 40% of the estimated construction costs.

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 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 (Page 191) for more 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, facilities and rights-of-ways 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, facilities and rights-of-ways 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 rights-of-ways and a 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 Department 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 Peoria Sonoran Preservation Plan should be referenced and balanced with planning and development of park and recreation facilities for the community.
 - 2.1.09a The Peoria Sonoran Preservation Plan 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 aquatics 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 Road.
 - 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, businesses, commercial / retail owners 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 12.1). 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 12.1). 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 A.R.S. §9-463.05.

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 based on A.R.S. §9-463.05 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.

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

Facility Specific Strategies:

1.1.14 Alta Vista Park

- 1.1.14a Evaluate opportunities to better incorporate the nature trail area with the rest of the park. Consider adding additional wayfinding signage or a visually attractive feature to the nature trail that will draw visitors to the area.
- 1.1.14b Modify the Dog Park entry vestibule to provide separate entries into each cell in order to provide a controlled, safe cell entrance.
- 1.1.14c Replace removable metal picnic tables with concrete tables.
- 1.1.14d Add skateboard deterrents to the picnic area seat wall to reduce edge wear.

1.1.15 Apache Park

- 1.1.15a Replace damaged plastic coated site furnishings with powder-coated or concrete furnishings.

1.1.16 Arrowhead Shores Park

- 1.1.16a Evaluate ways to increase public awareness and visibility of the park to counterbalance the limited visibility into the park and vandalism this encourages. Include street signage and wayfinding throughout the neighborhood.
- 1.1.16b Replace damaged plastic coated site furnishings with powder-coated or concrete furnishings.
- 1.1.16c Replace removable metal picnic tables with concrete tables.
- 1.1.16d Consider the addition of a unique use within the park such as disc golf. This may increase the number of park users, in turn helping to police against vandalism and increase the sense of public ownership.
- 1.1.16e Make improvements to this park to increase the Level of Service scores to bring it to an adequate or higher status. Recommended improvements include: Upgrading the playground equipment, creating an enhanced park entrance with dedicated parking and signage, improving ADA accessibility within the site and designating ADA parking with striping, adding drinking fountains distributed for easier access within the linear greenspace, improving site security with additional lighting, and improving picnic facilities by providing concrete tables and repairing the ramada.

1.1.17 Braewood Park

- 1.1.17a Create a pedestrian access point from Yucca Street.
- 1.1.17b Repair cracked basketball courts.

1.1.18 Calbrisa Park

- 1.1.18a Repair rubberized safety surfacing to address separation from the sidewalk and to meet ADA requirements.
- 1.1.18b Evaluate options for filling the empty tree planters around the playground, including replacement trees.
- 1.1.18c Replace damaged plastic coated site furnishings with powder-coated or concrete furnishings.

1.1.19 Centennial Plaza

- 1.1.19a Increase public awareness of the facility and promote visits to the plaza. This includes improved wayfinding signage that describes plaza features such as the history walk and amphitheater in addition to the name of the site.
- 1.1.19b Identify a plaza parking area to direct the public to the site and identify the plaza as a unique space in addition to serving as a link between the City campus buildings.

1.1.20 Centennial Pool

- 1.1.20a Enclose the pool equipment and the pool chemical storage area with a secure architectural structure.
- 1.1.20b Develop a more secure perimeter fence system by increasing the height and limiting climb-ability of the exterior barrier.
- 1.1.20c Conduct a shade study that evaluates the effectiveness of the existing shade structures and vegetation and improve the canopy configuration to increase the shade coverage for spectators and pool users.
- 1.1.20d Add security cameras to the facilities to monitor the pool and interior of buildings.

1.1.21 Country Meadows Park

- 1.1.21a Evaluate options for filling the empty tree planters around the plaza including replacement trees.
- 1.1.21b Replace cracked asphalt tennis courts with a more durable concrete court or consider replacing tennis with another active recreation amenity.
- 1.1.21c Repair the tennis court fencing.
- 1.1.21d Repair the restroom.
- 1.1.21e Replace turf outside of the loop walk with a native landscape area with drought tolerant plant material.
- 1.1.21f Make improvements to this park to increase the Level of Service scores to bring it to an adequate or higher status. In addition to the above-listed strategies, consider replanting missing trees in the plaza.

1.1.22 Deer Village Park

- 1.1.22a Replace damaged plastic coated site furnishings with powder-coated or concrete furnishings.
- 1.1.22b Evaluate adding new trees near the playground to mature along with the existing trees and maintain the character of the site when the older trees require replacement.
- 1.1.22c Evaluate adding lighting to the multi-use paths to improve security and encourage use.

1.1.23 Desert Amethyst Park

- 1.1.23a Install a shade canopy over the play area.
- 1.1.23b The loop path serves dual purpose as a swale on the north and west sides. Consider improving the loop path by adding a 4' concrete or stabilized decomposed granite path with a standard 1-2% cross slope.
- 1.1.23c Evaluate installing lighting along the path.
- 1.1.23d Ensure that the wood chips are installed to an adequate depth.
- 1.1.23e Make improvements to this park to increase the Level of Service scores to bring it to an adequate or higher status. In addition to the recommendations listed above, consider adding amenities to the basin park such as bike racks, additional natural shade along the path, or picnic facilities.

- 1.1.24 Fletcher Heights North Park
 - 1.1.24a Add a drinking fountain and bike racks to the site.
 - 1.1.24b Repair the chipped basketball court surface.
 - 1.1.24c Add mileage signage to the looped trail around the park including the sidewalk.

- 1.1.25 Fletcher Heights Park
 - 1.1.25a Repair damaged ramada roof panels.
 - 1.1.25b Replace damaged plastic coated site furnishings with powder-coated or concrete furnishings.
 - 1.1.25c Evaluate options for integrating the east open turf to the activity areas of the park, including trails or the addition of active recreation facilities such as soccer goals. (Kids were playing soccer on the basketball court at the adjacent school when the inventory took place.)

- 1.1.26 Hayes Park
 - 1.1.26a Evaluate the damaged rubberized safety surfacing at 2-5 year playground for a repair solution.
 - 1.1.26b Install storm water control measures to alleviate erosion of the stabilized decomposed granite path at the base of the basin slopes.
 - 1.1.26c Repair or replace damaged concrete at the restroom.
 - 1.1.26d Install bike racks near the restroom area.
 - 1.1.26e Provide a drinking fountain at the ball fields.
 - 1.1.26f Remove the turf from the infields on the two west ballfields to make them usable for baseball and softball (instead of just baseball).

- 1.1.27 Ira Murphy Park
 - 1.1.27a Install railing behind the bleachers on Cheryl Drive to correct the safety issue at the elevated pedestrian gathering area.
 - 1.1.27b Replace shrubs in the landscape area around the park sign.

- 1.1.28 Kiwanis Park
 - 1.1.28a Replace cracked asphalt tennis courts with a more durable concrete court or consider replacing tennis with another active recreation amenity.
 - 1.1.28b Consider paving the loop path to enhance the range of use.

- 1.1.29 Monroe Park
 - 1.1.29a Add a concrete ADA path to at least one picnic ramada.
 - 1.1.29b Replace damaged plastic coated site furnishings with powder-coated or concrete furnishings.
 - 1.1.29c Upgrade playground with newer equipment and provide separate 2-5 and 5-12 play areas.

- 1.1.30 Palo Verde Park
 - 1.1.30a Increase public awareness of the unique cultural resources and interpretive features at this park, such as featuring the park on the website, City newsletters and Get Active publication.

1.1.31 Parkridge Park

- 1.1.31a Replace damaged plastic coated site furnishings with powder-coated or concrete furnishings.
- 1.1.31b Provide drinking fountains at the dog park cells and improve the entry vestibules to replace the low fencing with a minimum 5-foot high fence.
- 1.1.31c Evaluate options for better integrating the remaining open space area near the large dog park cells into the remainder of the park. This might include the addition of a programmed use or increasing the number of small dog cells to two.

1.1.32 Paseo Verde Park

- 1.1.32a Add grasses or other street drainage tolerant plants into the water-harvesting swale that collects runoff from Greenway Road.
- 1.1.32b Designate the landscape area immediately adjacent to the sidewalk as a soft-surface path, install a concrete header to edge the path, and provide install 1/4-inch minus decomposed surfacing. Installing new shrubs and groundcovers along the improved multi-use path.
- 1.1.32c Replace damaged plastic coated site furnishings with powder-coated or concrete furnishings. Consider removing plastic coating from serviceable bike racks to improve appearance.
- 1.1.32d Add ADA pads for benches and rest areas along the walks where current benches are located in bare earth in the landscape areas.
- 1.1.32e Add park wayfinding sign at the pedestrian entrance off of 77th Drive.
- 1.1.32f Playground equipment is serviceable, but an older style. Replace with new equipment.
- 1.1.32g Include a separate 2-5 play area under shade as a replacement for the stand-alone tot play pieces not covered by the shade canopy.
- 1.1.32h Basketball court is cracking and should be evaluated for repair priority.
- 1.1.32i Replace the moveable metal picnic tables at the large group picnic area with the concrete style picnic tables. Moveable tables appear to be used by vandals to reach and cut the shade fabric.
- 1.1.32j Consider reconfiguring grill positions in relation to the tables and each other. The two grills at the large group ramada are far enough apart a single person could not use both, but are close enough to one another than two separate groups may have issues.
- 1.1.32k NEOS play system had been vandalized and some games did not work. Consider increasing care schedule for this unique piece of play equipment to ensure it provides the type of experience users expect from an electronic play system.

1.1.33 Peoria Pool

- 1.1.33a Enclose the pool equipment and the pool chemical storage area with a secure architectural structure.
- 1.1.33b Remove the spray guns in the wading pool area and evaluate a small slide apparatus or other play attraction, such as a climbing wall or other amenity that can be accommodated in the existing space to help bring this pool area more in line with the facilities available at the other pools.
- 1.1.33c Conduct a shade study that evaluates the effectiveness of the existing shade structures and vegetation and improve the canopy configuration to increase the shade coverage for spectators and pool users.
- 1.1.33d Add security cameras to the facilities to monitor the pool.

- 1.1.34 Rio Vista Community Park
 - 1.1.34a Using the original design plan as a template, inventory the park vegetation to identify missing plant material and develop a program for replacement to maintain the public's perception of the park as a premier recreation facility.
 - 1.1.34b Identify strategic locations, such as the pedestrian plaza areas adjacent to parking lots, to provide a project directory which includes a campus map to assist in onsite way-finding. City maintenance staff expressed they receive frequent complaints about the difficulty visitors have in finding their way around the park site.
 - 1.1.34c Add emergency contact signs throughout the site similar to those installed at Pioneer Community Park.
 - 1.1.34d Improve wayfinding signage by incorporating maps.
 - 1.1.34e Monitor signage for wear and readability, and replace signage when wear becomes significant and impacts the visible aesthetic and readability of the sign.

- 1.1.35 Roundtree Ranch Park
 - 1.1.35a Replace removable metal picnic tables with concrete tables.
 - 1.1.35b Add a drinking fountain at the picnic ramada and to serve playground users during hot weather.

- 1.1.36 Scotland Yard Park
 - 1.1.36a This is a new park with many design elements that highlights the City of Peoria's commitment to low impact development. Evaluate ways to increase public awareness of the facility.

- 1.1.37 Sonoran Mountain Ranch Park
 - 1.1.37a Install full shade canopies over playgrounds to supplement integrated umbrellas.
 - 1.1.37b Evaluate potential connections from the sidewalk that ends at northwest corner of the park. Currently the sidewalk connects to what appears to be an unimproved and worn path through the desert but does not include signage indicating the ultimate destination for the trail.
 - 1.1.37c Provide higher visibility signage to the East Wing and overlook trails to the south of the park.
 - 1.1.37d Renovate the parking lot.

- 1.1.38 Sundance Park
 - 1.1.38a Replace damaged plastic coated site furnishings with powder-coated or concrete furnishings.

- 1.1.39 Sunnyslope Park
 - 1.1.39a Modify the dog park entry vestibule to provide separate entries into each cell in order to provide a controlled, safe entry at the entrance.
 - 1.1.39b Replace damaged plastic coated site furnishings with powder-coated or concrete furnishings.
 - 1.1.39c Replace the missing handrail at the scupper under the path by the west parking lot.

- 1.1.40 Sunrise Park
 - 1.1.40a Increase visibility of the park from the roads by adding wayfinding signs at the park pedestrian entrances.
 - 1.1.40b Work with the development managers to address the dead-end pedestrian path that links from the park into the development's open space. This dead end sidewalk leads unaware users into an urban "box canyon" that is not visible from the street and could be an unsafe condition as well as a CPTED issue. Add signs closer to the park that alerts users that the trail is private. An alternative public loop back to the parking lot may also be considered.

- 1.1.41 Sunrise Pool
 - 1.1.41a Enclose the pool equipment and the pool chemical storage area with a secure architectural structure.
 - 1.1.41b Develop a more secure perimeter fence system by increasing the height and limiting climb-ability of the exterior barrier.
 - 1.1.41c Conduct a shade study that evaluates the effectiveness of the existing shade structures and vegetation and improve the canopy configuration to increase the shade coverage for spectators and pool users.
 - 1.1.41d Add security cameras to the facilities to monitor the pool and interior of buildings.

- 1.1.42 Sunset Park
 - 1.1.42a Upgrade bicycle racks to a more durable model.
 - 1.1.42b Augment integrated umbrellas with canopy shade structure for the 5-12 playground.
 - 1.1.42c Evaluate the damaged rubberized safety surfacing at 2-5 year playground for a repair solution.
 - 1.1.42d Evaluate adding shade to softball facilities over dugout benches and spectator areas.
 - 1.1.42e Consider adding an alternative public loop trail back to the parking lot.
 - 1.1.42f Reconfigure the backstops to a more traditional shape, adding covered dugouts and eliminating awkward playing angles.

- 1.1.43 Sweetwater Park
 - 1.1.43a Update the playground equipment.
 - 1.1.43b Replace dead plant material in the landscape planter areas or install an alternative material.
 - 1.1.43c Consider programming the plaza area at the park with small scheduled events or make it into additional picnic space.

- 1.1.44 Terramar Park
 - 1.1.44a Evaluate drainage issues at sidewalk crossing. A concrete dip section should be added to address the overtopping of the sidewalk that appears to occur and is undercutting the concrete.
 - 1.1.44b Add additional wayfinding signs from the neighborhood as well as mileage information for users making a circuit on the walks around the park.
 - 1.1.44c Add a header on the outside edge of the soft-surface trail adjacent to the walk to delineate this existing use and edge the decomposed granite in landscape area.
 - 1.1.44d The school bike racks and the park bike racks appear to be heavily used during the school year for kids biking to school. Consider creating a single, large shared-use bike parking area that services both facilities.

- 1.1.45 Varney Park
 - 1.1.45a Evaluate the outbuilding located west of the ball fields and potential for renovation based on use.
 - 1.1.45b Consider adding a loop path around the park to connect to trail connection from Roosevelt Street and provide daily exercise opportunities for neighborhood residents.

- 1.1.46 Wacker Park
 - 1.1.46a Connect the interior path to the sidewalk to create a loop walk.
 - 1.1.46b Update the play equipment.
 - 1.1.46c In addition to the recommendations listed above, add new or upgraded amenities to the park to increase the Level of Service scores to bring it to an adequate or higher status.

- 1.1.47 Westgreen Park
- 1.1.47a Replace metal moveable tables with new concrete picnic tables.
 - 1.1.47b Consider adding a looped path around the park.
- 1.1.48 Westland Park
- 1.1.48a Complete a sidewalk connection to the wash trail.
- 1.1.49 Westwing Park
- 1.1.49a Add mileage for walking paths and wayfinding signage.
 - 1.1.49b Evaluate the opportunity to include a Discovery Trail within the wash that connects to the Sunrise Mountain Trail. Opportunities for education and learning in conjunction with the school could be identified and incorporated.
- 1.1.50 Windrose Park
- 1.1.50a Improve drainage between basins. Existing pipes are exposed and damaged, and ground has eroded around them that should be reshaped with protection.
 - 1.1.50b Replace moveable metal picnic tables with concrete picnic tables.
 - 1.1.50c Remove or refill empty tree-ring planters around the playground.
 - 1.1.50d Replace aging and damaged benches.
 - 1.1.50e Replace aging play equipment and adding separate 2-5 and 5-12 structures under shade canopies. Current standalone tot rider toys have a nostalgic feel and could be incorporated into a playground renovation.
 - 1.1.50f Path circulation appears haphazard and could be renovated to improve circulation and loop path opportunities.
- 1.1.51 Libraries:
- 1.1.51a Work to improve the layout of back-of-house spaces in both buildings, they are tight for equipment, work space and carts.
 - 1.1.51b Work with the Friends of the Peoria Public Library to find the means to maximize their sale area at both branches.
 - 1.1.51c Remodel the Main Library, including consideration for the following:
 - Address security and lack of visual sight lines in various areas.
 - Improve handicap access and slopes to front entrances.
 - Get staff involved in any future library design.
 - Add meeting rooms of various sizes to accommodate classes and patron use and need for such rooms

Action Strategies and Recommendations

Refer to the Recommendations narrative for additional details regarding these strategies.
In some cases, the strategies description has been shortened for ease of reading in this chart.

Term	Priority	Strategy Number(s)	Category	Strategy Description
Short Term -2014-2016				
A	1	1.1.01	Park and Facility Development and Enhancement	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.
A	1	1.1.09	Park and Facility Development and Enhancement	Prioritize and implement all recommendations from the ADA study being conducted concurrently with this Master Plan.
A	1	2.1.01f	Park and Facility Development and Enhancement	Dedicate open space as directed by the Peoria Sonoran Preservation Program
A	1	2.1.08	Park and Facility Development and Enhancement	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.
A	1	2.1.09	Park and Facility Development and Enhancement	As part of the Department’s long-range facility planning, the open space preservation outlined in the Peoria Sonoran Preservation Plan should be referenced and balanced with planning and development of park and recreation facilities for the community. The Peoria Sonoran Preservation Plan shall be adopted as the implementation tool to assemble and manage open space in Peoria. Consideration should also be given for preservation of key cultural and historic assets as part of the Sonoran Preservation Plan. 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.
A	1	3.1.05	Programs and Services Delivery	Consider adding some fitness classes that are located outside in the neighborhood parks (yoga, tai chi, cross-fit in the park).
A	1	3.1.06	Programs and Services Delivery	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.
A	1	3.3.03	Programs and Services Delivery	Integrate youth representation (such as the Youth Advisory Board) in programming selection to address youth’s specific interests and needs.
A	1	3.3.06b	Programs and Services Delivery	Add additional drop-offs of the Get Active program guides at the community centers of the Active Adult communities.
A	1	3.3.06c	Programs and Services Delivery	Resolve the issue with part-time residents not receiving the Get Active guide at their physical Peoria address.
A	1	4.1.04	Partnerships and Collaborative Efforts	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.
A	1	4.1.05	Partnerships and Collaborative Efforts	Work in conjunction with Maricopa County on all master plans and construction activities planned at Lake Pleasant and for trail connections into the county.

Action Strategies and Recommendations

Resource Estimate	Potential Funding Source	Strategy Leader	Strategy Team
Staff Time	N/A		
Staff Time. Cost to be determined based on the results from the report.	General Fund / Capital Improvement Plan (CIP) Funds		
Staff Time	Capital Improvement Plan (CIP) Funds / Alternative Funding such as Grants		
Staff Time	N/A		
Staff and Planning & Community Development Time. To be determined based on land acquisition agreement	Capital Improvement Plan (CIP) Funds / Alternative Funding such as Grants / Special Council-Approved Allocations / Debt Financing, i.e. Bond referendum, lease purchase, etc.		
Staff and Volunteer Time. Hourly Rate for Instructor	General Fund		
Staff Time	N/A		
Staff and Volunteer Time	N/A		
Staff Time, Promotional Materials and Mileage	General Fund and/or Sponsorships		
Staff Time	N/A		
Staff and legal time for any needed agreements/liability insurance. TBD- Fees for use of school district. Staff/instructor time for additional classes. Fees for classes should offset operations costs = 100% cost recovery.	General Fund / Special Council-Approved Allocations		
Staff and Volunteer Time (Representative appointed by the Parks and Recreation Board)	N/A		

Action Strategies and Recommendations

Refer to the Recommendations narrative for additional details regarding these strategies.
In some cases, the strategies description has been shortened for ease of reading in this chart.

Term	Priority	Strategy Number(s)	Category	Strategy Description
A	1	4.1.06	Partnerships and Collaborative Efforts	Work in conjunction with Maricopa County via the IGA to expand recreational opportunities at Lake Pleasant.
A	1	4.1.15	Partnerships and Collaborative Efforts	Increase the role of the Parks and Recreation Board in promoting and advocating for the Department.
A	1	5.1.02	Department Organization, Staffing and Resources	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.
A	1	5.1.07; 5.3.05; 5.3.02a	Department Organization, Staffing and Resources	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 12.1). 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.
A	1	5.1.08; 5.3.02b	Department Organization, Staffing and Resources	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.
A	1	5.1.12a	Department Organization, Staffing and Resources	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.
A	1	5.2.01	Department Organization, Staffing and Resources	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.
A	1	5.2.02e	Department Organization, Staffing and Resources	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.
A	1	5.3.02; 5.3.02d	Department Organization, Staffing and Resources	Refine the organization of the Community Services Department to streamline services and delineate clearer position responsibilities, including writing and/or updating job descriptions for all positions, including evaluating the positions at a department-wide level to clarify responsibilities and overlapping needs.
A	1	5.3.05a	Department Organization, Staffing and Resources	Adding a Promotions & Community Relations Manager to the Promotions & Community Relations Division
A	1	5.3.05b	Department Organization, Staffing and Resources	Relocating the Special Events (SPEV) Supervisor and Special Events (SPEV) Programmer from the Recreation Division to the Promotions & Community Relations Division
A	1	5.3.05c	Department Organization, Staffing and Resources	Adding an additional Special Events Coordinator position to the Promotions & Community Relations Division

Action Strategies and Recommendations

Resource Estimate	Potential Funding Source	Strategy Leader	Strategy Team
Staff and legal time for any needed agreements/liability insurance.	N/A		
Staff and Volunteer Time	N/A		
Staff Time and Promotional Materials	General Fund		
Staff Time to reorganize the existing staffing structure and initiate planning for allocation of resources for fulfill future staffing needs.	N/A		
Staff Time. Salary estimated at \$60,000-\$75,000.	General Fund		
Staff Time	N/A		
Staff and Volunteer Time. Coordination of key staff to be available for planning meetings	N/A		
Staff Time	N/A		
Staff Time	N/A		
Staff Time. Opportunity for an internal promotion or a new hire (Salary estimated at \$70,000-\$85,000).	General Fund		
Staff Time	N/A		
Staff Time	N/A		

Action Strategies and Recommendations

Refer to the Recommendations narrative for additional details regarding these strategies.
In some cases, the strategies description has been shortened for ease of reading in this chart.

Term	Priority	Strategy Number(s)	Category	Strategy Description
A	1	5.3.05d	Department Organization, Staffing and Resources	Adding a Marketing Specialist to the Promotions & Community Relations Division to promote programs and facilities in the department.
A	1	5.3.05e	Department Organization, Staffing and Resources	Relocating the Part time Cultural Arts Coordinator from the Parks Division to the Promotions & Community Relations Division.
A	1	5.3.05f	Department Organization, Staffing and Resources	Add one or two Sponsorship Associates that will work in addition to, and in coordination with the Sports Complexes Division's Sales staff.
A	1	5.3.05g	Department Organization, Staffing and Resources	Adding a graphic designer to the Promotions & Community Relations Division.
A	1	5.3.05h	Department Organization, Staffing and Resources	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.
A	1	5.4.04b	Department Organization, Staffing and Resources	Develop a plan to purchase and migrate to a web-based software system for program registrations, facility booking and financial management as a major update is required in 2014 to integrate web-based management and public interface features and the existing software system 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.
A	1	7.1.03; 7.1.04	Funding Resources and Opportunities	Review the impact fee structure and requirements for fees dedicated to parks and recreation to supplement the funding sources for capital projects and operations based on A.R.S. §9-463.05 criteria. Align the impact fee levels with the funding required for recommended parkland acquisition and facility development for future park development.
A	2	1.1.03	Park and Facility Development and Enhancement	Facility On-Going Maintenance and Replacement - Prepare a plan for on-going maintenance and replacement needs at facilities such as Rio Vista Community Center, Peoria Sports Complex, Sunrise Library, Main Library and the Peoria Community Center. 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.
A	2	1.1.05	Park and Facility Development and Enhancement	Where possible, work to add lights on existing diamond and rectangular fields, as it would help alleviate programming demands.

Action Strategies and Recommendations

Resource Estimate	Potential Funding Source	Strategy Leader	Strategy Team
Staff Time. Opportunity for an internal promotion or a new hire (Salary estimated at \$55,000-\$65,000).	General Fund		
Staff Time	N/A		
Staff Time. Opportunity for an internal promotion or a new hire (Salary estimated at \$40,000-\$50,000).	General Fund		
Staff Time. Salary estimated at \$40,000-\$50,000 or contract with a sub-consultant.	General Fund		
Staff Time. Salary based FT/PT needs and market conditions.	General Fund		
Software estimated at \$100,000.	General Fund		
Staff Time	N/A		
Staff Time to prepare annual reports. Annual Maintenance and Replacement Costs per the facilities management summary.	General Fund / Alternative Funding such as Grants / Special Council-Approved Allocations		
Lighting per field: \$125,000-175,000	Capital Improvement Plan (CIP) Funds / Alternative Funding such as Grants / Special Council-Approved Allocations		

Action Strategies and Recommendations

Refer to the Recommendations narrative for additional details regarding these strategies.
In some cases, the strategies description has been shortened for ease of reading in this chart.

