



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

**CITY COUNCIL REGULAR MEETING
NOTICE & AGENDA
Tuesday, December 06, 2011
7:00 PM
CITY COUNCIL CHAMBER**

CITY COUNCIL:

Mayor

Bob Barrett

Mesquite District

Cathy Carlat, Vice Mayor

Acacia District

Tony Rivero

Ironwood District

Dave Pearson

Palo Verde District

Ron Aames

Pine District

Carlo Leone

Willow District

Joan Evans

City Manager

Carl Swenson

CONVENE:

PLEDGE:

ROLL CALL:

FINAL CALL TO SUBMIT SPEAKER REQUEST FORMS:

PRESENTATION:

1. Recognition of Honorees Receiving City Manager Excellence Awards
2. Maricopa Association of Governments, Salt Lake City Multimodal Transit System Tour

CONSENT AGENDA

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

CONSENT – New Business:

1C Minutes

Discussion and possible action to approve the following:

Special Meeting and Study Session Minutes - November 15, 2011
Regular Meeting Minutes - November 15, 2011

2C Agreement, Barcelona Partners, LLC, Vistancia South, LLC, Concerning Repayment Zone RZST-0702

Discussion and possible action to approve Agreement of City of Peoria, Barcelona Partners, LLC, Vistancia South, LLC, to address the future of the Repayment Zone and Impact Fee Credits.

3C Grant Acceptance, Grant In Kind, Arizona State Library, Archives and Public Records, Peoria Public Libraries

Discussion and possible action to approve the acceptance of the Recipient Agreement of the Broadband Technology Opportunities Program Round 2 Grants and transfer ownership of two computers, monitors and printers from the Arizona State Library, Archives and Public Records to City of Peoria branch libraries. This request will address the increased demand by job seekers on local libraries as a local resource where patrons can utilize internet access to search for and/or apply for jobs and improve job related skills.

4C Code Amendment, Chapter 9, Fire Prevention and Protection, Fireworks, Automatic Expiration Date

Discussion and possible action to adopt **ORD. 2011-26** amending Chapter 9 of the Peoria City Code (1992 Edition) deleting the automatic expiration date pertaining to fireworks and declaring an emergency.

5C Partial Assignment and Assumption, Annexation Agreement and Consent, City of Peoria, Johnson Bank and Empire Group, Four Parcels Located Northwest of Jomax and Dysart Roads

Discussion and possible action to authorize a Partial Agreement and Assumption of Annexation Agreement and Consent for four Parcels located Northwest of Jomax and Dysart Roads.

6C Assignment, Assumption and Transfer of Ownership, Cable Television Agreement, Qwest Broadband Services, Inc. and Century Link, Inc.

Discussion and possible action to authorize an Assignment, Assumption and Transfer of the ownership of the Cable Television Agreement with Qwest Broadband Services, Inc. to Century Link, Inc.

7C Final Plat, 107th Avenue and Olive Avenue (Express Car Wash)

Discussion and possible action to approve a Final Plat of 107th Avenue and Olive Avenue, located on the southwest corner of 107th Avenue and Olive Avenue, subject to stipulations.

8C Comprehensive Annual Financial Report, Single Audit, and Management Letter for the Fiscal Year Ended June 30, 2011

Discussion and possible action to receive and file the Comprehensive Annual Financial Report, Single Audit, and Management Letter for the Fiscal Year Ended June 30, 2011

9C Memorandum of Understanding, U.S. Postal Inspection Service (USPIS), Peoria Police Department

Discussion and possible action to (a) authorize a Memorandum of Understanding between the Peoria Police Department and the U.S. Postal Inspection Service; and (b) approve a budget amendment of \$30,000 from the Proposed Grants Contingency Account to the USPIS Fund Account to provide expenditure authority.

REGULAR AGENDA

NEW BUSINESS

10R PUBLIC HEARING - Liquor Licenses, Beauregard Food Co., located at 16041 North Arrowhead Fountain Center Drive and The Tasting Room, located at 28465 North Vistancia Boulevard #103

PUBLIC HEARING: RE: a) a New Restaurant Liquor License (Series 12) for Beauregard Food Co., located at 16041 North Arrowhead Fountain Center Drive, Randy D. Nations, Applicant, LL#20003355; b) a Person to Person Transfer for an On-Sale Beer and Wine Liquor License (Series 07) for The Tasting Room located at 28465 North Vistancia Boulevard #103, Nancy B. Fitzgerald, Applicant, LL#20003200; and c) a New Wine and Beer Liquor License (Series 10) for The Tasting Room located at 28465 North Vistancia Boulevard #103, Nancy B. Fitzgerald, Applicant, LL#20003200.

