Mayor
Cathy Carlat

Palo Verde
<u>District</u>
Michael Finn,
Vice Mayor

Acacia
District
Vicki Hunt

DistrictBill Patena

Mesquite
District
Bridget
Binsbacher

Pine
District
Carlo Leone

Willow
District
Jon Edwards

Amendment #1, February 1, 2018

City Council Meeting Notice & Agenda

Tuesday, February 6, 2018 City Council Chamber 8401 West Monroe Street Peoria, AZ 85345



Study Session

5:00 P.M. Convene

Roll Call

Study Session Agenda

Subject(s) for Discussion Only

1 <u>Economic Development Market Trends and Development Opportunities</u> <u>Update</u>

Adjournment

Regular Meeting

7:00 P.M. Convene

Pledge of Allegiance

Roll Call

Final Call to Submit Speaker Request Forms

Presentation

2. Old Town Planter Project, Artist and Community Recognition

Consent Agenda

CONSENT AGENDA: All items listed on the Consent Agenda 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

3 C. Minutes

Discussion and possible action to approve the following minutes:

- January 9, 2018 City Council meeting minutes
- January 23, 2018 City Council meeting minutes

4 C. Board and Commission Appointment

Discussion and possible action to approve the recommendations from the Council Boards and Commissions Subcommittee pertaining to the following appointment and adopt **RES. 2018-33** appointing Joshua Champion as a regular member of the Public Safety Personnel Retirement System Local Fire and Police Boards for partial terms to expire June 2019.

5 C. Authorize Expenditures, Street Maintenance Project, Various Locations

Discussion and possible action to approve expenditures in the amount of \$1,285,164.64 to contractor Via Sun Corporation pursuant to the Micro and Slurry Seal Contract awarded on August 4, 2015.

6 C. Investment Report, Quarter Ending December 31, 2017

Discussion and possible action to review and accept the Investment Report as presented.

7 C. <u>Maintenance Improvement District No. 1180, Aloravita – Phase I Parcel 3, 75th</u> <u>Avenue and Jomax Road</u>

Discussion and possible action to approve the Petition for Formation, adopt **RES. 2018-07** intention and ordering the formation of proposed Maintenance Improvement District No. 1180, Aloravita – Phase I Parcel 3, located at 75th Avenue and Jomax Road; and adopt **RES. 2018-08** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

8 C. <u>Maintenance Improvement District No. 1181, Aloravita – Phase I Parcel 5, 75th</u> Avenue and Jomax Road

Discussion and possible action to approve the Petition for Formation, adopt **RES**. **2018-09** intention and ordering the formation of proposed Maintenance Improvement District No. 1181, Aloravita — Phase I Parcel 5, located at 75th Avenue and Jomax Road; and adopt **RES**. **2018-10** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

9 C. <u>Maintenance Improvement District No. 1182, Aloravita – Phase I Parcel 6, 75th</u> Avenue and Jomax Road

Discussion and possible action to approve the Petition for Formation, adopt **RES**. **2018-11** intention and ordering the formation of proposed Maintenance Improvement District No. 1182, Aloravita – Phase I Parcel 6, located at 75th Avenue and Jomax Road; and adopt **RES**. **2018-12** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

10 C. <u>Maintenance Improvement District No. 1213, Riverwalk, 77th Avenue and</u> Pinnacle Peak Road

Discussion and possible action to approve the Petition for Formation, adopt **RES. 2018-34** intention and ordering the formation of proposed Maintenance Improvement District No. 1213, Riverwalk located at 77th Avenue and Pinnacle Peak Road; and adopt **RES. 2018-35** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

11 C. <u>Maintenance Improvement District No. 1217, Four Seasons at Ventana Lakes,</u> <u>107th Avenue and Beardsley Road</u>

Discussion and possible action to approve the Petition for Formation, adopt **RES. 2018-23** intention and ordering the formation of proposed Maintenance Improvement District No. 1217, Four Seasons at Ventana Lakes, located at 107th Avenue and Beardsley Road; and adopt **RES. 2018-24** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

12 C. <u>Street Light Improvement District No. 1106, Aloravita – Phase I Parcel 3, 75th</u> <u>Avenue and Jomax Road</u>

Discussion and possible action to approve the Petition for Formation and adopt **RES**. **2018-17** intention and ordering the formation of proposed Street Light Improvement District No. 1106, Aloravita – Phase I Parcel 3, located at 75th Avenue and Jomax Road; and adopt **RES**. **2018-18** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

13 C. <u>Street Light Improvement District No. 1107, Aloravita – Phase I Parcel 5, 75th</u> Avenue and Jomax Road

Discussion and possible action to approve the Petition for Formation and adopt **RES**. **2018-19** intention and ordering the formation of proposed Street Light Improvement District No. 1107, Aloravita – Phase I Parcel 5, located at 75th Avenue and Jomax Road; and adopt **RES**. **2018-20** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

14 C. <u>Street Light Improvement District No. 1108, Aloravita – Phase I Parcel 6, 75th</u> Avenue and Jomax Road

Discussion and possible action to approve the Petition for Formation and adopt **RES**. **2018-21** intention and ordering the formation of proposed Street Light Improvement District No. 1108, Aloravita – Phase I Parcel 6, located at 75th Avenue and Jomax Road; and adopt **RES**. **2018-22** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

15 C. <u>Street Light Improvement District No. 1130, Four Seasons at Ventana Lakes,</u> <u>107th Avenue and Beardsley Road</u>

Discussion and possible action to approve the Petition for Formation and adopt **RES**. **2018-25** intention and ordering the formation of proposed Street Light Improvement District No. 1130, Four Seasons at Ventana Lakes, located at 107th Avenue and Beardsley Road; and adopt **RES**. **2018-26** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

16 C. Final Plat, QuikTrip Store #0484, 95th Avenue and Olive Avenue

Discussion and possible action to approve a Final Plat of QuikTrip Store #0484, located on 95th Avenue and Olive Avenue, subject to stipulations.

Vistancia West Community Facilities District Board Meeting

VWCFD Consent Agenda

CONSENT AGENDA: All items listed on the Consent Agenda 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

17 C. Minutes

Discussion and possible action to approve the December 12, 2017 Vistancia West Community Facilities District Meeting minutes.

18 C. Investment Report, Quarter Ending December 31, 2017

Discussion and possible action to review and accept the Investment Report as presented.

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

- 19. **Council Calendar**
- 20. **Reports**
 - A. Northern Community Park Project Update
 - B. Peoria Neighborhood Day at the Legislature
 - C. <u>Upcoming City Events Video</u>

Reports from City Council

Reports from the Mayor

Adjournment

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

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

Public Notice

In addition to the City Council members noted above, one or more members of the City of Peoria Boards and Commissions may be present to observe the City Council meeting as noticed on this agenda.

City Council Meetings can be viewed live on Channel 11 (Cox Cable) and are available for viewing on demand at https://www.peoriaaz.gov/government/mayor-and-city-council/city-council-videos.

City Manager
Jeff Tyne

<u>City Clerk</u> Rhonda Geriminsky

Agenda Item: 1

CITY OF PEORIA, ARIZONA COUNCIL COMMUNICATION

Date Prepared: 1/24/2018 Council Meeting Date: 2/6/2018

TO: Jeff Tyne, City Manager

FROM: Scott Whyte, Economic Development Director

SUBJECT: Economic Development Market Trends and Development Opportunities Update

Background/Summary:

As part of the EDIS II, real estate development of office and industrial product is identified as being critical to Peoria's success in attracting targeted businesses to the City. Initiative #1 in the EDIS II Action Plan specifically addresses this issue, stating that Peoria needs to improve its inventory of available and suitable real estate sites.

This presentation examines current office and industrial market trends within the Greater Phoenix region, and identifies future development opportunities for a variety of sites located throughout Peoria. It utilizes the Lee and Associates Q3 2017 report on office and industrial development to note current trends in absorption, construction, and executed leases. Lee and Associates is a leading real estate brokerage firm that publishes one of the most widely read reports in the real estate development community. The Q3 2017 report was the last available report at the time of preparing this presentation.

CoStar, an online commercial real estate database, was also utilized to provide data on Class A office buildings. The analysis performed showed significant development along the Loop 101 corridor through Scottsdale, the Camelback Corridor starting at State Route 51 and going east toward downtown Phoenix, Tempe, and Chandler. These submarkets continue to see the largest amount of new Class A office construction and leasing.

Several sites within Peoria were examined to determine their potential for future development. This presentation includes information examining the current condition, as well as potential uses at each location:

- Vistancia Commercial Core located adjacent to Loop 303. This is the largest commercial site in Peoria ready for immediate development. Possible uses include data centers, office park, advanced manufacturing, sports tourism, entertainment, multi-family housing and health-care related industries.
- NEC Deer Valley/Lake Pleasant Parkway (20-acre state land site). This is one of a few remaining large sites in northern Peoria, with possible uses including specialty retail, restaurants, Class B office, or medical office buildings.

- Camino A Lago site adjacent to Walmart on Lake Pleasant Parkway is prime for specialty retail, restaurant, office condos or entertainment uses.
- NEC 83rd Avenue/Happy Valley Road (4.5-acre site). This site provides an opportunity to capture retail uses that have not already located on Lake Pleasant Parkway, possible uses include a specialty grocer, specialty retail, restaurants and medical office space.
- Four corners at Loop 303 and Lake Pleasant Parkway provides great potential for future large employment areas, including a corporate campus, advanced business park, large-lifestyle retail, entertainment, and multi-family uses.
 - NWC 70-acre site
 - NEC 103-acre site
 - SWC 50-acre site
 - SEC 14-acre site

Options:

Provide an economic development market trends and development opportunities update to the City Council.

Staff Recommendation:

The focus of this study session presentation is to provide an update on current office and industrial market trends in the greater Phoenix-metro area, and future development opportunities in the City of Peoria.

Fiscal Analysis:

No fiscal impact.

Contact Name and Number:

Scott Whyte, (623) 773-7738

CITY OF PEORIA, ARIZONA COUNCIL COMMUNICATION

Agenda Item: 2.

Date Prepared: 1/22/2018 Council Meeting Date: 2/6/2018

TO: Jeff Tyne, City Manager

THROUGH: Erik Strunk, Deputy City Manager

FROM: John R. Sefton, Jr., Director

SUBJECT: Old Town Planter Project, Artist and Community Recognition

Background/Summary:

In early 2017, WHAM (What's Happen'n Art Movement, a non-profit offering art classes and a place where artists create, collaborate and display art serving the West Valley of Arizona) proposed a unique street-scape project envisioned to bring neighbors and businesses together while artistically enhancing 83rd Avenue in Old Town.

A Planning and Community Development neighborhood grant afforded WHAM the capacity to purchase materials and talent to re-create the existing planters into vibrant representations of Peoria, its history, people, pets and places.

Placed and planted just in time for Peoria's Old Town Holiday Festival last December, the Old Town planters make a colorful splash and catch the attention of thousands of passers-by. The installation of these planters is also another excellent example of how the arts can instill a greater sense of identity and place making for Old Town Peoria.

Staff Recommendation:

This is a request for Mayor and City Council to acknowledge the artists and community members for their contributions to the 2017 Old Town Planter Project.

Contact Name and Number:

John R. Sefton, Jr. (623) 773-7135

CITY OF PEORIA, ARIZONA COUNCIL COMMUNICATION

Agenda Item: 3C.

Date Prepared: 1/29/2018 Council Meeting Date: 2/6/2018

TO: Honorable Mayor and City Council

THROUGH: Jeff Tyne, City Manager

FROM: Rhonda Geriminsky, City Clerk

SUBJECT: Minutes

Purpose:

Discussion and possible action to approve the following minutes:

- January 9, 2018 City Council meeting minutes
- January 23, 2018 City Council meeting minutes

ATTACHMENTS:

January 9, 2018 Minutes January 23, 2018 Minutes

Contact Name and Number:

Rhonda Geriminsky, (623) 773-7341

MINUTES OF THE PEORIA CITY COUNCIL

CITY OF PEORIA, ARIZONA CITY COUNCIL CHAMBER January 9, 2018

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 5:30 p.m.

<u>Members Present:</u> Mayor Cathy Carlat; Vice Mayor Jon Edwards; Councilmembers Bridget Binsbacher, Michael Finn, Vicki Hunt, Carlo Leone and Bill Patena.

Council Youth Liaisons: Maylee Acosta and Cassidy Gatrost.

Members Absent: None.

Other Municipal Officials Present: Jeff Tyne, City Manager; Julie Arendall, Deputy City Manager; Andy Granger, Deputy City Manager; Erik Strunk, Deputy City Manager; Steve Burg, City Attorney; Rhonda Geriminsky, City Clerk; Katie Gregory, Management and Budget Director; Stuart Kent, Public Works/Utilities Director; Laura Ingegneri, Human Resources Director; John Sefton, Community Services Director; and Linda Blas, Deputy City Clerk.

<u>Audience</u>: Approximately four members of the public were present.

STUDY SESSION AGENDA

Subject(s) for Discussion Only

1. Streets Pavement Management Program

Jeff Tyne, City Manager, introduced the Study Session item for discussion. Mr. Tyne provided background on the City's Streets Maintenance System.

Stuart Kent, Public Works/Utilities Director, introduced Janet Ramsay, Streets Manager. Mr. Kent outlined the discussion topics including:

- Budget for the Pavement Management Program
- Overall condition of the City's streets
- Costs
- Philosophy on the right treatment of the right streets at the right time
- Supporting built and natural environment

Discussion ensued regarding when streets in very poor condition are treated.

City Council Meeting Minutes January 9, 2018 Page 2 of 12

Ms. Ramsay presented regarding:

- Pavement life cycle
- Electronic assessment for pavement inventory
- Survey on condition of roads
- Pavement condition indexing (PCI)
- Typical pavement conditions PCI 0-100
- Reconstruction/repair costs
- Infrastructure Services Management, LLC survey results
- Pavement treatment progress/budget-based productivity

Discussion ensued regarding the Fiscal Year 2018 budget for streets.

Ms. Ramsay continued regarding:

- Five-year PCI forecast
- Fiscal Year 2018 projects/areas treated
- Areas planned for treatment in Fiscal Year 2019 and Fiscal Years 2020 through 2023

Discussion ensued regarding:

- How residents can improve the longevity of the City's streets
- How streets in areas covered by a Community Facilities District are maintained
- Number of private streets in Peoria
- When streets in the Acacia District can be repaired/reconstructed
- Balance of arterial and residential streets
- Responsiveness to citizen concerns regarding streets
- Whether streets in Country Meadows and Suncliff are to be treated together or separately
- Quality control to ensure proper repair
- Road striping budget
- Communication with residents regarding roads
- When the Pavement Management Update and Report Executive Summary will be available online
- Highway User Revenue Funds diverted to pay for state agencies and the City maintaining streets using the General Fund

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 6:16 p.m.

City Council Meeting Minutes January 9, 2018 Page 3 of 12

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 7:01 p.m.

Following a moment of silent reflection, Councilmember Leone led the Pledge of Allegiance.

<u>Members Present:</u> Mayor Cathy Carlat; Vice Mayor Jon Edwards; Councilmembers Bridget Binsbacher, Michael Finn, Vicki Hunt, Carlo Leone and Bill Patena.

Council Youth Liaisons: Maylee Acosta and Cassidy Gatrost.

Members Absent: None.

Other Municipal Officials Present: Jeff Tyne, City Manager; Julie Arendall, Deputy City Manager; Andy Granger, Deputy City Manager; Erik Strunk, Deputy City Manager; Steve Burg, City Attorney; Rhonda Geriminsky, City Clerk; Thomas Adkins, Intergovernmental Affairs Director; George Anagnost, Presiding Municipal Judge; Gary Bernard; Deputy Fire Chief; Katie Gregory, Management and Budget Director; John Imig, Information Technology Director; Chris Jacques, Planning and Community Development Director; Laura Ingegneri, Human Resources Director; Adina Lund, Development and Engineering Director; Sonia Andrews, Interim Finance Director; Roy Minter, Police Chief; John Sefton, Community Services Director; Jennifer Stein, Office of Communications Director; and Linda Blas, Deputy City Clerk.

Audience: Approximately 100 members of the public were present.

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

Presentation:

2. <u>Acknowledgement, Arizona Division of Occupational Safety and Health (ADOSH), Public Entity Partnership Program</u>

Jeff Tyne, City Manager, provided a brief overview of the City's agreement with ADOSH to participate in the voluntary program focused on workplace safety.

Mr. Tyne introduced Dale Schultz, Industrial Commission of Arizona Chairman; Bill Warren, ADOSH Director; Jessie Atencio, ADOSH Assistant Director; and Brandon Stowell, ADOSH Safety Consultant.

Mr. Schultz and Mr. Warren expressed their enthusiasm for the collaboration in order to provide a safe and healthful work environment for City employees.

3. <u>Proclamation Recognizing January as "Speak up, Stand up, Save a Life Month"</u>

Mayor Carlat read aloud a Proclamation declaring the month of January as "Speak up, Stand up, Save a Life Month".

Mayor Carlat, Roy Minter, Police Chief; and Benny Pina, Deputy Police Chief, presented the Proclamation to Speak Up, Stand Up, Save a Life Conference founders Dr. Lily Matos DeBlieux and Gina Godbehere.

4. <u>17th Annual Celebrate the Constitution Contest</u>

Mayor Carlat, Council Youth Liaison Acosta, Council Youth Liaison Gatrost and Uncle Sam (portrayed by Bryce Campbell) presented certificates to the Constitution Contest winners from local schools.

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

Mayor Carlat announced that the Consent Agenda included a Public Hearing on a liquor license application for Bubba's 33 located at 16100 North Arrowhead Fountain Center Drive. There were no requests from those present to address this agenda item.

Mayor Carlat 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 Edwards, seconded by Councilmember Binsbacher, to approve the Consent Agenda.

Upon vote, the motion carried unanimously $\underline{7}$ to $\underline{0}$.

5C. Minutes

Approved the following minutes:

- (a) November 28, 2017 City Council meeting minutes; and
- (b) December 12, 2017 City Council meeting minutes.