Term	Priority	Strategy Number(s)	Category	Strategy Description
A	2	1.1.07; 1.1.07a; 1.1.07b	Park and Facility Development and Enhancement	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. 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. Integrate recycling containers into the trash receptacles as they are replaced.
A	2	1.1.13b	Park and Facility Development and Enhancement	Playgrounds - Establish a play equipment and shade canopy replacement program.
A	2	1.2.01	Park and Facility Development and Enhancement	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.
A	2	1.2.06	Park and Facility Development and Enhancement	Establish a tree inventory for the park system and rights-of-ways and a corresponding maintenance program.
A	2	1.2.07	Park and Facility Development and Enhancement	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.
A	2	1.2.08d	Park and Facility Development and Enhancement	Integrate pest management IPM programs to reduce the overall environmental impact when fertilizing and maintaining sports fields and recreation amenities.
A	2	2.1.02	Park and Facility Development and Enhancement	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.
A	2	2.1.03a	Park and Facility Development and Enhancement	Consider the following the highest priority items for facility development per the 2013 Parks and Recreation Needs Assessment Survey, these 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.
A	2	2.1.03b	Park and Facility Development and Enhancement	Consider the following the highest priority items for facility development per the public meeting input (especially north of Bell Road): a recreation center; lighted field complex; a dog park; pool facility

Action Strategies and Recommendations

Resource Estimate	Potential Funding Source	Strategy Leader	Strategy Team
Staff Time to evaluate the replacement needs annually. Replacement cost to be determined based on replacements items.	Capital Improvement Plan (CIP) Funds / Alternative Funding such as Grants / Special Council-Approved Allocations		
Playground, shade structure and safety surfacing for replacement estimated at \$100,000-150,000.	Capital Improvement Plan (CIP) Funds / Alternative Funding such as Grants / Special Council-Approved Allocations		
TBD - Material costs and cost savings	Capital Improvement Plan (CIP) Funds / Alternative Funding such as Grants / Special Council-Approved Allocations		
Staff Time and/or contracting with a sub-consultant to conduct the survey.	General Fund		
Staff and Parks Maintenance Time	General Fund / Special Council-Approved Allocations		
Staff time and material costs.	General Fund		
Park improvements estimated at \$5,000,000-\$7,000,000 plus land acquisition cost.	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations / Debt Financing / Impact Fees		
Staff time to update the CIP Plan.	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations / Debt Financing / Impact Fees		
Community Park with Recreation Center improvements estimated at \$30,000,000-\$50,000,000 plus land acquisition.	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations / Debt Financing		

Action Strategies and Recommendations

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Term	Priority	Strategy Number(s)	Category	Strategy Description
A	2	2.1.04	Park and Facility Development and Enhancement	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.
A	2	2.1.05	Park and Facility Development and Enhancement	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.
A	2	2.1.06	Park and Facility Development and Enhancement	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.
A	2	2.2.04a	Park and Facility Development and Enhancement	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.
A	2	2.2.06	Park and Facility Development and Enhancement	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.
A	2	2.3.02	Park and Facility Development and Enhancement	Work with the Public Works department to expand the bike lane system throughout Peoria, especially in conjunction with street improvement projects.
A	2	3.1.02	Programs and Services Delivery	Expand arts and cultural program offerings.
A	2	3.3.04	Programs and Services Delivery	Integrate the values of family, community and personalization into the promotion and development of programming and services.
A	2	5.1.04	Department Organization, Staffing and Resources	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; park planning worksheets with design criteria and recreation value checklist to evaluate level of service; and design guidelines.
A	2	5.1.05	Department Organization, Staffing and Resources	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.
A	2	5.1.05a	Department Organization, Staffing and Resources	Parks – Task staff with tracking the following (either via software or a developed spreadsheet): administrative activities, inspection, fertilizing, mowing, pruning/tree maintenance, weed control, trail maintenance, field preparation, trash, drive time, etc.

Action Strategies and Recommendations

Resource Estimate	Potential Funding Source	Strategy Leader	Strategy Team
Staff time to evaluate a replacement schedule to facilitate cross-functional spaces.	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations / Impact Fees		
Youth baseball field and rectangular field with lights estimated at \$450,000 each.	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocation / Impact Fees		
Staff time and design consultant during the preliminary facility planning	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocation		
Staff and legal time. Trails Cost: Concrete Walk - \$4.50/SF; Asphalt Walk - \$2.80/SF	General Fund		
Staff and Legal Time	N/A		
Staff and Public Works Time	Transportation Impact Fees		
Staff and Volunteer Time	N/A		
Staff Time	N/A		
Staff and Planning & Community Development Time	N/A		
Staff Time	N/A		
Staff time and training expenses to maximize the tools offered by the Hanson software.	N/A		

Action Strategies and Recommendations

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Term	Priority	Strategy Number(s)	Category	Strategy Description
A	2	5.1.05b	Department Organization, Staffing and Resources	Recreation – Task staff with tracking the following (either via software or a developed spreadsheet): program development, registration, program setup and operation, facility set-up/breakdown, coordination for special events, etc.
A	2	5.1.05c	Department Organization, Staffing and Resources	Sports Facilities – Task staff with tracking the following (either via software or a developed spreadsheet): maintenance activities (i.e. see parks above), administrative activities, sponsorship coordination, facility usage tracking, special event coordination, coordination with MLB teams, etc.
A	2	5.1.05d	Department Organization, Staffing and Resources	Libraries – Task staff with tracking the following (either via software or a developed spreadsheet): program development, program operation, administrative activities, assisting customers with technology versus research, set-up/break-down of programs, events, classes, etc.
A	2	5.1.11	Department Organization, Staffing and Resources	Parks Division - 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.
A	2	5.1.12	Department Organization, Staffing and Resources	Parks Division - Evaluate maintenance operations with a detailed maintenance task tracking and analysis. This would not only track what staff does in one week but how long each task, as well as drive time between facilities takes. It would incorporate PTO time. The data would be evaluated on a monthly and annual basis to understand both annual staffing and seasonal staffing needs. This would allow managers to understand monthly staff needs and average times for each task, as well as how PTO affects productivity.
A	2	5.2.02	Department Organization, Staffing and Resources	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.
A	2	5.3.09	Department Organization, Staffing and Resources	Recreation Division - Evaluate the need for additional staff or volunteers to assist during peak times.
A	2	5.4.03b	Department Organization, Staffing and Resources	Parks Division - 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.
A	2	5.5.06	Department Organization, Staffing and Resources	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 a typical park amenities while also minimizing the City’s liability for their activities on City property.

Action Strategies and Recommendations

Resource Estimate	Potential Funding Source	Strategy Leader	Strategy Team
Staff Time	N/A		
Staff Time	N/A		
Staff Time	N/A		
Staff time or contracted labor.	General Fund		
Staff Time	N/A		
Staff Time	N/A		
Staff Time	N/A		
Staff time to maximum the use of the Hanson software.	N/A		
Staff and legal time for any needed agreements/liability insurance. TBD- Fees for use of public facilities.	N/A		

Action Strategies and Recommendations

*Refer to the Recommendations narrative for additional details regarding these strategies.
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Term	Priority	Strategy Number(s)	Category	Strategy Description
A	2	6.1.03	Funding Resources and Opportunities	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.
A	2	6.1.04	Funding Resources and Opportunities	Libraries Division - 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 or evaluate programs like Bilbary.
A	2	7.1.06	Funding Resources and Opportunities	Maintain a conservative approach to the department budget in the recovering economy in order to not over-extend spending associated with tax revenue.
A	3	1.1.02	Park and Facility Development and Enhancement	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; maintain and improve existing trail system.
A	3	1.1.11	Park and Facility Development and Enhancement	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.
A	3	1.1.12d	Park and Facility Development and Enhancement	Dog Parks - Consider temporary fencing to allow for the turf areas to rest.
A	3	1.2.03	Park and Facility Development and Enhancement	Implement sustainability standards for parks, facilities and rights-of-ways including water conservation and materials by developing documents noting standards, parameters and guidelines.
A	3	1.2.08	Park and Facility Development and Enhancement	Increase green practices and use of energy-efficient materials.
A	3	1.2.09	Park and Facility Development and Enhancement	Implement a digital asset management tool to enhance management of replacement and maintenance needs while promoting opportunities to manage energy and water needs.
A	3	2.1.10	Park and Facility Development and Enhancement	Parks Division - Add a Maintenance Operation Center (MOC)-type facility in the northern area of the City (that also includes an area for aquatics 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.

Action Strategies and Recommendations

Resource Estimate	Potential Funding Source	Strategy Leader	Strategy Team
Staff Time to evaluate the replacement needs annually. Replacement cost to be determined based on replacements items.	N/A		
Staff and legal time for any needed agreements. TBD- Fees for access to library resources.	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations / General Fund		
Staff Time	N/A		
Staff Time	Capital Improvement Plan (CIP) Funds / General Fund		
Enclosures estimated at \$5,000 each.	General Fund		
To be determined based on site specific needs	General Fund		
Staff time and materials. Cost savings - water conservation.	General Fund		
Material costs and cost savings	Special Council-Approved Allocations / General Fund		
Contract with a consultant on a monthly basis estimated at \$2,000-\$3,000/Month.	General Fund		
Temporary Facility could reuse an existing City facility or vacant building in the northern area. The permanent facility is estimated at \$200,000-\$300,000 plus land acquisition cost.	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations / Debt Financing		

Action Strategies and Recommendations

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Term	Priority	Strategy Number(s)	Category	Strategy Description
A	3	2.2.01a	Park and Facility Development and Enhancement	Per the Level of Service analysis, consider providing additional facilities in areas with lower Levels of Service (LOS), including: Complete connections of the New River trail between Williams Road and Jomax Road.
A	3	2.2.01e	Park and Facility Development and Enhancement	Per the Level of Service analysis, consider providing additional facilities in areas with lower Levels of Service (LOS), including: Establish trail connectors and trail head areas to provide the residents in south Peoria with access to the river trail routes.
A	3	3.2.03	Programs and Services Delivery	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.
A	3	3.2.04	Programs and Services Delivery	Expand programs that highlight Peoria's cultural, historic and natural assets.
A	3	3.3.02	Programs and Services Delivery	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.
A	3	3.3.05; 3.3.07	Programs and Services Delivery	Develop a marketing strategy for the department as a whole. Promote public programs and services so as to win customers as well as retain their loyalty and continue to 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 it as coming from the Community Services Department.
A	3	3.3.06	Programs and Services Delivery	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.
A	3	3.3.08	Programs and Services Delivery	In addition to traditional marketing and graphic design work, flyers and programs should also be evaluated for a need to be written in Spanish.
A	3	3.3.09; 3.3.09a; 3.3.09b	Programs and Services Delivery	On the website, make the information on all public Department facilities more interactive, including parks, community facilities, libraries and trails (and trailheads). This could include more "clickable" points, photographs of facilities, videos, aerial and "street view" options to view the facility.
A	3	3.3.09c	Programs and Services Delivery	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.
A	3	3.3.09d	Programs and Services Delivery	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.

Action Strategies and Recommendations

Resource Estimate	Potential Funding Source	Strategy Leader	Strategy Team
Staff Time. Trails Cost: Concrete Walk - \$4.50/SF; Asphalt Walk - \$2.80/SF	General Fund / Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations		
Staff Time. TBD based on location, design, type of trail and trailhead.	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations / Alternative Funding		
Staff and volunteer time and promotional materials	General Fund		
Staff and volunteer time and promotional materials	General Fund		
Staff and volunteer time and promotional materials	N/A		
Staff time and promotional materials	General Fund		
Staff and Office of Communications time and promotional materials	General Fund		
Staff time and promotional materials	General Fund		
Staff and Office of Communications time and promotional materials	General Fund		
Staff Time	General Fund		
Staff and Office of Communications Time	N/A		

Action Strategies and Recommendations

Refer to the Recommendations narrative for additional details regarding these strategies.
In some cases, the strategies description has been shortened for ease of reading in this chart.

Term	Priority	Strategy Number(s)	Category	Strategy Description
A	3	4.1.01	Partnerships and Collaborative Efforts	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.
A	3	4.1.02	Partnerships and Collaborative Efforts	Develop public/private partnerships and strategies with communities, businesses, commercial / retail owners and neighborhoods to share facilities for organized programming and services.
A	3	4.1.03	Partnerships and Collaborative Efforts	Enhance relationships with other jurisdictions and government agencies to plan and construct trail extensions, fill in missing trail connections, and trailheads.
A	3	4.1.08	Partnerships and Collaborative Efforts	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.
A	3	4.1.14	Partnerships and Collaborative Efforts	Create a formalized volunteer program for the department, to be managed by Special Events Staff or Human Resources personnel. Also see Strategy 4.1.13 regarding a partnership with a non-profit organization.
A	3	5.1.01	Department Organization, Staffing and Resources	Establish and maintain a protocol to track responses to complaints, inquiries and ADA-related questions or concerns.
A	3	5.1.03	Department Organization, Staffing and Resources	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.
A	3	5.1.06	Department Organization, Staffing and Resources	Work to balance tasks throughout the department in order to minimize over-qualified staff doing assignments that could be covered by others. Consider using volunteers for some tasks. Educate staff that the use of overtime can be factored into programming.
A	3	5.2.05	Department Organization, Staffing and Resources	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.
A	3	5.3.04	Department Organization, Staffing and Resources	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.
A	3	5.3.04a	Department Organization, Staffing and Resources	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.
A	3	5.3.08	Department Organization, Staffing and Resources	Parks Division - 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.

Action Strategies and Recommendations

Resource Estimate	Potential Funding Source	Strategy Leader	Strategy Team
Staff Time	N/A		
Staff and legal time for any needed agreements/ liability insurance.	N/A		
Staff, Planning & Community Development and legal time for any needed agreements.	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations / Debt Financing		
Staff Time	N/A		
Staff and Volunteer Time	N/A		
Staff Time	N/A		
Staff Time	N/A		
Staff Time	N/A		
Staff Time	N/A		
Staff and Public Works-Facilities Time. Salary based FT/PT needs and market conditions.	General Fund		
Staff and Public Works-Facilities Time.	N/A		
Staff Time	General Fund		

Action Strategies and Recommendations

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Term	Priority	Strategy Number(s)	Category	Strategy Description
A	3	5.4.04a	Department Organization, Staffing and Resources	Recreation Division - Evaluate the need for a formal training program or if there are adequate opportunities for additional education for staff.
A	3	5.4.05a	Department Organization, Staffing and Resources	Libraries Division - 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.
A	3	5.5.02	Department Organization, Staffing and Resources	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.
A	3	5.5.03; 5.5.03a; 5.5.03b; 5.5.03c	Department Organization, Staffing and Resources	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. This may include the opportunity for enterprise funds, surcharges on registrations or an on-going maintenance fund that would go towards replacement of equipment and maintenance of facilities and parks.
A	3	5.5.04; 5.5.04a	Department Organization, Staffing and Resources	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. Also implement a policy for presenting, authorizing and implementing these types of programs.
A	3	6.1.01	Funding Resources and Opportunities	Maintain a dependable capital improvement budget to construct new facilities and replace aging amenities.
A	3	7.1.01d	Funding Resources and Opportunities	The department should evaluate pricing ramadas at different parks differently, with those being in higher demand being a higher cost.
A	3	7.2.03; 7.2.03a	Funding Resources and Opportunities	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) the Peoria Play Inc. and the Diamond Club, both of which provide scholarships to youth. Another option is to partner with an existing non-profit to fundraise, promote and support operations of the City's services and facilities.
Mid Term -2017-2019				
B	1	1.1.04	Park and Facility Development and Enhancement	Implement a light improvement program to install additional lighting and/or new lighting in parks, paths and trails.

Action Strategies and Recommendations

Resource Estimate	Potential Funding Source	Strategy Leader	Strategy Team
Staff Time and fees for educational materials and classes.	General Fund		
Request Public Works-Facilities Department to provide recommendations to integrate with existing security systems.	General Fund / Special Council-Approved Allocations		
Staff Time	N/A		
Staff and Legal Time. Cost savings - based on increased cost recovery.	N/A		
Staff and Legal Time. Cost savings - based on increased cost recovery.	N/A		
Staff Time	Capital Improvement Plan (CIP) Funds		
Staff Time	N/A		
Staff and Volunteer Time	Alternative Funding such as Grants		
Pedestrian Level Lighting- \$4,000 per fixture, Bollards- \$1,500-\$2,000 per fixture.	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations		

Action Strategies and Recommendations

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Term	Priority	Strategy Number(s)	Category	Strategy Description
B	1	1.1.08	Park and Facility Development and Enhancement	Enhance safety and security in parks and facilities. This may include additional lighting, patrols or fencing. Examples include Alta Vista and Paseo Verde Parks.
B	1	1.2.02	Park and Facility Development and Enhancement	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).
B	1	1.2.04	Park and Facility Development and Enhancement	Consider incorporating shrub and groundcover evaluation and replacement as part of the operations and maintenance practices to keep parks, facilities and rights-of-ways looking fresh. Shrubs and groundcovers that have died have often been removed without replacement.
B	1	1.2.05	Park and Facility Development and Enhancement	Designate vegetative zones within the parks and adjust plant types over time to correspond with the vegetative zones. Including active use areas and buffer or perimeter areas.
B	1	1.2.08a	Park and Facility Development and Enhancement	Increase water conservation through upgrades or repairs to irrigation systems.
B	1	2.1.01	Park and Facility Development and Enhancement	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), (which may be across multiple sites or a single site).
B	1	2.1.01a	Park and Facility Development and Enhancement	Develop priority areas for parks, trails and open space in Northern Peoria, including a community park located north of Bell Road.
B	1	2.1.01b	Park and Facility Development and Enhancement	Develop priority areas for parks, trails and open space in Northern Peoria, including lighted rectangular and diamond fields north of Bell Road.
B	1	2.1.01c; 2.1.12	Park and Facility Development and Enhancement	Develop priority areas for parks, trails and open space in Northern Peoria, including a recreation or community center north of Bell Road. Library and Recreation Divisions - 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. Also incorporate recreation staff offices (in addition to library services).
B	1	2.1.01e	Park and Facility Development and Enhancement	Develop priority areas for parks, trails and open space in Northern Peoria, including neighborhood parks in the Ventana Lakes area, Trilogy, and the area between Country Meadows Park and Westgreen Park.
B	1	2.2.01b	Park and Facility Development and Enhancement	Per the Level of Service analysis, consider providing additional facilities in areas with lower Levels of Service (LOS), including: 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.

Action Strategies and Recommendations

Resource Estimate	Potential Funding Source	Strategy Leader	Strategy Team
To be determined based on the evaluation by Staff	General Fund / Special Council-Approved Allocations		
Recycling containers- \$250 each	General Fund		
Parks Maintenance Time. Plantings- \$2.50-\$4.00/SF	General Fund / Special Council-Approved Allocations		
Parks Maintenance Time	N/A		
Staff time and materials, TBD based on parts. Cost savings - water conservation.	Capital Improvement Plan (CIP) Funds		
Staff Time and/or contracting with a consultant to develop a feasibility study for potential park sites. Park Feasibility Study is estimated at \$40,000-\$60,000.	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations / Impact Fees		
Refer to 2.1.01	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations / Impact Fees		
Refer to 2.1.01	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations / Impact Fees		
Staff Time and/or contracting with a consultant to develop a feasibility study for potential recreation center sites. Recreation Center Feasibility Study is estimated at \$50,000-\$75,000.	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations / General Fund		
Staff Time	Capital Improvement Plan (CIP) Funds / Impact Fees		
Staff Time and/or contracting with a consultant to develop a feasibility study for potential trail alignments. Trails Feasibility Study is estimated at \$30,000-\$50,000.	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations / General Fund		

Action Strategies and Recommendations

Refer to the Recommendations narrative for additional details regarding these strategies.
In some cases, the strategies description has been shortened for ease of reading in this chart.

Term	Priority	Strategy Number(s)	Category	Strategy Description
B	1	2.2.01c	Park and Facility Development and Enhancement	Per the Level of Service analysis, consider providing additional facilities in areas with lower Levels of Service (LOS), including: Create connections to the Lake Pleasant Parkway and Beardsley Road trails from Park Ridge, Sunrise, Camino a Lago, and Deer Village Parks.
B	1	2.2.01d	Park and Facility Development and Enhancement	Per the Level of Service analysis, consider providing additional facilities in areas with lower Levels of Service (LOS), including: 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.
B	1	2.2.01f	Park and Facility Development and Enhancement	Per the Level of Service analysis, consider providing additional facilities in areas with lower Levels of Service (LOS), including: Connect the Lake Pleasant Parkway Trail to the Discovery Trail system.
B	1	2.2.02a	Park and Facility Development and Enhancement	System-wide Walking and Biking Trails - 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.
B	1	2.2.07	Park and Facility Development and Enhancement	Increase access to the trail system with dedicated developed trailheads, improved bike lanes, and connections to neighborhood parks.
B	1	3.1.01	Programs and Services Delivery	The first priorities for program expansions should be within the top four most important programs noted in the survey, including adult fitness and wellness programs; community special events; youth sports programs; museums, arts and cultural programs.
B	1	3.1.03	Programs and Services Delivery	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.
B	1	3.1.04	Programs and Services Delivery	The City's recreation programs and indoor and outdoor facilities should strive to be "universally" accessible.
B	1	3.1.07	Programs and Services Delivery	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.
B	1	3.2.02; 3.2.02a; 5.4.05c	Programs and Services Delivery	Work to expand the offerings for adult computer classes and expand the technology classes at both library branches, either through the library or through the recreation programming. Potential solutions include incorporating multiple computer lab rooms and additional classroom space when the Main Library is renovated. 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.
B	1	3.3.11	Programs and Services Delivery	Integrate a digital asset management tool to enhance the coordination and delivery of the events and tracking of programs.

Action Strategies and Recommendations

Resource Estimate	Potential Funding Source	Strategy Leader	Strategy Team
Staff Time. TBD based on location, design, type of trail.	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations / Alternative Funding		
Staff and Public Works Time. TBD based on location, design, type of bike path or trail.	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations / Alternative Funding		
Staff Time. TBD based on location, design, type of trail.	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations / Alternative Funding		
Staff Time and Promotional Materials. TBD based on requirements signage and pavement markings	N/A		
Staff Time. TBD based on location, design, type of trail.	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations / Alternative Funding		
Staff Time	General Fund		
Staff Time	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations / General Fund		
Staff Time and refer to the ADA Assessment	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations / General Fund		
Staff Time and Promotional Materials	General Fund		
Staff Time and Promotional Materials. Facilities needs to be determined based on increased demand for programs.	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations / General Fund		
Contract with a consultant on a monthly basis estimated at \$2,000-\$3,000/month.	General Fund		

Action Strategies and Recommendations

*Refer to the Recommendations narrative for additional details regarding these strategies.
In some cases, the strategies description has been shortened for ease of reading in this chart.*

Term	Priority	Strategy Number(s)	Category	Strategy Description
B	1	4.1.10	Partnerships and Collaborative Efforts	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.
B	1	5.1.10	Department Organization, Staffing and Resources	Parks Division - 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.
B	1	5.1.13	Department Organization, Staffing and Resources	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.
B	1	5.1.14	Department Organization, Staffing and Resources	Consider using contract crews for specific maintenance activities (i.e. mowing, forestry, etc.).
B	1	5.2.03	Department Organization, Staffing and Resources	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 Complexes 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.
B	1	5.2.04	Department Organization, Staffing and Resources	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.
B	1	5.4.01	Department Organization, Staffing and Resources	Use the benchmarking data as part of this Master Plan annually as a review of best practices, needed improvements and resources.
B	1	5.4.03a	Department Organization, Staffing and Resources	Parks Division - Purchase reel mowers for maintenance of ball fields.

Action Strategies and Recommendations

Resource Estimate	Potential Funding Source	Strategy Leader	Strategy Team
Staff Time	N/A		
Staff Time	N/A		
Staff Time	General Fund		
Staff time and evaluation of consultant contracts for contract labor.	General Fund		
Staff Time	N/A		
Staff Time	N/A		
Staff Time	N/A		
Reel Mower- \$1,500 each plus annual maintenance.	General Fund		

Action Strategies and Recommendations

*Refer to the Recommendations narrative for additional details regarding these strategies.
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Term	Priority	Strategy Number(s)	Category	Strategy Description
B	1	6.1.02	Funding Resources and Opportunities	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.
B	1	7.1.01; 7.1.01a	Funding Resources and Opportunities	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. 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.
B	1	7.1.01b	Funding Resources and Opportunities	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.
B	1	7.2.02	Funding Resources and Opportunities	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.
B	1	7.2.05	Funding Resources and Opportunities	Enhance the sponsorship opportunities for local organizations and businesses through a tiered sponsorship packages for facilities, programs and special events.
B	2	1.1.06	Park and Facility Development and Enhancement	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.
B	2	1.1.10	Park and Facility Development and Enhancement	Provide on-street signage to direct people to all City parks.
B	2	1.1.13a	Park and Facility Development and Enhancement	Playgrounds - 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 is serves first and then to also minimize duplication within the system to make each park a destination for playground users.
B	2	2.1.07	Park and Facility Development and Enhancement	Consider adding additional facilities in the following categories to achieve a level of service comparable to national average and similar agencies per population in the benchmarking analysis: the number of indoor facilities; swimming pools; splash grounds.