Staff Report:
Open Public Hearing:
Public Comment:
Close Public Hearing:

COUNCIL ACTION: Discussion and possible action to recommend approval to the State Liquor Board for: a) a New Restaurant Liquor License (Series 12) for Beauregard Food Co., located at 16041 North Arrowhead Fountain Center Drive, Randy D. Nations, Applicant, LL#20003355; b) a Person to Person Transfer for an On-Sale Beer and Wine Liquor License (Series 07) for The Tasting Room located at 28465 North Vistancia Boulevard #103, Nancy B. Fitzgerald, Applicant, LL#20003200; and c) a New Wine and Beer Liquor License (Series 10) for The Tasting Room located at 28465 North Vistancia Boulevard #103, Nancy B. Fitzgerald, Applicant, LL#20003200.

11R PUBLIC HEARING - General Plan Amendment, Land Use Map, Land Use Element, Growth Areas Element, North Valley Specific Area Plan, Sports Complex Mixed Use

PUBLIC HEARING: RE: A request to amend the General Plan by repealing the North Valley Specific Area Plan, amending the Land Use Element and the Growth Areas Element, and amending the General Plan Land Use Map by re-designating approximately 570 gross acres located south of Bell Road, north of Skunk Creek, east of Loop-101, and west of 73rd Avenue from Regional Commercial, Community Commercial and Public/Quasi-Public to Sports Complex Mixed Use.

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 and adopt **RES. 2011-115** approving an amendment to the General Plan by repealing the North Valley Specific Area Plan, amending the Land Use Element and the Growth Areas Element, and amending the General Plan Land Use Map by re-designating approximately 570 gross acres located south of Bell Road, north of Skunk Creek, east of Loop-101, and west of 73rd Avenue from Regional Commercial, Community Commercial and Public/Quasi-Public to Sports Complex Mixed Use.

12R PUBLIC HEARING - General Plan Amendment, Land Use Map, Crossings at Arrowhead

PUBLIC HEARING: RE: A request to amend the municipal planning area boundary to include a recently annexed 16 acre parcel; and exclude a recently deannexed 4 acre parcel; and recognize the 16 acre annexed parcel as High-Density Residential (15+ du/ac, target 18 du/ac) and the portion of the parcel within the New River as Water, as illustrated on the voter-ratified 2010 General Plan Land Use Map. The affected area is generally located at the SWC of Beardsley Road and the Loop 101.

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 and adopt **RES. 2011-116** approving an amendment to the General Plan Land Use Map by amending the Municipal Planning Boundary Area and designating approximately 16 gross acres located south of Beardsley Road and east of 81st Avenue as High Density Residential (15+ du/ac, target 18 du/ac) and Water.

13R PUBLIC HEARING - General Plan Amendment, Chapter 14 Plan Administration, Major General Plan Amendment and Notification Criteria

PUBLIC HEARING: RE: A request to amend Chapter 14 Plan Administration of the General Plan by amending the Major General Plan Amendment and notification criteria.

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 and adopt **RES. 2011-117** approving an amendment to Chapter 14 Plan Administration of the General Plan regarding the criteria used for amending the General Plan, notification of amendments and plan implementation. (GPA 11-0008)

14R PUBLIC HEARING - General Plan Amendment, General Plan Circulation Element Text and Map Revisions

PUBLIC HEARING: RE: Discussion and possible action to concur with the Planning and Zoning Commission's recommendation and adopt **RES.2011-121** amending the General Plan Circulation Element, including the Circulation Plan Map pertaining to the City's transportation systems. (GPA 11-0004)

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 and adopt **RES.2011-121** amending the General Plan Circulation Element, including the Circulation Plan Map pertaining to the City's transportation systems. (GPA 11-0004)

15R PUBLIC HEARING - General Plan Amendment, Land Use Element, Saddleback Heights Specific Area Plan, State Route 74, 123rd Avenue and 163rd Avenue

PUBLIC HEARING: RE: A request to amend an existing Specific Area Plan and Chapter 2 Land Use Map of the General Plan by amending the Saddleback Heights Specific Area Plan.