6C. <u>Code Amendment, Chapter 23, Section 23-89 and Fee Table 27-7, Wireless</u> Communications Equipment in the Right-of-Way

Adopted **ORD. 2018-01** amending Chapter 23, Section 23-89 and Fee Table 27-7 of the Peoria City Code pertaining to wireless communications equipment in the right-of-way.

7C. <u>Contract Amendment, Municipal Judge Services, Presiding Municipal Judge</u>

Adopted the proposed amendment to the contract for Municipal Judge Services with the Presiding Municipal Judge.

8C. <u>Grant Acceptance, Arizona Department of Homeland Security, Structural Collapse Specialist Technician Training</u>

- (a) Approved the acceptance of a grant in the amount of \$29,334 from the Arizona Department of Homeland Security for firefighter Structural Collapse Specialist (Technician) training courses; and
- (b) Authorized a budget amendment in the amount of \$29,334 from the Proposed Grants Contingency Account to the Homeland Security Grant Fund Account.

9C. <u>Void</u>

- 10C. <u>Budget Transfer, Utility Infrastructure Study, Vistancia Commercial Core Area; Advancement Request, Study to Expand Jomax Booster Pump Station Facility</u>
- (a) Authorized a budget transfer in the amount of \$80,000 from the CAP Curtailment Study and Water and Wastewater Study projects to a new project to perform a utility infrastructure study for the Vistancia Commercial Core area; and
- (b) Authorized a budget transfer and advancement of \$50,000 from the Fiscal Year 2019 Capital Improvement project for a study to expand the Jomax Booster Pump Station Facility.

11C. Deeds and Easements, Various Locations

Adopted **RES. 2018-27** accepting Deeds and Easements for various Real Property interests acquired by the City.

12C. <u>Easement, City of Glendale, 103rd Avenue, Northern to Olive Avenues</u>

Adopted **RES. 2018-28** authorizing the acceptance and execution of an Easement for Drainage from the City of Glendale as part of the 103rd Avenue, Northern to Olive Capital Improvement Project.

13C. <u>Land Acquisitions, Drainage Improvements and New River Capital Improvement Project, 67th Avenue Channel and Pinnacle Peak Road</u>

Adopted **RES. 2018-29** authorizing the acquisition of properties, permanent easements and temporary construction easements inside and outside of City limits to accommodate the drainage improvements associated with the Pinnacle Peak Road and 67th Avenue Channel to New River Capital Improvement Project (EN00119) for the area north of Pinnacle Peak west and east of 67th Avenue by donation, outright purchase or the exercise of the power of eminent domain and declaring an emergency.

14C. Land Acquisition, Peoria Park and Ride, 8323 West Peoria Avenue

Adopted **RES. 2018-30** authorizing the acquisition of property by donation, outright purchase or the exercise of the power of eminent domain to construct a park and ride facility located at 8323 West Peoria Avenue and declaring an emergency.

15C. Replat of Lot 42 Altaloma, 89th Avenue and Monroe Street

Approved a Replat of Lot 42 Altaloma located at 89th Avenue and Monroe Street, subject to stipulations.

16C. Replat, CCV/Terrazza Center Lot 4, 67th Avenue and Happy Valley Road

Approved a Replat of CCV/Terrazza Center Lot 4 located on 67th Avenue and Happy Valley Road, subject to stipulations.

17C. <u>PUBLIC HEARING - Liquor License, Bubba's 33, 16100 North Arrowhead</u> <u>Fountain Center Drive</u>

Recommended approval to the State Liquor Board for a New Restaurant Liquor License (Series 12) for Bubba's 33, located at 16100 North Arrowhead Fountain Center Drive, Lauren K. Merrett, Applicant, LL#20018909.

REGULAR AGENDA

New Business:

18R. Election of Vice Mayor

Mayor Carlat provided a brief overview of the process to establish the term length, and nominate and elect a Vice Mayor.

Motion was made by Vice Mayor Edwards, seconded by Councilmember Hunt, to establish a one-year term length for Vice Mayor.

Upon vote, the motion carried unanimously $\underline{7}$ to $\underline{0}$.

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Vice Mayor Edwards nominated Councilmember Finn to the position of Vice Mayor.

Upon vote, the nomination by acclamation to select Councilmember Finn to serve as Vice Mayor carried unanimously $\underline{7}$ to $\underline{0}$.

19R. Election of Mayor Pro Tem

Mayor Carlat provided a brief overview of the process to establish the term length, and nominate and elect a Mayor Pro Tem to serve during the absence of both the Mayor and Vice Mayor.

Motion was made by Vice Mayor Finn, seconded by Councilmember Patena, to establish a one-year term length for Mayor Pro Tem.

Upon vote, the motion carried unanimously $\underline{7}$ to $\underline{0}$.

Councilmember Patena nominated Councilmember Hunt to the position of Mayor Pro Tem.

Upon vote, the nomination by acclamation to select Councilmember Hunt to serve as Mayor Pro Tem carried unanimously $\underline{7}$ to $\underline{0}$.

Mayor Carlat declared a short recess at 7:31 p.m. The meeting was reconvened at 7:40 p.m.

Members Present: Mayor Cathy Carlat; Vice Mayor Michael Finn; Councilmembers Bridget Binsbacher, Jon Edwards, Vicki Hunt, Carlo Leone and Bill Patena.

20R. <u>PUBLIC HEARING - Initial Zoning, Cross of Glory, 102nd Avenue and</u> Jomax Road

Chris Jacques, Planning and Community Development Director, presented regarding a request to establish initial zoning for approximately 7.52 acres of property, located at the southeast corner of 102nd Avenue and Jomax Road from Maricopa County Rural-43 (RU-43) to City of Peoria Suburban Ranch 43 (SR-43).

Information included:

- Annexation and initial zoning process
- Zoning map
- Public outreach
- Key findings

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Public Hearing:

Mayor Carlat opened the Public Hearing and asked if any Councilmember or citizen wished to comment on the proposed zoning.

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

Council Action

Motion was made by Councilmember Binsbacher, seconded by Councilmember Hunt, to adopt **ORD. 2018-02** approving initial zoning for approximately 7.52 acres of recently annexed property located at the southeast corner of 102nd Avenue and Jomax Road, from Maricopa County Rural-43 (RU-43) to Peoria Suburban Ranch (SR-43).

Upon vote, the motion carried unanimously $\underline{7}$ to $\underline{0}$.

21R. PUBLIC HEARING - Initial Zoning, 71st Avenue and Thunderbird Road

Chris Jacques, Planning and Community Development Director, presented regarding a request to establish initial zoning for approximately 11.82 acres of recently annexed property located at the northwest corner of 71st Avenue and Thunderbird Road, from Maricopa County Residential Unit Plan of Development (RUPD) Zoning District to City of Peoria Planned Area Development (PAD) Zoning District.

Information included:

- Annexation and initial zoning process
- Zoning map
- Residential unit plan of development
- Public outreach
- Key findings

Public Hearing:

Mayor Carlat opened the Public Hearing and asked if any Councilmember or citizen wished to comment on the proposed zoning.

Ronald Dale Goff, a Maricopa County Island resident, addressed the Council to request confirmation that the zoning did not affect his property and affected only the property at the northwest corner of 71st Avenue and Thunderbird Road.

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

City Council Meeting Minutes January 9, 2018 Page 9 of 12

Council Action:

Motion was made by Councilmember Hunt, seconded by Vice Mayor Finn, to adopt **ORD. 2018-03** approving initial zoning for approximately 11.82 acres of recently annexed property located at the northwest corner of 71st Avenue and Thunderbird Road, from Maricopa County Residential Unit Plan of Development (RUPD) Zoning District to City of Peoria Planned Area Development (PAD) Zoning District.

Upon vote, the motion carried unanimously $\underline{7}$ to $\underline{0}$.

Clerk's Note: Agenda Items 22R and 23R were presented together.

22R. <u>PUBLIC HEARING - Minor General Plan Amendment, 83rd Avenue and Happy Valley Road</u>

Chris Jacques, Planning and Community Development Director, presented regarding a request for a minor amendment to the General Plan Land Use Map and a rezoning request for a site located at the southwest corner of 83rd Avenue and Happy Valley Road.

Information included:

- Site and area context
- Existing General Plan land use and zoning maps
- Conceptual development plan
- Conceptual elevations
- Public outreach
- Key findings

Public Hearing:

Mayor Carlat opened the Public Hearing and asked if any Councilmember or citizen wished to comment on the proposed zoning.

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

Council Action:

Motion was made by Councilmember Binsbacher, seconded by Vice Mayor Finn, to concur with the Planning and Zoning Commission's unanimous recommendation and adopt **RES. 2018-31** approving an amendment to the General Plan Land Use Map by re-designating approximately 2.85 acres located at the southwest corner of 83rd Avenue and Happy Valley Road, from Estate Density Residential (0-2 du/ac); Low Density Residential (2-5 du/ac); and, Park/Open Space (0-1 du/ac) to Office.

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Upon vote, the motion carried unanimously $\underline{7}$ to $\underline{0}$.

23R. PUBLIC HEARING - Rezoning, 83rd Avenue and Happy Valley Road

Mayor Carlat opened the Public Hearing and asked if any Councilmember or citizen wished to comment on the proposed zoning.

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

Council Action:

Motion was made by Councilmember Hunt, seconded by Vice Mayor Finn, to concur with the Planning and Zoning Commission's unanimous recommendation and adopt **ORD. 2018-04** approving the rezoning of approximately 2.85 acres located at the southwest corner of 83rd Avenue and Happy Valley Road, from Suburban Ranch 43 (SR-43) to Office Commercial (O-1).

Upon vote, the motion carried unanimously 7 to 0.

Call To The Public (Non-Agenda Items)

<u>Chuck Fitzgerald</u>, Rotary Club of Peoria member, provided an update on the Peoria Peace Project, an effort by the Rotary Club to encourage and enhance conversations regarding peace in families, friendships and the community.

Reports from City Manager:

24. Council Calendar

25. **Reports**

A. Upcoming City Events Video

A video presentation showcasing upcoming City events was displayed.

Reports from City Council:

Council Youth Liaison Acosta reported on her participation in tours of the City's wastewater treatment plants and the Pinnacle Peak Public Safety Facility.

Councilmember Patena extended his congratulations to all of the students who participated in the Constitution Contest. Councilmember Patena thanked Peoria Police Officers and Peoria Firefighters for their charitable contributions to spread cheer and provide Christmas gifts to children in the community. Councilmember Patena reported on his attendance at Governor Ducey's State of the State Address on January 8, 2018. Councilmember Patena acknowledged Mr. Chuck Fitzgerald as the newly appointed

City Council Meeting Minutes January 9, 2018 Page 11 of 12

Sergeant-at-Arms for the Rotary Club of Peoria. Councilmember Patena recognized Councilmember Edwards for serving as Vice Mayor in 2017. Councilmember Patena congratulated Vice Mayor Finn.

Councilmember Binsbacher congratulated Vice Mayor Finn and thanked Councilmember Edwards for his service as Vice Mayor in 2017. Councilmember Binsbacher congratulated Councilmember Hunt for being selected Mayor Pro Tem. Councilmember Binsbacher expressed her pride in the City's acknowledgement of workplace safety, the "Speak up, Stand up, Save a Life" movement and the students honoring the Constitution.

Vice Mayor Finn thanked the Council for selecting him to serve as Vice Mayor. Vice Mayor Finn acknowledged Councilmember Edwards for his service as Vice Mayor in 2017. Vice Mayor Finn reported that the City of Peoria was ranked in the top five American cities for job opportunities.

Councilmember Edwards congratulated the newly elected Vice Mayor and Mayor Pro Tem. Councilmember Edwards congratulated the four new Police and Fire Department recruits. Councilmember Edwards reported on his attendance at the Police Department promotions ceremony and extended his congratulations to the employees receiving promotions. Councilmember Edwards reported on his attendance at the Annual Polar Plunge event and provided statistics on the accomplishments in promoting water safety since the event was instituted. Councilmember Edwards reported on his attendance at Governor Ducey's State of the State address on January 8, 2018.

Councilmember Hunt thanked the Council for selecting her to serve as Mayor Pro Tem. Councilmember Hunt reported on her attendance at the Police Department promotions ceremony. Councilmember Hunt reported on the Holiday Squad – Day of Giving event held on December 16, 2017. Councilmember Hunt thanked the local business owners and members of the American Federation of State, County and Municipal Employees for their contributions in making the Holiday Squad - Day of Giving a successful community event.

Councilmember Leone congratulated the Constitution Contest winners. Councilmember Leone reported on his attendance at the Police Department promotions ceremony and extended his congratulations to the employees receiving promotions. Councilmember Leone urged residents to attend the Farmer's Market held each Saturday at Park West.

Council Youth Liaison Gatrost congratulated the winners of the Constitution Contest. Ms. Gatrost congratulated the newly elected Vice Mayor and Mayor Pro Tem. Ms. Gatrost reported on her participation in tours of the City's wastewater treatment plants and the Pinnacle Peak Public Safety Facility. Ms. Gatrost encouraged residents to make a difference in a positive direction through random acts of kindness or by being involved in the community.

City Council Meeting Minutes January 9, 2018 Page 12 of 12

Reports from the Mayor:

Mayor Carlat voiced the Council's commitment to Peoria citizens to adhere to its current principles of fiscal responsibility, safe community, safe neighborhoods and caring for its citizens as the City continues to grow.

chazono do uno ony cominaco to grom
ADJOURNMENT:
Being no further business to come before the Council, the meeting was duly adjourned at 8:23 p.m.
Cathy Carlat, 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 9 th day of January, 2018. I further certify that the meeting was duly called and held and that a quorum was present.
Dated this 6 th day of February, 2018.
(Seal)
Rhonda Geriminsky, City Clerk

MINUTES OF THE PEORIA CITY COUNCIL

CITY OF PEORIA, ARIZONA CITY COUNCIL CHAMBER January 23, 2018

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 3:33 p.m.

<u>Members Present:</u> Mayor Cathy Carlat; Vice Mayor Michael Finn; Councilmembers Bridget Binsbacher, Jon Edwards, Vicki Hunt, Carlo Leone and Bill Patena.

<u>Other Municipal Officials Present:</u> Jeff Tyne, City Manager; Linda Blas, Deputy City Clerk; Laura Ingegneri, Human Resources Director; and Bobby Ruiz, Fire Chief.

<u>Audience</u>: No 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

<u>CONSENT AGENDA:</u> 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.

1 C. Authorization to Hold an Executive Session

Motion was made by Councilmember Hunt, seconded by Vice Mayor Finn, to authorize the holding of an Executive Session for the purpose of discussions or consultations with designated representatives of the public body and/or legal counsel in order to consider its position and instruct its representatives regarding:

(a) Setting the performance goals for the City Manager pursuant to A.R.S. § 38-431.03.A.1.

Upon vote, the motion passed unanimously $\underline{7}$ to $\underline{0}$.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 3:34 p.m.

EXECUTIVE SESSION AGENDA

- 2. An Executive Session was convened immediately following the 3:30 p.m. Special Meeting for the purpose of discussions and consultations with designated representatives of the public body and/or legal counsel in order to consider its position and instruct its representatives regarding:
 - (a) Setting the performance goals for the City Manager pursuant to A.R.S. § 38-431.03.A.1.

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 **Joint Study Session Meeting** of the City Council and the Economic Development Advisory Board of the City of Peoria, Arizona was convened at 8401 West Monroe Street in open and public session at 5:32 p.m.

<u>Councilmembers Present:</u> Mayor Cathy Carlat; Vice Mayor Michael Finn; Councilmembers Bridget Binsbacher, Jon Edwards, Vicki Hunt, Carlo Leone and Bill Patena.

Council Youth Liaisons: Maylee Acosta and Cassidy Gatrost.

<u>Economic Development Advisory Board Members Present:</u> Chairman, Neil Terry and Members Jeff Berggren, Mitchell Bolnick and Anoop Kumar.

Other Municipal Officials Present: Jeff Tyne, City Manager; Julie Arendall, Deputy City Manager; Andy Granger, Deputy City Manager; Erik Strunk, Deputy City Manager; Steve Burg, City Attorney; Linda Blas, Deputy City Clerk; Katie Gregory, Management and Budget Director; Laura Ingegneri, Human Resources Director; Adina Lund, Development and Engineering Director; Sonia Andrews, Interim Finance Director; Jennifer Stein, Office of Communications Director; Scott Whyte, Economic Development Services Director; and Natalie Gilstrap, Management Analyst.

<u>Audience</u>: Approximately eight members of the public were present.

STUDY SESSION AGENDA

Subject(s) for Discussion Only

3. Peoria Forward Plan, Peoria, Arizona State University, and Arizona Technology Enterprises, Public-Private Partnership

Scott Whyte, Economic Development Services Director, provided an overview of the Peoria Forward Plan that would involve a public-private partnership with Arizona State University (ASU) and Arizona Technology Enterprises (AzTE).