Action Strategies and Recommendations

Resource Estimate	Potential Funding Source	Strategy Leader	Strategy Team
Staff and Council Time	General Fund / Capital Improvement Plan (CIP) Funds / Alternative Funding such as Grants / Special Council-Approved Allocations / Debt Financing.		
Staff Time. Fee generation balanced with increased cost recovery.	N/A		
Staff Time			
Staff and Council Time	General Fund / Capital Improvement Plan (CIP) Funds / Alternative Funding such as Grants / Special Council-Approved Allocations / Debt Financing.		
Staff Time and Promotional Materials	N/A		
Staff Time. Temporary conversions are estimated at \$1000/per court for temporary nets and painted lines. Permanent conversion is estimated at \$10,000 per court for surface painting, fencing and court adjustments.	General Fund / Capital Improvement Plan (CIP) Funds / Alternative Funding such as Grants / Special Council-Approved Allocations		
Staff, Planning and Community Development and Public Works Time. Signage- \$50/SF depending on type/size of sign fabricated.	General Fund / Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations		
Staff Time and/or contracting with a consultant to develop a playground master plan for the park system. Playground Master Plan is estimated at \$50,000-\$60,000.	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations		
Staff Time. Swimming Pools- \$4,000,000; Splash Grounds- \$150,000-\$250,000	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations / Debt Financing.		

Action Strategies and Recommendations

*Refer to the Recommendations narrative for additional details regarding these strategies.
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Term	Priority	Strategy Number(s)	Category	Strategy Description
B	2	2.1.11	Park and Facility Development and Enhancement	Library and Recreation Divisions - 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.
B	2	2.2.02b	Park and Facility Development and Enhancement	System-wide Walking and Biking Trails - Consider developing special signage that identifies routes and the mileage between facilities.
B	2	2.2.02c	Park and Facility Development and Enhancement	System-wide Walking and Biking Trails - Conduct a special study to enhance citywide pedestrian opportunities to make Peoria more walkable.
B	2	2.2.03	Park and Facility Development and Enhancement	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.
B	2	4.1.09	Partnerships and Collaborative Efforts	Seek out additional local, regional and national organizations and companies to supplement resources including long-term sponsorships.
B	2	4.1.11	Partnerships and Collaborative Efforts	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.
B	2	4.1.12	Partnerships and Collaborative Efforts	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.
B	2	4.1.13	Partnerships and Collaborative Efforts	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.
B	2	5.1.09	Department Organization, Staffing and Resources	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.

Action Strategies and Recommendations

Resource Estimate	Potential Funding Source	Strategy Leader	Strategy Team
Staff Time. Cost to be determined based on location and technology available for the kiosk.	Capital Improvement Plan (CIP) Funds / Alternative Funding such as Grants / Special Council-Approved Allocations		
Staff and Public Works Time. Trail Signage- \$20/SF depending on type/size of sign fabricated.	Capital Improvement Plan (CIP) Funds / Alternative Funding such as Grants / Special Council-Approved Allocations		
Staff Time and/or contracting with a consultant to develop a walkability assessment for the pedestrian network. Walkability Assessment is estimated at \$35,000-\$45,000.	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations		
Staff Time. Trail Signage- \$20/SF depending on type/size of sign fabricated.	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations		
Staff Time	Alternative Funding		
Staff Time	N/A		
Staff Time	Alternative Funding / Special Council-Approved Allocations		
Staff Time	Alternative Funding / Special Council-Approved Allocations		
Staff Time	General Fund		

Action Strategies and Recommendations

Refer to the Recommendations narrative for additional details regarding these strategies.
In some cases, the strategies description has been shortened for ease of reading in this chart.

Term	Priority	Strategy Number(s)	Category	Strategy Description
B	2	5.3.03	Department Organization, Staffing and Resources	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.
B	2	5.3.09a	Department Organization, Staffing and Resources	Recreation Division - 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.
B	2	5.3.09b	Department Organization, Staffing and Resources	Recreation Division - Add a Recreation Programmer for Teen Programs to assist with implementation of the Youth Master Plan and programs.
B	2	5.3.09c	Department Organization, Staffing and Resources	Recreation Division - Add a full-time maintenance technician for the pools and evaluate the need to reclassify the current maintenance position to a Maintenance Coordinator.
B	2	5.3.09d	Department Organization, Staffing and Resources	Recreation Division - Add more part-time staff to cover customer service at ballfields on the weekends.
B	2	5.3.09e	Department Organization, Staffing and Resources	Recreation Division - Add seasonal staff or volunteers to assist Sports staff during peak registration and league development periods for the four sports seasons.
B	2	5.3.09f	Department Organization, Staffing and Resources	Recreation Division -Add a Customer Service Representative to the Community Center to handle the increased volume of customers with the renovated facility.
B	2	5.3.09g	Department Organization, Staffing and Resources	Recreation Division - Add an Administrative Assistant to the Rio Vista Recreation Center.
B	2	5.4.05b	Department Organization, Staffing and Resources	Libraries Division - Improve computer lab computers.
B	2	5.5.01	Department Organization, Staffing and Resources	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).

Action Strategies and Recommendations

Resource Estimate	Potential Funding Source	Strategy Leader	Strategy Team
Staff Time	N/A		
Staff Time. Salary based on FT needs and market conditions.	General Fund		
Staff Time. Salary based on FT needs and market conditions.	General Fund		
Staff Time. Salary based on FT needs and market conditions.	General Fund		
Staff Time. Salary based on PT needs and market conditions.	General Fund		
Staff and Volunteer Time. Salary based on PT needs and market conditions.	General Fund		
Staff Time. Salary based on FT needs and market conditions.	General Fund		
Staff Time. Salary based on FT/PT needs and market conditions.	General Fund		
Computer- \$500-\$1000 depending on software. Investigate leasing computers for the library.	General Fund / Alternative Funding such as Grants		
Staff and Volunteer Time	Alternative Funding such as Grants and Public Funding		

Action Strategies and Recommendations

*Refer to the Recommendations narrative for additional details regarding these strategies.
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Term	Priority	Strategy Number(s)	Category	Strategy Description
B	2	5.5.05	Department Organization, Staffing and Resources	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.
B	2	7.1.01c	Funding Resources and Opportunities	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.
B	2	7.2.04	Funding Resources and Opportunities	Support and grow the Friends of Peoria Public Libraries group in order to grow the library programming and fundraising.
B	3	1.1.12a	Park and Facility Development and Enhancement	Dog Parks - Provide functional drinking fountains with pet bowls at all dog parks. For example, Parkridge Park.
B	3	1.1.12b	Park and Facility Development and Enhancement	Dog Parks - 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.
B	3	1.2.08b	Park and Facility Development and Enhancement	When interior fixtures are replaced or repaired, install water-saving devices.
B	3	2.2.04	Park and Facility Development and Enhancement	Enhance the trail connectivity in Peoria by linking the trail connections from existing and future development to the core trail network.
B	3	2.2.05	Park and Facility Development and Enhancement	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.
B	3	3.3.01	Programs and Services Delivery	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 youth and older adults, as well as the “drop-off” age groups (teen girls); young adult recreation programs and multi-generational households.

Action Strategies and Recommendations

Resource Estimate	Potential Funding Source	Strategy Leader	Strategy Team
Staff Time. Fee generation balanced with increased cost recovery.	N/A		
Staff Time. Fee generation balanced with increased cost recovery.	N/A		
Staff and Volunteer Time	Alternative Funding such as Grants and Fundraising		
Drinking Fountains w/ Pet Bowls- \$2,500-\$3,500	General Fund / Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations		
Staff Time. Cost to be determined based on existing conditions and materials to reconfigure the entries.	General Fund		
Staff time and materials, TBD based on parts. Cost savings - water conservation.	Capital Improvement Plan (CIP) Funds		
Staff and Planning & Community Development Time. Trails Cost: Concrete Walk - \$4.50/SF; Asphalt Walk - \$2.80/SF. Staff and development community time to coordinate future trail connection to City trails.	General Fund / Capital Improvement Plan (CIP) Funds / Impact Fees		
Staff and Maricopa County Staff Time	General Fund / Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations / Alternative Funding such as Transportation Enhancement Grants		
Staff Time and Promotional Materials	General Fund		

Action Strategies and Recommendations

Refer to the Recommendations narrative for additional details regarding these strategies.
In some cases, the strategies description has been shortened for ease of reading in this chart.

Term	Priority	Strategy Number(s)	Category	Strategy Description
B	3	3.3.06a	Programs and Services Delivery	Offer a “snow-bird” recreation pass for part-time Peoria residents or non-residents.
B	3	4.1.07	Partnerships and Collaborative Efforts	Explore partnership opportunities for open space acquisition and programming. This includes exploring partnership opportunities with private land owners for open space use and programming.
B	3	5.1.15	Department Organization, Staffing and Resources	Designate a separate maintenance crew for the Old Town and City Hall Campus area.
B	3	5.3.02b; 5.3.06	Department Organization, Staffing and Resources	Because of the volume of work created by HR 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.
B	3	5.3.03a	Department Organization, Staffing and Resources	Move the Human Resources Coordinator position created as part of these recommendations from the Administration part of the Department into the new Business Services Division.
B	3	5.3.03b	Department Organization, Staffing and Resources	Add or re-classify an existing position to the Business Services Manager in the new Business Services Division.
B	3	5.3.03c	Department Organization, Staffing and Resources	Relocate the Senior Management Analyst and Management Analyst to the new Business Services Division.
B	3	5.3.03d	Department Organization, Staffing and Resources	Relocate Customer Service Reps I and II to the new Business Services Division.
B	3	5.3.03e	Department Organization, Staffing and Resources	Relocate Administrative Assistants II to the new Business Services Division.
B	3	5.3.03f	Department Organization, Staffing and Resources	Relocate the Financial Systems Supervisor to the new Business Services Division.
B	3	5.3.03g	Department Organization, Staffing and Resources	Add an Administrative Assistant for seasonal and full-time recruitments and HR functions (familiarity with NeoGov, Recruitment and hiring procedures and paperwork into the new Business Services Division.
B	3	5.3.03h	Department Organization, Staffing and Resources	Add a seasonal or part-time Customer Service Representatives positions (for work at the administration office customer counter) into the new Business Services Division.

Action Strategies and Recommendations

Resource Estimate	Potential Funding Source	Strategy Leader	Strategy Team
Staff Time and Promotional Materials. Fee generation balanced with increased cost recovery.	N/A		
Staff, Planning & Community Development and legal time for any needed agreements.	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations / Alternative Funding		
Staff Time	N/A		
Staff Time. Salary based on FT needs and market conditions. (Salary estimated at \$40,000-\$50,000).	General Fund		
Staff Time. Salary based on PT/FT needs and market conditions.	General Fund		

Action Strategies and Recommendations

*Refer to the Recommendations narrative for additional details regarding these strategies.
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Term	Priority	Strategy Number(s)	Category	Strategy Description
B	3	5.3.03i	Department Organization, Staffing and Resources	Add a grant coordinator/programmer position to the new Business Services Division. This position could also assist with the administration of the annual Arts Grants project.
B	3	5.3.06a	Department Organization, Staffing and Resources	With the creation of a Business Services Division in the mid to long-term, move the Human Resources Coordinator position created as part of these recommendations from the Administration part of the Department.
B	3	5.3.06b	Department Organization, Staffing and Resources	With the creation of a Business Services Division in the mid to long-term, add or re-classify an existing position to Business Services Manager.
B	3	5.3.06c	Department Organization, Staffing and Resources	With the creation of a Business Services Division in the mid to long-term, relocate the Sr. Management Analyst and Management Analyst into the new Division.
B	3	5.3.06d	Department Organization, Staffing and Resources	With the creation of a Business Services Division in the mid to long-term, relocate Customer Service Reps I and II who are housed at the Administration part of the department into the new Division.
B	3	5.3.06e	Department Organization, Staffing and Resources	With the creation of a Business Services Division in the mid to long-term, relocate the Administrative Assistants II from the Administrative Office into the new Division.
B	3	5.3.06f	Department Organization, Staffing and Resources	With the creation of a Business Services Division in the mid to long-term, relocate the Financial Systems Supervisor into the new Division.
B	3	5.3.06g	Department Organization, Staffing and Resources	With the creation of a Business Services Division in the mid to long-term, add an Administrative Assistant for seasonal and full-time recruitments and HR functions (familiarity with NeoGov, Recruitment and hiring procedures and paperwork).
B	3	5.3.06h	Department Organization, Staffing and Resources	With the creation of a Business Services Division in the mid to long-term, add seasonal or part time Customer Service Representatives positions (for work at the administration office customer counter) for the seven intensely busy months.
B	3	5.3.06i	Department Organization, Staffing and Resources	With the creation of a Business Services Division in the mid to long-term, 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.
B	3	5.3.07	Department Organization, Staffing and Resources	Parks Division - 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.
B	3	5.4.01a	Department Organization, Staffing and Resources	Reference the most current PRORAGIS data in a customized report each year.

Action Strategies and Recommendations

Resource Estimate	Potential Funding Source	Strategy Leader	Strategy Team
Staff Time. Salary based on FT needs and market conditions.	General Fund		
Staff Time	N/A		
Staff Time. Salary based on FT needs and market conditions.	General Fund		
Staff Time. Salary based on PT needs and market conditions.	General Fund		
Staff Time. Salary based on FT needs and market conditions.	General Fund / Alternative Funding such as Grants		
Staff Time. Salary based on FT/PT needs and market conditions.	General Fund		
Staff Time	N/A		

Action Strategies and Recommendations

Refer to the Recommendations narrative for additional details regarding these strategies.
In some cases, the strategies description has been shortened for ease of reading in this chart.

Term	Priority	Strategy Number(s)	Category	Strategy Description
B	3	5.4.02	Department Organization, Staffing and Resources	Use GIS data to understand areas lacking service and areas of saturation prior to additional facility and land acquisitions.
B	3	7.2.01	Funding Resources and Opportunities	Be proactive in identifying, seeking out and supporting matching funds for grants and alternative funding.
Long Term -2020-2023				
C	1	1.2.08f	Park and Facility Development and Enhancement	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.
C	1	2.1.01d	Park and Facility Development and Enhancement	Develop priority areas for parks, trails and open space in Northern Peoria, including a pool north of Deer Valley.
C	1	2.3.03	Park and Facility Development and Enhancement	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.
C	1	3.2.01	Programs and Services Delivery	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.).
C	2	1.1.12c	Park and Facility Development and Enhancement	Dog Parks - Increase natural and structural shade levels at existing dog parks and plan for dog owner shade needs in future park plans.
C	2	1.2.08c	Park and Facility Development and Enhancement	Engage the use of solar energy for light fixtures and buildings, as upgrades or repairs are made to roofs, park lighting, etc. when possible
C	2	1.2.08e	Park and Facility Development and Enhancement	Plant native grasses and shrubs in hard to mow areas.
C	2	2.3.01	Park and Facility Development and Enhancement	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).
C	2	5.3.01	Department Organization, Staffing and Resources	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.

Action Strategies and Recommendations

Resource Estimate	Potential Funding Source	Strategy Leader	Strategy Team
Staff Time	N/A		
Staff Time	Alternative Funding such as Grants		
Staff time and materials, TBD based on parts. Cost savings - water conservation.	Capital Improvement Plan (CIP) Funds		
Staff Time. Community Pool Complex- \$4,000,000-\$6,000,000 depending on the program.	Capital Improvement Plan (CIP) Funds		
Staff and Public Works Time. Sidewalk Cost: Concrete Walk - \$4.50/SF.	General Fund / Capital Improvement Plan (CIP) Funds / Impact Fees		
Staff Time and/or contracting with a consultant to develop a feasibility study for potential library facility planning. Library Feasibility Study is estimated at \$50,000- \$65,000.	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations / General Fund		
Shade Structure- \$20,000-\$45,000 per structure; Landscape- \$200-\$300 per tree.	Capital Improvement Plan (CIP) Funds / Special Council-Approved Allocations / General Fund		
Staff time and materials, TBD based on parts. Cost savings - energy conservation.	Capital Improvement Plan (CIP) Funds		
Staff Time and Materials	General Fund / Special Council-Approved Allocations		
Staff Time	Alternative Funding		
Staff Time	N/A		

Action Strategies and Recommendations

*Refer to the Recommendations narrative for additional details regarding these strategies.
In some cases, the strategies description has been shortened for ease of reading in this chart.*

Term	Priority	Strategy Number(s)	Category	Strategy Description
C	3	7.1.02	Funding Resources and Opportunities	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.
C	3	7.1.02a	Funding Resources and Opportunities	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.))
C	3	7.1.05	Funding Resources and Opportunities	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.

Action Strategies and Recommendations

Resource Estimate	Potential Funding Source	Strategy Leader	Strategy Team
Staff and Legal Time	N/A		
Staff and Legal Time	N/A		
Staff and Legal Time	N/A		

Action Strategies and Recommendations (Facilities)

Refer to the Recommendations narrative for additional details regarding these strategies.
In some cases, the strategies description has been shortened for ease of reading in this chart.

Term	Priority	Strategy Number(s)	Category	Strategy Description
Short Term 2014-2016				
A	1	1.1.18a	Park and Facility Development and Enhancement	Calbrisa Park - Repair rubberized safety surfacing to address separation from the sidewalk and to meet ADA requirements.
A	1	1.1.21d	Park and Facility Development and Enhancement	Country Meadows Park - Repair the restroom.
A	1	1.1.27a	Park and Facility Development and Enhancement	Ira Murphy Park - Install railing behind the bleachers on Cheryl Drive to correct the safety issue at the elevated pedestrian gathering area.
A	1	1.1.48a	Park and Facility Development and Enhancement	Westland Park - Complete a sidewalk connection to the wash trail.
A	2	1.1.17b	Park and Facility Development and Enhancement	Braewood Park - Repair cracked basketball courts.
A	2	1.1.20a; 1.1.33a; 1.1.41a	Park and Facility Development and Enhancement	Centennial Pool; Peoria Pool; Sunrise Pool - Enclose the pool equipment and the pool chemical storage area with a secure architectural structure.
A	2	1.1.20b; 1.1.41b	Park and Facility Development and Enhancement	Centennial Pool; Sunrise Pool - Develop a more secure perimeter fence system by increasing the height and limiting climb-ability of the exterior barrier.
A	2	1.1.20d; 1.1.33d; 1.1.41d	Park and Facility Development and Enhancement	Centennial Pool; Peoria Pool; Sunrise Pool - Add security cameras to the facilities to monitor the pool and interior of buildings.
A	2	1.1.21b	Park and Facility Development and Enhancement	Country Meadows Park - Replace cracked asphalt tennis courts with a more durable concrete court or consider replacing tennis with another active recreation amenity.
A	2	1.1.21c	Park and Facility Development and Enhancement	Country Meadows Park - Repair the tennis court fencing.
A	2	1.1.26c	Park and Facility Development and Enhancement	Hayes Park - Repair or replace damaged concrete at the restroom.
A	2	1.1.28a	Park and Facility Development and Enhancement	Kiwanis Park - Replace cracked asphalt tennis courts with a more durable concrete court or consider replacing tennis with another active recreation amenity.
A	2	1.1.32h	Park and Facility Development and Enhancement	Paseo Verde Park - Basketball court is cracking and should be evaluated for repair priority.
A	2	1.1.34c	Park and Facility Development and Enhancement	Rio Vista Community Park - Add emergency contact signs throughout the site similar to those installed at Pioneer Community Park.

Cost Estimate	Potential Funding Source	Strategy Leader	Strategy Team
\$7,200.00			
TBD			Complete
\$2,200.00			
\$560.00			Complete
\$37,800.00			
\$50,000.00			
\$13,750.00			
\$12,000.00			
\$77,000.00			
\$12,000.00			
\$14,300.00			
\$77,000.00			
\$18,900.00			
\$34,380.00			

Action Strategies and Recommendations (Facilities)

Refer to the Recommendations narrative for additional details regarding these strategies.
In some cases, the strategies description has been shortened for ease of reading in this chart.

Term	Priority	Strategy Number(s)	Category	Strategy Description
A	3	1.1.15a; 1.1.16b; 1.1.18c; 1.1.22a; 1.1.25b; 1.1.29b; 1.1.31a; 1.1.38a; 1.1.39b	Park and Facility Development and Enhancement	Apache Park; Arrowhead Shores Park; Calbrisa Park; Deer Village Park; Fletcher Heights Park; Monroe Park; Parkridge Park; Sundance Park; Sunnyslope Park - Replace damaged plastic coated site furnishings with powder-coated or concrete furnishings.
A	3	1.1.16a	Park and Facility Development and Enhancement	Arrowhead Shores Park - Evaluate ways to increase public awareness and visibility of the park to counterbalance the limited visibility into the park and vandalism this encourages. Include street signage and wayfinding throughout the neighborhood.
A	3	1.1.16e	Park and Facility Development and Enhancement	Arrowhead Shores Park - Make improvements to this park to increase the Level of Service scores to bring it to an adequate or higher status. Recommended improvements include: Upgrading the playground equipment, creating an enhanced park entrance with dedicated parking and signage, improving ADA accessibility within the site and designating ADA parking with striping, adding drinking fountains distributed for easier access within the linear greenspace, improving site security with additional lighting, and improving picnic facilities by providing concrete tables and repairing the ramada.
A	3	1.1.23d	Park and Facility Development and Enhancement	Desert Amethyst Park - Ensure that the wood chips are installed to an adequate depth.
A	3	1.1.25a	Park and Facility Development and Enhancement	Fletcher Heights Park - Repair damaged ramada roof panels.
A	3	1.1.26a	Park and Facility Development and Enhancement	Hayes Park - Evaluate the damaged rubberized safety surfacing at 2-5 year playground for a repair solution.
A	3	1.1.29a	Park and Facility Development and Enhancement	Monroe Park - Add a concrete ADA path to at least one picnic ramada.
A	3	1.1.32d	Park and Facility Development and Enhancement	Paseo Verde Park - Add ADA pads for benches and rest areas along the walks where current benches are located in bare earth in the landscape areas.
A	3	1.1.32k	Park and Facility Development and Enhancement	Paseo Verde Park - NEOS play system had been vandalized and some games did not work. Consider increasing care schedule for this unique piece of play equipment to ensure it provides the type of experience users expect from an electronic play system.

Cost Estimate	Potential Funding Source	Strategy Leader	Strategy Team
\$62,000.00			
\$5,950.00			
\$188,500.00			
\$7,500.00			
\$10,000.00			
\$5,400.00			
\$1,260.00			
\$6,600.00			
\$12,000.00			

Action Strategies and Recommendations (Facilities)

Refer to the Recommendations narrative for additional details regarding these strategies.
In some cases, the strategies description has been shortened for ease of reading in this chart.

Term	Priority	Strategy Number(s)	Category	Strategy Description
A	3	1.1.34a	Park and Facility Development and Enhancement	Rio Vista Community Park - Using the original design plan as a template, inventory the park vegetation to identify missing plant material and develop a program for replacement to maintain the public's perception of the park as a premier recreation facility.
A	3	1.1.36a	Park and Facility Development and Enhancement	Scotland Yard Park - This is a new park with many design elements that highlights the City of Peoria's commitment to low impact development. Evaluate ways to increase public awareness of the facility.
A	3	1.1.39c	Park and Facility Development and Enhancement	Sunnyslope Park - Replace the missing handrail at the scupper under the path by the west parking lot.
A	3	1.1.42c	Park and Facility Development and Enhancement	Sunset Park - Evaluate the damaged rubberized safety surfacing at 2-5 year playground for a repair solution.
A	3	1.1.50a	Park and Facility Development and Enhancement	Windrose Park - Improve drainage between basins. Existing pipes are exposed and damaged, and ground has eroded around them that should be reshaped with protection.
Mid Term -2017-2019				
B	1	1.1.22c	Park and Facility Development and Enhancement	Deer Village Park - Evaluate adding lighting to the multi-use paths to improve security and encourage use.
B	1	1.1.23a	Park and Facility Development and Enhancement	Desert Amethyst Park - Install a shade canopy over the play area.
B	1	1.1.23b	Park and Facility Development and Enhancement	Desert Amethyst Park -The loop path serves dual purpose as a swale on the north and west sides. Consider improving the loop path by adding a 4' concrete or stabilized decomposed granite path with a standard 1-2% cross slope.
B	1	1.1.24a	Park and Facility Development and Enhancement	Fletcher Heights North Park - Add a drinking fountain and bike racks to the site.
B	1	1.1.24b	Park and Facility Development and Enhancement	Fletcher Heights North Park - Repair the chipped basketball court surface.
B	1	1.1.26b	Park and Facility Development and Enhancement	Hayes Park - Install storm water control measures to alleviate erosion of the stabilized decomposed granite path at the base of the basin slopes.
B	1	1.1.26e	Park and Facility Development and Enhancement	Hayes Park - Provide a drinking fountain at the ball fields.
B	1	1.1.26f	Park and Facility Development and Enhancement	Hayes Park - Remove the turf from the infields on the two west ballfields to make them usable for baseball and softball (instead of just baseball).