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 and adopt **RES. 2011-118** approving an amendment to existing Specific Area Plan on approximately 5,296 gross acres of property, generally located between 123rd Avenue and 163rd Avenue south of State Route 74. (GPA 11-0009)

16R PUBLIC HEARING - General Plan Amendment, Land Use Map, Arizona State Trust Land, Loop 303 Freeway

PUBLIC HEARING: RE: A request to amend the General Plan Land Use Map by altering various land use designations for approximately 512 acres of Arizona State Trust Land and 37 acres private land in the area between the alignments of Dysart Road (west), Jomax Road (north), 115th Avenue (east) and the Loop 303 Freeway (south).

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 and adopt **RES. 2011-120** approving an amendment to the General Plan Land Use Map by altering various land use designations for approximately 512 acres of Arizona State Trust Land and 37 acres private land in the area between the alignments of Dysart Road (west), Jomax Road (north), 115th Avenue (east) and the Loop 303 Freeway (south).

17R PUBLIC HEARING - General Plan Amendment, Land Use Plan, Peoria Lakes Specific Area Plan

PUBLIC HEARING: RE: Amending the General Plan under Planning and Community Development Case No. GPA11-0012, a Major Amendment to the General Plan, and amending the Land Use Plan of the Peoria General Plan for the City of Peoria.

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 and adopt **RES. 2011-119** amending the General Plan under Planning and Community Development Case GPA11-0012, a Major Amendment to the General Plan that adopts the Peoria Lakes Specific Area Plan.

18R PUBLIC HEARING: General Plan Amendment, Old Town Specific Area Plan

PUBLIC HEARING: RE: A request to amend the General Plan under Planning and Community Development case number GPA11-0002, a Major Amendment to the General Plan that rescinds the Central Peoria Revitalization Plan Specific Area Plan and replaces it with the Old town Specific Area Plan.

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 and adopt **RES. 2011-114** amending the General Plan under Planning and Community Development Case GPA11-0002, a Major Amendment to the General Plan that rescinds the Central Peoria Revitalization Plan Specific Area Plan and replaces it with the Old Town Specific Area Plan.

19R PUBLIC HEARING - Code Amendment, Chapter 14, Parking Requirements, Parking Canopy Height Regulations

PUBLIC HEARING: RE: An amendment to Chapter 14 of the Peoria City Code (1977 Edition) to modify parking canopy height regulations.

Staff Report:
Open Public Hearing:
Public Comment:
Close Public Hearing:

COUNCIL ACTION: Discussion and possible action to adopt **ORD. 2011-25** amending Chapter 14 of the Peoria City Code (1977 Edition), amending Article 14-23 pertaining to parking canopy height regulations.

20R Code Amendment, Chapter 20, Planning and Development, Development Fees

Discussion and possible action to adopt **ORD. 2011-28** amending Chapter 20 of the Peoria City Code (1992 Edition) pertaining to General Government, Trails and Open Space Development Fees.

21R Code Amendment, Chapter 22, Solid Waste, Development Fees

Discussion and possible action to adopt **ORD. 2011-27** amending Chapter 22 of the Peoria City Code (1992 Edition) repealing Section 22-21 and Section 22-22 pertaining to Solid Waste Development Fees.

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 the City Manager:

1. Council Calendar
2. Informational (The following items are included for informational purposes only. There will be no separate discussion of these items unless a Councilmember so requests.)
 - a. Council Subcommittees
 - b. International City/County Management Association Center for Performance Management Certificate of Excellence Award

Reports from City Council:

Reports from the Mayor:

ADJOURNMENT

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

Accommodations for Individuals with Disabilities. Alternative format materials, sign language interpretation, assistive listening devices or interpretation in languages other than English are available upon 72 hours advance notice through the Office of the City Clerk, 8401 West Monroe Street, Room 150, Peoria, Arizona 85345 (623)773-7340, TDD (623)773-7221, or FAX (623) 773-7304. To the extent possible, additional reasonable accommodations will be made available within the time constraints of the request.