City Council Meeting Minutes January 23, 2018 Page 3 of 11

Ji Mi Choi, Associate Vice President of the Knowledge Enterprise Development Department at Arizona State University, and Charlie Lewis, Senior Vice President of Venture Development with Arizona Technology Enterprises (AzTE), outlined the following plan information:

Opportunities

- Expansion of entrepreneurial development efforts
- Combine entrepreneurial development with technology commercialization services
- Establish Peoria as the West Valley hub for entrepreneurial development
- Embed Arizona State University in the P83 area
- Leverage existing Arizona State University relationships and assets
 - o Expertise, brands, degree programs, faculty and students
 - Venture capital and angel investors for company support
 - Entrepreneurial outreach networks
 - Regional technology and innovation organizations

Year One Activities

- Entrepreneurial ecosystem development
 - Grow Peoria's entrepreneurial base and attraction through events, workshops, trainings, media/marketing, mentorship, human capital development and peer-to-peer connectivity
 - Launch new/innovative technologies and support for start-up and high-growth companies, incubator and accelerator programs
- Opportunities
 - Build on the proximity of the Arizona State University West campus to further develop university and business linkages
 - Build upon the West Campus' Cybersecurity Education Consortium (CEC) and new bachelor's degree in Biotechnology and Bioenterprise, a unique program that blends biotechnology and entrepreneurship
 - Bolster Peoria's activity within the innovation economy
 - Assist in launching industry-specific incubator and accelerator programs and providing more focused services to entrepreneurs and companies

Deliverables

- Arizona State University to deliver an ecosystem development assessment report at the end of the first year
- Increase participation/connectivity with Peoria and West Valley startup and entrepreneurial community by holding 25 events (workshops, trainings and community events) in the first year
- Community events and workshops
- Mentors network

Years Two Through Four Activities

- Company Development
 - Shift focus from assessment, workshops and events to developing incubator and accelerator programs
 - o Provide training, mentorship and peer support
 - Identify capital and provide commercialization support services through validation, development, acceleration and scaling
 - Expand effective programs, workshops and events
 - o Grow community spaces and entrepreneurship outreach network
 - Offer entrepreneurship and design-thinking programs in Peoria high schools

Deliverables

- Launch one to two programs/collaborations between the city and Arizona State University West to bolster innovation in the West Valley and Peoria
- Continuation of the most effective programs, participation, workshops and events from year one; increased attendance of 40-60 people at monthly events
- Continue recruitment of high quality mentors and human capital
- Increase connectivity between capital networks and startups, as well as community programming options with Peoria's library system
- Expand delivery of most effective programing on entrepreneurship into the city's six public high schools
- Launch one to two community-based incubator or accelerator programs, consisting of cohorts of ten Peoria-based ventures

Public Benefit

- Provides a pathway towards a complete entrepreneurial ecosystem including technology commercialization for Peoria and the west valley
- Does not provide a direct Job Creation Program, a Direct Private Capital Expenditure Program or a Large Commercial Space Absorption Program

Ecosystem Development

The ecosystem development would provide the following focus areas:

- Arizona State University entrepreneurial development
- Arizona Technology Enterprises technology commercialization
- Small Business Development Center small business growth

In response to questions from Economic Development Advisory Board Member Mitchell Bolnick, Ms. Choi explained the functionality of shared support services between Arizona State University and Arizona Technology Enterprises.

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Mr. Lewis outlined Arizona Technology Enterprises' record over the last fifteen years which includes 167 startup companies and approximately \$665 million in venture funding. Mr. Lewis stressed the important role angel groups and nationwide networking provide to startup companies.

Mr. Whyte outlined the Peoria Forward Plan proposed annual costs and indicated that the agreement would include an annual agreement termination clause.

Mr. Whyte highlighted the following key metrics and return on investment of the Peoria Forward Plan including:

- Ecosystem Development Assessment Report
- Enhanced relationships with Arizona State University, Arizona State University West, Arizona Technology Enterprises and West Valley entrepreneurs.

In response to Councilmember Binsbacher's question, Ms. Choi and Mr. Whyte both indicated that, anytime upon termination of the agreement, all products resulting from the partnership would belong to the City of Peoria.

ADJOURNMENT:

Being no further business to come before the Council, the meeting was duly adjourned at 6:37 p.m.

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 7:01 p.m.

Following a moment of silent reflection, Councilmember Patena led the Pledge of Allegiance.

<u>Members Present:</u> Mayor Cathy Carlat; Vice Mayor Michael Finn; Councilmembers Bridget Binsbacher, Jon Edwards, Vicki Hunt, Carlo Leone and Bill Patena.

<u>Council Youth Liaisons:</u> Maylee Acosta and Cassidy Gatrost.

Members Absent: None.

Other Municipal Officials Present: Jeff Tyne, City Manager; Julie Arendall, Deputy City Manager; Andy Granger, Deputy City Manager; Erik Strunk, Deputy City Manager; Steve Burg, City Attorney; Linda Blas, Deputy City Clerk; Thomas Adkins, Intergovernmental Affairs Director; Katie Gregory, Management and Budget Director; John Imig, Information Technology Director; Chris Jacques, Planning and Community Development Director; Stuart Kent, Public Works/Utilities Director; Laura Ingegneri, Human Resources Director; Adina Lund, Development and Engineering Director; Sonia

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Andrews, Interim Finance Director; Roy Minter, Police Chief; Bobby Ruiz, Fire Chief; John Sefton, Community Services Director; Jennifer Stein, Office of Communications Director; Scott Whyte, Economic Development Services Director; and Natalie Gilstrap, Management Analyst.

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

Mayor Carlat announced that the Consent Agenda included a Public Hearing on a liquor license application for Hampton Inn #164 located at 8408 West Paradise Lane. There were no requests from those present to address this agenda item.

Mayor Carlat asked if any Councilmember wished to have an item removed from the Consent Agenda. Having no requests from Council, motion was made by Councilmember Edwards, seconded by Councilmember Hunt, to approve the Consent Agenda.

Upon vote, the motion carried unanimously 7 to 0.

4C. Grant, Arizona Department of Public Safety, Victims of Crime Act

- (a) Authorized the Peoria Police Department to accept \$403,078 from the Arizona Department of Public Safety Victims of Crime Act to fund personnel, training, and emergency food assistance for the Victim Assistance Program; and
- (b) Approved a budget adjustment in the amount of \$403,078 from the Proposed Grants Contingency Fund to the Victims of Crime Act Grant Fund.

5C. <u>Contract, thyssenkrupp Elevator Corporation, Elevator Renovation, Public Safety Administration Building</u>

(a) Approved a contract with thyssenkrupp Elevator Corporation in an amount not to exceed \$99,402 to renovate the elevator at the Public Safety Administration Building;

- (b) Approved overtime in the amount of \$2,800 to manage the renovation during the construction;
- (c) Authorized the use of the Municipal Office Complex (MOC) Reserves; and
- (d) Approved a budget transfer in the amount of \$102,202 from the MOC Reserve Contingency account to the Other Professional Services account in the amount of \$99,402 and to the Overtime account in the amount of \$2,800.

6C. <u>Intergovernmental Agreement Amendment, Maricopa County HOME</u> <u>Consortium, Use of 2018 HOME Investment Partnership Program Grant</u> Funds

- (a) Approved Amendment Number 1 to the Fiscal Year 2017 Intergovernmental Agreement with Maricopa County governing the City's annual HOME Investment Partnership Program grant allocation to include the Fiscal Year 2018 allocation; and
- (b) Authorized staff to execute all required documents.

7C. <u>Maintenance Improvement District No. 1177, Aloravita – Phase I, 75th Avenue and Jomax Road</u>

Approved the Petition for Formation, adopted **RES. 2018-01** intention and ordering the formation of proposed Maintenance Improvement District No. 1177, Aloravita – Phase I, located at 75th Avenue and Jomax Road; and adopted **RES. 2018-02** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

8C. <u>Maintenance Improvement District No. 1178, Aloravita – Phase I Parcel I, 75th Avenue and Jomax Road</u>

Approved the Petition for Formation, adopted **RES. 2018-03** intention and ordering the formation of proposed Maintenance Improvement District No. 1178, Aloravita – Phase I Parcel 1, located at 75th Avenue and Jomax Road; and adopted **RES. 2018-04** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

9C. <u>Maintenance Improvement District No. 1179, Aloravita – Phase I Parcel 2, 75th Avenue and Jomax Road</u>

Approved the Petition for Formation, adopted **RES. 2018-05** intention and ordering the formation of proposed Maintenance Improvement District No. 1179, Aloravita – Phase I Parcel 2, located at 75th Avenue and Jomax Road; and adopted **RES. 2018-06** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

10C. <u>Street Light Improvement District No. 1104, Aloravita – Phase I Parcel I, 75th</u> Avenue and Jomax Road

Approved the Petition for Formation, adopted **RES. 2018-13** intention and ordering the formation of proposed Street Light Improvement District No. 1104, Aloravita – Phase I Parcel I, located at 75th Avenue and Jomax Road; and adopted **RES. 2018-14** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

11C. <u>Street Light Improvement District No. 1105, Aloravita – Phase I Parcel 2, 75th Avenue and Jomax Road</u>

Approved the Petition for Formation, adopted **RES. 2018-15** intention and ordering the formation of proposed Street Light Improvement District No. 1105, Aloravita – Phase I Parcel 2, located at 75th Avenue and Jomax Road; and adopted **RES. 2018-16** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

12C. Deeds and Easements, Various Locations

Adopted **RES. 2018-32** accepting Deeds and Easements for various Real Property interests acquired by the City.

13C. <u>PUBLIC HEARING - Liquor License, Hampton Inn #164, 8408 West Paradise Lane</u>

Recommended approval to the State Liquor Board for a New On-Sale Beer and Wine (Series 07) for Hampton Inn #164, located at 8408 West Paradise Lane, Nicholas C. Guttilla, Applicant, LL#20013654.

REGULAR AGENDA

New Business:

14R. <u>Memorandum of Understanding, Maricopa Integrated Health System,</u> Healthcare Clinic, Grand Avenue and Cotton Crossing

Scott Whyte, Economic Development Services Director, provided an overview of the proposed site for the healthcare clinic, including:

- Conceptual land use and site plans
- Property ownership and economic development marketing
- Proposed adjacent development
- 127,000 square foot healthcare facility

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Steve Purves, President and Chief Executive Officer of Maricopa County Integrated Health, reported on the amenities that will be provided at the healthcare facility.

In response to questions from Council, Mr. Purves reported that it will take approximately two years to complete the healthcare facility and that the design would include options for future expansion.

Mr. Whyte indicated that the owner of the adjacent property will rezone the land as shown in the conceptual site plan.

Councilmember Hunt invited the public to attend the groundbreaking ceremony on Monday, January 29, 2018 at 10:00 a.m.

Motion was made by Councilmember Hunt, seconded by Vice Mayor Finn to approve a Memorandum of Understanding with Maricopa County Special Health Care District, d/b/a Maricopa Integrated Health System, to develop a healthcare clinic in the City.

Upon vote, the motion carried unanimously $\underline{7}$ to $\underline{0}$.

Call To The Public (Non-Agenda Items)

None.

Reports from City Manager:

15. **Council Calendar**

16. **Reports**

- A. Martin Luther King, Jr. Day Celebration
- B. Palo Verde Ribbon Cutting Recap

A video presentation highlighting the Martin Luther King, Jr. celebration and the Palo Verde Interpretive Trail Ribbon Cutting event was displayed.

Reports from City Council:

Council Youth Liaison Acosta reported on the Martin Luther King, Jr. celebration event and concert featuring Alex Boyé held on January 16, 2018 and the Future Freshman Night event held at Centennial High School on January 22, 2018. Ms. Acosta provided information about the Youth Job Fair, sponsored by the Youth Advisory Board, which will be held on March 5, 2018 at the Rio Vista Recreation Center and the associated clothing drive through Centennial High School.

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Councilmember Patena reported on the Palo Verde Interpretive Trail Ribbon Cutting Ceremony held on January 11, 2018. Councilmember Patena attended the Air Force 56th Firewing Annual Awards event held on January 20, 2018.

Councilmember Binsbacher reported on the Martin Luther King, Jr. celebration events held on January 16, 2018. Councilmember Binsbacher thanked Council Youth Liaison Acosta for her message to Peoria's youth as the Keynote Speaker and thanked both Council Youth Liaisons for representing the City and the great work they do among their peers.

Vice Mayor Finn echoed Councilmember Patena's and Councilmember Binsbacher's sentiments regarding the Martin Luther King, Jr. celebration events.

Councilmember Edwards reported on a meeting he attended with Stuart Kent and Legislator Payne on January 22, 2018 regarding regional transportation issues in the West Valley.

Councilmember Hunt stated that an Acacia District Community meeting is scheduled for January 24, 2018 at 6:00 p.m. at the Peoria Community Center. Councilmember Hunt indicated that police officers would be attending the meeting to speak with and address residents' questions. Councilmember Hunt indicated that Parkfest! is scheduled on Saturday, January 27, 2018 at the Ira Murphy Park, located at 7230 W. Cheryl Drive, Peoria. Councilmember Hunt reported that a community garden spring planting workday is scheduled for February 3, 2018 at 8:30 a.m., which will begin at the Community Center, located at 8335 W. Jefferson Street, Peoria, and move to the community garden at Jefferson Street and 83rd Avenue.

Councilmember Leone reported on the Martin Luther King, Jr. celebration events held on January 16, 2018.

Council Youth Liaison Gatrost reported on the Lunch with a Councilmember event held at Raymond S. Kellis High School on January 16, 2018 and the Prickly Pedal Bike Race held at Lake Pleasant Regional Park on January 20, 2018. Ms. Gatrost thanked the City of Peoria for sponsoring the Alex Boyé concert and commended the Sunrise Mountain High School for providing backup vocals for Mr. Boyé. Ms. Gatrost indicated that she provided deejay services for the Cotton Boll Elementary School Mother and Son prom held on January 19, 2018.

Reports from the Mayor:

Mayor Carlat congratulated Council Youth Liaison Acosta on her appearance as Keynote Speaker at the Martin Luther King, Jr. Unity Walk event held on January 16, 2018. Mayor Carlat invited the public to attend the healthcare facility groundbreaking ceremony scheduled for Monday, January 29, 2018 at 10:00 a.m.

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January 23, 2018	
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ADJO	URNI	MENT:
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Being no further business to come before the Council, the meeting was duly adjourned at 7:39 p.m.
Cathy Carlat, 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 23 rd day of January, 2018. I further certify that the meeting was duly called and held and that a quorum was present.
Dated this 6 th day of February, 2018.
(Seal)
Rhonda Geriminsky, City Clerk

Agenda Item: 4C.

CITY OF PEORIA, ARIZONA COUNCIL COMMUNICATION

Date Prepared: 1/22/2018 Council Meeting Date: 2/6/2018

TO: Jeff Tyne, City Manager

FROM: Rhonda Geriminsky, MMC, City Clerk

SUBJECT: Board and Commission Appointment

Purpose:

Discussion and possible action to approve the recommendations from the Council Boards and Commissions Subcommittee pertaining to the following appointment and adopt **RES. 2018-33** appointing Joshua Champion as a regular member of the Public Safety Personnel Retirement System Local Fire and Police Boards for partial terms to expire June 2019.

Background/Summary:

The Council Boards and Commissions 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 January 16, 2018 the Council Boards and Commissions Subcommittee made appointment recommendations to various Boards and Commissions.

On January 22, 2018, a memorandum was submitted to Mayor and Council, outlining the appointment recommendations from the January 16, 2018 Subcommittee meeting, asking for concerns to be submitted in writing to the Mayor. No comments were received.

Options:

A: Appoint recommended board and commission member.

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

Staff Recommendation:

This is a request for City Council to appoint a board and commission member as recommended by the Council Boards and Commissions Subcommittee as follows:

Public Safety Personnel Retirement System - Fire

Appoint Joshua Champion as a regular member for a partial term to expire June 2019.

<u>Public Safety Personnel Retirement System - Police</u>

Appoint Joshua Champion as a regular member for a partial term to expire June 2019.

Fiscal Analysis:

There is no fiscal impact regarding this item.

ATTACHMENTS:

Resolution 2018-33

Contact Name and Number:

Rhonda Geriminsky, (623) 773-7340

RESOLUTION 2018-33

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, APPOINTING JOSHUA CHAMPION TO THE PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM - LOCAL FIRE AND POLICE BOARDS AND ESTABLISHING THE TERMS OF OFFICE.

WHEREAS, Patrick Sells, a regular member of the Public Safety Personnel Retirement System - Local Fire and Police Boards, resigned and there exists two partial term vacancies; and

WHEREAS, Joshua Champion desires to be appointed to the Public Safety Personnel Retirement System - Local Fire and Police Boards; and

WHEREAS, the Mayor and City Council of the City of Peoria desire to confirm said appointment of Joshua Champion, as a regular member, to the City of Peoria Public Safety Personnel Retirement System - Local Fire and Police Boards.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Peoria that Joshua Champion is appointed, as a regular member, to partial terms on the City of Peoria Public Safety Personnel Retirement System - Local Fire and Police Boards.

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

Joshua Champion June 2019

PASSED AND ADOPTED by the Mayor and City Council of the City of Peoria, Arizona this 6th day of February, 2018.

CITY OF PEORIA , an Arizona municipal corporation	al
1	
Cathy Carlat, Mayor	
Date Signed	

RESOLUTION NO. 2018-33 Page 2 of 2
ATTEST:
Rhonda Geriminsky, City Clerk
Approved as to Form:
Steve Burg, City Attorney
Effective Date:

CITY OF PEORIA, ARIZONA COUNCIL COMMUNICATION

Date Prepared: 1/22/2018 Council Meeting Date: 2/6/2018

TO: Jeff Tyne, City Manager

THROUGH: Erik Strunk, Deputy City Manager

FROM: Stuart Kent, Public Works - Utilities Director

SUBJECT: Authorize Expenditures, Street Maintenance Project, Various Locations

Purpose:

Discussion and possible action to approve expenditures in the amount of \$1,285,164.64 to contractor Via Sun Corporation pursuant to the Micro and Slurry Seal Contract awarded on August 4, 2015.

Background/Summary:

The January 9, 2018 Study Session presentation was on the Streets Pavement Management Program. The presentation included numerous communities identified for pavement treatments throughout the City of Peoria to be completed through the next five Fiscal Years. This request includes slurry seal for the following communities of Terramar, Foxwood 3 and 4, Windmill, Spinnaker Cove at Desert Harbor; the Ventana Lakes communities located west of 107th Avenue and south of Beardsley Road; and the Westbrook Village communities between 83rd and 91st Avenue to be completed by the end of this Fiscal Year.

Applying this treatment to the roadways will extend the pavement life by eliminating multiple pavement distresses and minimizing the effects of weathering and oxidation. The surface treatment will re-establish a watertight seal, while providing a smoother riding and aesthetically pleasing wearing surface.

The application of a slurry seal, which consists of an oil emulsion and small aggregate rock, will provide a smooth riding surface and seal the street. Via Sun Corporation will perform the work associated with this project in accordance with Micro and Slurry Seal Contract ACON28115, awarded on August 4, 2015. The total amount for this street maintenance project is \$1,285,164.64. Funding for the project is available in the FY 2018 Operating and Capital Budget.

Previous Actions:

There are no previous actions relative to this project.

Options:

A: Authorize expenditures in the total amount of \$1,285,164.64 as detailed to complete the described pavement maintenance work.

B: Reject the request for authorization of expenditures for the proposed projects.