Cost Estimate	Potential Funding Source	Strategy Leader	Strategy Team
\$11,000.00			
N/A			
\$360.00			
\$8,100.00			
\$3,500.00			
\$55,000.00			
\$45,000.00			
\$22,000.00			
\$8,500.00			
\$18,900.00			
\$3,600.00			
\$15,000.00			
\$5,250.00			

Action Strategies and Recommendations (Facilities)

*Refer to the Recommendations narrative for additional details regarding these strategies.
In some cases, the strategies description has been shortened for ease of reading in this chart.*

Term	Priority	Strategy Number(s)	Category	Strategy Description
B	1	1.1.31b	Park and Facility Development and Enhancement	Parkridge Park - Provide drinking fountains at the dog park cells and improve the entry vestibules to replace the low fencing with a minimum 5-foot high fence.
B	1	1.1.32j	Park and Facility Development and Enhancement	Paseo Verde Park - Consider reconfiguring grill positions in relation to the tables and each other. The two grills at the large group ramada are far enough apart a single person could not use both, but are close enough to one another than two separate groups may have issues.
B	1	1.1.33b	Park and Facility Development and Enhancement	Peoria Pool - Remove the spray guns in the wading pool area and evaluate a small slide apparatus or other play attraction, such as a climbing wall or other amenity that can be accommodated in the existing space to help bring this pool area more in line with the facilities available at the other pools.
B	1	1.1.35b	Park and Facility Development and Enhancement	Roundtree Ranch Park - Add a drinking fountain at the picnic ramada and to serve playground users during hot weather.
B	1	1.1.40b	Park and Facility Development and Enhancement	Sunrise Park - Work with the development managers to address the dead-end pedestrian path that links from the park into the development's open space. This dead end sidewalk leads unaware users into an urban "box canyon" that is not visible from the street. Add signs closer to the park that alerts users that the trail is private. An alternative public loop back to the parking lot may also be considered.
B	1	1.1.44a	Park and Facility Development and Enhancement	Terramar Park - Evaluate drainage issues at sidewalk crossing. A concrete dip section should be added to address the overtopping of the sidewalk that appears to occur and is undercutting the concrete.
B	1	1.1.51a	Park and Facility Development and Enhancement	Libraries - Work to improve the layout of back-of-house spaces in both buildings, they are tight for equipment, work space and carts.
B	1	1.1.51b	Park and Facility Development and Enhancement	Libraries - Work with the Friends of the Peoria Public Library to find the means to maximize their sale area at both branches.

Cost Estimate	Potential Funding Source	Strategy Leader	Strategy Team
\$16,000.00			
\$500.00			
\$6,000.00			
\$7,000.00			
\$1,400.00			
\$1,700.00			
TBD			
TBD			

Action Strategies and Recommendations (Facilities)

Refer to the Recommendations narrative for additional details regarding these strategies.
In some cases, the strategies description has been shortened for ease of reading in this chart.

Term	Priority	Strategy Number(s)	Category	Strategy Description
B	1	1.1.51c	Park and Facility Development and Enhancement	Libraries - Remodel the Main Library, including consideration for the following: Address security and lack of visual sight lines in various areas; Improve handicap access and slopes to front entrances; get staff involved in any future library design; add meeting rooms of various sizes to accommodate classes and patron use.
B	2	1.1.14b	Park and Facility Development and Enhancement	Alta Vista Park - Modify the Dog Park entry vestibule to provide separate entries into each cell in order to provide a controlled, safe cell entrance.
B	2	1.1.14c; 1.1.16c; 1.1.35a; 1.1.47a; 1.1.50b	Park and Facility Development and Enhancement	Alta Vista Park; Arrowhead Shores Park; Roundtree Ranch Park; Westgreen Park; and Windrose Park - Replace removable metal picnic tables with concrete tables.
B	2	1.1.14d	Park and Facility Development and Enhancement	Alta Vista Park - Add skateboard deterrents to the picnic area seat wall to reduce edge wear.
B	2	1.1.16d	Park and Facility Development and Enhancement	Arrowhead Shores Park - Consider the addition of a unique use within the park such as disc golf. This may increase the number of park users, in turn helping to police against vandalism and increase the sense of public ownership.
B	2	1.1.19b	Park and Facility Development and Enhancement	Centennial Plaza - Identify a plaza parking area to direct the public to the site and identify the plaza as a unique space in addition to serving as a link between the City campus buildings.
B	2	1.1.20c; 1.1.33c; 1.1.41c	Park and Facility Development and Enhancement	Centennial Pool; Peoria Pool; Sunrise Pool - Conduct a shade study that evaluates the effectiveness of the existing shade structures and vegetation and improve the canopy configuration to increase the shade coverage for spectators and pool users.
B	2	1.1.26d	Park and Facility Development and Enhancement	Hayes Park - Install bike racks near the restroom area.
B	2	1.1.29c	Park and Facility Development and Enhancement	Monroe Park - Upgrade playground with newer equipment and provide separate 2-5 and 5-12 play areas.
B	2	1.1.30a	Park and Facility Development and Enhancement	Palo Verde Park - Increase public awareness of the unique cultural resources and interpretive features at this park, such as featuring the park on the website, City newsletters and Get Active publication.

Cost Estimate	Potential Funding Source	Strategy Leader	Strategy Team
TBD based on a facility feasibility study			
\$1,320.00			
\$49,500.00			
\$400.00			
\$6,500.00			
Refer to 1.1.19a			
\$49,500.00			
\$1,500.00			
\$220,000.00			
N/A			

Action Strategies and Recommendations (Facilities)

Refer to the Recommendations narrative for additional details regarding these strategies. In some cases, the strategies description has been shortened for ease of reading in this chart.

Term	Priority	Strategy Number(s)	Category	Strategy Description
B	2	1.1.31c	Park and Facility Development and Enhancement	Parkridge Park - Evaluate options for better integrating the remaining open space area near the large dog park cells into the remainder of the park. This might include the addition of a programmed use or increasing the number of small dog cells to two.
B	2	1.1.32c	Park and Facility Development and Enhancement	Paseo Verde Park - Replace damaged plastic coated site furnishings with powder-coated or concrete furnishings. Consider removing plastic coating from serviceable bike racks to improve appearance.
B	2	1.1.32f	Park and Facility Development and Enhancement	Paseo Verde Park - Playground equipment is serviceable, but an older style. Replace with new equipment.
B	2	1.1.32g	Park and Facility Development and Enhancement	Paseo Verde Park - Include a separate 2-5 play area under shade as a replacement for the stand-alone tot play pieces not covered by the shade canopy.
B	2	1.1.32i	Park and Facility Development and Enhancement	Paseo Verde Park - Replace the moveable metal picnic tables at the large group picnic area with the concrete style picnic tables. Moveable tables appear to be used by vandals to reach and cut the shade fabric.
B	2	1.1.34b	Park and Facility Development and Enhancement	Rio Vista Community Park - Identify strategic locations, such as the pedestrian plaza areas adjacent to parking lots, to provide a project directory which includes a campus map to assist in onsite way-finding. City maintenance staff expressed they receive frequent complaints about the difficulty visitors have in finding their way around the park site.
B	2	1.1.37a	Park and Facility Development and Enhancement	Sonoran Mountain Ranch Park - Install full shade canopies over playgrounds to supplement integrated umbrellas.
B	2	1.1.39a	Park and Facility Development and Enhancement	Sunnyslope Park - Modify the dog park entry vestibule to provide separate entries into each cell in order to provide a controlled, safe entry at the entrance.
B	2	1.1.42b	Park and Facility Development and Enhancement	Sunset Park - Augment integrated umbrellas with canopy shade structure for the 5-12 playground.
B	2	1.1.43a	Park and Facility Development and Enhancement	Sweetwater Park - Update the playground equipment.
B	2	1.1.43c	Park and Facility Development and Enhancement	Sweetwater Park - Consider programming the plaza area at the park with small scheduled events or make it into additional picnic space.

Cost Estimate	Potential Funding Source	Strategy Leader	Strategy Team
\$4,000.00			
\$15,000.00			
\$55,000.00			
\$110,000.00			
\$6,000.00			
\$6,600.00			
\$90,000.00			
\$1,320.00			
\$45,000.00			
\$220,000.00			
\$12,000.00			

Action Strategies and Recommendations (Facilities)

Refer to the Recommendations narrative for additional details regarding these strategies.
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Term	Priority	Strategy Number(s)	Category	Strategy Description
B	2	1.1.44d	Park and Facility Development and Enhancement	Terramar Park - The school bike racks and the park bike racks appear to be heavily used during the school year for kids biking to school. Consider creating a single, large shared-use bike parking area that services both facilities.
B	2	1.1.45a	Park and Facility Development and Enhancement	Varney Park - Evaluate the outbuilding located west of the ball fields and potential for renovation based on use.
B	2	1.1.46b	Park and Facility Development and Enhancement	Wacker Park - Update the play equipment.
B	2	1.1.50d	Park and Facility Development and Enhancement	Windrose Park - Replace aging and damaged benches.
B	2	1.1.50e	Park and Facility Development and Enhancement	Windrose Park - Replace aging play equipment and adding separate 2-5 and 5-12 structures under shade canopies. Current standalone tot rider toys have a nostalgic feel and could be incorporated into a playground renovation.
B	3	1.1.14a	Park and Facility Development and Enhancement	Alta Vista Park - Evaluate opportunities to better incorporate the nature trail area with the rest of the park. Consider adding additional wayfinding signage or a visually attractive feature to the nature trail that will draw visitors to the area.
B	3	1.1.19a	Park and Facility Development and Enhancement	Centennial Plaza - Increase public awareness of the facility and promote visits to the plaza. This includes improved wayfinding signage that describes plaza features such as the history walk and amphitheater in addition to the name of the site.
B	3	1.1.32e	Park and Facility Development and Enhancement	Paseo Verde Park - Add park wayfinding sign at the pedestrian entrance off of 77th Drive.
B	3	1.1.34d	Park and Facility Development and Enhancement	Rio Vista Community Park - Improve wayfinding signage by incorporating maps.
B	3	1.1.34e	Park and Facility Development and Enhancement	Rio Vista Community Park - Monitor signage for wear and readability, and replace signage when wear becomes significant and impacts the visible aesthetic and readability of the sign.
B	3	1.1.37c	Park and Facility Development and Enhancement	Sonoran Mountain Ranch Park - Provide higher visibility signage to the East Wing and overlook trails to the south of the park.

Cost Estimate	Potential Funding Source	Strategy Leader	Strategy Team
\$6,250.00			
\$18,000.00			
\$110,000.00			
\$8,800.00			
\$110,000.00			
\$3,800.00			
\$2,000.00			
\$700.00			
\$50/SF for signage			
N/A			
\$1,400.00			

Action Strategies and Recommendations (Facilities)

Refer to the Recommendations narrative for additional details regarding these strategies.
In some cases, the strategies description has been shortened for ease of reading in this chart.

Term	Priority	Strategy Number(s)	Category	Strategy Description
B	3	1.1.40a	Park and Facility Development and Enhancement	Sunrise Park - Increase visibility of the park from the roads by adding wayfinding signs at the park pedestrian entrances.
B	3	1.1.44b	Park and Facility Development and Enhancement	Terramar Park - Add additional wayfinding signs from the neighborhood as well as mileage information for users making a circuit on the walks around the park.
B	3	1.1.44c	Park and Facility Development and Enhancement	Terramar Park - Add a header on the outside edge of the soft-surface trail adjacent to the walk to delineate this existing use and edge the decomposed granite in landscape area.
B	3	1.1.49a	Park and Facility Development and Enhancement	Westwing Park - Add mileage for walking paths and wayfinding signage.

Long Term -2020-2023

Term	Priority	Strategy Number(s)	Category	Strategy Description
C	1	1.1.23c	Park and Facility Development and Enhancement	Desert Amethyst Park - Evaluate installing lighting along the path.
C	1	1.1.24c	Park and Facility Development and Enhancement	Fletcher Heights North Park - Add mileage signage to the looped trail around the park including the sidewalk.
C	1	1.1.25c	Park and Facility Development and Enhancement	Fletcher Heights Park - Evaluate options for integrating the east open turf to the activity areas of the park, including trails or the addition of active recreation facilities such as soccer goals. (Kids were playing soccer on the basketball court at the time of the inventory).
C	1	1.1.28b	Park and Facility Development and Enhancement	Kiwanis Park - Consider paving the loop path to enhance the range of use.
C	1	1.1.42e	Park and Facility Development and Enhancement	Sunset Park - Consider adding an alternative public loop trail back to the parking lot.
C	1	1.1.45b	Park and Facility Development and Enhancement	Varney Park - Consider adding a loop path around the park to connect to trail connection from Roosevelt Street and provide daily exercise opportunities for neighborhood residents.
C	1	1.1.46a	Park and Facility Development and Enhancement	Wacker Park - Connect the interior path to the sidewalk to create a loop walk.
C	1	1.1.47b	Park and Facility Development and Enhancement	Westgreen Park - Consider adding a looped path around the park.
C	1	1.1.49b	Park and Facility Development and Enhancement	Westwing Park - Evaluate the opportunity to include a Discovery Trail within the wash that connects to the Sunrise Mountain Trail. Opportunities for education and learning in conjunction with the school could be identified and incorporated.

Cost Estimate	Potential Funding Source	Strategy Leader	Strategy Team
\$2,650.00			
\$4,000.00			
\$11,400.00			
\$6,600.00			
Cost Estimate	Potential Funding Source	Strategy Leader	Strategy Team
\$28,600.00			
\$2,650.00			
\$30,000.00			
\$16,250.00			
\$25,000.00			
\$56,000.00			
\$7,000.00			
\$18,900.00			
\$25,800.00			

Action Strategies and Recommendations (Facilities)

Refer to the Recommendations narrative for additional details regarding these strategies.
In some cases, the strategies description has been shortened for ease of reading in this chart.

Term	Priority	Strategy Number(s)	Category	Strategy Description
C	2	1.1.17a	Park and Facility Development and Enhancement	Braewood Park - Create a pedestrian access point from Yucca Street.
C	2	1.1.18b	Park and Facility Development and Enhancement	Calbrisa Park - Evaluate options for filling the empty tree planters around the playground, including replacement trees.
C	2	1.1.21a; 1.1.21f	Park and Facility Development and Enhancement	Country Meadows Park - Evaluate options for filling the empty tree planters around the plaza including replacement trees.
C	2	1.1.23e	Park and Facility Development and Enhancement	Desert Amethyst Park - Make improvements to this park to increase the Level of Service scores to bring it to an adequate or higher status. Add amenities to the basin park such as bike racks, additional natural shade along the path, or picnic facilities.
C	2	1.1.37b	Park and Facility Development and Enhancement	Sonoran Mountain Ranch Park - Evaluate potential connections from the sidewalk that ends at northwest corner of the park. Currently the sidewalk connects to what appears to be an unimproved and worn path through the desert but does not include signage indicating the ultimate destination for the trail.
C	2	1.1.42d	Park and Facility Development and Enhancement	Sunset Park - Evaluate adding shade to softball facilities over dugout benches and spectator areas.
C	2	1.1.43b	Park and Facility Development and Enhancement	Sweetwater Park - Replace dead plant material in the landscape planter areas or install an alternative material.
C	2	1.1.46c	Park and Facility Development and Enhancement	Wacker Park - Add new or upgraded amenities to the park to increase the Level of Service scores to bring it to an adequate or higher status.
C	2	1.1.50c	Park and Facility Development and Enhancement	Windrose Park - Remove or refill empty tree-ring planters around the playground.
C	3	1.1.21e	Park and Facility Development and Enhancement	Country Meadows Park - Replace turf outside of the loop walk with a native landscape area with drought tolerant plant material.
C	3	1.1.22b	Park and Facility Development and Enhancement	Deer Village Park - Evaluate adding new trees near the playground to mature along with the existing trees and maintain the character of the site when the older trees require replacement.
C	3	1.1.27b	Park and Facility Development and Enhancement	Ira Murphy Park - Replace shrubs in the landscape area around the park sign.

Cost Estimate	Potential Funding Source	Strategy Leader	Strategy Team
\$2,900.00			
\$46,500.00			
\$1,250.00			
\$14,225.00			
\$3,300.00			
\$96,000.00			
\$1,200.00			
\$52,000.00			
\$500.00			
\$65,250.00			
\$1,000.00			
\$3,000.00			

Action Strategies and Recommendations (Facilities)

Refer to the Recommendations narrative for additional details regarding these strategies. In some cases, the strategies description has been shortened for ease of reading in this chart.

Term	Priority	Strategy Number(s)	Category	Strategy Description
C	3	1.1.32a	Park and Facility Development and Enhancement	Paseo Verde Park - Add grasses or other street drainage tolerant plants into the water-harvesting swale that collects runoff from Greenway Road.
C	3	1.1.32b	Park and Facility Development and Enhancement	Paseo Verde Park - Designate the landscape area immediately adjacent to the sidewalk as a soft-surface path, install a concrete header to edge the path, and provide install 1/4-inch minus decomposed surfacing. Installing new shrubs and groundcovers along the improved multi-use path.
C	3	1.1.37d	Park and Facility Development and Enhancement	Sonoran Mountain Ranch Park - Renovate the parking lot.
C	3	1.1.42a	Park and Facility Development and Enhancement	Sunset Park - Upgrade bicycle racks to a more durable model.
C	3	1.1.42f	Park and Facility Development and Enhancement	Sunset Park - Reconfigure the backstops to a more traditional shape, adding covered dugouts and eliminating awkward playing angles.
C	3	1.1.50f	Park and Facility Development and Enhancement	Windrose Park - Path circulation appears haphazard and could be renovated to improve circulation and loop path opportunities.

Cost Estimate	Potential Funding Source	Strategy Leader	Strategy Team
\$12,750.00			
\$21,375.00			
\$39,000.00			
\$3,000.00			
\$24,375.00			
\$1,650.00			

Appendix

Park Classification Guidelines A1

PARK CLASSIFICATION GUIDELINES

Introduction

These parks guidelines are intended to establish a minimum expectation to deliver parks that meet the needs of the community. The 2013 Community Services Master Plan reflects the diverse needs for parks to serve the existing and developing areas in the community. The following guidelines identify five classifications of parks. The classifications are; Mini Park, Neighborhood Park, Community Park, Regional Park and Special Use Park. There is a range of both passive and active recreational activities that can occur within each park classification. However, the designations generally do imply a type and size of facility and a level of service that corresponds to current public expectations.

Mini Park

Function:

Mini parks are one (1) to ten (10) acre parks serving users within a one-quarter (1/4) mile service area. These parks are typically privately owned and operated by the homeowner associations. Mini parks may be publically owned. The parks provided needed park space within neighborhoods. These parks should be convenient and located within walking distance of many of the residents. The mini park should reflect the character of the neighborhood. These facilities provide general active and passive recreation opportunities for local families and residents. The parks within the same neighborhood or throughout Peoria may offer similar amenities, though it is desirable that each has a unique design appeal and can offer a specialized activity that is valued by the residents of the neighborhood.

Design considerations:

The typical preferred size of a mini park should one (1) to ten (10) acres. The recommended usable space is five (5) acres excluding roads, slopes, tracts and flood zones washes. A mini park should be strategically located in residential communities to provide walkable pedestrian access. At least one edge of the park should be adjacent to a local street to provide visual surveillance and

convenient access. The parks can be located adjacent to retention basins and drainage corridors as long as the primary facilities of the park are not impacted by high water conditions. Pedestrian access to the park via walks, paths, trails or open space should be included, and in some instances the park may also be designed to accommodate trailhead needs. In the mountainous northern areas of the city, accommodations may be altered for the service radius due to lower residential densities.

Typical facilities located in a mini park may include:

- Rectangular fields/ open turf play (not intended for league play)
- Play court (i.e. basketball, tennis, volleyball)
- A single ramada or grouping of picnic tables
- Shaded children's play area (typically one facility to accommodate for age, 2-5 yrs or 5-12yrs)
- Swings
- Perimeter or looped lighted walking path
- Trailheads (if adjacent to open space)
- Benches, picnic table, trash receptacle and pet waste dispensers
- Chilled drinking fountains with pet water dispensers
- Landscape areas
- Parking accessible on the adjacent street
- Dusk to dawn security lighting (may be achieved by on-street lighting)
- Park sign

Neighborhood Park

Function:

Neighborhood parks serve the residents of the immediate and adjacent neighborhoods. These parks should be convenient and within easy walking distance from many of the residents. The public typically recognize these parks as an important element of their neighborhood. These facilities serve a one (1) mile radius but this may vary depending on geographic separators such as mountains, rivers, washes and arterial roads. These parks are programmed to serve a population of approximately 5,000-10,000 residents. A neighborhood park should reflect the character of the surrounding neighborhood. These facilities provide general recreational opportunities for the local families and while they may offer similar elements it is desirable that each has a unique

design appeal and can offer a specialized activity that is valued by the neighborhood residents. These parks are generally built by a private developer under design review by the City and ultimately dedicated to and maintained by the City of Peoria.

Design considerations:

The preferred size of a neighborhood park should be ten (10) to forty (40) acres. The minimum usable space is ten (10) acres excluding roads, slopes, tracts, flood zones washes and parking areas. A neighborhood park is ideally juxtaposed in the central area of a residential community. At least one edge of the park should be adjacent to a local or collector street to provide visual surveillance and access by vehicle, bicycle and walking. The park should provide a small parking area and drop-off to accommodate users. When practical, neighborhood parks should be situated next to elementary or junior high schools to promote the joint use of the facilities to maximize resources and public benefit. These parks can be located adjacent to retention basins and drainage corridors as long as the primary facilities and the minimum useable space of ten (10) acres are not impacted by high water conditions. Pedestrian access to the park via walks, paths, trails or open space should be included and in some instances the park may also be designed to accommodate trailhead needs. In the mountainous northern areas of the City, accommodations may be necessary for the service radius due to lower residential densities. However, the minimum level of service for 5,000 residents should be maintained.

Typical facilities located in a neighborhood park include the following; however specific facilities and amenities will be determined by the City of Peoria Community Services Director.:

- Rectangular fields (may be lighted), should be available for youth and adult recreational activities
- Open turf play areas (may be lighted for evening activities)
- Play court(s) i.e. basketball, tennis, volleyball (lighted)
- Ball field (lighted)
- Single or double picnic ramadas
- Shaded play areas (grouped for age, may include structures for one or both age groups, 2-5 yrs & 5-12 yrs.)
- Swings
- Lighted paths and trails with an internal looped trail
- Trailheads(if adjacent to open space and/or an existing

or proposed trail)

- Benches, picnic tables, trash receptacles, recycling receptacles and pet waster dispensers
- Restroom
- Chilled water drinking fountain with pet water dispensers
- Off-street parking lot and availability of on-street parking (35-75 spaces depending on the site amenities plus access to encourage neighborhood pedestrian access)
- Gates at vehicular access points
- Landscape areas
- Dusk to dawn security lighting
- Utilities (potable water, reclaimed water, electric, sewer, communications, maintenance area)
- Park signage

Community Park

Function:

Peoria's community parks have a broad area of influence and they offer certain functions and recreational opportunities at a community-wide level which could serve the entire city. Community parks are designed to serve diverse community recreational needs. The sphere of influence for a community park generally covers a three (3) to five (5) mile radius. However, the two existing community parks (Rio Vista and Pioneer Community Parks) in Peoria have proven to have a regional draw for certain special events or activities. These parks are destination parks and include on-site parking to accommodate the users for the numerous recreational activities provided. Parks within the community park classification typically provide all of the uses included in a neighborhood park but have additional acreage for sports field complexes, multiple sports courts, and special use facilities including urban lakes, skate parks, large group picnic facilities, dog parks and splash pads areas. The inclusion of a recreation center or a community center (like at Rio Vista Community Park) is a likely option but may not always be included. Community parks are generally built, owned and maintained by the City.

Design Considerations:

Currently, Peoria's two community parks (Rio Vista and Pioneer Community Parks) are recognized as signature parks and have set a benchmark for design expectations from the city residents.

The preferential size for a community park should be forty (40) to one hundred (100) acres. The optimal acreage to consider for a community park is seventy-five (75) acres. A population of 50,000 should be the service level for a community park. The site should be relatively flat to accommodate multiple sports fields and the associated parking needed. The parks should maintain a balance between programmed sports facilities and other community activity areas such as community or interpretive gardens, historic and cultural features, water features, performance areas, festival spaces and plazas that encompass the interests of the broader community. A community park may be accommodated on a smaller site (such as at Rio Vista) but a reduced acreage creates a number of challenges for meeting the demands of the public and, in turn, the maintenance efforts required. These parks need to be conveniently located adjacent to primary roadways and paths to provide easy access when the parks have special events or tournaments. Community parks have both day and night activities. The sports fields within these parks are lighted. Large facilities, such as a large indoor fitness/recreation center or multi-field sports complex, can be placed in such a park because of the amount of space available and ability to buffer from the surrounding community. Due to both traffic and field lighting considerations, these parks may be best located in non-residential areas, such as office/industrial areas. This reduces the potential conflicts with resident desires for darkness and quiet during evenings and night times. The parking ratios for a Community Park will also need to be analyzed to ensure there is adequate on-site parking to accommodate maximum site use during special community events or multiple activities.