Staff Recommendation:

- This project was previously approved during the budget adoption process as part of both the Street Maintenance Program, PW00138, and Rural Standards Road Program, PW01003
- This is the most cost effective surface treatment to address pavement distresses and extend the overall lifecycle of the roads
- No additional or matching funds will be required to complete this project
- 7000/7050/543001CO CIPST PW00138 Street Maintenance Program \$943,456.43
- 7000/7050/543001CO CIPST PW01003 Rural Standards Road Program \$341,708.21

Fiscal Analysis:

The application of a slurry seal treatment will slow the aging process of the pavement and thereby, reduce street ongoing maintenance costs for patch and/or repair work.

ATTACHMENTS:

Slurry Mapbook Slurry Price Sheet

Contact Name and Number:

Stuart Kent, Public Works - Utilities Director, (623) 773-7502





S01-T4N-R01E





NOTE: Map based on imprecise source data, subject to change and for general reference only



	TERRAMAR PARCELS 3-4A-4B-5-6	Slurry Seal 2017-2018						
MAPNO	Street	Seg-ID From	То	Width Length	SqFt	SqY	Sacs	
4_01NE01	69TH LANE	0 REMUDA DRIVE	PASO TRAIL	30	255	7,650	850.00	0
4_01NE02	69TH AVENUE	100 DESERT MOON WAY	REMUDA DRIVE	30	140	4,200	466.67	0
4_01NE01	68TH LANE	40 REMUDA DRIVE	PASO TRAIL	30	230	6,900	766.67	0
4_01NE01	REMUDA DRIVE	0 69TH LANE	68TH LANE	30	1,085	32,550	3,616.67	0
4_01NE01	PASO TRAIL	0 68TH DRIVE	69TH LANE	30	1,309	39,270	4,363.33	0
4_01NE01	68TH DRIVE	50 YEARLING ROAD	PASO TRAIL	30	350	10,500	1,166.67	0
4_01NE01	YEARLING ROAD	10 67TH DRIVE	68TH DRIVE	30	958	28,740	3,193.33	0
4_01NE01	67TH LANE	20 YEARLING ROAD	NORTH END OF STREET	30	92	4,200	466.67	1
4_01NE02	REMUDA DRIVE	10 67TH DRIVE	68TH AVENUE	30	535	16,050	1,783.33	0
4_01NE01	67TH DRIVE	80 REMUDA DRIVE	SOUTH END OF STREET	30	612	24,305	2,700.56	1
4_01NE01	68TH AVENUE	40 DESERT MOON WAY	BRILES ROAD	39	948	36,972	4,108.00	0
4_01NE02	68TH DRIVE	60 BRILES ROAD	ROWEL ROAD	30	835	25,050	2,783.33	0
4_01NE02	PASO TRAIL	10 67TH DRIVE	68TH AVENUE	30	530	15,900	1,766.67	0
4_01NE02	LARIAT LANE	10 67TH DRIVE	68TH DRIVE	30	832	24,960	2,773.33	0
4_01NE02	67TH DRIVE	90 PASO TRAIL	LARIAT LANE	30	550	16,500	1,833.33	0
4_01NE02	67TH LANE	30 PASO TRAIL	NORTH END OF STREET	30	197	11,992	1,332.44	1
4_01NE03	67TH DRIVE	100 TETHER TRAIL	JOMAX ROAD	30	510	15,300	1,700.00	0
4_01NE01	ROWEL ROAD	20 67TH DRIVE	68TH DRIVE	30	825	24,750	2,750.00	0
4_01NE01	TETHER TRAIL	0 67TH DRIVE	68TH DRIVE	30	829	24,870	2,763.33	0
4_01NE02	68TH LANE	50 BRILES ROAD	TETHER TRAIL	30	530	15,900	1,766.67	0
4_01NE01	BRILES ROAD	0 68TH AVENUE	TERRAMAR BOULEVARD	38	1,715	65,170	7,241.11	0
4_01NE01	69TH AVENUE	90 PASO TRAIL	BRILES ROAD	30	240	7,200	800.00	0
4_01NE03	69TH AVENUE	110 TETHER TRAIL	ROWEL ROAD	30	250	7,500	833.33	0
4_01NE02	69TH LANE	10 BRILES ROAD	TETHER TRAIL	30	600	18,000	2,000.00	0
4_01NE01	LARIAT LANE	0 68TH LANE	69TH LANE	30	785	23,550	2,616.67	0
4_01NE02	ROWEL ROAD	30 TERRAMAR BOULEVARD	EAST END OF ROAD	30	843	31,235	3,470.56	1
4_01NE02	TETHER TRAIL	10 68TH LANE	69TH LANE	30	735	22,050	2,450.00	0
					17,320		62,362.67	

	TERRAMAR PARCELS 7A-12-13	Slurry Seal 2017-2018						
MAPNO	Street	Seg-ID From	То	Width Lengt	n SqFt	SqY	Sacs	
4_01NW01	72ND DRIVE	50 REMUDA DRIVE	NORTH END OF STREET	30	97	8,992	999.11	1
4_01NW01	71ST DRIVE	50 SOUTH END OF STREET	PASO TRAIL	30	122	9,742	1,082.44	1
4_01NW01	REMUDA DRIVE	20 72ND AVENUE	73RD DRIVE	30	660	19,800	2,200.00	0
4_01NW01	PASO TRAIL	20 TERRAMAR BOULEVARD	73RD DRIVE	30	1,435	43,050	4,783.33	0
4_01NW01	72ND AVENUE	80 REMUDA DRIVE	PASO TRAIL	30	410	12,300	1,366.67	0
4_01NW01	71ST LANE	20 PASO TRAIL	SOUTH END OF STREET	30	252	13,642	1,515.78	1
4_01NW02	72ND AVENUE	110 BRILES ROAD	NORTH END OF STREET	30	267	14,092	1,565.78	1
4_01NW02	72ND DRIVE	70 BRILES ROAD	NORTH END OF STREET	30	257	13,792	1,532.44	1
4_01NW01	73RD AVENUE	110 TETHER TRAIL	NORTH END OF STREET	30	62	7,942	882.44	1
4_01NW02	73RD AVENUE	120 BRILES ROAD	NORTH END OF STREET	30	252	13,642	1,515.78	1
4_01NW01	73RD DRIVE	90 TERRAMAR BOULEVARD	END OF ROAD	38	2,450	99,045	11,005.00	1
4_01NW01	BRILES ROAD	10 TETHER TRAIL	73RD DRIVE	30	1,610	48,300	5,366.67	0
4_01NW01	LARIAT LANE	20 EAST END OF ROAD	BRILES ROAD	30	548	22,522	2,502.44	1
4_01NW01	TETHER TRAIL	20 TERRAMAR BOULEVARD	73RD DRIVE	30	1,945	58,350	6,483.33	0
4_01NW01	74TH AVENUE	60 BRILES ROAD	LARIAT LANE	30	380	11,400	1,266.67	0
4_01NW01	74TH LANE	50 BRILES ROAD	NORTH END OF STREET	30	1,133	39,935	4,437.22	0
4_01NW02	TETHER TRAIL	30 73RD DRIVE	74TH LANE	30	790	23,700	2,633.33	0
4_01NW01	ROWEL ROAD	40 73RD DRIVE	EAST END OF ROAD	30	148	10,385	1,153.89	1
4_01NW02	LARIAT LANE	30 73RD DRIVE	74TH LANE	30	815	24,450	2,716.67	0
4_01NW01	74TH DRIVE	40 BRILES ROAD	NORTH END OF STREET	30	120	9,682	1,075.78	1
4_01NW02	BRILES ROAD	20 74TH AVENUE	74TH LANE	30	660	19,800	2,200.00	0
					14,413		58,284.78	

	TERRAMAR PARCELS 1-2B-7B	Slurry Seal 2017-2018						
MAPNO	Street	Seg-ID From	То	Width Length	SqFt	SqY	Sacs	
4_01SE03	67TH DRIVE	130 BRONCO TRAIL	NORTH END OF STREET	30	857	31,792	3,532.44	1
4_01SE02	68TH DRIVE	80 SADDLEHORN ROAD	COTTONTAIL LANE	37	510	18,870	2,096.67	0
4_01SE01	68TH AVENUE	50 HAPPY VALLEY ROAD	BUCKSKIN TRAIL	30	470	14,100	1,566.67	0
4_01SE01	BUCKSKIN TRAIL	10 67TH DRIVE	68TH DRIVE	30	970	29,100	3,233.33	0
4_01SE01	BRONCO TRAIL	10 67TH DRIVE	68TH DRIVE	30	980	29,400	3,266.67	0
4_01SE01	SADDLEHORN ROAD	20 67TH AVENUE	68TH DRIVE	38	1,165	44,270	4,918.89	0
4_01SE01	AVENIDA DEL REY	10 67TH DRIVE	68TH DRIVE	30	925	27,750	3,083.33	0
4_01SE01	CRABAPPLE DRIVE	10 67TH DRIVE	68TH AVENUE	30	575	17,250	1,916.67	0
4_01SE04	68TH DRIVE	100 BRONCO TRAIL	SADDLEHORN ROAD	30	230	6,900	766.67	0
4_01SE05	68TH DRIVE	110 BUCKSKIN TRAIL	BRONCO TRAIL	30	280	8,400	933.33	0
4_01SE01	67TH DRIVE	110 BUCKSKIN TRAIL	BRONCO TRAIL	30	260	7,800	866.67	0
4_01SE02	67TH DRIVE	120 CRABAPPLE DRIVE	BUCKSKIN TRAIL	30	275	8,250	916.67	0
4_01SE02	EL CORTEZ PLACE	20 EAST END OF ROAD	69TH AVENUE	30	1,580	53,482	5,942.44	1
4_01SE01	COTTONTAIL LANE	10 67TH DRIVE	68TH DRIVE	30	940	28,200	3,133.33	0
4_01SE02	HONEYSUCKLE DRIVE	20 68TH LANE	69TH AVENUE	30	500	15,000	1,666.67	0
4_01SE01	67TH LANE	40 COTTONTAIL LANE	DESERT MOON WAY	38	735	25,562	2,840.22	0
4_01SE01	69TH AVENUE	120 EL CORTEZ PLACE	DESERT MOON WAY	30	445	13,350	1,483.33	0
4_01SE01	68TH LANE	60 EL CORTEZ PLACE	HONEYSUCKLE DRIVE	30	240	7,200	800.00	0
4_01SE01	68TH DRIVE	70 EL CORTEZ PLACE	NORTH END OF STREET	30	97	8,992	999.11	1
4_01SE03	68TH DRIVE	90 COTTONTAIL LANE	NORTH END OF STREET	30	417	18,455	2,050.56	1
4_01SE01	HONEYSUCKLE DRIVE	10 69TH DRIVE	COTTONTAIL LANE	30	1,605	48,150	5,350.00	0
4_01SE01	69TH DRIVE	50 EL CORTEZ PLACE	DESERT MOON WAY	30	455	13,650	1,516.67	0
4_01SE01	EL CORTEZ PLACE	0 69TH DRIVE	HONEYSUCKLE DRIVE	30	700	21,000	2,333.33	0
					15,211		55,213.67	
	TERRA VISTA ESTATES	Slurry Seal 2017-2018						
MAPNO	Street	Seg-ID From	То	Width Length	SqFt	SqY	Sacs	
4_01SE02	COTTONTAIL LANE	30 68TH LANE	WEST END OF STREET	30	354	15,398	1,710.89	1
4_01SE01	JACK RABBIT LANE	0 68TH LANE	70TH LANE	30	950	28,500	3,166.67	0
4_01SE01	ANTELOPE DRIVE	0 68TH LANE	70TH LANE	30	1,045	31,350	3,483.33	0
4_01SE02	68TH LANE	70 ANTELOPE DRIVE	SOUTH END OF STREET	30	1,145	35,312	3,923.56	1
4_01SE01	70TH AVENUE	50 AVENIDA DEL REY	SOUTH END OF STREET	30	71	8,351	927.89	1
4_01SE01	70TH LANE	10 AVENIDA DEL REY	ANTELOPE DRIVE	30	890	26,700	2,966.67	0
4_01SE02	69TH AVENUE	130 AVENIDA DEL REY	SOUTH END OF STREET	30	61	6,732	748.00	1
4_01SE02	AVENIDA DEL REY	20 68TH LANE	70TH LANE	30	1,008	30,240	3,360.00	0
4_01SE03	COTTONTAIL LANE	20 68TH DRIVE	68TH LANE	37	319	11,803	1,311.44	0
4_01SW01	COTTONTAIL LANE	0 EAST END OF ROAD	70TH LANE	30	294	13,722	1,524.67	1
					6,137		23,123.11	
				Total	21,348		78,336.78	

	TERRAMAR PARCELS 9B-10B	Slurry Seal 2017-2018						
MAPNO	Street	Seg-ID From	То	Width Length	SqFt	SqY	Sacs	
4_01SW01	PASO TRAIL	60 74TH DRIVE	WEST END OF STREET	30	204	11,861	1,317.89	
4_01SW01	REMUDA DRIVE	40 74TH AVENUE	74TH DRIVE	30	304	9,120	1,013.33	
4_01SW01	74TH DRIVE	80 REMUDA DRIVE	PASO TRAIL	30	452	13,108	1,456.44	
4_01SW01	REMUDA DRIVE	60 74TH DRIVE	SADDLEHORN ROAD	30	837	24,273	2,697.00	
4_01SW01	BRONCO TRAIL	TERRAMAR BOULEVARD	WEST END OF STREET	30	170	11,045	1,227.00	
4_01SW01	BUCKSKIN TRAIL	30 TERRAMAR BOULEVARD	74TH LANE	30	397	11,511	1,279.00	
4_01SW01	74TH LANE	60 CRABAPPLE DRIVE	BUCKSKIN TRAIL	30	288	8,352	928.00	
4_01SW01	SADDLEHORN ROAD	40 REMUDA DRIVE	TERRAMAR BOULEVARD	30	190	5,508	612.00	
4_01SW01	CRABAPPLE DRIVE	20 TERRAMAR BOULEVARD	WEST END OF STREET	30	455	19,277	2,141.89	
					3,297		12,672.55	
	TERRAMAR PARCELS 8-9-10-11-14	Slurry Seal 2017-2018						
MAPNO	Street	Seg-ID From	То	Width Length	SaFt	SqY	Sacs	
4 01SW01	AVENIDA DEL REY	0 71ST DRIVE	73RD AVENUE	30	800	24,000	2,666.67	0
4 01SW01	EL CORTEZ PLACE	10 NORTH END OF STREET	73RD DRIVE	30	502	21,005	2,333.89	1
4 01SW01	BRONCO TRAIL	0 71ST DRIVE	72ND AVENUE	30	575	17,250	1,916.67	0
4 01SW05	COTTONTAIL LANE	40 70TH LANE	EL CORTEZ PLACE	37	832	30,784	3,420.44	0
4_01SW01	SADDLEHORN ROAD	10 71ST DRIVE	73RD AVENUE	30	1,185	35,550	3,950.00	0
4 01SW01	73RD AVENUE	100 SADDLEHORN ROAD	AVENIDA DEL REY	30	590	17,700	1,966.67	0
4 01SW01	72ND DRIVE	60 SADDLEHORN ROAD	NORTH END OF STREET	30	72	8,242	915.78	1
4 01SW01	73RD DRIVE	100 EL CORTEZ PLACE	TERRAMAR BOULEVARD	38	555	16,650	1,850.00	0
4 01SW01	72ND AVENUE	100 COTTONTAIL LANE	BUCKSKIN TRAIL	30	1,250	37,500	4,166.67	0
4 01SW01	71ST DRIVE	60 SADDLEHORN ROAD	AVENIDA DEL REY	30	275	8,250	916.67	0
4 01SW02	71ST DRIVE	70 BUCKSKIN TRAIL	BRONCO TRAIL	30	275	8,250	916.67	0
4 01SW03	71ST DRIVE	80 COTTONTAIL LANE	EL CORTEZ PLACE	30	490	14,700	1,633.33	0
4 01SW01	72ND LANE	20 CRABAPPLE DRIVE	BUCKSKIN TRAIL	30	555	16,650	1,850.00	0
4 01SW01	CRABAPPLE DRIVE	0 72ND LANE	TERRAMAR BOULEVARD	30	805	24,150	2,683.33	0
4 01SW01	BUCKSKIN TRAIL	0 71ST DRIVE	WEST END OF STREET	30	1,250	43,445	4,827.22	1
4 01SW01	74TH DRIVE	50 HONEYSUCKLE DRIVE	TERRAMAR BOULEVARD	30	142	4,260	473.33	0
4 01SW01	HONEYSUCKLE DRIVE	0 73RD DRIVE	WEST END OF STREET	30	1,307	45,292	5,032.44	1
4_01SW01	REMUDA DRIVE	40 74TH AVENUE	74TH DRIVE	29	304	9,120	1,013.33	0
4_01SW02	74TH AVENUE	90 TERRAMAR BOULEVARD	PASO TRAIL	30	707	21,210	2,356.67	0
4_01SW01	PASO TRAIL	50 73RD DRIVE	74TH AVENUE	30	750	22,500	2,500.00	0
4_01SW02	73RD LANE	30 SOUTH END OF STREET	PASO TRAIL	30	210	12,382	1,375.78	1
4_01SW02	REMUDA DRIVE	50 EAST END OF ROAD	74TH AVENUE	30	134	10,102	1,122.44	1
4_01SW01	74TH AVENUE	70 BUCKSKIN TRAIL	BRONCO TRAIL	30	640	19,200	2,133.33	0
4_01SW01	73RD LANE	10 74TH AVENUE	NORTH END OF STREET	30	730	27,845	3,093.89	1
4_01SW02	BRONCO TRAIL	20 74TH AVENUE	TERRAMAR BOULEVARD	30	141	4,230	470.00	0
4_01SW03	BRONCO TRAIL	30 73RD LANE	74TH AVENUE	30	590	17,700	1,966.67	0
4_01SW02	BUCKSKIN TRAIL	20 74TH AVENUE	TERRAMAR BOULEVARD	30	220	6,600	733.33	0
				:	15,886		58,285.22	