Facilities for a Community Park may include but are not limited to:

- Rectangular fields (may be lighted) for soccer, football, rugby and/or lacrosse
- Diamond fields (lighted), including all or some of the following categories:
 - Baseball fields
 - Little league fields
 - Softball fields
- Basketball courts, indoor/outdoor (lighted)
- Volleyball courts (sand) (lighted)
- Tennis courts (lighted)

- Recreation Center/Community Center (gymnasium, fitness area, community pool, classroom/meeting rooms)
- Small and large group picnic ramadas
- Open turf play area
- Destination shaded children's play area (one for each age group, 2-5 and 5-12)
- Lake system (for irrigation and urban fishing)
- Skate/bike park (lighted)
- Splash pad
- Off-leash dog park (lighted)
- Benches, picnic tables, trash receptacles, recycling receptacles and pet waster dispensers
- Community or specialty gardens
- Landscape areas
- Internal loop trails (lighted)
- Paths and Trails (connecting to neighborhoods and open space areas) (lighted)
- Trailheads (for access to primary paths)
- Restroom and concession buildings
- Chilled water drinking fountain with pet dispensers
- Operations and maintenance facility
- Parking
- Gates at vehicular access points
- Dusk to dawn security lighting
- Utilities (potable water, reclaimed water, electric, sewer, communications, maintenance area)
- Park signage

Regional Park

Function:

A regional park typically offers a primary recreational opportunity that has a broad appeal on a regional basis. The patrons are willing to drive to the facility and the expectation that they will pay for entry or use of the facility. A regional park may consist of a unique setting whose natural environmental character or cultural history serves as the primary attraction. Other recreational activities that occur in conjunction with the primary draw are then provided which add to the appeal. Lake Pleasant is an example of a regional park. A regional park may also consist of a regional level sport facility, such as the Peoria Sports Complex. This facility can serve the local population by offering a unique opportunity for high

quality sports play with the size and capacity to also accommodate attendance from the region to tournament activities, concerts or festivals. The recreational opportunities that the broader public is exposed to at these regional parks are a major factor in attracting regional and national events promoting Peoria's attractions at a regional level.

Design Considerations:

Regional parks typically consist of a sizable land area. A specific environment or a cultural/historic attraction may be included, and the size based on that attraction. Vehicular access and utility infrastructure becomes a significant design consideration for such sites. If the focus of the park is oriented toward organized sport activities and/or a venue for large public events then the site conditions such as access, slope and visual impacts increase in importance. In order to minimize site development costs, larger flat sites are better suited for the layout of venues used for organized events. The adjacent land uses are also important so that mitigation efforts for lighting, noise and traffic can be minimized. Location in direct proximity to arterial streets and highways becomes important for addressing the peak demands associated with large event traffic flows. A regional park focused on an environment and cultural/historic attraction shall be designed to minimal disturb the existing landscape. The planning for the park should balance conservation with planned uses to emphasize low impact improvements. The primary design considerations for this type of a facility have to do with the primary mitigation elements for any park; noise, lights and traffic.

Regional parks generally range in size of 100 to 400 acres and serve a population of up to 100,000. Depending on the quality of the primary recreational opportunity offered at a regional park, there is a range associated with the drive time to the park from ½ an hour up to an hour.

Regional parks can include the following facilities:

- Natural landscape areas
- Landscape areas
- Picnic areas with a range of accommodations from single to large group areas
- Restroom/ concession
- On-site parking facilities

- Camping/campgrounds
- Nature centers
- Lakes/water features
- Marinas/boat launch facilities
- Paths and trails
- Trailheads, multiple locations where appropriate
- Equestrian access
- Tournament style sports facilities
- Open-air concert facilities

Special Use Park

Function:

A special use park is dedicated to specific or limited purpose recreational activities. Facilities that accommodate activities such as golf, nature centers, equestrian facilities, amphitheaters, or sports complexes may be considered as a special use park as well as historic sites or markers, small plaza areas or overlooks. The special use of the park may also be integrated into a community or regional park but when the activity is the primary attraction to the park, then it may be considered for the special use designation. The purpose of a special use park is to emphasize a unique attribute of the City or serve as a destination for a specific use. The opportunity to accommodate a specialized interest that may have regional draw without being a regional facility can be addressed by a special use park.

There is a wide range of options associated with the size, configurations and locations of a special use park depending on the primary use of the facility. These can be a site specific historic structure up to a large natural open space area with nature trails and interpretive facilities. The primary design considerations for this type of a facility have to do with the primary mitigation elements for any park; noise, lights and traffic.

Special use facilities generally fall within three categories:

- Historic/cultural/social sites: unique local resources offering historical, educational, and cultural opportunities. Examples include archeological areas, historic properties, museums, historic markers, downtown areas, performing arts facilities, arboretums, nature centers, ornamental gardens, farmer's markets, indoor theaters, and amphitheaters

- Recreational Facilities: specialized or single purpose facilities, including community centers, senior centers, community theaters, sports (hockey) arenas, marines, golf courses, aquatic parks and shooting lanes.
- Outdoor Recreation Facilities: Examples include tennis/pickle ball centers, sports stadiums, equestrian centers, mountain preserves and natural preserves.

Greenways

Greenways (a.k.a. – trail corridors) accommodate path and trail networks for walking, running and biking, one of the most popular family recreation activities across the country. The value of greenways in terms of recreation, education and resource protection is invaluable. Greenways serve as linkages between cities, parks, schools, commercial areas and neighborhoods. They provide a safe mode of transportation that preserves the environment. When developing a greenway system, corridors should be identified where people will access the area easily and connect elements within the community and incorporate all the characteristics of the natural resource areas. Greenways can be located in a variety of settings and can be utilized for active and passive recreation activities. Refer to the path and trail network guidelines.



Path & Trail Classification Guidelines

A2

PATH & TRAIL CLASSIFICATION GUIDELINES

Introduction

A safe, convenient, effective and engaging public path and trail network is one of Peoria's citizens' most desired recreational elements in the Community Service Master Plan. The public survey initiated as a part of this master planning effort and feedback at the public open house meetings has validated the public's high priority for citywide paths and trails.

Furthermore, the implementation and management of a citywide path and trail network directly corresponds with two of the City's overarching goals. One of these is the implementation of infrastructures that encourages and responds to long term sustainability. A multi-modal, non-motorized path and trail network addresses a variety of key factors that contribute to reducing the public's use of motorized vehicular transportation. A second primary City goal is to provide opportunities for the improvement of the public's health. An effective path and trail network directly addresses the public's ability to "Get Active" with increased physical activity as they have safe and convenient access to the network for both commuting and recreational activities.

Goal

Improve the quality of life for Peoria residents with a safe, effective, citywide path and trail network. This comprehensive network is to provide non-motorized connectivity from the local residential areas to facilities and destination features throughout the City.

Objectives

In order to address the public's interests, the implementation of the path and trail network should be managed to accomplish several primary objectives. The City's commitment to addressing these objectives will establish the framework for an effective path and trail system.

- Objective 1: Connect to and integrate with the existing and proposed regional paths and trails, (for example the Maricopa Trail represents a regional trail).

- Objective 2: Respond to environmental and cultural sensitivities and incorporate the best practices of sustainability with the path and trail network design and layout.
- Objective 3: Establish a comprehensive citywide network to provide public connectivity to facilities and features with an uninterrupted path and trail system.
- Objective 4: Establish public/private collaborations and policies to enhance trail system connectivity and trail rights-of-way acquisition and/or access agreements.
- Objective 5: Coordinate with internal City departments, external agencies and utility providers to explore cooperative design and shared use corridor options for path and trail access.
- Objective 6: Implement best practices for path and trail design, construction and maintenance to provide a safe and accessible network.
- Objective 7: Research and obtain funding from appropriate outside sources and prioritize the allocation of appropriate City funds for the continual expansion and maintenance of the path and trail network.
- Objective 8: Establish and implement an effective branding and wayfinding system to create a recognizable identify for the City's path and trail network and accommodate the integration of regional identifications.

Path and Trail Network Elements

A comprehensive path and trail network will include a range of path types. These vary from soft-surface trails in remote natural areas to shared use concrete paths adjacent to major roadways, river corridors and washes. It is preferential to have the paths and trails separated from vehicular roadways even if it is just a landscape buffer. These path corridors are enhanced when they include appropriate pedestrian amenities, aesthetic elements, enhanced landscaping and connections to desired destinations. The City should continue to seek pedestrian corridors that are separate from vehicles as a means to improve safety and the recreational experience as well as promoting functional alternative modes of transportation.

This document contains path design characteristics and guidelines that may be easily adapted to fit the needs of Peoria. The intent of this document is to describe basic guidelines for general path and trail conditions with the understanding it is typical for a guideline to be adapted to site specific conditions. The 2006 PROST Master Plan includes numerous trail cross-sections for a variety of trail types and alignment conditions. Those versions may provide additional detail for certain conditions and may be used for reference.

- Off-street paths and trails are used for both recreation and transportation in addition to the bike routes comprised of the on-street bike lane system. Many of the off-street paths and trails connect to schools, parks, recreational facilities, other neighborhoods; or to commercial areas and restaurant destinations.
- The City's Transportation Department manages a program to incorporate integral bicycle lanes and sidewalks as a part of new roadway design and roadway improvements. These designated bike lanes and walks serve as a critical part of the overall non-vehicular path network but are addressed as a part of the roadway system therefore, this plan does not elaborate on these elements. However, the Community Services Department collaborates in full support and as a mutual partner with the Transportation Department regarding this important aspect of the overall pedestrian network.

Path and Trail Designations

The approach of this document is to identify path and trail corridors in terms of their function, similar to how roadways are defined based on their capacity. For example roadways are described as arterials, collectors or secondary roadways, each with an intended function and anticipated traffic volume. In a similar fashion, this plan identifies four types of path or trail designations representing a hierarchy of path functions and capacities. These path and trail designations may occur in a variety of settings. In sequence of scale and area of influence, the path designation suitable to address a high capacity use on a regional scale is:

- the Primary Path;
- the Secondary Path;
- the Neighborhood Path, which provides local use and access; and

- the Soft-Surface Trail, which are the non-paved trails that typically occur in natural open space areas.

This plan has also adopted the definition of a path as a hard surface treatment for the tread, typically concrete but in some cases asphalt may be acceptable. A trail is treated with a soft surface tread. Soft surface tread treatments included decomposed or crushed rock or native materials when appropriate. Soft surface trails may be treated with a stabilizer for erosion resistance and dust mitigation.

Primary Multi-Purpose Paths

Primary multi-purpose paths establish the major path spines throughout the city and often extend into neighboring jurisdictions. They accommodate all trail users, including walkers, joggers, wheelchair cruisers, in-line skaters, recreational and commute bikers, and in some cases equestrian use within the corridor but on separate trails. The preferred location for these paths should be along rivers and washes, drainage channels, irrigation canals, utility easements or other linear features to connect parks, open space areas, recreational facilities and major destination nodes. These primary corridors have proven to have heavy use so attention to safety factors and the environmental conditions where they are located should be evaluated. Additionally many of the jurisdictional entities who manage some of the utility or floodway corridors have set stipulations and design parameters that must be integrated into the planning and design.

These paths form key segments of an interconnected regional path system that contributes to alternate modes of transportation. Serving alternate modes of transportation in a regional capacity can open the opportunity for various funding options through regional, state and federal agencies. Coordination with adjacent municipalities and land management agencies should occur to establish alignment connectivity.

Design Considerations:

Path corridor width has a significant influence on the user experience particularly when there is development on either side of the corridor. When possible, a primary path corridor should be a minimum of 35 feet wide, but the preferred width is 50 feet. Pathways located adjacent to arterial or collector roadways should incorporate a minimum of a 35 feet but a preferred 50 feet

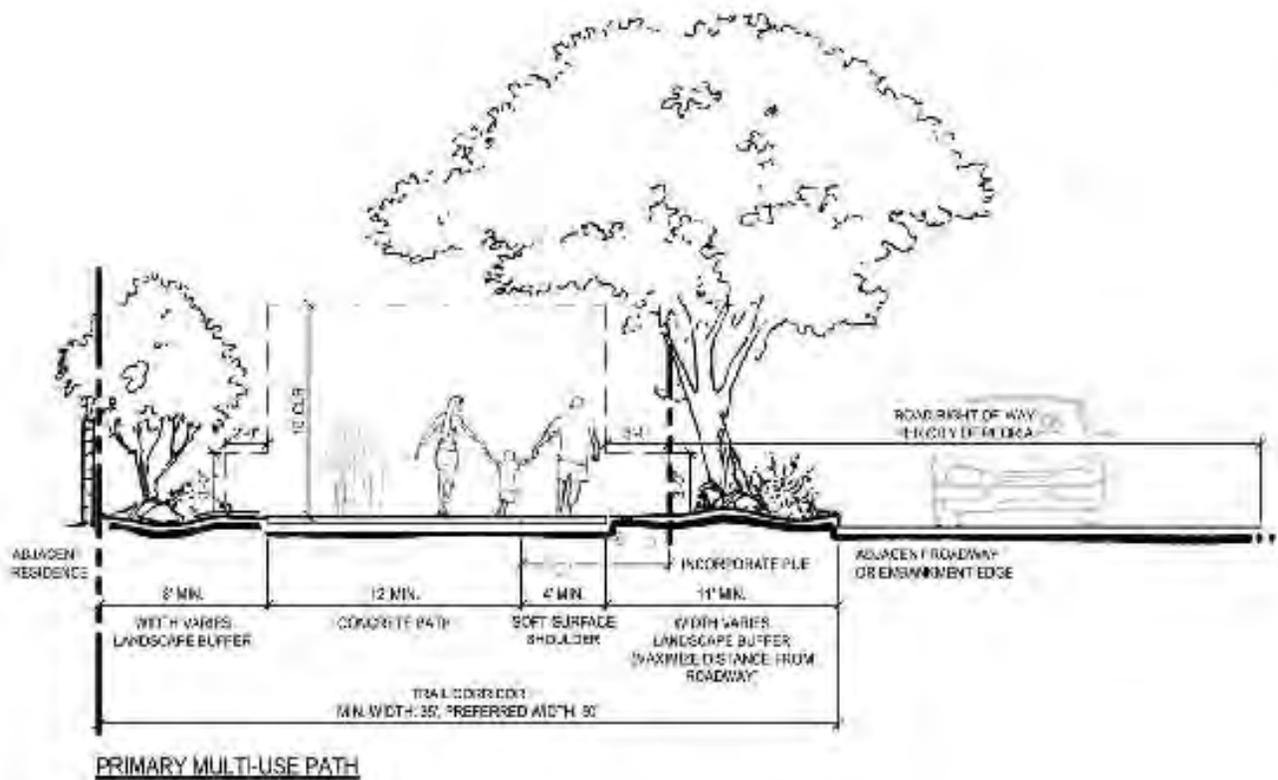
easement where feasible and appropriate. In some situations the width of the primary path can overlap with the roadway's right-of-way, establishing the path corridor from the back of the roadway's curb. In these circumstances the path can then serve as the roadway's sidewalk. When a path is located parallel to a roadway the soft-surface shoulder may minimize potential issues with the public utility easement (PUE) if it is placed between the hard path and the roadway. Linear routes for power lines, gas pipelines, abandoned rights of ways, drainage/irrigation channels, and floodplains for rivers and washes offer possibilities for these primary paths. The hardscape bi-directional travel surface of a primary path should be 12 feet wide with a 2 foot wide soft surface shoulder on either side as a safety setback and recovery area. When possible, the soft surface shoulder should be 4 feet wide on one side of the path to provide a softer surface for joggers and walkers. When an equestrian trail is aligned with a pedestrian path, a minimum separation of 6 feet from tread to tread should be maintained. In the river and wash corridors the equestrian trail may be located in the sandy bed of the low flow channel.

Sight visibility distances and curve radii criteria may vary depending on stipulations from the various funding agencies and should be

confirmed during the initial planning stage. Center line striping on a paved path delineates direction of travel and provides a level of traffic control for paths that accommodate high volume use. Edge striping is not typically included, unless to delineate potential obstructions adjacent to the path. A primary multi-purpose path should take precedence as a main transportation feature similar to that of a roadway. Pedestrian underpasses or travel lanes should be integrated as elements of any planned roadway or bridge improvements. Effective connections to community destinations encourage non-vehicular travel. Trailheads or connection nodes should be conveniently located at these activity centers. Trailheads should provide adequate parking and may merit the inclusion of information kiosks and comfort stations. Intersections where users must stop or dismount should be avoided.

Grade separated crossings should be used as much as possible, especially at arterial streets to reduce pedestrian-vehicular conflicts. If underpasses are not feasible, a safe pedestrian crossing should be provided by installing a "Hawk" or other pedestrian actuated crossing device. Trail amenities such as benches, overlooks, trash receptacles and water fountains should be included at high activity areas and other strategic locations along a primary corridor.

Figure 1 illustrates the recommended cross-section for a Primary Multi-Purpose Path



Secondary Multi-Purpose Paths

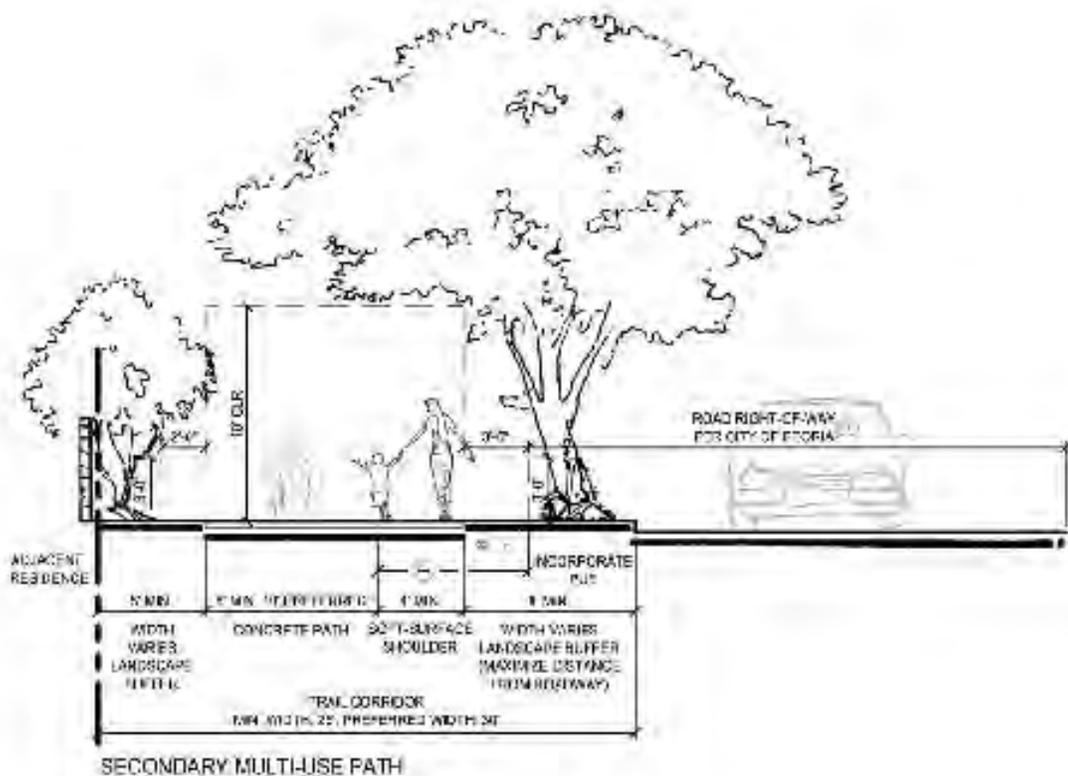
Secondary multi-purpose paths generally serve a community-wide function. They can serve as a feeder from residential areas to the primary paths or provide essential path connections within neighborhood areas. They can support the primary paths by providing connections to neighborhood parks, open space and activity areas that do not occur on the regional system. These paths should be designed to accommodate the same users as the primary paths. However, the corridor width and path tread are typically narrower and stopping is required more often at intersections with at-grade crossings.

adjacent or parallel to the paved path, depending on the corridor width available. Center lane markings delineate direction of travel on the paved lane. The minimum width for a secondary multi-purpose path corridor is 25 feet, where feasible.

Design Considerations:

Secondary multi-purpose paths should be paved with concrete or a similar hard surface and have a tread width of 8 to 12 feet with a 2 foot wide soft surface shoulder on either side as a safety setback and recovery area. Though these secondary paths are sometimes 8 feet, the preferred minimum is 10 feet. When possible, the soft surface shoulder should be 4 feet wide on one side of the path to provide a softer surface for joggers and walkers to reduce conflicts and contribute to a safe path system. Equestrian use, where appropriate, can be accommodated with a 4 foot wide soft shoulder

Figure 2 illustrates the recommended cross-section for a Secondary Multi-Purpose Path



Neighborhood Paths

Neighborhood paths provide off-street connectivity within residential or small commercial developments. These paths function as sidewalks within developments to provide safe pedestrian access to parks, schools, open space and neighborhood activity areas. These paved, undivided walkways should be provided by the developer as an infrastructural requirement and be an integral component of the developments circulation and open space system.

Design Considerations:

The corridors for the neighborhood paths should be a minimum width of 20 feet and the hard surface path should be a minimum width of 6 feet. Appropriate landscape treatments should be provided including trees that will provide shade once they mature.

Soft-Surface Trails

Soft-surface trails are typically specialized recreational routes that occur in natural desert open space areas. They should have a

minimum impact to the setting where they occur. Their surface is natural earth or an inert material, such as decomposed granite. They are intended for slower speeds and lower volumes of use. Likely users are hikers, dog walkers and mountain bikers. Soft surface trails are destination trails which provide a passive recreational experience in a natural setting. Equestrian only soft-surface trails are to be located in the sandy bottom, low flow areas of the washes and rivers such as the New River and the Aqua Fria River.

Design Considerations:

Surfacing may include native material, crushed rock or decomposed granite. Under some conditions a soil stabilizer may be required to reduce erosion and mitigate dust. Typical width is 3 to 4 feet with an occasional widening on steeper segments of the trail to provide a step-a-side rest area. The paths should be installed with a drainage swale on the up-slope side of the paths and a 2 foot wide shoulder on the down-slope side. Water bars, rolling dips and drainage culverts will be required to maintain proper drainage and to reduce erosion.

Figure 3 illustrates the recommended cross-section for a Neighborhood Multi-Purpose Path

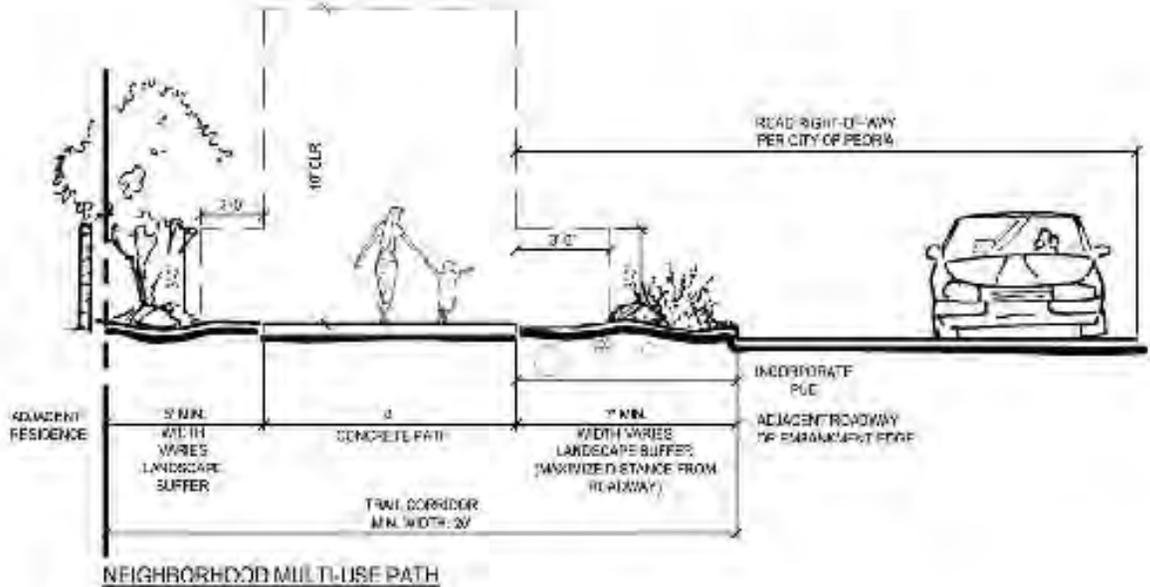
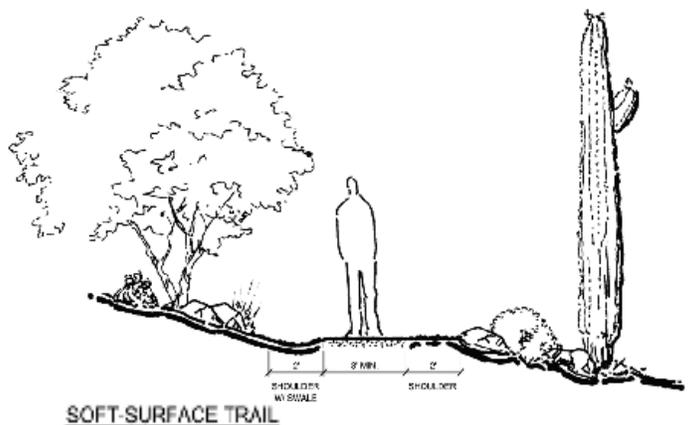


Figure 4 illustrates the cross-section of a Soft-Surface Trail



Path & Trail Classifications and Standards

	Primary Multi-Purpose Paths	Secondary Multi-Purpose Paths	Neighborhood Paths	Soft-Surface Trails
Definition	Improved and/or designated paths for walking, jogging, skating, bicycling, equestrian, and other non-motorized uses. The regional trail should take precedence as a main transportation feature just like any road system to encourage non-vehicular travel.	Paths for walking, jogging, skating, bicycling and other non-motorized uses that provide connections to the primary trail system, or to attractions, employment areas, shopping and services and between neighborhoods. Can be privately owned as long as public access is granted.	Paths for walking, jogging, skating, bicycling and other non-motorized uses These paths provide internal connection within residential communities, neighborhood facilities and connect neighborhoods to Primary and Secondary Paths.	These trails provide a recreation destination for hikers, mountain bicyclists, equestrians and other non-motorized trail users.
Right-of-Way	Preferred width of 50 feet (minimum width of 35 feet) designed as naturalized open space or parkland as determined by the City. Minimum width can overlap w/ street ROW	Minimum width 25 feet designed as naturalized open space or parkland as determined by the City. Minimum width can overlap w/ street ROW	Per development code	Access agreements as required by property jurisdiction.
Path/Trail Width	Paved path- Min. 12 Ft. Soft-surfaced shoulder- 4 Ft. Safety shoulder- 2 Ft.	Paved path- 10 to 12 Ft. (Min. 8 Ft.) Soft-surface shoulder- 4 Ft. Safety shoulder- 2 Ft.	Paved Path- 6 Ft. Min. Safety shoulder- 2 Ft.	3 -4 feet with safety shoulders. 10 feet if maintenance vehicle access is required
Width between Parallel Paths	6 feet if present	NA	NA	NA
Trail Surface	Paved trail should be concrete or asphalt. Natural surface if used by equestrians. Soft shoulder adjacent to paved trail can be of natural surface or crushed granite if not used by equestrians.	Paved trail should be concrete or asphalt. Soft shoulder adjacent to paved trail can be of natural surface or crushed granite depending on targeted user.	Paved trail should be concrete.	Crushed gravel or native soil with dust inhibitors and soil stabilizer
Sight Distance	130 feet minimum. If unattainable, provide adequate signage.	90 feet minimum. If unattainable, provide adequate signage.	Site specific safety	Site specific safety
Grades	5% maximum preferred. In special circumstances, up to 8.33% may be allowed with appropriate landings and rails.	5% maximum preferred. In special circumstances, up to 8.33% may be allowed with appropriate landings and rails.	5% maximum preferred. In special circumstances, up to 8.33% may be allowed with appropriate landings and rails.	5% maximum for trails designated as universally accessible. Steeper grades or steps suitable on mountain trails

Path & Trail Classifications and Standards

	Primary Multi-Purpose Paths	Secondary Multi-Purpose Paths	Neighborhood Paths	Soft-Surface Trails
Relationship to Vehicular Roadways	20 feet minimum buffer from roadway. Underpasses width should be a minimum clear height of 12 feet (14 feet preferred). Bridges should be a minimum of 10 feet.	8 feet minimum buffer from roadway. Underpasses width should be a minimum of clear height 10 feet (12 feet preferred). Bridges should be a minimum of 8 feet.	Can be adjacent to roadways for limited distances (1/4 mile).	NA
Striping	On paved trail: 4-inch-wide dashed white center lane striping. White solid line where site distances prohibit safe passing. Striping on shoulders as required.	4-inch-wide dashed white center lane striping. White solid line where site distances prohibit safe passing.	None	None
Amenities	Restrooms and water jug fillers at strategic trailheads and as provided by commercial uses. Rest nodes, overlooks w/ shade. Trailheads should provide adequate signage, rules, and parking. Benches approx. 2 per mile. Path markers every mile.	Rest nodes w/ shade. provide adequate signage, rules, benches, path markers and other appurtenances as appropriate	Adequate signage, rules, benches, path markers and other appurtenances as appropriate	Trailheads at trail access points. Parks and open space parking areas and facilities should be used where possible. Restroom, shaded seating, and picnic areas may be available. Regulatory, informational and entry signs present for area.

Access / Accent Features

Pedestrian Nodes

The integration of pedestrian nodes is an essential component of the path and trail network. Nodes typically occur as designed specialty features that demonstrate to the user a contrast to the paths linear nature and an opportunity for decision making is available. Nodes can serve as access points from the walks and paths that lead from the local neighborhoods. Users can recognize they are connecting to a path system and, with appropriate information signs, can identify the path and identify their orientation and route options. Nodes also serve as a place of rest for users when seating and shade are provided. A third function of a node is to call attention to a unique feature, such as a view at an overlook or an art element that is integrated into the node. The nodes provide visual cues along a route to help the users recognize their location and at the same time these nodes can add a sense of visual character to a path.

Design Consideration:

There are two typical locations where nodes may occur. Nodes

located at the intersection of pathways should provide visual cues that heighten the awareness of the path users regarding the possible merger with others. Variations in pavement and the integration of hardscape elements contribute to this recognition. The second locations where nodes add value is along the path where it can provide a rest area pullout. The configuration and function of a node should not obstruct the free flow of the adjacent path. When designed as a rest area the node should include seating and shade.

The design of the nodes affords an opportunity to define an aesthetic theme for a path segment. The design features should be carefully considered and respond to the visual character of the setting or unique attributes associated with the environment or cultural aspects of a particular path segment. The design features and wayfinding elements incorporated into the nodes can also reinforce a sense of continuity and the recognition that the path is a portion of Peoria's overall trail network. The frequency of nodes should be responsive to site conditions; however, a node should occur approximately every quarter mile. Amenities provided at a node are variable and, in some

cases, will be dependent on maintenance staff access to service the facility or the potential for vandalism. Amenities to consider include wayfinding signs, durable seating, shade elements, trash/recycling receptacles, drinking fountains and water jug fillers, art features and possibly lighting. The city has initiated an emergency signage designation for users to identify their locations in the event of an emergency. The implementation of this signage system along the path network should occur at node areas.

Trailheads

The purpose of a trailhead is to provide users the opportunity to drive to a path or trail and then access the system once they have safely parked. The primary need for trailheads occurs at key access locations for the path and trail network. Trailheads should be planned for the primary paths that occur along the river or canal corridors and the mountain or nature-oriented soft-surface trails in rugged open space areas. However there may be merit to providing a trailhead for a secondary path if the user demand demonstrates the need. As the popularity of Peoria's path and trail system grows, the need to accommodate users at trailhead areas will become important for serving those users and avoiding conflicts with property owners path and trail entry points. The trailheads can also serve the users as a staging area and comfort station prior to and following the use of the paths or trails. There is also a need for some trailheads to accommodate equestrian staging.

Design Considerations:

The size, configuration and facilities to be included for a trailhead area are to be programmed specific to the path and trail conditions and the user demand. There are many examples throughout the Valley to demonstrate access to open space trails is rapidly growing in popularity. The demand is compounded by the seasonal nature of these hiking, biking and equestrian activities, as significant spikes in demand occur during the cooler seasons and on holiday weekends. There are several park facilities that can serve as trailhead locations for a number of Peoria's destination paths and trails. These provide a level of efficiency because many of the support facilities desired are already provided and maintained as a part of the parks operations. The parking ratios of these park facilities should be evaluated to ensure they account for the anticipated demand of path and trail users. Typically, these park areas are not conducive to addressing the equestrian demands due to potential conflicts with park users.

Parks that occur in proximity to the destination paths and trails should be examined to determine if the costs associated with developing a secondary trail from a park to a destination path is more cost effective than acquiring land and developing a new trailhead facility. Parks that may just need some upgrades to the existing parking areas and comfort facilities could serve as a viable trailhead option when a connection path is extended to a primary trail.

Standalone trailheads will be needed to meet the future demand. Here again, the scale and scope of these facilities will be determined by the available land and balanced with the carrying capacity of the path and trail that they serve. Design features for a minimal trailhead design can include the provision of parking, trash/recycling receptacles, and basic wayfinding signs. History has shown these types of facilities may address a short-term need, but will eventually grow in popularity and become a management challenge. High capacity trailhead facilities provide many of the infrastructural elements associated with a neighborhood park such as comfort stations, shade structures, a trailhead node with wayfinding information and other interpretative signs, trash and recycling receptacles, pet station facilities, paved parking and access.

In addition to the comfort facilities described for a standalone trailhead, equestrian staging areas will require pull-through loading/unloading areas, pull-through parking areas, mounting ramps, hitching posts, a specialized water source, wash racks and manure disposal facilities. Soft-surface equestrian access trails from the staging area to the appropriate equestrian trail will also need to be provided.

Potential Funding &
Revenue Sources

A3

POTENTIAL FUNDING & REVENUE SOURCES

Funding sources for the Community Services Department are a constantly strained resource compounded by the health of the general economy in a community. Some of the factors underlying the problem are:

- Unpredictable fluctuations in the economy
- Rising operation and maintenance costs
- Increasing land values
- Aging infrastructure
- Increased regulatory requirements
- Increased cost of doing business
- Shifts in societal demands

The following summary highlights potential sources for supplemental fiscal support:

Traditional Funding Marketing and Customer Service

There may be untapped market opportunities for improving and increasing services to the Peoria community. The goal is to win “customers” and retain their loyalty. Understanding the community’s needs and desires, as illustrated through the community survey, the City of Peoria can learn how to tailor its offerings to provide better services to its residents.

A market opportunity could also involve improving services for existing participants so as to increase the number of participants or the amount of use by repeat customers. Doing so could be as simple as improving communication with current user groups to better inform the local community about traditional offerings; or it may require greater analysis of options involving expansion of service hours or level of services provided. Another important aspect is the determination of appropriate user fees. Too high a fee could limit participation, whereas setting fees too low could mean passing up opportunities to defray costs and improve cost recovery.

User Fees

User fees are charges to those who utilize park and recreation programs, and may include facility admission, facility and equipment rental fees, athletic leagues, etc. The City currently charges for most programs and for rentals of facilities. However, these fees are set based on historical numbers, with slight increases each year. It is important that Department track both direct and indirect costs, so as to set fees to cover equipment, labor, and maintenance for the support services it is providing. Furthermore, being one of the few providers in the area, the Department should look at the market demand for these facilities and charge accordingly. The Department should develop a tiered fee system for rentals which is structured by classification as non-residents, private residents, non-profit organizations, and seniors. This policy is quite progressive and reflects the philosophy that those who benefit should pay. The greater the community benefit, the higher the subsidy.

Some potential program areas for Community Services Department to increase or establish programs with user fees in order to increase revenue include hosting regional sports tournaments, providing more arts and culture-based special events (movies in the park, concerts, performances, etc.), downtown festivals, etc. However, given the capacity of current facilities, new athletic facilities may need to be developed or additional support amenities to supplement existing facilities in order to host large regional or national tournaments.

Internal Facility Improvement Fund

This funding source is generated from a percentage of admissions to facilities or special events that can be dedicated to existing and future capital improvements at specific facilities or throughout the system. The fee is allocated to a dedicated fund to support future maintenance and improvements.

Bonds

The City’s currently bonding capacity depends on the source of income and can only be evaluated based on projected revenue to pay the debt service. However, it is believed by the Department staff that given a strong educational campaign and rebound in the economy, the community would be supportive of passing a bond issue in the future. If a future bond referendum is a possibility

and a bond were passed for capital funds for the development of new parks and facilities, it would be extremely important to identify additional funds to support operations and maintenance to support the new facilities.

Dedicated Property Tax

Increasing this tax provides a steady funding source that could be dedicated for major repairs, renovations, or improvements to park facilities and recreation amenities. The lack of adequate capital investment threatens the quality of existing assets and limits the improvements to meet the current and future needs of the residents. An increase to the property tax would generate stable annual funding to support the ongoing capital needs. In the community survey, 73% of Peoria residents were in support of using taxes to support community services. With 59,225 households (2013) within the City, a tax assessed at \$5.00 per month would generate \$3,553,500 annually.

Impact Fees

Impact fees are charges assessed by local governments against new development projects to recover the cost incurred by government in providing the public facilities required to serve new development. Impact fees are only used to fund facilities, such as roads and parks that are directly associated with the new development. They may be used to pay the proportionate share of the cost of public facilities that benefit the new development. Peoria's impact fees will be in conformance with ARS 9-463-05.

Food & Beverage Tax

This tax can support Community Services Department facilities by allocating a percentage of this funding source for operational or capital improvements. The tax is generated by the local community and visitors to the City. The tax aligns with the tourism functions such as sports tournaments and special events that the Community Services Department provides.

Utility Roundup Program

Work with the public utilities to establish a program where consumers can voluntarily pay the difference between their bill up to an even dollar amount. The funds are used to support utility improvements such as sports lighting, irrigation and HVAC costs.

Lease Back

Lease back provides funding from a private sector entity to develop a facility such as a recreation center or aquatics facility and leases the facility back to the municipality to pay off the capital cost over a multi-year period.

Parking Fee

Evaluate a parking fee for sports tournaments and special events.

Federal Funding

Community Development Block Grants (CDBG)

Although the program funds housing, public facilities, economic development and community projects, recreation could be a minor component of the project. For example, a mini-park could be constructed on land purchased through the housing project which services primarily low to moderate income individuals.

Land & Water Conservation Fund

For many years since the mid 1960's, the Land and Water Conservation Fund (LWCF) program provided funds for outdoor recreation acquisition and development. However, over the last few years the funding has been extremely limited. The program is administered through the Arizona State Parks.

National Recreational Trails Program

The program was initiated through the TEA-21 legislation. Funds are awarded for the construction of trails and support facilities. Emphasis is for the construction of multi-use trails such as biking, hiking, equestrian, motorized, etc.

Rehabilitation Service Programs

This program is available through the US Department of Education, Office of Special Education and Rehabilitative Services. The intent of the program is to provide individuals with disabilities with recreational activities and related experiences that can be expected to aid in their employment, mobility, socialization, independence, and community integration. Specific project activities may include: swimming, wheelchair basketball, camping, hiking, water skiing, hiking, camping, horseback riding, arts, and sports. Historically, applications are due in September of each year.

Transportation Enhancement Funds and Safe Routes to School Funds

These programs are related to transportation activities. The activities funded through Enhancement program are property acquisition, development of trails including hiking and biking, landscaping including trees, signage, and restoration of historic structures. The Safe Routes to Schools funds walking and bicycle facilities that connect residents to schools.

Alternative Funding Mechanisms

Fundraising

Local fundraising is a mechanism that has worked effectively for park and recreation agencies around the country. Although a vast amount of local effort is involved, this mechanism typically generates a vast amount of support and publicity. Local businesses, organizations and private individuals can pledge funding over a specific period of time.

Volunteerism

Volunteers and Board Members often play an active role in fundraising for the parks and recreation agencies. Volunteers provide a vital role in providing guidance, expertise, advocacy, political support, fundraising efforts, and to represent the agency's constituents. Volunteers can be involved through variety of fundraising tasks, such as establishing a Friends of Peoria Parks nonprofit or collaborating with an existing nonprofit to send direct mail letters, promoting sponsorship of programs and naming rights, seeking in-kind donations, hosting special events (i.e. – golf tournaments, fundraiser dinners, events to honor volunteers, silent auctions, and themed socials), and soliciting charitable donations of money and lands.

Grants

Grants are available to park and recreation agencies from both public and private sources. Grant opportunities exist for a wide variety of purposes including parks and recreation. Peoria should look for the alignment between its request and the objectives of the grant program. The request for funds should provide a solid basis for a positive response from the funder. There are numerous sources of information and assistance available to grant-seekers. Initial efforts should be focused on Arizona-based foundations. The Arizona Community Foundation provides a list of the state's

top-giving foundations and is a good resource. The National Recreation and Park Association is a great source for nationally advertised grant resources.

Corporate Sponsorships

In the past, the City of Peoria has hosted a number of tournaments and other revenue-producing special events. The opportunities for revenue generation and corporate sponsorships associated with these types of events are significant and could greatly supplement existing funding and revenue sources to the City and the Community Services Department. The Department should put efforts into developing corporate sponsorship program and naming rights for the development of new facilities and programs that would support these types of economic drivers for the City. These sponsorship opportunities should be offered with a tiered level of benefits, should quantify marketing exposure for each level, bundle packages on a system-wide level, and bundle the assets of sponsors (i.e. - money, marketing, and product supply).

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Community Survey *A5*

*2013 Parks and Recreation
Needs Assessment Survey*

Final Report

Submitted to the
City of Peoria, Arizona

Leisure Vision

(a division of ETC Institute)

725 W. Frontier Circle

Olathe, KS 66061

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June 2013

Section 1:
Executive Summary

City of Peoria, Arizona

Parks and Recreation Needs Assessment Survey

Executive Summary Report

Overview of the Methodology

Leisure Vision conducted a Parks and Recreation Needs Assessment Survey on behalf of the City of Peoria in the spring of 2013. The purpose of the survey was to help establish priorities for the future development of amenities and services/programs, and is being conducted as a component of a citizen-driven master plan. The survey was designed to obtain statistically valid results from households throughout the City of Peoria. The survey was administered by a combination of mail, phone, and online.

Leisure Vision worked extensively with City of Peoria officials in the development of the survey questionnaire. This work allowed the survey to be tailored to issues of strategic importance to effectively plan the future system.

A seven-page survey was mailed to a random sample of 4,000 households throughout the City of Peoria. Approximately three days after the surveys were mailed each household that received a survey also received an automated voice message encouraging them to complete the survey. In addition, about two weeks after the surveys were mailed Leisure Vision began contacting households by phone. Those who indicated they had not returned the survey were given the option of completing it by phone.

The goal was to obtain a total of at least 800 completed surveys. This goal was accomplished, with a total of 811 surveys having been completed. The level of confidence is 95% with a margin of error of +/-3.4%.

The following pages summarize major survey finding.

Major Survey Findings

- **Use of City of Peoria Parks and Trails.** Sixty-seven percent (67%) of households have used City of Peoria parks during the past 12 months, and 48% have used City of Peoria trails during the past 12 months. Twenty-three percent (23%) of households have not used City of Peoria parks or trails during the past 12 months.
- **Overall Condition of City of Peoria Parks and Trails.** Of the households that have used City of Peoria parks or trails in the past 12 months, 40% rated the overall condition of the parks/trails as “excellent”, and 53% rated them as “good”. An additional 6% of households rated the parks/trails as “fair”, and only 1% rated them as “poor”.
- **Participation in City of Peoria Recreation Programs.** Twenty-nine percent (29%) of households have participated in City of Peoria recreation programs during the past 12 months.
- **Reasons Households Have Participated in City of Peoria Recreation Programs.** Of the 29% of households that have participated in City of Peoria recreation programs during the past 12 months, the most frequently mentioned reasons that households have participated in the programs are: 1) location of program/facility, 2) fees charged for the class, and 3) times the program is offered.
- **Overall Quality of City of Peoria Recreation Programs.** Of the 29% of households that have participated in City of Peoria recreation programs during the past 12 months, 49% rated the overall quality of the programs as “excellent”, and 48% rated them as “good”. An additional 3% of households rated the programs as “fair”, and less than 1% rated them as “poor”.
- **Reasons Preventing Households From Using City of Peoria Recreation Programs More Often.** The most frequently mentioned reasons preventing households from participating in City of Peoria recreation programs more often are: “too busy/not interested” (47%), “programs times are not convenient” (16%), and “I do not know what is offered” (14%).
- **Participation in City of Peoria Library Programs.** Thirty-five percent (35%) of households have participated in City of Peoria library programs during the past 12 months.

- **Overall Quality of City of Peoria Library Programs.** Of the 35% of households that have participated in City of Peoria library programs during the past 12 months, 59% rated the overall quality of the programs as “excellent”, and 36% rated them as “good”. An additional 4% of households rated the programs as “fair”, and only 1% rated them as “poor”.
- **Reasons Preventing Households From Using City of Peoria Library Programs More Often.** The most frequently mentioned reasons preventing households from participating in City of Peoria library programs more often are: “too busy/not interested” (36%) and “I do not know what is offered” (20%).
- **Use of Facilities Operated by the City of Peoria Community Services Department.** Forty-nine percent (49%) of households have used Rio Vista Park at least once during the past 12 months. In addition, 45% of households have used the Peoria Sports Complex, and 42% have used the Rio Vista Recreation Center at least once during the past 12 months.
- **Ways Households Learn About City of Peoria Parks, Trails, Recreation, and Library Programs.** The most frequently mentioned ways that households have learned about City of Peoria parks, trails, recreation, and library programs during the past 12 months are: “Get Active” Quarterly Brochure (55%), City of Peoria website (32%), from friends and neighbors (28%), and Peoria Independent Newspaper (18%).
- **Parks and Recreation Facilities Households Have a Need For.** The parks and recreation facilities that the highest percentage of households have a need for are: walking and biking trails (71%), small neighborhood parks (68%), libraries (61%), large community parks (60%), outdoor picnic shelters (50%), playgrounds (48%), and indoor fitness and exercise facilities (48%).
- **Parks and Facilities That Are Most Important to Households.** Based on the sum of their top four choices, the parks and recreation facilities that are most important to households are: walking and biking trails (38%), small neighborhood parks (35%), libraries (32%), large community parks (25%), and indoor fitness and exercise facilities (20%).
- **Recreation Programs Households Have a Need For.** The recreation programs that the highest percentage of households have a need for are: adult fitness and wellness programs (43%), community special events (35%), museums, arts and cultural programs (32%), outdoor recreation programs (29%), water fitness programs (29%), and youth sports programs (29%).

- **Recreation Programs That Are Most Important to Households.** Based on the sum of their top four choices, the recreation programs that are most important to households are: adult fitness and wellness programs (31%), community special events (21%), youth sports programs (18%), and museums, arts and cultural programs (18%).
- **Recreation Programs in Which Households Currently Participate Most Often at City of Peoria Parks and Recreation Facilities.** Based on the sum of their top four choices, the recreation programs in which households participate most often at Peoria parks and recreation facilities are: youth sports programs (13%), community special events (13%), adult fitness and wellness programs (9%), and youth learn to swim programs (9%).
- **Purposes for Which Households Used Libraries.** The most frequently mentioned purposes for which households have used libraries during the past 12 months are: checked out a book (49%), checked out a movie (20%), used a library computer (8%), attended a children's program (8%).
- **Most Important Benefits of Parks and Recreation Facilities.** Based on the sum of their top three choices, the benefits of parks and recreation facilities that are most important to households are: improve physical health and fitness (55%), make Peoria a more desirable place to live (46%), increase property values in surrounding area (29%), and help reduce crime (26%).
- **Support for Actions the City of Peoria Could Take to Maintain/Improve the Parks and Recreation System with Current Tax Dollars.** Based on the sum of their top 3 choices, the actions that households are most willing to fund with current tax dollars to maintain/improve the parks and recreation system are: maintain and improve existing neighborhood and community parks (48%), fix-up/repair aging recreation facilities (34%), and maintain and improve existing libraries (33%).
- **Support for Actions the City of Peoria Could Take to Acquire/Develop New Amenities for the Parks and Recreation System with Additional Tax Dollars.** Based on the sum of their top three choices, the actions that households are most willing to fund with additional tax dollars to acquire/develop new amenities for the parks and recreation system are: develop additional walking, hiking, and biking trails (30%), purchase land to preserve open space and green space (26%), develop lighting along multi-use trails (21%), and purchase land for developing passive facilities (20%).

- **Paying Additional Tax Support to Develop and Operate Parks and Recreation Facilities.** Seventy-four percent (74%) 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 35% that would pay \$1-\$4 per month, 23% that would pay \$5-\$9 per month, and 16% that would pay \$10+ per month.

- **Satisfaction with the Value Received from the City of Peoria Community Services Department.** Sixty-eight percent (68%) of households are either “very satisfied” (30%) or “somewhat satisfied” (38%) with the overall value their household receives from the City of Peoria Community Services Department. Only 7% of households are either “very dissatisfied” (3%) or somewhat dissatisfied” (4%) with the overall value their household receives from the City of Peoria Community Services Department. In addition, 25% of households indicated “neutral”.