70,957.77

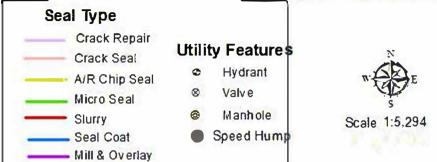
Total

19,183





S30-T04N-R01E



NOTE: Map based on imprecise source data, subject to change



MAPNO 4_30NE01 4_30NE01 4_30NE01 4_30NE01	VENTANA LAKES LANDINGS NAME CHINO DRIVE 108TH LANE 109TH AVENUE 108TH AVENUE	FY2018 Slurry Seal SEG-ID FROM 50 108TH LANE 70 108TH AVENUE 150 CIMARRON DRIVE 80 CIMARRON DRIVE	TO 109TH AVENUE ORAIBI DRIVE BEARDSLEY ROAD 109TH AVENUE	WIDTH LENGTH 30 30 42 38	SQF 245 1,690 1,985 1,409 5,329	SQY 7,350 50,700 83,370 52,038	SAC'S 816.67 5,633.33 9,263.33 5,782.00 21,495.33	0 0 0
	MOONLIGHT BAY							
MAPNO	NAME	SEG-ID FROM	ТО	WIDTH LENGTH	SQF	SQY	SAC'S	
4 30NE01	110TH LANE	30 CIMARRON DRIVE	SIERRA PINTA DRIVE	29	2,602	75,458	8,384.22	0
4 30NE01	ESCUDA DRIVE	70 109TH AVENUE	111TH AVENUE	30	925	32,880	3,653.33	0
4 30NE01	109TH DRIVE	60 ESCUDA DRIVE	NORTH END OF STREET	30	477	20,392	2,265.78	1
4 30NE01	110TH AVENUE	70 SIERRA PINTA DRIVE	NORTH END OF STREET	30	67	8,092	899.11	1
4 30NE01	110TH DRIVE	50 ESCUDA DRIVE	NORTH END OF STREET	30	67	8,092	899.11	1
4_30NE01	SIERRA PINTA DRIVE	40 109TH DRIVE	110TH LANE	30	855	25,650	2,850.00	0
					4,993		18,951.56	
	SOUTH BAY							
MAPNO	NAME	SEG-ID FROM	ТО	WIDTH LENGTH	SQF	SQY	SAC'S	
4_30NE02	110TH DRIVE	60 ORAIBI DRIVE	TONTO LANE	30	245	7,350	816.67	0
4_30NE02	MARCO POLO ROAD	80 110TH LANE	EAST END OF ROAD	30	257	13,792	1,532.44	1
4_30NE02	ORAIBI DRIVE	80 110TH DRIVE	110TH LANE	30	505	15,150	1,683.33	0
4_30NE02	TONTO LANE	70 110TH LANE	EAST END OF ROAD	30	755	26,092	2,899.11	1
					1,762		6,931.56	
				Total	12,084		47,378.44	

	VENTANA LAKES							
	SOUTHBAY	FY2018 Slurry Seal						
MAPNO	NAME	SEG-ID FROM	ТО	WIDTH LENG	STH SQF	SQY	SAC	C'S
4_30NE02	UTOPIA ROAD	60 110TH AVENUE	110TH LANE	30	819	24,570	2,730.00	0
4_30NE02	WIKIEUP LANE	20 110TH AVENUE	110TH DRIVE	30	396	11,880	1,320.00	0
4_30NE03	110TH DRIVE	30 UTOPIA ROAD	WIKIEUP LANE	30	236	7,080	786.67	0
4_30NE03	ORAIBI DRIVE	60 110TH LANE	111TH AVENUE	38	140	4,200	466.67	0
4_30NE02	110TH AVENUE	80 CIMARRON DRIVE	WIKIEUP LANE	30	526	15,780	1,753.33	0
					2,117		7,056.67	
	BAY POINTE							
MAPNO	NAME	SEG-ID FROM	ТО	WIDTH LENG	STH SQF	SQY	SAC	C'S
4_30NE02	CHINO DRIVE	60 109TH AVENUE	WEST END OF STREET	30	607	24,292	2,699.11	1
4_30NE01	MARCO POLO ROAD	70 109TH AVENUE	WEST END OF STREET	30	62	7,942	882.44	1
4_30NE01	ORAIBI DRIVE	70 108TH LANE	109TH AVENUE	30	300	9,000	1,000.00	0
					969		4,581.56	
	BAY POINTE UNIT 2							
MAPNO	NAME	SEG-ID FROM	ТО	WIDTH LENG	STH SQF	SQY	SAC	C'S
4_30NE01	TONTO LANE	60 109TH AVENUE	WEST END OF STREET	30	507	21,292	2,365.78	1
4_30NE01	CIMARRON DRIVE	0 107TH AVENUE	111TH AVENUE	38	3,052	117,497	13,055.22	1
4_30NE02	108TH AVENUE	60 UTOPIA ROAD	PIUTE AVENUE	30	537	16,110	1,790.00	0
4_30NE01	UTOPIA ROAD	50 108TH AVENUE	CIMARRON DRIVE	30	760	22,800	2,533.33	0
4_30NE01	WIKIEUP LANE	0 107TH AVENUE	108TH AVENUE	30	1,135	34,050	3,783.33	0
4_30NE03	WIKIEUP LANE	30 108TH AVENUE	CIMARRON DRIVE	30	598	17,940	1,993.33	0
					6,589		25,521.00	
	GREYSTONE HERITAGE UNIT 2							
MAPNO	NAME	SEG-ID FROM	ТО	WIDTH LENG	STH SQF	SQY	SAC	C'S
4_30NE03	CHINO DRIVE	70 107TH AVENUE	108TH AVENUE	30	706	21,180	2,353.33	0
4_30NE01	107TH DRIVE	60 WIKIEUP LANE	CHINO DRIVE	36	1,334	48,024	5,336.00	0
4_30NE01	CHISHOLM DRIVE	0 107TH DRIVE	CIMARRON DRIVE	29	495	14,355	1,595.00	0
4_30NE01	PIUTE AVENUE	10 108TH AVENUE	CIMARRON DRIVE	30	398	11,940	1,326.67	0
			Total SY		2,933		10,611.00	

47,770.22

Total

12,608





S27-T04N-R01E





NOTE: Map based on imprecise source data, subject to change and for general reference only



	WESTBROOK VILLAGE							
	PINEHURST PLACE	FY2018 Slurry Seal						
MAPNO	Street	Seg-ID FROM	ТО	Width Length	SqFt	SqY	Sacs	
4_27SE01	086THDR	80 MCRAEWAY	ROCKWOODDR	30	260	7,800	866.67	0
4_27SE01	087THAVE	120 ROCKWOODDR	NORTH END	30	423	18,772	2,085.78	1
4_27SE01	MCRAEWAY	0 086THDR	ROCKWOODDR	30	780	23,400	2,600.00	0
4_27SE01	MORROWDR	0 EAST END	087THAVE	30	21	6,712	745.78	1
4_27SW01	ROCKWOODDR	0 089THAVE	COUNTRYCLUBPKWY	38	1,900	71,606	7,956.22	0
					3,384		14,254.44	
	TORREY PINES							
MAPNO	Street	Seg-ID FROM	TO	Width Length	SqFt	SqY	Sacs	
4 27SE01	ROCKWOODDR	20 085THLN	COUNTRYCLUBPKWY	42	152	6,153	683.67	0
_ 4_27SE02	ROCKWOODDR	30 083RDLN	085THLN	37	1,585	58,645	6,516.11	0
4 27SE01	ROSEPILARCT	0 084THDR	MCRAEWAY	30	700	21,000	2,333.33	0
_ 4_27SE01	085THLN	40 MCRAEWAY	ROSEMONTEDR	30	620	18,600	2,066.67	0
4_27SE01	084THDR	70 MCRAEWAY	ROSEMONTEDR	30	900	27,000	3,000.00	0
4_27SE01	ROSEMONTEDR	0 083RDLN	085THLN	30	1,775	53,250	5,916.67	0
4_27SE02	MORROWDR	10 083RDLN	WEST END	30	377	24,434	2,714.89	2
4_27SE02	MCRAEWAY	10 084THDR	085THLN	30	840	25,200	2,800.00	0
					6,949		26,031.33	
	VISTA FAIRWAYS							
MAPNO	Street	Seg-ID FROM	ТО	Width Length	SqFt	SqY	Sacs	
4_27SE01	083RDLN	50 ROCKWOODDR	VILLAGEPKWY	38	2,040	83,602	9,289.11	1
4_27SE01	083RDDR	100 WESCOTTDR	TAROLN	30	430	12,900	1,433.33	0
4_27SE02	WESCOTTDR	10 083RDDR	083RDLN	30	260	7,800	866.67	0
4_27SE02	TAROLN	20 083RDDR	083RDLN	30	425	12,750	1,416.67	0
					3,155		13,005.78	
				Total	13,488		53,291.56	

	WESTBROOK VILLAGE FAIRWAY VIEWS	FY2018 Slurry Seal						
MAPNO	Street	Seg-ID FROM	ТО	Width Lengt	h SqFt	SqY	Sacs	
4_27SE02	084THDR	80 KIMBERLYWAY	VILLAGEPKWY	29	686	22,570	2,507.78	0
4_27SE01	TAROLN	10 EAST END	085THLN	29	165	10,867	1,207.44	1
4_27SE01	TOPEKADR	20 VILLAGEPKWY	085THLN	29	536	18,021	2,002.33	1
4_27SE01	WESCOTTDR	0 084THDR	KIMBERLYWAY	29	1,003	35,169	3,907.67	1
4_27SE02	085THLN	50 VILLAGEPKWY	085THLN	42	125	5,028	558.67	0
4_27SE03	085THLN	60 SOUTH END	TOPEKADR	29	757	28,035	3,115.00	1
4_27SE01	KIMBERLYWAY	0 084THDR	VILLAGEPKWY	29	1,100	33,142	3,682.44	0
					4,372		16,981.33	
	TAMARRON PLACE							
MAPNO	Street	Seg-ID FROM	ТО	Width Lengt	h SqFt	SqY	Sacs	
4_27SW02	WESCOTTDR	30 087THDR	087THLN	30	405	12,150	1,350.00	0
4_27SW01	087THDR	150 COUNTRYCLUBPKWY	WESCOTTDR	30	925	27,750	3,083.33	0
4_27SW01	087THLN	30 087THDR	WESCOTTDR	30	675	20,250	2,250.00	0
4_27SW03	KIMBERLYWAY	30 COUNTRYCLUBPKWY	087THLN	30	115	3,450	383.33	0
					2,120		7,066.67	
	CYPRESS POINT ESTATES							
MAPNO	Street	Seg-ID FROM	ТО	Width Lengt	h SqFt	SqY	Sacs	
4_27SW02	KIMBERLYWAY	80 088THDR	088THDR	30	864	25,920	2,880.00	0
4_27SW01	088THDR	150 ROSEMONTEDR	NORTH END	30	1,633	55,072	6,119.11	1
4_27SW02	ROSEMONTEDR	20 COUNTRYCLUBPKWY	088THDR	30	835	25,050	2,783.33	0
4_27SW01	089THDR	90 MORROWDR	NORTH END	30	122	9,742	1,082.44	1
4_27SW02	089THDR	100 ROSEMONTEDR	WESCOTTDR	30	550	16,500	1,833.33	0
4_27SW01	089THAVE	170 ROCKWOODDR	WESCOTTDR	38	1,710	64,980	7,220.00	0
4_27SW01	089THLN	20 090THLN	SOUTH END	30	1,350	46,582	5,175.78	1
4_27SW01	ROSEMONTEDR	10 089THAVE	089THLN	30	650	19,500	2,166.67	0
4_27SW01	MORROWDR	20 089THAVE	089THLN	30	370	11,100	1,233.33	0
4_27SW01	KIMBERLYWAY	10 089THAVE	089THDR	30	565	16,950	1,883.33	0
4_27SW01	WESCOTTDR	20 090THLN	COUNTRYCLUBPKWY	38	1,860	68,744	7,638.22	0
					10,509		40,015.56	
				Total	17,001		64,063.56	

	WESTBROOK VILLAGE							
	WILLOW RIDGE	FY2018 Slurry Seal						
MAPNO	Street	Seg-ID FROM	ТО	Width Length	SqFt	:	Sacs	;
4_27NE01	084THDR	60 BEHRENDDR	MARCO POLO RD	30	240	7,200	800.00	0
4_27NE02	083RDDR	90 TONTOLN	MARCO POLO RD	38	910	32,428	3,603.11	0
4_27NE01	084THLN	40 BEHRENDDR	MARCO POLO RD	30	230	6,900	766.67	0
4_27NE01	BEHRENDDR	0 083RDDR	WESTBROOKDR	38	1,885	71,630	7,958.89	0
4_27NE02	MARCO POLO RD	10 083RDDR	084THDR	30	795	23,850	2,650.00	0
4_27NE01	TONTOLN	0 083RDDR	WESTBROOKDR	38	1,120	42,560	4,728.89	0
4_27NE01	ESCUDADR	80 085THAVE	EAST END	30	1,202	42,142	4,682.44	1
4_27NE01	MARCO POLO RD	0 084THLN	086THAVE	30	660	19,800	2,200.00	0
4_27NE01	085THAVE	110 MARCO POLO RD	ESCUDADR	30	335	10,050	1,116.67	0
4_27NE02	085THDR	80 MARCO POLO RD	NORTH END	30	347	16,492	1,832.44	1
4_27NE02	084THAVE	60 MARCO POLO RD	ESCUDADR	30	365	10,950	1,216.67	0
4_27NE01	086THAVE	60 BEHRENDDR	NORTH END	30	758	28,822	3,202.44	0
					8,847		34,758.22	
	COUNTRY CLUB ESTATES							
MAPNO	Street	Seg-ID FROM	ТО	Width Length	SqFt		Sacs	;
4_27NE01	UTOPIARD	0 WESTBROOKPARKWAY	085THDR	30	675	20,962	2,329.11	0
4_27NE01	ORAIBIDR	0 EAST END	085THDR	30	381	17,512	1,945.78	1
4_27NE01	085THDR	70 WESTBROOKDR	UTOPIARD	30	910	28,478	3,164.22	0
					1,966		7,439.11	
	SCOTLAND HILLS							
MAPNO	Street	Seg-ID FROM	ТО	Width Length	SqFt	:	Sacs	;
4_27NE02	UTOPIARD	10 083RDDR	WESTBROOKDR	30	640	21,013	2,334.78	0
4_27NE02	ORAIBIDR	10 083RDDR	WESTBROOKDR	30	887	28,682	3,186.89	0
4_27NE01	083RDLN	40 UTOPIARD	ORAIBIDR	30	670	20,100	2,233.33	0
4_27NE01	083RDDR	80 UTOPIARD	ORAIBIDR	30	685	20,550	2,283.33	0
4_27NE01	084THAVE	50 UTOPIARD	ORAIBIDR	30	715	21,450	2,383.33	0
					3,597		12,421.67	

Total

14,410

54,619.00

	WESTBROOK VILLAGE							
	OAKMONT HEIGHTS	FY2018 Slurry Seal						
MAPNO	Street	Seg-ID FROM	ТО	Width Leng			Sac	S
4_27NW01	088THAVE	100 SOUTH END	WESTBROOKDR	30	1,004	43,002	4,778.00	1
4_27NW01	088THDR	130 SOUTH END	SEQUOIADR	30	92	8,842	982.44	1
4_27NW02	SEQUOIADR	10 088THAVE	088THDR	30	412	12,360	1,373.33	0
4_27NW02	TOPEKADR	10 088THAVE	COUNTRYCLUBPKWY	30	412	14,208	1,578.67	0
					1,920		8,712.44	
	ST ANDREWS PLACE							
MAPNO	Street	Seg-ID FROM	ТО	Width Leng	th SqF	t	Sac	:S
4 27NW01	089THDR	70 KERRYLN	UTOPIARD	30	243	7,290	810.00	0
4 27NW01	089THLN	10 TOPEKADR	KERRYLN	30	230	6,900	766.67	0
4 27NW01	090THDR	50 TAROLN	KERRYLN	30	312	9,360	1,040.00	0
_ 4_27NW01	090THLN	70 089THLN	UTOPIARD	38	1,801	71,312	7,923.56	1
4_27NW01	KERRYLN	0 089THDR	090THDR	30	952	28,560	3,173.33	0
4_27NW01	TAROLN	0 090THDR	090THLN	30	537	16,110	1,790.00	0
4_27NW01	TOPEKADR	0 COUNTRYCLUBPKWY	WEST END	30	738	29,905	3,322.78	1
4_27NW01	UTOPIARD	20 COUNTRYCLUBPKWY	090THLN	38	1,316	50,680	5,631.11	0
4_27NW02	090THLN	130 SEQUOIADR	089THDR	30	758	22,740	2,526.67	0
4_27NW01	SEQUOIADR	0 089THDR	090THLN	30	950	28,500	3,166.67	0
4_27NW01	ORAIBIDR	20 COUNTRYCLUBPKWY	089THDR	30	125	2,914	323.78	0
4_27NW01	RIMROCKD	0 EAST END	090THLN	30	242	13,342	1,482.44	1
4_27NW01	090THAVE	70 UTOPIARD	SEQUOIADR	30	230	6,900	766.67	0
4_27NW02	089THDR	80 090THLN	SEQUOIADR	30	930	27,900	3,100.00	0
					9,364		35,823.67	
	VISTA CROSSING							
MAPNO	Street	Seg-ID FROM	то	Width Leng	gth SqF	t	Sac	.S
4_27NW02	088THDR	140 RIMROCKD	PIUTEAVE	29	272	9,409	1,045.44	1
4_27NW02	088THAVE	110 WESTBROOKDR	PIUTEAVE	29	546	17,862	1,984.67	0
4_27NW02	RIMROCKD	10 088THAVE	088THDR	29	394	11,426	1,269.56	0
4_27NW01	PIUTEAVE	0 COUNTRYCLUBPKWY	088THAVE	29	603	25,558	2,839.78	1
					1,815		7,139.44	
				Total	13,099		51,675.56	
					•		•	