City Council Calendar

Color Key:
City Council

< September	October 2014						November >
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	
			1	2	3	4	
5	6	<u>7</u> Regular City Council Meeting Special Meeting & Study Session	8	9	10	11	
12	13	14	15	16	17	18	
19	20	<u>21</u> Regular City Council Meeting Special Meeting & Study Session	<u>22</u> Council Subcommittee on Policy and Appointments Meeting	23	24	25	
26	27	<u>28</u> City Council Subcommittee on Community Culture & Public Safety	29	30	31		



City Council Calendar

Color Key:
City Council

< October	November 2014					December >
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6	7	8
9	10	11	12 Council Subcommittee on Policy and Appointments Meeting	13	14	15
16	17	18	19	20	21	22
23	24	25 City Council Subcommittee on Community Culture & Public Safety Regular City Council Meeting Special Meeting & Study Session	26	27	28	29
30						

CITY OF PEORIA, ARIZONA
CITY MANAGER REPORT

Agenda Item: RCM 38A

Date Prepared: September 22, 2014

Council Meeting Date: October 7, 2014

TO: Carl Swenson, City Manager

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

THROUGH: Jeff Tyne, Deputy City Manager

SUBJECT: Keep it Safe: A Family Affair

Summary:

The City Council and community are invited to attend the “Keep it Safe: A Family Affair” on Saturday, October 11 from 8-11am at the St. Joseph’s Medical Plaza, 7727 West Deer Valley Road, Suite 210, Peoria. The City of Peoria is promoting to the community safe and healthy lives by taking advantage of the free items and information provided at *Keep it Safe*. St. Joseph’s Peoria North Clinic provides a patient centered medical home with comprehensive, compassionate health care for the entire family—from infants to adolescents, adults to the elderly.

The event will offer free blood pressure checks, fire and water safety prevention, fire truck and smoke house tours, a self defense demonstration for kids, a bike rodeo, face painting, inflatable attractions, various vendor booths, helmet and booster seat fittings. Helmet and booster seat giveaways will be offered while quantities last.

Entertainment this year will be provided in part by Booby Freeman of the Arizona Diamondbacks, who will also be serving as the event MC.

Exhibit(s): Keep it Safe Flyer

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

FREE EVENT

Keep it Safe a Family Affair

Saturday, October 11, 2014

8 – 11 a.m.

7727 W. Deer Valley Rd., Suite 210

Peoria, Arizona 85382

Please join us for our **FREE** community event.

Activities Include:

- Bike Rodeo – Limited number of bikes – bring your own bike if you prefer
- Bicycle Raffle*
- Fire & Water Safety Prevention
- Fire Truck Tour
- Child ID Kits
- Free Blood Pressure Checks
- Face Painting
- Inflatables
- Food*
- Community Vendor Booths
- Helmet Fitting & Giveaway*
- Booster Seat Fitting & Giveaway*

**while quantities last*

All activities will be located outside in the parking lot.
For more information, call 623-773-7137 or visit
www.peoriaaz.gov/specialevents

*Brought to you by the City of Peoria and
Dignity Health Medical Group Peoria North Clinic*



CITY OF PEORIA, ARIZONA
VISTANCIA WEST COMMUNITY FACILITIES DISTRICT
DISTRICT COMMUNICATION

Agenda Item: 39R

Date Prepared: September 23, 2014

District Meeting Date: October 7, 2014

TO: Carl Swenson, District Manager

FROM: Brent D. Mattingly, District Treasurer

THROUGH: Jeff Tyne, Deputy District Manager

SUBJECT: Consideration and possible adoption of a Resolution taking certain actions with regard to organization of the district; approving the general plan for the district; approving and authorizing the execution and delivery of a district development, financing participation and intergovernmental agreement; approving the preparation of, and authorizing the giving of notice of hearing with respect to approving, a feasibility report and ordering and calling an election with respect to issuance of bonds and the levy of an ad valorem property tax therefor and to the levy of a separate ad valorem property tax attributable to the operation and maintenance expenses.

Purpose:

This is a request for the District Board to consider possible adoption of a Resolution organizing the Vistancia West Community Facilities District, approving and authorizing the execution and delivery of a District Development, Financing Participation and Intergovernmental Agreement, preparation of a feasibility report, and calling an election with respect to the issuance of bonds and levy of an ad valorem property tax.

Summary:

Attached is a formal resolution for the District Board's consideration. The Resolution provides for various organizational matters relating to the formation of this new political subdivision including the appointment of the Chairperson and Vice Chairperson of the District Board and of the District Manager, District Counsel, District Clerk, and District Treasurer and ratification of matters pertaining to the provision of notification of posting notices of public meetings.

This Resolution also provides for approval of the General Plan of the District. The General Plan was filed with the City Clerk and indicates the area affected by the District and the nature of the public infrastructure improvements to be constructed by the District.

This Resolution approves and authorizes the execution and delivery of the District Development, Financing Participation and Intergovernmental Agreement, the same agreement which was approved by the City Council on August 27, 2014. The agreement is between the

City, the District, and the developers/owners of the property. The Development Agreement provides all of the specifics about the major activities of the District after its formation. Included in these activities are how the District will undertake providing various infrastructure projects for which it will be responsible including provisions for bidding and providing interim financing for certain of such projects; how ultimate financing of such projects will be provided by the District including terms and conditions for issuance of bonds by the District and provisions for collateral from the obligated parties which will provide security for such bonds; under what circumstances the City will accept such projects after their completion; how insurance for the District and indemnification under certain circumstances will be provided; how certain expenses and costs will be paid or advanced by the developers for a certain time and how disclosure about the District will be provided to first time buyers of homes and other property within the boundaries of the District.

The Resolution orders and calls an election to authorize bonds necessary for the permanent financing of the infrastructure projects for which the District will be responsible. At the election, a question to authorize an operation and maintenance tax of not to exceed \$0.30 per \$100 of assessed valuation will be included on the ballot. The operation and maintenance tax is not intended to be used initially but would be available to the District if circumstances demanded in the future. This election will be held on November 18, 2014, and notice will be given by means of a posting in three public places within the boundaries of the District not less than twenty days before the election and publication of notice in *The Peoria Times* once a week for two consecutive weeks before the election.

As described in the August 2014 presentation to the Mayor and Council, the election would authorize up to \$9 million aggregate principal amount of bonds, \$6 million of which is anticipated to be spent for infrastructure projects of the District described in the Development Agreement. With regard to the infrastructure projects and the issuance of bonds, the Resolution approves the preparation of a Feasibility Report and publication of a notice of hearing on such Feasibility Report. The Feasibility Report will be filed with the District Clerk before the applicable meeting of the District Board. It will describe the feasibility and benefits of the first infrastructure projects to be provided for by the District. The Report will include a description of that public infrastructure, a map showing the location of the infrastructure, an estimate of the cost to provide and maintain the infrastructure, a schedule for completion of the infrastructure, a description of the area to be benefited by the infrastructure and a plan for financing the infrastructure. A hearing will be held on the Report at the applicable future meeting of the District Board. It is anticipated that after the hearing the District Board would consider the Report and indicate its intent whether to go forward with such infrastructure projects.

Background:

Vistancia CFD

In 2001 the City Council approved the formation of the Vistancia Community Facilities District (Vistancia CFD) that encompasses the entire Vistancia development project, comprised of approximately 7,100 acres. The large Vistancia master-planned community includes the existing Shea Homes “Trilogy at Vistancia” community, an age-restricted, active-adult community consisting of approximately 710 acres and 2,370 single family homes. The Vistancia CFD assesses an annual property tax of \$2.10 per \$100 of assessed value. The tax rate is assessed on property within the Vistancia CFD, including homes in the “Trilogy at Vistancia” development.

Trilogy West Zoning Stipulations

On December 10, 2013 the City Council approved Ordinance No. 2013-26 rezoning approximately 360 acres to the Trilogy West Planned Area Development Zoning District in order to allow the development of a single-family residential community of approximately 1,000 homes. The amendment to the zoning was subject to a number of stipulations, one of which required the land owners to execute a Petition requesting formation of a new CFD and providing all required waivers. This unique zoning stipulation was intended to create similar property taxes between the current homeowners residing in the “Trilogy at Vistancia” development and new homeowners that would live in the new “Trilogy West” project.

On August 27, 2014 the City Council approved the formation of the Vistancia West CFD. The new CFD encompasses the area of the new Trilogy West development. The new Trilogy West homes will be annexed into the existing Trilogy at Vistancia HOA and will help support the Vistancia Maintenance Corporation. In addition, the new Trilogy West homes will share privately owned, joint recreational amenities, such as the Kiva Club, resort-type swimming pool facilities, fitness facilities, tennis and sports courts, café, spa, and meeting rooms with the Trilogy at Vistancia residents. Likewise, residents of the existing Trilogy at Vistancia community will share in new facilities and amenities that will be constructed in conjunction with the Trilogy West expansion. These include a new club, outdoor resort pool, tennis courts, fitness studio, meeting rooms, trails, and outdoor areas.

From a homeowners perspective the two Trilogy active adult communities will appear to be a single development. As stated above, the overriding consideration for the new Vistancia West CFD is Council’s goal whereby the new homeowners in Trilogy West will have a CFD tax rate that closely matches the \$2.10 Vistancia CFD tax rate that is currently in place in Trilogy at Vistancia.

Trilogy West CFD Working Group

Immediately after Council’s zoning action in December 2013 city staff created a CFD working group to meet and discuss how a new CFD could be formed to meet the zoning stipulation and best accomplish the identified tax rate issue. The team consisted of representatives from Shea

Homes (the development manager for Trilogy West) and their legal representative, city staff from several departments, the city's financial advisor, the city's outside bond counsel, and the firm under city contract to underwrite CFD bonds. The team's first meeting occurred on December 18, 2013. In accordance with the City's CFD Policy (as amended by Council on May 6, 2014), the team reviewed an initial CFD application that had been submitted by the developer. However, the original CFD application did not adequately address Council's tax rate goal for the new Trilogy West project.

Due to the time sensitivity of the Trilogy West development project and the unique zoning stipulation, the team expedited the normal CFD application review process and began directly negotiating a CFD structure that would meet Council expectations. After numerous meetings and conference calls, the team developed a recommended structure for the new CFD that addressed the zoning stipulation and Council's tax rate concerns while complying with the City's CFD Policy (as amended by Council on May 6, 2014).

Key Terms of the Vistancia West CFD Development Agreement

In association with the new Vistancia West CFD, the Council approved a District Development, Financing Participation and Intergovernmental Agreement. The agreement is structured to issue a certain amount of CFD bonds that will create debt service payments that support a \$2.10 tax rate in the new CFD area. The \$2.10 tax rate will stay in place three years beyond the final debt service payments currently in place for the existing Vistancia CFD. The working group believes this is an appropriate time period consistent with the concepts foundational to the CFD zoning stipulation.

The District Development, Financing Participation and Intergovernmental Agreement includes the following structure:

- CFD has authority to approve the issuance of up to a maximum of \$9 million in general obligation bonds.
- Anticipate actually issuing about \$6 million in general obligation bonds.
- An initial, small bond issue, estimated at less than \$15,000, to establish the initial tax rate at \$2.10, followed by a subsequent larger bond sale, estimated at about \$6 million, anticipated in calendar year 2014 or 2015.
- Amortization of the bonds through 2028/2029 (3 years past the current Vistancia CFD).
- Development joint venture (but not Shea) executes a Standby Contribution Agreement whereby it guarantees to make any necessary cash contributions to meet the anticipated shortfalls in debt service payments at a tax rate of \$2.10.
- Joint venture obtains a Letter of Credit (LOC) as collateral to ensure shortfalls in payments under the Standby Contribution Agreement.
- The Standby Contribution Agreement and Letter of Credit are released after the assessed values and tax levy are stabilized for a period of two to three years at the \$2.10 tax rate.
- CFD projects include the joint venture's share of certain large, regional projects including the Westland Water Campus, Offsite Sewer, and Loan Mountain Waterline projects. The

135th Avenue street project may be included if necessary to support the issuance of bonds to achieve the \$2.10 CFD tax rate.

- Impact fees within the CFD boundaries will likely need to be reduced to exclude any CFD financed infrastructure.
- Indemnification of District's actions and liability provided by the joint venture and Shea along with an expense subsidy.
- A disclosure document to be signed by each homebuyer that acknowledges the existence of a CFD with the specific taxing authority.

Financial Risk Factors

The new Vistancia West CFD is a separate legal entity, similar to establishing an entirely new municipal entity within the boundaries of the City. As such, any debt or other legal obligations of the new Vistancia West CFD are strictly obligations of the new District. They are not obligations of the City of Peoria. The financial obligations primarily include the debt service payments necessary to meet the semi-annual principal and interest payments.

It is very important to understand that these debt service obligations are the ultimate responsibility of the property owners within the District boundaries. The CFD is legally obligated to establish the property tax rate at whatever tax rate is necessary to generate property tax revenues necessary to meet the debt service in any given year. The targeted \$2.10 tax rate is not a maximum rate. Under a scenario of development failure and/or joint venture bankruptcy, the targeted \$2.10 tax rate could increase significantly, impacting the property tax obligations of each property owner, as the CFD tax rate would need to be set at whatever rate would generate enough tax revenues to pay the annual debt service obligations. The targeted \$2.10 tax rate is the rate that is projected to generate annual tax revenues that, when supplemented by financial payments by the joint venture pursuant to the Standby Contribution Agreement, will generate the amount necessary to meet the annual debt service payments.

The amount of property tax dollars generated from the \$2.10 tax rate will be determined by a combination of the number of homes that have been sold and are on the County assessor's tax roll, the assessed value of those homes, and the \$2.10 tax rate itself. For several years the joint venture will be required to make up the shortfall between the tax levy generated from the \$2.10 tax rate and the annual debt service amount. This legal obligation of the joint venture will be the subject of the "Standby Contribution Agreement".

The Standby Contribution Agreement will be supplemented by a Letter of Credit. If the joint venture fails to pay under the Standby Contribution Agreement, an amount will be available under the Letter of Credit to help control dramatic increases in the CFD tax rate. The Letter of Credit is intended to provide for approximately three years of debt service if the developer defaults under their Standby Contribution Agreement obligations.

Provision for both agreements will be established as part of a future bond sale transaction. The Standby Contribution Agreement and the Letter of Credit will have "release provisions" under

which, once it has been demonstrated that the tax revenues at the \$2.10 tax rate are sufficient to meet the annual debt service for a period of three consecutive years, these two financial “backstops” will be released.

Board and Administration of the New Vistancia West CFD Entity

Under State Statute, a new CFD can only be formed within the boundaries of the City. As per the Resolution before the CFD Board this evening, the members of the City Council will serve as the District Board for the district. The Vistancia West CFD will require ongoing administration by the District Board and staff. These administrative duties are quite similar to those for a City. The members of the City Council must hold periodic meetings in their capacity as the District Board for the CFD. The City Manager, City Attorney, City Clerk and City Treasurer will function for the CFD in a manner similar to their roles for the City. The CFD must formally adopt an annual budget, hold public hearings on the tax levy, prepare audited financial statements, and post annual continuing disclosure documents related to the bond issues.

Future Steps

Future Board actions will include consideration to canvas the election, approve a Feasibility Report and approve bond documents allowing for the direct placement of the initial series of bonds to establish the \$2.10 CFD tax rate. After those initial actions a later bond sale will raise approximately \$6.1 million to finance the acquisition of public infrastructure. Each of those actions will be brought before the Vistancia West CFD Board for consideration and approval.

Previous Actions:

On December 10, 2013 the City Council approved Ordinance No. 2013-26 rezoning approximately 360 acres to the Trilogy West Planned Area Development Zoning District. The zoning was subject to a stipulation requiring the developer to execute a Petition requesting formation of a new CFD and providing all required waivers.

On August 27, 2014 the City Council adopted Resolution No. 2014-125 approving the formation of the Vistancia West CFD and approving the execution and delivery of a District Development, Financing Participation and Intergovernmental Agreement (Vistancia West Community Facilities District).

Options:

A: Adopt Resolution No. 2014-01 taking certain actions with regard to organization of the district; approving the general plan for the district; approving and authorizing the execution and delivery of a district development, financing participation and intergovernmental agreement; approving the preparation of, and authorizing the giving of notice of hearing with respect to approving, a feasibility report and ordering and calling an election with respect to issuance of bonds and the levy of an ad valorem property tax therefor and to the levy of a

separate ad valorem property tax attributable to the operation and maintenance expenses.

- B:** Do not adopt Resolution No. 2014-01 taking certain actions with regard to organization of the district; approving the general plan for the district; approving and authorizing the execution and delivery of a district development, financing participation and intergovernmental agreement; approving the preparation of, and authorizing the giving of notice of hearing with respect to approving, a feasibility report and ordering and calling an election with respect to issuance of bonds and the levy of an ad valorem property tax therefor and to the levy of a separate ad valorem property tax attributable to the operation and maintenance expenses.

Staff Recommendation:

Staff recommends that the District Board adopt Resolution No. 2014-01.

Fiscal Analysis:

There are no direct fiscal impacts to the City of Peoria.

Attachment: Resolution No. 2014-01 with Exhibits

Contact Name and Number: Brent Mattingly, District Treasurer, 623-773-7134

*District Resolution Regarding Organization Which Provides For:

- Appointment of Chairperson and Vice Chairperson of the District Board and District Clerk, District Treasurer, District Manager and District Counsel
- Approval of General Plan
- Approval of District Development, Financing Participation and Intergovernmental Agreement (Vistancia West Community Facilities District) and authorization of execution and delivery thereof
- Approval of preparation of (First) Feasibility Report and of publication of Notice of Hearing on such Feasibility Report
- Order and call of Bond and Operation and Maintenance Tax Election

RESOLUTION NO. 1

(VISTANCIA WEST COMMUNITY FACILITIES DISTRICT)

A RESOLUTION OF THE DISTRICT BOARD OF VISTANCIA WEST COMMUNITY FACILITIES DISTRICT TAKING CERTAIN ACTIONS WITH REGARD TO ORGANIZATION OF THE DISTRICT; APPROVING THE GENERAL PLAN FOR THE DISTRICT; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A DISTRICT DEVELOPMENT, FINANCING PARTICIPATION AND INTERGOVERNMENTAL AGREEMENT (VISTANCIA WEST COMMUNITY FACILITIES DISTRICT); APPROVING THE PREPARATION OF, AND AUTHORIZING THE GIVING OF NOTICE OF HEARING WITH RESPECT TO APPROVING, A FEASIBILITY REPORT WHICH INCLUDES IDENTIFYING THE PUBLIC INFRASTRUCTURE OF THE PROJECTS, THE AREAS TO BE BENEFITTED, THE EXPECTED METHOD OF FINANCING AND THE SYSTEM OF PROVIDING REVENUES TO OPERATE AND MAINTAIN THE PROJECTS, ALL AS PROVIDED IN SUCH REPORT AND ORDERING AND CALLING AN ELECTION WITH RESPECT TO ISSUANCE OF BONDS BY THE DISTRICT AND THE LEVY OF AN AD VALOREM PROPERTY TAX THEREFOR AND TO THE LEVY OF A SEPARATE AD VALOREM PROPERTY TAX ATTRIBUTABLE TO THE OPERATION AND MAINTENANCE EXPENSES OF THE DISTRICT

*For reference only; to be removed upon adoption

BE IT RESOLVED BY THE DISTRICT BOARD OF VISTANCIA WEST COMMUNITY FACILITIES DISTRICT as follows:

1. Findings.

a. On August 27, 2014, the Mayor and Common Council of the City of Peoria, Arizona (hereinafter called the "Municipality"), adopted Resolution No. 2014-125 which, among other things, ordered and declared formation of Vistancia West Community Facilities District (hereinafter called the "District").

b. The District is a special purpose district for purposes of Article IX, Section 19, Constitution of Arizona, a tax levying public improvement district for the purposes of Article XIII, Section 7, Constitution of Arizona, and a municipal corporation for all purposes of Title 35, Chapter 3, Articles 3, 3.1, 3.2, 4 and 5, Arizona Revised Statutes and, except as otherwise provided in Section 48-708(B), Arizona Revised Statutes, is considered to be a municipal corporation and political subdivision of the State of Arizona, separate and apart from the Municipality.

c. Certain matters relating to the organization of the District must be determined by the district board of the District (hereinafter referred to as the "District Board").

d. There was filed with the City Clerk of the Municipality the "general plan" for the District, which sets out a general description of the public infrastructure improvements for which the District was formed and the general areas to be improved (hereinafter referred to as the "General Plan").

e. Pursuant to Title 48, Chapter 4, Article 6, Arizona Revised Statutes (hereinafter referred to as the "Act"), and Section 9-500.05, Arizona Revised Statutes, the Municipality, the District, Shea Homes Inc. (hereinafter called "Shea") and Vistancia West Construction, LP (hereinafter called the "JV") are entering into a "development agreement" to specify, among other things, conditions, terms, restrictions and requirements for public infrastructure (as such term is defined in the Act) and the financing of public infrastructure and subsequent reimbursements or repayments over time.

f. With regard to the property which makes up the real property included within the District, the District, Shea and the JV determined to specify some of such matters in such an agreement, particularly matters relating to the acquisition or construction of certain public infrastructure by the District, the acceptance by the Municipality or other appropriate political subdivisions and the reimbursement or repayment of Shea and the JV with respect thereto, all pursuant to the Act.

g. Pursuant to the Act and Title 11, Chapter 7, Article 3, Arizona Revised Statutes, the District and the Municipality may enter into an "intergovernmental agreement" with one another for joint or cooperative action for services and to jointly exercise any powers common to them and for the purposes of the planning, design, inspection, ownership, control, maintenance, operation or repair of public infrastructure.

h. Pursuant to the Act, the District may also enter into an agreement with Shea and the JV with respect to the advance of

moneys for public infrastructure purposes and the repayment of such advances and to obtain credit enhancement for, and process disbursement and investment of proceeds of, the hereinafter-described Bonds.

i. There has been placed on file with the District Clerk of the District and presented to the district board of the District (hereinafter called the "District Board") in connection with the purposes described in paragraphs l.e. through h. a District Development, Financing Participation and Intergovernmental Agreement (Vistancia West Community Facilities District), to be dated as of October 1, 2014 (hereinafter referred to as the "Development Agreement"), by and among Shea, the JV, the Municipality and the District relating to, among other things, the Bonds.

j. The District is authorized by Section 48-719, Arizona Revised Statutes to issue and sell general obligation bonds of the District to provide moneys for public infrastructure purposes consistent with the General Plan and by Section 48-709(G), Arizona Revised Statutes to repay all or part of fees and charges collected from landowners for public infrastructure purposes, the advance of moneys by landowners for public infrastructure purposes or the granting of real property by the landowner for public infrastructure purposes from the proceeds of such bonds pursuant to agreements entered into with landowners and the Municipality pursuant to Section 48-709(A) (10), Arizona Revised Statutes.

k. Pursuant to Section 48-723, Arizona Revised Statutes, the District is authorized to levy an *ad valorem* tax on the

assessed value of all real and personal property in the District at a rate which does not exceed the maximum rate specified in the ballot with respect thereto as hereinafter described, including taxes attributable to the operation and maintenance expenses of the District, but not in excess of thirty cents (30¢) per one hundred dollars (\$100) of such assessed valuation for such operation and maintenance.

1. Such bonds may not be issued and such tax may not be levied unless approved at an election ordered and called to submit to the qualified electors of the District or to those persons who are qualified to vote pursuant to Section 48-707(G), Arizona Revised Statutes (being, if no person has registered to vote within the District within fifty (50) days immediately preceding any scheduled election date, the owners of land within the District who are qualified electors of the State of Arizona and other landowners according to Section 48-3043, Arizona Revised Statutes) the question of authorizing the District Board to issue such bonds for such purposes (hereinafter referred to as the "Bonds") and to levy such tax (hereinafter referred to as the "Operation and Maintenance Expenses Tax").

m. Pursuant to Section 48-715, Arizona Revised Statutes, the District Board shall cause a report of the feasibility and benefits of the projects relating to certain public infrastructure provided for in the General Plan and to be financed with proceeds of the sale of the first series of the Bonds to be prepared, such report having included a description of certain public infrastructure to be

acquired and all other information useful to understand the projects, a map showing, in general, the location of the projects, an estimate of the cost to construct, acquire, operate and maintain the projects, an estimated schedule for completion of the projects, a map or description of the area to be benefitted by the projects and a plan for financing the projects (hereinafter referred to as the "Report"). A public hearing on the Report will hereafter be held (hereinafter referred to as the "Report Hearing"), after provision for publication of notice thereof as provided by law (hereinafter referred to as the "Report Notice").

2. District Officers and Consultants. The Mayor and the Vice Mayor of the Municipality are hereby appointed "Chairperson" and "Vice Chairperson," respectively, of the District Board; the City Clerk of the Municipality is hereby appointed "District Clerk"; the City Treasurer of the Municipality is hereby appointed "District Treasurer"; the City Manager of the Municipality is hereby appointed "District Manager" and the City Attorney of the Municipality is hereby appointed "District Counsel."

3. Approval of General Plan. The General Plan as previously submitted to the City Clerk of the Municipality is hereby approved in all respects.

4. a. Approval of Development Agreement. The Development Agreement is hereby approved in substantially the form submitted herewith, with such changes, additions, deletions, insertions and omissions, if any, as the Chairperson of the District Board, with the advice of the District Manager and the District Counsel, shall

authorize, the execution and delivery of the Development Agreement to be conclusive evidence of the propriety of such document and the authority of the person or persons executing the same.

b. Completion of Development Agreement. The District Manager or his or her designee is hereby authorized to complete the Development Agreement by including the appropriate materials as necessary therein.

c. Execution of Development Agreement. The Chairperson of the District Board, with the advice of the District Manager and the District Counsel, is hereby authorized and directed to execute, and the District Clerk to attest, the Development Agreement on behalf of the District.