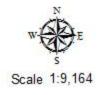
	WESTBROOK VILLAGE							
	VISTA POINT	FY2018 Slurry Seal						
MAPNO	Street	Seg-ID FROM	то	Width Leng	th SqF	it .	Sac	s
4_27NW01	MARCO POLO RD	20 090THAVE	090THDR	29	610	17,690	1,965.56	0
4_27NW03	090THDR	80 BEHRENDDR	MARCO POLO RD	29	342	9,918	1,102.00	0
4_27NW02	090THDR	60 COUNTRYCLUBPKWY	BEHRENDDR	41	147	6,027	669.67	0
4_27NW01	BEHRENDDR	10 090THAVE	090THLN	37	680	25,160	2,795.56	0
4_27NW02	090THAVE	80 BEHRENDDR	SIERRAPINTADR	29	1,100	31,900	3,544.44	0
					2,879		10,077.22	
	VILLAGE TERRACE 2							
MAPNO	Street	Seg-ID FROM	то	Width Leng	th SqF	t	Sac	S
4_27NW01	ESCUDADR	10 090THAVE	090THLN	29	780	22,620	2,513.33	0
4_27NW01	CHINODR	0 090THLN	091STAVE	41	145	5,945	660.56	0
4_27NW03	090THLN	90 BEHRENDDR	SIERRAPINTADR	37	850	31,450	3,494.44	0
4_27NW01	SIERRAPINTADR	0 090THAVE	090THLN	29	842	30,500	3,388.89	1
					2,617		10,057.22	
	EAGLE RIDGE							
MAPNO	Street	Seg-ID FROM	ТО	Width Leng			Sac	
4_27NW02	BEHRENDDR	110 087THDR	086THDR	30	616	18,480	2,053.33	0
4_27NW02	MARCO POLO RD	30 EAST END	087THDR	30	412	18,442	2,049.11	1
4_27NW02	ESCUDADR	20 086THDR	087THDR	30	955	28,650	3,183.33	0
4_27NW01	086THDR	70 WESTBROOKDR	SIERRAPINTADR	37	873	38,109	4,234.33	1
4_27NW01	087THDR	140 WESTBROOKDR	NORTH END	38	1,400	59,282	6,586.89	1
4_27NW01	087THAVE	110 ESCUDADR	SIERRAPINTADR	30	230	6,900	766.67	0
4_27NW02	SIERRAPINTADR	10 086THDR	087THDR	30	1,255	37,650	4,183.33	0
					5,741		23,057.00	
				Total	44 227		42 404 44	
				Total	11,237		43,191.44	



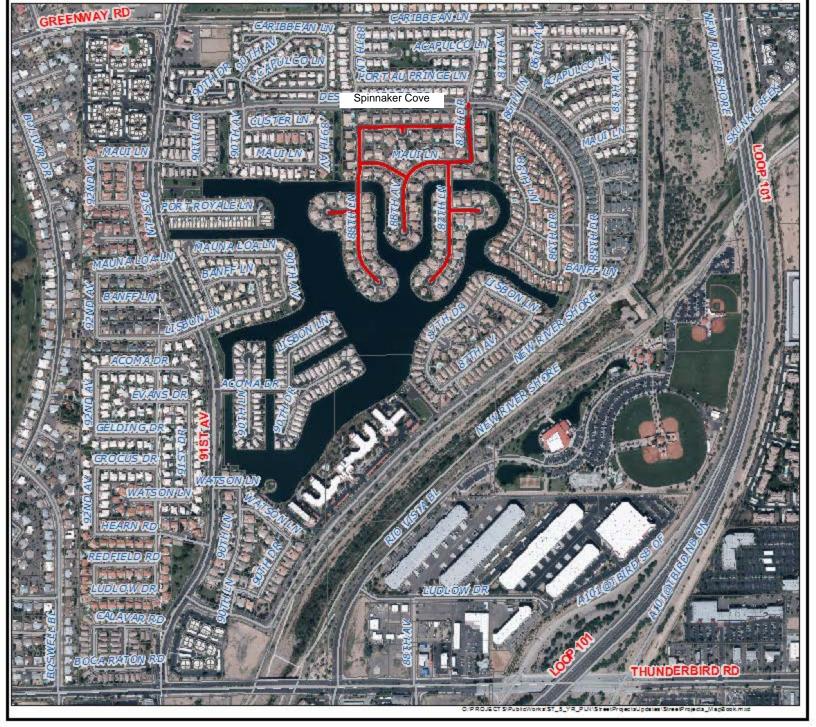


S10-T03N-R01E

Seal Type Crack Repair Crack Seal A/R Chip Seal Micro Seal Slurry Seal Coat Mill & Overlay Crack Repair Type Hydrant Valve Mydrant Wanhole Speed Hump



Map based on imprecise source data, subject to change and for general reference only



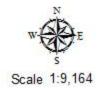
	SPINNAKER COVE	FY2018 Slurry Seal						
MAPNO	Street	Seg-ID FROM	ТО	Width Length	SqFt	SqY	Sacs	
3_10NE01	87TH LANE	80 SOUTH END OF STREET	MAUI LANE	29	1,020	34,200	3,800.00	1
3_10NE01	PORT ROYALE LANE	0 88TH LANE	WEST END OF STREET	29	270	12,252	1,361.33	1
3_10NE02	PORT ROYALE LANE	10 EAST END OF ROAD	87TH LANE	29	270	10,074	1,119.33	1
3_10NE01	MAUI LANE	0 87TH DRIVE	88TH LANE	30	915	27,450	3,050.00	0
3_10NE01	88TH AVENUE	30 SOUTH END OF STREET	MAUI LANE	29	500	18,900	2,100.00	1
3_10NE01	88TH LANE	0 SOUTH END OF STREET	CUSTER LANE	29	1,340	43,480	4,831.11	1
3_10NE01	87TH DRIVE	40 MAUI LANE	DESERT HARBOR DRIVE	61	440	26,840	2,982.22	0
3_10NE01	CUSTER LANE	0 87TH DRIVE	88TH LANE	29	830	27,502	3,055.78	1
					5,585		22,299.78	





S14-T03N-R01E

Seal Type Crack Repair Crack Seal A/R Chip Seal Micro Seal Slurry Seal Coat Mill & Overlay Utility Features Hydrant Valve Mydrant Mydrant Manhole Speed Hump



NOTE: Map based on imprecise source data, subject to change and for general reference only



	WINDMILL	FY2018 Slurry Seal						
MAPNO	NAME	SEG-ID FROM	то	WIDTH LENGT	H SQF	SQY	' SAC	C'S
3_14SE01	WETHERSFIELD ROAD	110 77TH DRIVE	79TH AVENUE	30	1,152	34,560	3,840.00	0
3_14SE01	WINDROSE DRIVE	20 78TH DRIVE	79TH AVENUE	30	250	7,500	833.33	0
3_14SE01	CHARTER OAK ROAD	20 78TH AVENUE	78TH DRIVE	30	590	17,700	1,966.67	0
3_14SE01	COLUMBINE DRIVE	40 77TH DRIVE	79TH AVENUE	30	1,145	46,787	5,198.56	2
3_14SE01	77TH DRIVE	30 CACTUS ROAD	NORTH END OF STREET	30	1,641	55,175	6,130.56	1
3_14SE01	78TH AVENUE	70 WETHERSFIELD ROAD	CHARTER OAK ROAD	30	286	8,580	953.33	0
3_14SE01	BLOOMFIELD ROAD	20 77TH AVENUE	78TH DRIVE	30	982	29,460	3,273.33	0
3_14SE01	78TH DRIVE	70 WETHERSFIELD ROAD	SWEETWATER AVENUE	50	2,355	122,510	13,612.22	0
					8,401		35,808.00	
	FOXWOOD UNIT 3-4	FY2018 Slurry Seal						
MAPNO	NAME	SEG-ID FROM	TO	WIDTH LENGT	H SQF	SQY	' SAC	C'S
			10	WIDIII LLIVOI	50.	٠		
3_14SE01	75TH DRIVE	40 CORRINE DRIVE	SWEETWATER AVENUE	30	1,165	34,950	3,883.33	0
3_14SE01 3_14SE01	75TH DRIVE ASTER DRIVE					-	3,883.33 4,687.56	0 1
_		40 CORRINE DRIVE	SWEETWATER AVENUE	30	1,165	34,950	-	
3_14SE01	ASTER DRIVE	40 CORRINE DRIVE 10 75TH DRIVE	SWEETWATER AVENUE WEST END OF STREET	30 30	1,165 1,247	34,950 42,188	4,687.56	1
3_14SE01 3_14SE01	ASTER DRIVE DAHLIA DRIVE	40 CORRINE DRIVE 10 75TH DRIVE 10 75TH DRIVE	SWEETWATER AVENUE WEST END OF STREET WEST END OF STREET	30 30 30	1,165 1,247 1,237	34,950 42,188 51,445	4,687.56 5,716.11	1 3
3_14SE01 3_14SE01 3_14SE01	ASTER DRIVE DAHLIA DRIVE 77TH AVENUE	40 CORRINE DRIVE 10 75TH DRIVE 10 75TH DRIVE 140 CORRINE DRIVE	SWEETWATER AVENUE WEST END OF STREET WEST END OF STREET SWEETWATER AVENUE	30 30 30 38	1,165 1,247 1,237 1,155	34,950 42,188 51,445 43,890	4,687.56 5,716.11 4,876.67	1 3 0
3_14SE01 3_14SE01 3_14SE01 3_14SE01	ASTER DRIVE DAHLIA DRIVE 77TH AVENUE CORRINE DRIVE	40 CORRINE DRIVE 10 75TH DRIVE 10 75TH DRIVE 140 CORRINE DRIVE 20 75TH DRIVE	SWEETWATER AVENUE WEST END OF STREET WEST END OF STREET SWEETWATER AVENUE 77TH DRIVE	30 30 30 38 30	1,165 1,247 1,237 1,155 1,300	34,950 42,188 51,445 43,890 39,000	4,687.56 5,716.11 4,876.67 4,333.33	1 3 0 0



FY2018 PRICE SHEET

Solicitation Number: P16-0002

Viasun Corporation 3621 E. Superior Ave Phoenix, AZ. 85009 Phone: (480) 268-9669

Contract Number: ACON28115

Company	Name: ViaSun Corporation					
Area 1	Terramar S01-T04N-R01E SLURRY SEAL (LMCQS-1h) AGGREGATE 18 lbs./SY. (TYPE II) Remove and Replace Hydrant markers (blue) Remove and Replace waffle Tape SUBTOTAL PROJECT 1, AREA 1	269,941.99 327.98 2,429.48 220 1008	SQY'S Tons Tons EA. SF	\$ 469.20 \$ 104.91 \$ 7.80 \$ 5.40	\$ \$	153,888.22 254,876.75 1,716.00 5,443.20 415,924.16
Area 2	Ventana Lakes S30-T04N-R01E SLURRY SEAL (LMCQS-1h) AGGREGATE 18 lbs./SY. (TYPE II) Remove and Replace Hydrant markers (blue) SUBTOTAL PROJECT 1, AREA 2	95,148.67 115.61 856.34 90	SQY'S Tons Tons EA.	\$ 469.20 \$ 104.91 \$ 7.80	\$	54,244.21 89,838.63 702.00 144,784.84
Area 3	Westbrook Village S27-T04N-R01E SLURRY SEAL (LMCQS-1h) AGGREGATE 18 lbs./SY. (TYPE II) Remove and Replace Hydrant markers (blue) SUBTOTAL PROJECT 1, AREA 3	266,841.11 324.21 2,401.57 210	SQY'S Tons Tons EA.	\$ 469.20 \$ 104.91 \$ 7.80		152,119.33 251,948.71 1,638.00 405,706.04
Area 4	Spinnaker Cove S10-T03N-R01E SLURRY SEAL (LMCQS-1h) AGGREGATE 18 lbs./SY. (TYPE II) Remove and Replace Hydrant markers (blue) SUBTOTAL PROJECT 1, AREA 4	22,299.78 27.09 200.70 210	SQY'S Tons Tons EA.	\$ 469.20 \$ 104.91 \$ 7.80	-	12,710.63 21,055.44 1,638.00 35,404.07

Area 5	Windmill S14-T03N-R01E SLURRY SEAL (LMCQS-1h) AGGREGATE 18 lbs./SY. (TYPE II) Remove and Replace Hydrant markers (blue) Remove and Replace waffle Tape SUBTOTAL PROJECT 1, AREA 5	35,808.00 43.51 322.27 220 1008	SQY'S Tons Tons EA. SF	\$ 469.20 \$ 104.91 \$ 7.80 \$ 5.40	\$ \$ \$ \$ \$ \$	20,414.89 33,809.35 1,716.00 5,443.20 61,383.44
Area 6	Foxwood unit 3, 4 S14-T03N-R01E SLURRY SEAL (LMCQS-1h) AGGREGATE 18 lbs./SY. (TYPE II) Remove and Replace Hydrant markers (blue) SUBTOTAL PROJECT 1, AREA 6	26,880.33 32.66 241.92 90	SQY'S Tons Tons EA.	\$ 469.20 \$ 104.91 \$ 7.80	\$ \$ \$	15,324.07 25,379.83 702.00 41,405.90
	TOTAL OF PROJECT 1 (AREA 1 THRU 6)				\$	1,162,746.75
	Contingency		LS	\$58,138.30		\$58,138.30
	Subtotal					\$1,220,885.05
	Тах			5.265%	\$	64,279.60
	Total				\$	1,285,164.64

CITY OF PEORIA, ARIZONA COUNCIL COMMUNICATION

Date Prepared: 1/22/2018 Council Meeting Date: 2/6/2018

TO: Jeff Tyne, City Manager

THROUGH: Julie Arendall, Deputy City Manager

FROM: Sonia Andrews, Deputy Finance Director

SUBJECT: Investment Report, Quarter Ending December 31, 2017

Purpose:

Discussion and possible action to review and accept the Investment Report as presented.

Background/Summary:

Effective cash management includes investment of available or idle funds. The City of Peoria invests all available funds of the City, taking into consideration anticipated cash flow requirements and the safety and risk of investments. Investments are made in accordance with the City's Investment Policy, and Arizona Revised Statues Title 35-321 through 35-329. The primary objective of the City's investments, in order of priority, is:

- 1. Safety Investments shall be undertaken in a manner that seeks to insure the preservation of capital in the portfolio.
- 2. Liquidity The investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements which might be reasonably anticipated.
- 3. Yield The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the City's very strict risk constraints. Public funds may only be invested in authorized and suitable investments such as US Treasury Obligations, US Agency Obligations, Certificates of Deposits, Commercial Paper rated A-1/P-1, Corporate Notes rated AA or better, Money Market Funds and the Arizona State Investment Pool. Investment in stocks, mutual funds, hedge funds, real estate, foreign investments or other risky or alternative investments are strictly prohibited.

The Investment Policy imposes a 3 year maximum weighted average maturity on the overall investment portfolio with specific maximum maturities for each type of investment.

The City utilizes PFM Asset Management LLC, an investment advisory firm, to provide advice and assist with managing its investments. All securities are held by a third party custodian in the City's name.

Quarterly investment reports are provided to the City Council to report the investment portfolio holdings, maturity distribution, investment performance and compliance with the Investment Policy.

Previous Actions:

There are no previous actions for this item.

Options:

A: Accept the Quarterly Investment Report as presented.

B: Not accept the Quarterly Investment Report and request additional information from staff.

Staff Recommendation:

This is a request for the City Council to review and accept the Investment Report for the quarter ended December 31, 2017.

Fiscal Analysis:

At 12/31/17, all of the City's investments were in compliance with the City's Investment Policy. Book value of the investment portfolio at 12/31/17 was \$345,205,249 and investment income for the quarter (10/1/17 to 12/31/17) totaled \$1,032,785.

The portfolio's weighted average yield to maturity was 1.34% for the quarter ended 12/31/17.

The attached Investment Report prepared by PFM Asset Management includes the following detail information on the City's investments:

Contents of Investment Report

- 1. Snapshot of investment portfolio
- 2. Investment policy compliance
- 3. Current market trends and portfolio strategy

ATTACHMENTS:

Investment Report, 4th Quarter

Contact Name and Number:

Sonia Andrews, (623) 773-5206



City of Peoria

Investment Portfolio SummaryQuarter Ending December 31, 2017

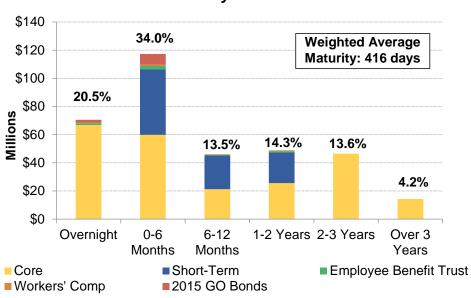
Paulina Woo, Director



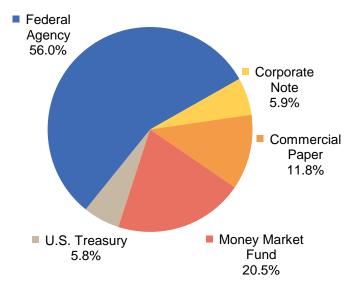
Executive Summary¹

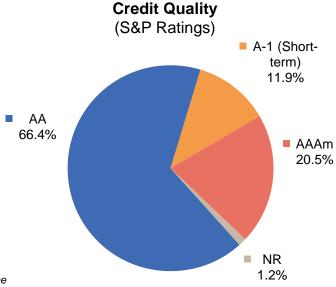
Account Summary	Beginning Values as of 10/1/17	Ending Values as of 12/31/17
Market Value	\$333,332,012	\$343,783,820
Book Value	\$333,961,293	\$345,205,249
Unrealized Gain/(Loss)	(\$629,281)	(\$1,421,429)
Weighted Avg. YTM	1.28%	1.34%
Weighted Avg. YTW	1.28%	1.35%

Maturity Distribution



Allocation by Security Type







Security Type and Issuer Compliance¹

Security Type	Book Value	% of Portfolio	Permitted by Policy	Compliance
U.S. Treasury	\$20,016,241	5.8%	80%	✓
Federal Agency	\$194,675,870	56.0%	80%	✓
Corporate Note	\$19,006,670	5.9%	35%	✓
Commercial Paper	\$40,878,701	11.8%	35%	✓
Money Market Fund	\$70,627,767	20.5%	35%	✓
Total Book Value	\$345,205,249	100.0%		

Maturity	Book Value	% of Portfolio	Permitted by Policy	Compliance
Overnight	\$70,627,767	20.5%	No Limit	
0-6 Months	\$117,377,180	34.0%	No Limit	
6-12 Months	\$46,442,530	13.5%	No Limit	
1-2 Years	\$49,330,400	14.3%	No Limit	
2-3 Years	\$46,982,934	13.6%	No Limit	
Over 3 Years_	\$14,444,439	4.2%	20%	✓
Total Book Value	\$345,205,249	100.0%		

Issuer	Book Value	% of Portfolio	Permitted by Policy	Compliance
Money Market Fund	\$70,627,767	20.5%	35%	✓
FFCB	\$57,949,456	16.8%	40%	✓
FHLB	\$51,544,352	14.9%	40%	✓
FHLMC	\$47,990,990	13.9%	40%	✓
FNMA	\$32,969,406	9.6%	40%	✓
U.S. Treasury	\$20,016,241	5.8%	80%	✓
Toyota Motor Credit	\$17,969,277	5.2%	10%	✓
JP Morgan	\$17,934,507	5.2%	10%	✓
Wells Fargo & Co	\$9,002,074	2.6%	5%	✓
Berkshire Hathaway Inc	\$5,005,477	1.5%	5%	✓
Apple Inc	\$4,999,119	1.4%	5%	✓
General Electric	\$4,974,917	1.4%	10%	✓
Private Export Funding_	\$4,221,666	1.2%	40%	✓
Total Book Value S	345,205,249	100.0%		

Other Policy Tests	Compliance
Policy requires at least 35% of portfolio to mature in less than one year. Current portfolio maturing is less than one year = 68%	√
Policy sets a maximum weighted average maturity of 3 years (1095 days). Current portfolio weighted average maturity = 416	√

Accrual Basis Earnings	10/1/17 through 12/31/17
Estimated Earnings	\$1,032,785
Total Estimated Earnings	\$1,032,785



Economic Update

Current Market Themes

- Continued GDP growth
- Strengthening labor market
- Continued momentum in the equities market
- Low inflation
- Gradually increasing interest rates with 3
 Fed rate hikes in 2017 and another 3
 increases expected in 2018
- Optimistic global growth prospects, led by the Euro-area

Portfolio Strategy

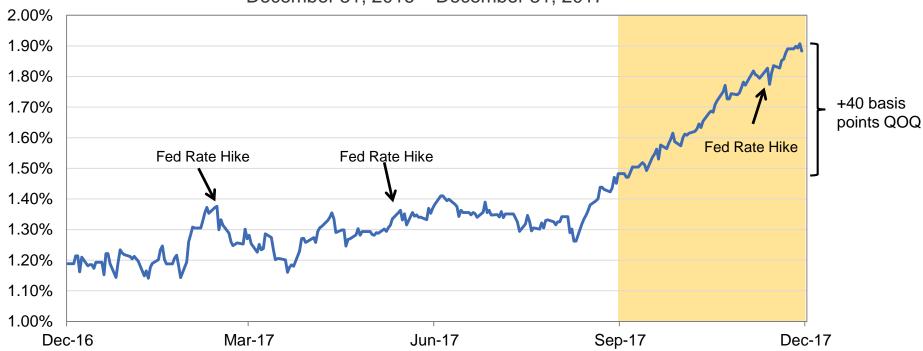
- Returns driven by economic landscape and Fed policy.
- Flat yield curve emphasizes importance of maturity selection.
- Sector allocation requires broad diversification.
- Continue to emphasize use of credit instruments.



2017 Interest Rates

 Two-year treasury yields moved notably higher for the year ended December 31, 2017; the increase was most pronounced during the fourth quarter as markets responded to another rate hike by the Federal Reserve and the passage of the largest overhaul of the U.S. tax system in more than 30 years.







Disclosures

PFM is the marketing name for a group of affiliated companies providing a range of services. Investment advisory services are provided by PFM Asset Management LLC which is registered with the Securities and Exchange Commission under the Investment Advisors Act of 1940. Additional applicable regulatory information is available upon request.

The views expressed within this material constitute the perspective and judgment of PFM Asset Management LLC at the time of distribution and are subject to change. Any forecast, projection, or prediction of the market, the economy, economic trends, and equity or fixed-income markets are based upon current opinion as of the date of issue, and are also subject to change. Opinions and data presented are not necessarily indicative of future events or expected performance. Information contained herein is based on data obtained from recognized statistical services, issuer reports or communications, or other sources believed to be reliable. No representation is made as to its accuracy or completeness. This material is intended for informational purposes only and should not be relied upon to make an investment decision, as it was prepared without regard to any specific objectives or financial circumstances. It should not be construed as an offer to purchase/sell any investment. References to particular issuers are for illustrative purposes only, and are not intended to be recommendations or advice regarding such issuers.

It is not possible to invest directly in an index. The index returns shown throughout this material do not represent the results of actual trading of investor assets. Third-party providers maintain the indices shown and calculate the index levels and performance shown or discussed. Index returns do not reflect payment of any sales charges or fees an investor would pay to purchase the securities they represent. The imposition of these fees and charges would cause investment performance to be lower than the performance shown.

PFM Asset Management LLC has exercised reasonable professional care in the preparation of this performance report. However, information in this report on market indices and security characteristics, as well as information incorporated in the Market Commentary section, is received from sources external to PFM Asset Management LLC.

PFM Asset Management LLC relies on the client's custodian for security holdings and market values. Transaction dates reported by the custodian may differ from money manager statements. While efforts are made to ensure the data contained herein is accurate and complete, we disclaim all responsibility for any errors that may occur.

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Agenda Item: 7C.

Date Prepared: 1/17/2018 Council Meeting Date: 2/6/2018

TO: Jeff Tyne, City Manager

THROUGH: Andy Granger, Deputy City Manager

FROM: Adina Lund, P.E., Development and Engineering Director

SUBJECT: Maintenance Improvement District No. 1180, Aloravita – Phase I Parcel 3, 75th

Avenue and Jomax Road

Purpose:

Discussion and possible action to approve the Petition for Formation, adopt **RES. 2018-07** intention and ordering the formation of proposed Maintenance Improvement District No. 1180, Aloravita — Phase I Parcel 3, located at 75th Avenue and Jomax Road; and adopt **RES. 2018-08** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

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, a line item of \$0.00 will display on the homeowners' 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. 1180, Aloravita – Phase I Parcel 3, 75th Avenue and Jomax Road. In the case in which all of the property owners have presented a petition for formation, the ordinary publication and protest period are not required by law; 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 2019, the residents will have a line item of \$0.00 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 until such time the Homeowner's Association fails. 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 Aloravita – Phase I Parcel 3 was approved by the City on August 15, 2017 and recorded with the County.

Options:

A: The Maintenance Improvement District has been approved through the Development and Engineering Department. An option would be to not accept the proposed Maintenance Improvement District. It should be noted that not approving the Maintenance Improvement District will prevent any 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 Recommendation:

Staff recommends the approval of the Petition for Formation, adopt the Resolution of Intention, and Resolution Ordering the Improvements for a proposed Maintenance Improvement District No. 1180, Aloravita – Phase I Parcel 3, located at 75th Avenue and Jomax Road as well as authorize the City Clerk to record the Maintenance Improvement District with the Maricopa County Recorder's Office subject to the following stipulations:

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

Fiscal Analysis:

There is no direct fiscal 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 fails.

ATTACHMENTS:

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:

Adina Lund, Development and Engineering Director, (623) 773-7249

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

1180 MID#

ALORAVITA - PHASE 1 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. <u>Area of District</u>. 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 <u>12.383</u> 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.
- 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. <u>Public Convenience and Necessity</u>. 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. <u>Waiver and Consent</u>. 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 SEPTEMBER 2017.

SHEA HOMES UP	Date:	Property (Tax Parcel Numbers)
Print Property Owner Name David Conico Print Name 8800 N. SAINEY CENTER Signature	9.26.17	201-20-582
SHEA HOMES LP	Date:	Property (Tax Parcel Numbers)
Print Property Owner Name Print Name 8800 N. GALNERY CENTER Signature	9/26/17	201-20-58>
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. 2018-07

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. 1180. ALORAVITA PHASE 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 PERFORMED** SHALL BE UNDER ARIZONA REVISED STATUTES TITLE 48, CHAPTER 4, ARTICLE AND AMENDMENTS THERETO 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

Resolution No. 2018-07 MID 1180, Aloravita - Phase I Parcel 3 February 6, 2018 Page 2 of 12 Pages

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. <u>Definitions</u>.

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.

Resolution No. 2018-07 MID 1180, Aloravita - Phase I Parcel 3 February 6, 2018 Page 3 of 12 Pages

"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. 1180 filed with the Clerk prior to the adoption of this Resolution.

"Superintendent of Streets" shall mean the City Engineer.

Section 2. <u>Declaration of Intention to Order an Improvement.</u>

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. 1180

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. 1180.

Resolution No. 2018-07 MID 1180, Aloravita - Phase I Parcel 3 February 6, 2018 Page 4 of 12 Pages

Section 3. <u>Determination of Need</u>.

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. <u>Preparation of Assessment Diagrams</u>.

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. <u>Exclusion of Certain Property</u>.

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

Section 6. Officers Not Liable.

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

Section 7. Annual Statement.

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

Section 8. <u>Statutory Authority</u>.

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.

Resolution No. 2018-07 MID 1180, Aloravita - Phase I Parcel 3 February 6, 2018 Page 5 of 12 Pages

Section 9. <u>Delegation of Authority</u>.

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 6th day of February, 2018.

	CITY OF PEORIA, municipal corporation	an	Arizona
	Cathy Carlat, Mayor		
	Date Signed		
ATTEST:			
Rhonda Geriminsky, City Clerk			
APPROVED AS TO FORM:			
Stephen Burg, City Attorney			
Effective Date:			

Resolution No. 2018-07 MID 1180, Aloravita - Phase I Parcel 3 February 6, 2018 Page 6 of 12 Pages

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.
Adina Lund, Engineering Director
CERTIFICATION OF CITY CLERK
I hereby certify that the above and foregoing Resolution No. 2018-07 duly passed by the Mayor and Council of the City of Peoria, Arizona at a regular meeting held on February 6, 2018 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

Resolution No. 2018-07 MID 1180, Aloravita - Phase I Parcel 3 February 6, 2018 Page 7 of 12 Pages



EXHIBIT A LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CITY OF PEORIA BRASS CAP FLUSH MARKING THE SOUTHWEST CORNER OF SAID SECTION 36, FROM WHICH THE ALUMINUM CAP FLUSH STAMPED LS# 27239 MARKING THE WEST QUARTER CORNER OF SAID SECTION 36 BEARS NORTH 00°46'18" WEST, A DISTANCE OF 2,635.65 FEET;

THENCE NORTH 00°46'18" WEST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER, A DISTANCE OF 1,748.43 FEET;

THENCE NORTH 89°13'42" EAST, DEPARTING SAID WEST LINE, A DISTANCE OF 313.89 FEET TO THE BEGINNING OF A TANGENT CURVE OF 700.00 FOOT RADIUS, CONCAVE NORTHWESTERLY;

THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 15°46'28". A DISTANCE OF 192.72 FEET:

THENCE SOUTH 16°32'46" EAST, A DISTANCE OF 60.19 FEET TO THE TRUE POINT OF BEGINNING:

THENCE NORTH 73°27'14" EAST, A DISTANCE OF 25.00 FEET;

THENCE SOUTH 16°32'46" EAST, A DISTANCE OF 28.51 FEET TO THE BEGINNING OF A TANGENT CURVE OF 375.00 FOOT RADIUS, CONCAVE SOUTHWESTERLY;

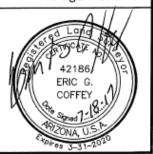
Page 1 of 3

Title: ALORAVITA PHASE 1 - PARCEL 3
MAINTENANCE IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

Phone: 602-264-6831 Fax: 602-264-0928



Resolution No. 2018-07 MID 1180, Aloravita - Phase I Parcel 3 February 6, 2018 Page 8 of 12 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 08°51'08", A DISTANCE OF 57.94 FEET;

THENCE NORTH 89°13'45" EAST, A DISTANCE OF 325.61 FEET; THENCE SOUTH 42°56'27" EAST, A DISTANCE OF 129.10 FEET; THENCE SOUTH 00°46'15" EAST, A DISTANCE OF 361.70 FEET; THENCE SOUTH 15°34'38" WEST, A DISTANCE OF 294.42 FEET; THENCE NORTH 74°25'22" WEST, A DISTANCE OF 120.00 FEET; THENCE NORTH 75°37'21" WEST, A DISTANCE OF 50.01 FEET; THENCE SOUTH 57°34'03" WEST, A DISTANCE OF 11.96 FEET; THENCE NORTH 00°46'15" WEST, A DISTANCE OF 114.33 FEET; THENCE SOUTH 89°13'45" WEST, A DISTANCE OF 580.00 FEET; THENCE NORTH 42°20'41" WEST, A DISTANCE OF 85.20 FEET; THENCE NORTH 00°46'15" WEST, A DISTANCE OF 114.33 FEET; THENCE NORTH 89°13'45" EAST, A DISTANCE OF 3.00 FEET; THENCE NORTH 00°46'15" WEST, A DISTANCE OF 106.00 FEET; THENCE SOUTH 89°13'45" WEST, A DISTANCE OF 3.00 FEET: THENCE NORTH 00°46'15" WEST, A DISTANCE OF 53.00 FEET; THENCE NORTH 89°13'45" EAST, A DISTANCE OF 3.00 FEET; THENCE NORTH 00°46'15" WEST, A DISTANCE OF 53.00 FEET; THENCE SOUTH 89°13'45" WEST, A DISTANCE OF 3.00 FEET; THENCE NORTH 00°46'15" WEST, A DISTANCE OF 95.94 FEET; THENCE NORTH 40°11'50" EAST, A DISTANCE OF 131.11 FEET;

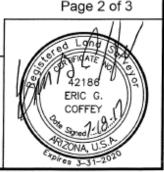
THENCE NORTH 89°13'45" EAST, A DISTANCE OF 344.35 FEET TO A POINT ON A 325.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 81°14'04" WEST:

Title: ALORAVITA PHASE 1 - PARCEL 3
MAINTENANCE IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

Phone: 602-264-6831 Fax: 602-264-0928



Resolution No. 2018-07 MID 1180, Aloravita - Phase I Parcel 3 February 6, 2018 Page 9 of 12 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 07°46'50", A DISTANCE OF 44.13 FEET;

THENCE NORTH 16°32'46" WEST, A DISTANCE OF 28.51 FEET;

THENCE NORTH 73°27'14" EAST, A DISTANCE OF 25.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 12.383 ACRES, MORE OR LESS.

Title: ALORAVITA PHASE 1 - PARCEL 3
MAINTENANCE IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

Phone: 602-264-6831 Fax: 602-264-0928

Page 3 of 3



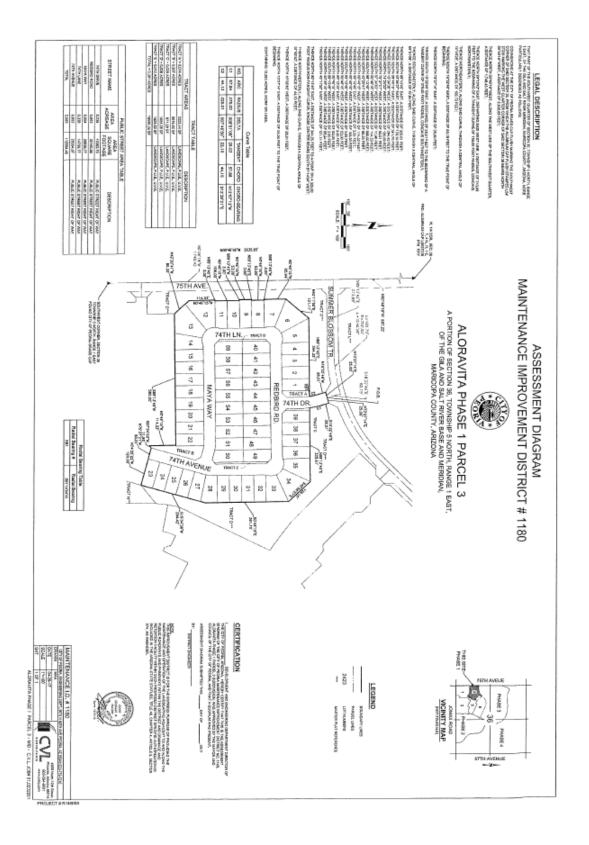
Resolution No. 2018-07 MID 1180, Aloravita - Phase I Parcel 3 February 6, 2018 Page 10 of 12 Pages

Resolution No. 2018 - 07

EXHIBIT "B"

IS ON FILE IN THE

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



Resolution No. 2018-07 MID 1180, Aloravita - Phase I Parcel 3 February 6, 2018 Page 12 of 12 Pages

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. 1180, ALORAVITA - PHASE I 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 6th day of February, 2018 the Mayor and Council of the City of Peoria adopted Resolution No. 2018-08; 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. 1180, 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. 1180 may be obtained by contacting Ms. Adina Lund, Engineering Director, City of Peoria, Arizona, 8401 West Monroe, Peoria, Arizona 85345, (623) 773-7691.

DATED AND SIGNED this	day of	, 2018.
		Adina Lund, P.E. Superintendent of Streets
		City of Peoria, Arizona

RESOLUTION NO. 2018-08

RESOLUTION OF THE MAYOR AND COUNCIL OF THE PEORIA, DECLARING CITY ARIZONA INTENTION TO ORDER THE IMPROVEMENTS OF A CERTAIN AREA WITHIN THE CORPORATE LIMITS OF THE CITY AND CREATING ΑN **IMPROVEMENT** DISTRICT KNOWN THE CITY OF AS **PEORIA IMPROVEMENT** MAINTENANCE DISTRICT NO. 1180, ALORAVITA PHASE I PARCEL 3; PROVIDING THAT THE COST OF THE MAINTENANCE OF THE LANDSCAPING INCLUDED NEAR. AND WITHIN. ADJACENT TO Α 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. 1180.

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

Resolution No. 2018-08 MID 1180, Aloravita Phase I Parcel 3 February 6, 2018 Page 2 of 8 Pages

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. 1180 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. 1180 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. 1180 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. 1180.