5. a. Preparation of Report. The preparation of the Report is hereby approved. (Upon completion of a draft of the Report, the Report, marked in a conspicuous fashion "DRAFT," shall be submitted to the District Board for review and comment.)

b. Approval of Notice of Hearing on Report. The Report Hearing is hereby ordered as required by law, and the District Manager is hereby instructed to establish the date and time of such hearing and to cause the Report Hearing Notice to be provided by law. The form of the Report Hearing Notice attached hereto and marked as Exhibit "A" is hereby approved in all respects as well as the publication of the Report Hearing Notice in the *Peoria Times*, the official newspaper of the Municipality and the mailing of the Report to the governing body of the Municipality. (The District Manager is

hereby authorized to complete the Report Hearing Notice prior to its publication.)

6. a. Order and Call of Election. A special election be and the same is hereby ordered and called to be held on November 18, 2014 (hereinafter referred to as the "Election"), at which time there shall be submitted to those who will be qualified electors of the District the question with respect to the Bonds and the Operation and Maintenance Expenses Tax set forth in the official ballot described in Section 6c. of this Resolution.

b. Posting and Publishing of Matters Relating to Election. The Election shall be called by posting notices in three (3) public places within the proposed boundaries of the District not less than twenty (20) days before the date of the Election in substantially the form hereto attached and marked Exhibit "D." Notice shall also be published in the *Peoria Times*, a newspaper of general circulation in the Municipality, once a week for two consecutive weeks before the Election in substantially the form hereto attached and marked Exhibit "B."

c. Form of Ballot. The official ballot for the Election shall be in substantially the form hereto attached and marked Exhibit "C."

d. Polling Place. The polling place and the time the polls shall be opened and closed shall be as provided in Exhibit "B." While outside the boundaries of the District, the District Board hereby finds that such polling place is appropriate as it is the

polling place for the precinct in which the area of the District is included for County-wide elections.

e. Affidavit of Landowners. Prospective electors voting in the Election shall execute an affidavit substantially in the form hereto attached and marked Exhibit "D."

f. Preparation of Ballots and Affidavits. The District Clerk is hereby authorized and directed to have printed and delivered to the election officers at such polling places such ballots and, if necessary, such affidavits, to be by them furnished to the qualified electors of the District offering to vote at the Election, in substantially the forms as hereto attached and marked Exhibits "E" and "D."

g. Compliance with Voting Rights Act of 1965. In order to comply with the Voting Rights Act of 1965, as amended, the following shall be translated into Spanish and posted, published and recorded in each instance where posting, publication and recording of such proceedings are required, to wit: Exhibits "B," "C" and "D," all absentee/early voting materials and all instructions at the polls.

h. Applicable Law. The Election shall be held, conducted and canvassed in conformity with the provisions of the general election laws of the State of Arizona, except as otherwise provided by law, and only such persons shall be permitted to vote at the Election who are the qualified electors. Absentee/early voting shall be permitted in accordance with the provisions of Title 16, Chapter 4, Article 8, Arizona Revised Statutes.

i. Canvassing. Within fourteen (14) days after the date of the Election, the District Board shall meet and canvass the returns, and if a majority of the votes cast at the Election are in favor of issuing the Bonds and levying the Operation and Maintenance Expenses Tax, the District Board shall enter the fact on its minutes.

7. No Liability of or for the Municipality. Neither the Municipality nor the State of Arizona or any political subdivision of either (other than the District) shall be directly, indirectly or morally liable or obligated for the payment or repayment of any indebtedness, liability, cost, expense or obligation of the District, and neither the credit nor the taxing power of the Municipality, the State of Arizona or any political subdivision of either (other than the District) shall be pledged therefor.

8. Severability; Amendment.

a. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

b. All resolutions or parts thereof inconsistent herewith are hereby waived to the extent only of such inconsistency.

9. Effective Date.

This Resolution shall be effective immediately.

PASSED by the District Board of Vistancia West Community
Facilities District this 7th day of October, 2014.

.....
Chairperson, District Board, Vistancia
West Community Facilities District

ATTEST:

.....
District Clerk, Vistancia West
Community Facilities District

APPROVED AS TO FORM:

.....
District Counsel, Vistancia West
Community Facilities District

ATTACHMENT:

- EXHIBIT "A" -- Form Of Report Hearing Notice
- EXHIBIT "B" -- Form of Notice of Election
- EXHIBIT "C" -- Form of Official Ballot
- EXHIBIT "D" -- Form of Affidavit of Elector

* * *

EXHIBIT "A"

FORM OF REPORT HEARING NOTICE

NOTICE FOR HEARING REQUIRED BY A.R.S. § 48-715 ON
REPORT OF THE FEASIBILITY AND BENEFITS OF CERTAIN
PROJECTS TO BE FINANCED WITH THE PROCEEDS OF THE
SALE OF GENERAL OBLIGATION BONDS OF VISTANCIA
WEST COMMUNITY FACILITIES DISTRICT

Pursuant to Section 48-715, Arizona Revised Statutes,
notice is hereby given that a public hearing on the report of the
feasibility and benefits of projects to be financed with the proceeds
of the sale of general obligation bonds of Vistancia West Community
Facilities District shall be held by the District Board on
....., 2014, at approximately 7:00 p.m. (Arizona time), or
immediately preceding the meeting of the Mayor and Council of the City
of Peoria, Arizona, on the same date in the Council Chambers located
at 8401 West Monroe Street, Peoria, Arizona. Such feasibility report
and further information relating thereto are on file with the City
Clerk of the City of Peoria, Arizona/District Clerk of Vistancia West
Community Facilities District, 8401 West Monroe Street, Peoria,
Arizona 85345, telephone number: (623) 773-7340.

Dated this day of, 2014.

/s/ L. Carl Swenson
.....
District Manager, Vistancia West
Community Facilities District

EXHIBIT "B"

FORM OF NOTICE OF ELECTION

TO THE QUALIFIED RESIDENT AND LANDOWNER ELECTORS OF VISTANCIA WEST COMMUNITY FACILITIES DISTRICT (THE "DISTRICT"):

A special election to establish certain matters will be held on November 18, 2014, at the following precinct's polling place, such precinct being the precinct in which the area within the District is located:

<u>Precinct</u>	<u>Polling Place</u>
.....
, Arizona

The polling place will open at 8:00 a.m. and close at 2:00 p.m.

The purpose of the election is to permit those who would be the qualified resident and landowner electors of the District to vote on the following questions:

SHALL THE DISTRICT BOARD (THE "BOARD") OF VISTANCIA WEST COMMUNITY FACILITIES DISTRICT (THE "DISTRICT") BE AUTHORIZED TO ISSUE GENERAL OBLIGATION BONDS OF THE DISTRICT, IN THE DENOMINATION OF THE BONDS, THE SIZE OF EACH ISSUE AND THE FORM OF THE BONDS PRESCRIBED, AND HAVING THE MATURITIES (NOT EXCEEDING TWENTY-FIVE (25) YEARS), INTEREST PAYMENT DATES AND INTEREST RATES, WHETHER FIXED OR VARIABLE, NOT EXCEEDING TWELVE PERCENT (12%) PER ANNUM, ESTABLISHED, BY THE BOARD AND CONTAINING SUCH TERMS, CONDITIONS, COVENANTS AND AGREEMENTS AS THE BOARD DEEMS PROPER, IN THE MAXIMUM AMOUNT OF NINE MILLION DOLLARS (\$9,000,000) TO PROVIDE MONEYS (A) (1) FOR PLANNING, DESIGN, ENGINEERING, CONSTRUCTION, ACQUISITION OR INSTALLATION OF ANY OR ALL OF THE FOLLOWING IMPROVEMENTS, INCLUDING NECESSARY OR INCIDENTAL WORK, WHETHER NEWLY CONSTRUCTED, RENOVATED OR EXISTING, AND ALL NECESSARY OR DESIRABLE APPURTENANCES ("PUBLIC INFRASTRUCTURE"): (a) SANITARY SEWAGE SYSTEMS, INCLUDING COLLECTION, TRANSPORT, STORAGE, TREATMENT, DISPERSAL, EFFLUENT USE AND DISCHARGE, (b) DRAINAGE AND FLOOD CONTROL SYSTEMS, INCLUDING COLLECTION, TRANSPORT, DIVERSION, STORAGE, DETENTION, RETENTION, DISPERSAL, USE AND DISCHARGE, (c) WATER SYSTEMS FOR DOMESTIC, INDUSTRIAL, IRRIGATION, MUNICIPAL OR FIRE PROTECTION PURPOSES INCLUDING PRODUCTION, COLLECTION, STORAGE, TREATMENT, TRANSPORT, DELIVERY, CONNECTION AND DISPERSAL,

BUT NOT INCLUDING FACILITIES FOR AGRICULTURAL IRRIGATION PURPOSES UNLESS FOR THE REPAIR OR REPLACEMENT OF EXISTING FACILITIES WHEN REQUIRED BY OTHER IMPROVEMENTS DESCRIBED HEREIN, (d) HIGHWAYS, STREETS, ROADWAYS AND PARKING FACILITIES INCLUDING ALL AREAS FOR VEHICULAR USE FOR TRAVEL, INGRESS AND EGRESS, (e) AREAS FOR PEDESTRIAN, EQUESTRIAN, BICYCLE OR OTHER NON-MOTOR VEHICLE USE FOR TRAVEL, INGRESS, EGRESS AND PARKING, (f) PEDESTRIAN MALLS, PARKS, RECREATIONAL FACILITIES, AND OPEN SPACE AREAS FOR THE USE OF MEMBERS OF THE PUBLIC FOR ENTERTAINMENT, ASSEMBLY AND RECREATION, (g) LANDSCAPING INCLUDING EARTHWORKS, STRUCTURES, LAKES AND OTHER WATER FEATURES, PLANTS, TREES AND RELATED WATER DELIVERY SYSTEMS, (h) PUBLIC BUILDINGS, PUBLIC SAFETY FACILITIES AND FIRE PROTECTION FACILITIES, (i) LIGHTING SYSTEMS, (j) TRAFFIC CONTROL SYSTEMS AND DEVICES INCLUDING SIGNALS, CONTROLS, MARKINGS AND SIGNAGE, (k) SCHOOL SITES AND FACILITIES AND (1) EQUIPMENT, VEHICLES, FURNISHINGS AND OTHER PERSONALTY RELATED TO ANY OF THE FOREGOING; (2) ACQUIRING, CONVERTING, RENOVATING OR IMPROVING EXISTING FACILITIES FOR PUBLIC INFRASTRUCTURE; (3) ACQUIRING INTERESTS IN REAL PROPERTY FOR PUBLIC INFRASTRUCTURE; (4) ESTABLISHING, MAINTAINING AND REPLENISHING RESERVES FROM ANY SOURCE IN ORDER TO SECURE PAYMENT OF DEBT SERVICE ON BONDS; (5) FUNDING AND PAYING FROM BOND PROCEEDS INTEREST ACCRUING ON BONDS FOR A PERIOD OF NOT TO EXCEED THREE (3) YEARS FROM THEIR DATE OF ISSUANCE; (6) PROVIDING FOR THE TIMELY PAYMENT OF DEBT SERVICE ON BONDS OR OTHER INDEBTEDNESS OF THE DISTRICT; (7) REFINANCING ANY MATURED OR UNMATURED BONDS, WITH NEW BONDS; AND (8) EXPENSES OF THE DISTRICT INCIDENT TO AND REASONABLY NECESSARY TO CARRY OUT THE PURPOSES SPECIFIED IN THIS PARAGRAPH (CLAUSES (1) THROUGH (8), BOTH INCLUSIVE, BEING "PUBLIC INFRASTRUCTURE PURPOSES") AND (B) FOR REPAYING ALL OR PART OF FEES OR CHARGES COLLECTED FROM LANDOWNERS FOR PUBLIC INFRASTRUCTURE PURPOSES, THE ADVANCE OF MONEYS BY LANDOWNERS FOR PUBLIC INFRASTRUCTURE PURPOSES OR THE GRANTING OF REAL PROPERTY BY THE LANDOWNER FOR PUBLIC INFRASTRUCTURE PURPOSES PURSUANT TO AGREEMENTS ENTERED INTO WITH LANDOWNERS AND THE CITY OF PEORIA, ARIZONA, PURSUANT TO SECTION 48-709 (A)(10), ARIZONA REVISED STATUTES AND IN AN AMOUNT NOT IN EXCESS OF ONE AND ONE-HALF (1½) TIMES THE AMOUNT OF BONDS PREVIOUSLY ISSUED BY THE DISTRICT FOR THE PURPOSE OF REFUNDING ANY BONDS ISSUED BY THE DISTRICT FOR EITHER OF THE FOREGOING PURPOSES, PAYABLE FROM AN AD VALOREM

TAX LEVIED AND COLLECTED ANNUALLY ON ALL TAXABLE PROPERTY IN THE DISTRICT, SUFFICIENT TO PAY DEBT SERVICE ON SUCH BONDS WHEN DUE, AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF ARIZONA, INCLUDING PARTICULARLY (BUT NOT BY WAY OF LIMITATION) TITLE 48, CHAPTER 4, ARTICLE 6, ARIZONA REVISED STATUTES?

SHALL THE DISTRICT BOARD OF VISTANCIA WEST COMMUNITY FACILITIES DISTRICT (THE "DISTRICT") BE AUTHORIZED TO LEVY AND COLLECT AN ANNUAL AD VALOREM TAX ON THE ASSESSED VALUE OF ALL REAL AND PERSONAL PROPERTY IN THE DISTRICT AT A RATE NOT TO EXCEED THIRTY CENTS (30¢) PER ONE HUNDRED DOLLARS (\$100) OF ASSESSED VALUATION OF ALL REAL AND PERSONAL PROPERTY IN THE DISTRICT, ALL ATTRIBUTABLE TO THE OPERATION AND MAINTENANCE EXPENSES OF THE DISTRICT, IN ACCORDANCE WITH THE CONSTITUTION AND LAWS OF THE STATE OF ARIZONA, INCLUDING PARTICULARLY (BUT NOT BY WAY OF LIMITATION) SECTION 48-723 ARIZONA REVISED STATUTES?

Absentee/early voting shall be permitted in accordance with the provisions of Title 16, Chapter 4, Article 8, Arizona Revised Statutes. Absentee/early voting information may be obtained by contacting the office of the District Clerk, 8401 West Monroe Street, Peoria, Arizona 85345, telephone number (623) 773-7340

The "general plan" for the District required by Section 48-702(A)(8), Arizona Revised Statutes, is on file with the District Clerk at the same location described in the preceding paragraph.

EXHIBIT "C"

FORM OF OFFICIAL BALLOT

OFFICIAL BALLOT
SPECIAL BOND ELECTION
VISTANCIA WEST
COMMUNITY FACILITIES DISTRICT
NOVEMBER 18, 2014

SHALL THE DISTRICT BOARD (THE "BOARD") OF VISTANCIA WEST COMMUNITY FACILITIES DISTRICT (THE "DISTRICT") BE AUTHORIZED TO ISSUE GENERAL OBLIGATION BONDS OF THE DISTRICT, IN THE DENOMINATION OF THE BONDS, THE SIZE OF EACH ISSUE AND THE FORM OF THE BONDS PRESCRIBED, AND HAVING THE MATURITIES (NOT EXCEEDING TWENTY-FIVE (25) YEARS), INTEREST PAYMENT DATES AND INTEREST RATES, WHETHER FIXED OR VARIABLE, NOT EXCEEDING TWELVE PERCENT (12%) PER ANNUM, ESTABLISHED, BY THE BOARD AND CONTAINING SUCH TERMS, CONDITIONS, COVENANTS AND AGREEMENTS AS THE BOARD DEEMS PROPER, IN THE MAXIMUM AMOUNT OF NINE MILLION DOLLARS (\$9,000,000) TO PROVIDE MONEYS (A) (1) FOR PLANNING, DESIGN, ENGINEERING, CONSTRUCTION, ACQUISITION OR INSTALLATION OF ANY OR ALL OF THE FOLLOWING IMPROVEMENTS, INCLUDING NECESSARY OR INCIDENTAL WORK, WHETHER NEWLY CONSTRUCTED, RENOVATED OR EXISTING, AND ALL NECESSARY OR DESIRABLE APPURTENANCES ("PUBLIC INFRASTRUCTURE"): (a) SANITARY SEWAGE SYSTEMS, INCLUDING COLLECTION, TRANSPORT, STORAGE, TREATMENT, DISPERSAL, EFFLUENT USE AND DISCHARGE, (b) DRAINAGE AND FLOOD CONTROL SYSTEMS, INCLUDING COLLECTION, TRANSPORT, DIVERSION, STORAGE, DETENTION, RETENTION, DISPERSAL, USE AND DISCHARGE, (c) WATER SYSTEMS FOR DOMESTIC, INDUSTRIAL, IRRIGATION, MUNICIPAL OR FIRE PROTECTION PURPOSES INCLUDING PRODUCTION, COLLECTION, STORAGE, TREATMENT, TRANSPORT, DELIVERY, CONNECTION AND DISPERSAL, BUT NOT INCLUDING FACILITIES FOR AGRICULTURAL IRRIGATION PURPOSES UNLESS FOR THE REPAIR OR REPLACEMENT OF EXISTING FACILITIES WHEN REQUIRED BY OTHER IMPROVEMENTS DESCRIBED HEREIN, (d) HIGHWAYS, STREETS, ROADWAYS AND PARKING FACILITIES INCLUDING ALL AREAS FOR VEHICULAR USE FOR TRAVEL, INGRESS AND EGRESS, (e) AREAS FOR PEDESTRIAN, EQUESTRIAN, BICYCLE OR OTHER NON-MOTOR VEHICLE USE FOR TRAVEL, INGRESS, EGRESS AND PARKING, (f) PEDESTRIAN MALLS, PARKS, RECREATIONAL FACILITIES, AND OPEN SPACE AREAS FOR THE USE OF MEMBERS OF THE PUBLIC FOR ENTERTAINMENT, ASSEMBLY AND

RECREATION, (g) LANDSCAPING INCLUDING EARTHWORKS, STRUCTURES, LAKES AND OTHER WATER FEATURES, PLANTS, TREES AND RELATED WATER DELIVERY SYSTEMS, (h) PUBLIC BUILDINGS, PUBLIC SAFETY FACILITIES AND FIRE PROTECTION FACILITIES, (i) LIGHTING SYSTEMS, (j) TRAFFIC CONTROL SYSTEMS AND DEVICES INCLUDING SIGNALS, CONTROLS, MARKINGS AND SIGNAGE, (k) SCHOOL SITES AND FACILITIES AND (1) EQUIPMENT, VEHICLES, FURNISHINGS AND OTHER PERSONALTY RELATED TO ANY OF THE FOREGOING; (2) ACQUIRING, CONVERTING, RENOVATING OR IMPROVING EXISTING FACILITIES FOR PUBLIC INFRASTRUCTURE; (3) ACQUIRING INTERESTS IN REAL PROPERTY FOR PUBLIC INFRASTRUCTURE; (4) ESTABLISHING, MAINTAINING AND REPLENISHING RESERVES FROM ANY SOURCE IN ORDER TO SECURE PAYMENT OF DEBT SERVICE ON BONDS; (5) FUNDING AND PAYING FROM BOND PROCEEDS INTEREST ACCRUING ON BONDS FOR A PERIOD OF NOT TO EXCEED THREE (3) YEARS FROM THEIR DATE OF ISSUANCE; (6) PROVIDING FOR THE TIMELY PAYMENT OF DEBT SERVICE ON BONDS OR OTHER INDEBTEDNESS OF THE DISTRICT; (7) REFINANCING ANY MATURED OR UNMATURED BONDS, WITH NEW BONDS; AND (8) EXPENSES OF THE DISTRICT INCIDENT TO AND REASONABLY NECESSARY TO CARRY OUT THE PURPOSES SPECIFIED IN THIS PARAGRAPH (CLAUSES (1) THROUGH (8), BOTH INCLUSIVE, BEING "PUBLIC INFRASTRUCTURE PURPOSES") AND (B) FOR REPAYING ALL OR PART OF FEES OR CHARGES COLLECTED FROM LANDOWNERS FOR PUBLIC INFRASTRUCTURE PURPOSES, THE ADVANCE OF MONEYS BY LANDOWNERS FOR PUBLIC INFRASTRUCTURE PURPOSES OR THE GRANTING OF REAL PROPERTY BY THE LANDOWNER FOR PUBLIC INFRASTRUCTURE PURPOSES PURSUANT TO AGREEMENTS ENTERED INTO WITH LANDOWNERS AND THE CITY OF PEORIA, ARIZONA, PURSUANT TO SECTION 48-709 (A)(10), ARIZONA REVISED STATUTES AND IN AN AMOUNT NOT IN EXCESS OF ONE AND ONE-HALF (1½) TIMES THE AMOUNT OF BONDS PREVIOUSLY ISSUED BY THE DISTRICT FOR THE PURPOSE OF REFUNDING ANY BONDS ISSUED BY THE DISTRICT FOR EITHER OF THE FOREGOING PURPOSES, PAYABLE FROM AN *AD VALOREM* TAX LEVIED AND COLLECTED ANNUALLY ON ALL TAXABLE PROPERTY IN THE DISTRICT, SUFFICIENT TO PAY DEBT SERVICE ON SUCH BONDS WHEN DUE, AS AUTHORIZED BY THE CONSTITUTION AND LAWS OF THE STATE OF ARIZONA, INCLUDING PARTICULARLY (BUT NOT BY WAY OF LIMITATION) TITLE 48, CHAPTER 4, ARTICLE 6, ARIZONA REVISED STATUTES?

Place an "X" in the box beside the way you wish to vote.

BONDS, YES

BONDS, NO

SHALL THE DISTRICT BOARD OF VISTANCIA WEST COMMUNITY FACILITIES DISTRICT (THE "DISTRICT") BE AUTHORIZED TO LEVY AND COLLECT AN ANNUAL AD VALOREM TAX ON THE ASSESSED VALUE OF ALL REAL AND PERSONAL PROPERTY IN THE DISTRICT AT A RATE NOT TO EXCEED THIRTY CENTS (30¢) PER ONE HUNDRED DOLLARS (\$100) OF ASSESSED VALUATION OF ALL REAL AND PERSONAL PROPERTY IN THE DISTRICT, ALL ATTRIBUTABLE TO THE OPERATION AND MAINTENANCE EXPENSES OF THE DISTRICT, IN ACCORDANCE WITH THE CONSTITUTION AND LAWS OF THE STATE OF ARIZONA, INCLUDING PARTICULARLY (BUT NOT BY WAY OF LIMITATION) SECTION 48-723, ARIZONA REVISED STATUTES?

Place an "X" in the box beside the way you wish to vote.

TAX, YES

TAX, NO

EXHIBIT "D"

FORM OF AFFIDAVIT OF ELECTOR

AFFIDAVIT OF PROSPECTIVE ELECTOR
AS TO OWNERSHIP OF LAND OR
OTHER QUALIFICATION TO VOTE
PURSUANT TO SECTIONS 16-121 AND 48-3043,
ARIZONA REVISED STATUTES

STATE OF ARIZONA)
COUNTY OF MARICOPA)
CITY OF PEORIA, ARIZONA) ss.
VISTANCIA WEST COMMUNITY FACILITIES DISTRICT)

COMES NOW the undersigned and deposes and says "I am (place a mark next to 1, 2 or 3 to indicate your eligibility)

- 1. a qualified elector in
precinct and resident at
where I resided at the date of my registration, OR
- 2. a qualified elector in
precinct and resident at
where I resided at the date of my registration, AND a
qualified voter pursuant to § 48-3043 (complete section 4)
OR
- 3. a qualified voter pursuant to § 48-3043 (complete section
4)
- 4. I am an owner of land in the community facilities district to
which this affidavit applies who is a qualified elector of such
district; or otherwise qualified to vote pursuant to Section
48-3043, Arizona Revised Statutes (being a bona fide owner of
land within the district holding title or evidence of title of
record, including: an entrymen upon public lands under the
public land laws of the United States or a certificate of
purchase from the State of Arizona, who has held such title for
ninety (90) days and who is a resident of the State of Arizona;
when the holder of record title is a married person, the spouse
in whose name the title stands; if record title is held in more
than one name, an owner otherwise possessing the qualifications
of an elector voting the number of fractions of acres represented
by my legal interest or proportionate share of and in the lands;
the administrator or executor of a deceased person or the
guardian of a minor or an incompetent person, appointed and
qualified under the laws of the State of Arizona, representing
such person or estate; an officer of a corporation designated and
authorized by a resolution of the Board of Directors of the
corporation representing the corporation; the general partner of
a partnership in whose name title to property within the district
is vested as a holder of title or evidence of title, who is
designated and authorized in writing by all of the general
partners; or the trustee of a trust or the trustee who is

designated and authorized in writing by all of the trustees of a trust in which there is more than one trustee, in whose name title to property within such district is vested as a holder of title or evidence of title)."

My vote represents acres OR square feet.

.....
Signature of Affiant

.....
Printed Name of Affiant

.....
Printed Name of Entity Represented by
Affiant, if any

SUBSCRIBED AND SWORN to before me this day of
....., 2014.

.....
Election Board Member

TO BE COMPLETED BY AN ELECTION BOARD MEMBER ONLY:

Ballot Stub No. ...