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. 1180 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.

<u>SECTION 4</u>. 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.

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

<u>SECTION 6</u>. 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. 2018-08 MID 1180, Aloravita Phase I Parcel 3 February 6, 2018 Page 3 of 8 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 6th day of February, 2018.

	CITY OF PEORIA, an Arizona municipal corporation
	Cathy Carlat, Mayor
ATTEST:	Date Signed
Rhonda Geriminsky, City Clerk	
APPROVED AS TO FORM:	
Stephen Burg, City Attorney	
Effective Date:	

Resolution No. 2018-08 MID 1180, Aloravita Phase I Parcel 3 February 6, 2018 Page 4 of 8 Pages



EXHIBIT A LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CITY OF PEORIA BRASS CAP FLUSH MARKING THE SOUTHWEST CORNER OF SAID SECTION 36, FROM WHICH THE ALUMINUM CAP FLUSH STAMPED LS# 27239 MARKING THE WEST QUARTER CORNER OF SAID SECTION 36 BEARS NORTH 00°46'18" WEST, A DISTANCE OF 2,635.65 FEET;

THENCE NORTH 00°46'18" WEST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER, A DISTANCE OF 1,748.43 FEET;

THENCE NORTH 89°13'42" EAST, DEPARTING SAID WEST LINE, A DISTANCE OF 313.89 FEET TO THE BEGINNING OF A TANGENT CURVE OF 700.00 FOOT RADIUS, CONCAVE NORTHWESTERLY;

THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 15°46'28", A DISTANCE OF 192.72 FEET;

THENCE SOUTH 16°32'46" EAST, A DISTANCE OF 60.19 FEET TO THE TRUE POINT OF BEGINNING:

THENCE NORTH 73°27'14" EAST, A DISTANCE OF 25.00 FEET;

THENCE SOUTH 16°32'46" EAST, A DISTANCE OF 28.51 FEET TO THE BEGINNING OF A TANGENT CURVE OF 375.00 FOOT RADIUS, CONCAVE SOUTHWESTERLY;

Title: ALORAVITA PHASE 1 - PARCEL 3
MAINTENANCE IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

Phone: 602-264-6831 Fax: 602-264-0928

Page 1 of 3



Resolution No. 2018-08 MID 1180, Aloravita Phase I Parcel 3 February 6, 2018 Page 5 of 8 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 08°51'08", A DISTANCE OF 57.94 FEET;

THENCE NORTH 89°13'45" EAST, A DISTANCE OF 325.61 FEET; THENCE SOUTH 42°56'27" EAST, A DISTANCE OF 129.10 FEET; THENCE SOUTH 00°46'15" EAST, A DISTANCE OF 361.70 FEET; THENCE SOUTH 15°34'38" WEST, A DISTANCE OF 294.42 FEET; THENCE NORTH 74°25'22" WEST, A DISTANCE OF 120.00 FEET; THENCE NORTH 75°37'21" WEST, A DISTANCE OF 50.01 FEET; THENCE SOUTH 57°34'03" WEST, A DISTANCE OF 11.96 FEET; THENCE NORTH 00°46'15" WEST, A DISTANCE OF 114.33 FEET; THENCE SOUTH 89°13'45" WEST, A DISTANCE OF 580.00 FEET; THENCE NORTH 42°20'41" WEST, A DISTANCE OF 85.20 FEET; THENCE NORTH 00°46'15" WEST, A DISTANCE OF 114.33 FEET; THENCE NORTH 89°13'45" EAST, A DISTANCE OF 3.00 FEET; THENCE NORTH 00°46'15" WEST, A DISTANCE OF 106.00 FEET: THENCE SOUTH 89°13'45" WEST, A DISTANCE OF 3.00 FEET: THENCE NORTH 00°46'15" WEST, A DISTANCE OF 53.00 FEET; THENCE NORTH 89°13'45" EAST, A DISTANCE OF 3.00 FEET; THENCE NORTH 00°46'15" WEST, A DISTANCE OF 53.00 FEET; THENCE SOUTH 89°13'45" WEST, A DISTANCE OF 3.00 FEET; THENCE NORTH 00°46'15" WEST, A DISTANCE OF 95.94 FEET; THENCE NORTH 40°11'50" EAST, A DISTANCE OF 131.11 FEET;

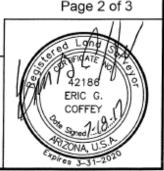
THENCE NORTH 89°13'45" EAST, A DISTANCE OF 344.35 FEET TO A POINT ON A 325.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 81°14'04" WEST:

Title: ALORAVITA PHASE 1 - PARCEL 3
MAINTENANCE IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

Phone: 602-264-6831 Fax: 602-264-0928



Resolution No. 2018-08 MID 1180, Aloravita Phase I Parcel 3 February 6, 2018 Page 6 of 8 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 07°46'50", A DISTANCE OF 44.13 FEET;

THENCE NORTH 16°32'46" WEST, A DISTANCE OF 28.51 FEET;

THENCE NORTH 73°27'14" EAST, A DISTANCE OF 25.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 12.383 ACRES, MORE OR LESS.

Title: ALORAVITA PHASE 1 - PARCEL 3
MAINTENANCE IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

Phone: 602-264-6831 Fax: 602-264-0928

Page 3 of 3



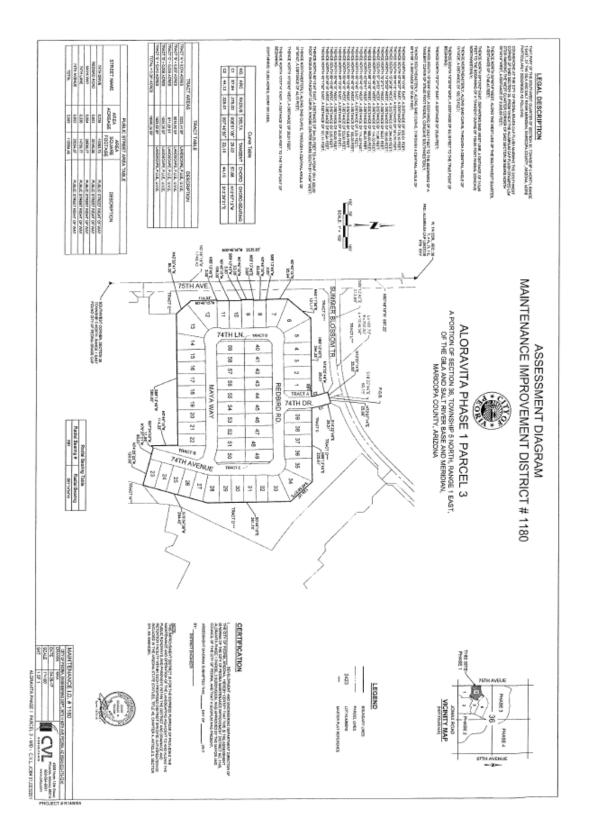
Resolution No. 2018-08 MID 1180, Aloravita Phase I Parcel 3 February 6, 2018 Page 7 of 8 Pages

Resolution No. 2018 - 08

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

Date Prepared: 1/18/2018 Council Meeting Date: 2/6/2018

TO: Jeff Tyne, City Manager

THROUGH: Andy Granger, Deputy City Manager

FROM: Adina Lund, P.E., Development and Engineering Director

SUBJECT: Maintenance Improvement District No. 1181, Aloravita – Phase I Parcel 5, 75th

Avenue and Jomax Road

Purpose:

Discussion and possible action to approve the Petition for Formation, adopt **RES. 2018-09** intention and ordering the formation of proposed Maintenance Improvement District No. 1181, Aloravita – Phase I Parcel 5, located at 75th Avenue and Jomax Road; and adopt **RES. 2018-10** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

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, a line item of \$0.00 will display on the homeowners' 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. 1181, Aloravita – Phase I Parcel 5, 75th Avenue and Jomax Road. In the case in which all of the property owners have presented a petition for formation, the ordinary publication and protest period are not required by law; 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 2019, the residents will have a line item of \$0.00 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 until such time the Homeowner's Association fails. 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 Aloravita – Phase I Parcel 5 was approved by the City on August 15, 2017 and recorded with the County.

Options:

A: The Maintenance Improvement District has been approved through the Development and Engineering Department. An option would be to not accept the proposed Maintenance Improvement District. It should be noted that not approving the Maintenance Improvement District will prevent any 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 Recommendation:

Staff recommends the approval of the Petition for Formation, adopt the Resolution of Intention, and Resolution Ordering the Improvements for a proposed Maintenance Improvement District No. 1181, Aloravita – Phase I Parcel 5, located at 75th Avenue and Jomax Road as well as authorize the City Clerk to record the Maintenance Improvement District with the Maricopa County Recorder's Office subject to the following stipulations:

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

Fiscal Analysis:

There is no direct fiscal 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 fails.

ATTACHMENTS:

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:

Adina Lund, Development and Engineering Director, (623) 773-7249

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

1181 MID#

ALORAVITA - PHASE 1 PARCEL 5

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. <u>Area of District</u>. 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 <u>13.148</u> acres and is entirely within the corporate boundaries of the City of Peoria.
- Ownership. The undersigned (is) (are) the sole owner(s) of the real property within the proposed district.
- 3. <u>Purpose</u>. 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. <u>Public Convenience and Necessity</u>. 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. <u>Waiver and Consent</u>. 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 0705 Fr. 2017.

TAYLOR MORRISON/ARIZONA, INC.	Date:	Property (Tax Parcel Numbers)
STEJE KUNZWEILER	10/06/2017	201-20-582
Print Name 9000 F PIMA CTR PHNY #350 Address Scotts Dale, Az 85258	, .	
Signature		
	Date:	Property (Tax Parcel Numbers)
Print Property Owner Name		
Print Name		
Address Signature		
Signature		
Accepted and approved by:		
CITY OF PEORIA, ARIZONA, an ARIZONA MUNICIPAL CORPORATION	ATTEST:	
Ву		
Mayor	City Clerk	
APPROVED AS TO FORM:		
Stephen M. Kemp, City Attorney		

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

1181 MID#

ALORAVITA - PHASE 1 PARCEL 5

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.

- 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 <u>13.148</u> acres and is entirely within the corporate boundaries of the City of Peoria.
- 2. <u>Ownership</u>. The undersigned (is) (are) the sole owner(s) of the real property within the proposed district.
- 3. <u>Purpose</u>. 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. <u>Public Convenience and Necessity</u>. 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. <u>Waiver and Consent</u>. 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.

In Witness whereof the parties have executed this Petition and Waiver Agreement as of the day of _____ 20___. Date: Property (Tax Parcel Numbers) Pulte Home Company, LLC Print Property Owner Name Phil Turner 9/20/17 201-20-582 Print Name 16767 N Perimeter Dr. #100, Scottsdale, AZ 85260 Address Signature Property (Tax Parcel Date: Numbers) Print Property Owner Name Print Name Address Signature Accepted and approved by: CITY OF PEORIA, ARIZONA, an ARIZONA MUNICIPAL CORPORATION ATTEST: Mayor City Clerk APPROVED AS TO FORM: Stephen M. Kemp, City Attorney

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

I:\Archive\Guide\Development Guide_2013\Appendices\Developers MID Checklilst.doc Revised: 02/06/07, 04/01/09, 01/25/11, 01/30/13

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

MID#

Aloravita - Phase 1 - Phase 5

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. <u>Area of District</u>. 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 13.148 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. <u>Purpose</u>. 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. <u>Public Convenience and Necessity</u>. 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. <u>Waiver and Consent</u>. 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 October 20 17.

	Date:	Property (Tax Parcel
	Date.	Numbers)
Pulte Home Company, LLC		. (1.1.1.2.5)
Print Property Owner Name		
Print Name	10/4/2017	201-20-582
16767 N. Perimeter Dr., Suite 100 Scottsdale, AZ 85260		
Address		
Signature		
	Data	D
	Date:	Property (Tax Parcel Numbers)
		(Nambers)
Print Property Owner Name		
Print Name		
Print Name		
Address		
Signature		
Accepted and approved by:		
recopied and approved by.		
CITY OF PEORIA, ARIZONA, an		
ARIZONA MUNICIPAL CORPORATION	ATTEST:	
_		
By	Oit Olad	
Mayor	City Clerk	
ADDDOVED AC TO FORM		
APPROVED AS TO FORM:		
Oit. All-		
City Attorney		

RESOLUTION NO. 2018-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEORIA, ARIZONA, DECLARING ITS INTENTION TO CREATE AN IMPROVEMENT DISTRICT TO MAINTAIN LANDSCAPING **NEAR** INCLUDED WITHIN, 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. 1181. ALORAVITA PHASE 1 PARCEL 5. 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 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

Resolution No. 2018-09 MID 1181, Aloravita - Phase I Parcel 5 February 6, 2018 Page 2 of 13 Pages

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. <u>Definitions</u>.

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.

Resolution No. 2018-09 MID 1181, Aloravita - Phase I Parcel 5 February 6, 2018 Page 3 of 13 Pages

"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. 1181 filed with the Clerk prior to the adoption of this Resolution.

"Superintendent of Streets" shall mean the City Engineer.

Section 2. <u>Declaration of Intention to Order an Improvement.</u>

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. 1181

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. 1181.

Resolution No. 2018-09 MID 1181, Aloravita - Phase I Parcel 5 February 6, 2018 Page 4 of 13 Pages

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. <u>Preparation of Assessment Diagrams</u>.

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. <u>Exclusion of Certain Property</u>.

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

Section 6. Officers Not Liable.

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

Section 7. Annual Statement.

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

Section 8. <u>Statutory Authority</u>.

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.

Resolution No. 2018-09 MID 1181, Aloravita - Phase I Parcel 5 February 6, 2018 Page 5 of 13 Pages

Section 9. <u>Delegation of Authority</u>.

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 6th day of February, 2018.

	CITY OF PEORIA, as municipal corporation	n Arizona
	Cathy Carlat, Mayor	
	Date Signed	
ATTEST:		
Rhonda Geriminsky, City Clerk		
APPROVED AS TO FORM:		
Stephen Burg, City Attorney		
Effective Date:		

Resolution No. 2018-09 MID 1181, Aloravita - Phase I Parcel 5 February 6, 2018 Page 6 of 13 Pages

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.
Adina Lund, Engineering Director
CERTIFICATION OF CITY CLERK
I hereby certify that the above and foregoing Resolution No. 2018-09 duly passed by the Mayor and Council of the City of Peoria, Arizona at a regular meeting held on February 6, 2018 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

Resolution No. 2018-09 MID 1181, Aloravita - Phase I Parcel 5 February 6, 2018 Page 7 of 13 Pages



EXHIBIT A LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CITY OF PEORIA BRASS CAP FLUSH MARKING THE SOUTHWEST CORNER OF SAID SECTION 36, FROM WHICH THE ALUMINUM CAP FLUSH STAMPED LS# 27239 MARKING THE WEST QUARTER CORNER OF SAID SECTION 36 BEARS NORTH 00°46'18" WEST, A DISTANCE OF 2,635.65 FEET;

THENCE NORTH 00°46'18" WEST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 36, A DISTANCE OF 1,748.43 FEET:

THENCE NORTH 89°13'42" EAST, A DISTANCE OF 313.89 FEET TO THE BEGINNING OF A TANGENT CURVE OF 700.00 FOOT RADIUS, CONCAVE NORTHWESTERLY;

THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 44°40'54", A DISTANCE OF 545.89 FEET:

THENCE NORTH 44°32'49" EAST, A DISTANCE OF 51.65 FEET:

THENCE SOUTH 45°27'11" EAST, A DISTANCE OF 60.07 FEET TO THE TRUE POINT OF BEGINNING:

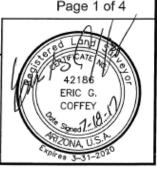
THENCE NORTH 44°23'52" EAST, A DISTANCE OF 25.00 FEET; THENCE SOUTH 45°27'12" EAST, A DISTANCE OF 87.00 FEET; THENCE NORTH 89°32'49" EAST, A DISTANCE OF 28.28 FEET; THENCE SOUTH 45°27'11" EAST, A DISTANCE OF 50.00 FEET; THENCE SOUTH 00°27'11" EAST, A DISTANCE OF 28.28 FEET;

Title: ALORAVITA PHASE 1 - PARCEL 5
MAINTENANCE IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

Phone: 602-264-6831 Fax: 602-264-0928



Resolution No. 2018-09 MID 1181, Aloravita - Phase I Parcel 5 February 6, 2018 Page 8 of 13 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE SOUTH 45°27'11" EAST, A DISTANCE OF 175.84 FEET TO THE BEGINNING OF A TANGENT CURVE OF 700.00 FOOT RADIUS, CONCAVE NORTHEASTERLY;

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THENCE NORTH 85°48'31" EAST, A DISTANCE OF 27.53 FEET:

THENCE SOUTH 51°22'23" EAST, A DISTANCE OF 50.00 FEET TO A POINT ON A 275.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 50°33'56" EAST;

THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 06°56'25", A DISTANCE OF 33.31 FEET:

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THENCE NORTH 56°11'48" EAST, A DISTANCE OF 52.88 FEET;

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THENCE SOUTH 84°30'54" EAST, A DISTANCE OF 52.88 FEET;

THENCE SOUTH 66°49'45" EAST, A DISTANCE OF 55.23 FEET:

THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 580.00 FEET;

THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 89.21 FEET TO THE BEGINNING OF A TANGENT CURVE OF 55.00 FOOT RADIUS, CONCAVE SOUTHEASTERLY;

THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 17°20'29", A DISTANCE OF 16.65 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE OF 55.00 FOOT RADIUS, CONCAVE NORTHWESTERLY;

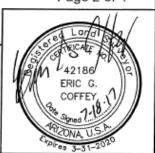
Page 2 of 4

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Resolution No. 2018-09 MID 1181, Aloravita - Phase I Parcel 5 February 6, 2018 Page 9 of 13 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 70°33'13", A DISTANCE OF 67.73 FEET;

THENCE SOUTH 10°51'44" EAST, A DISTANCE OF 15.00 FEET;

THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 239.16 FEET TO A POINT ON A 375.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS NORTH 19°59'38" EAST;

THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°55'55", A DISTANCE OF 38.82 FEET;

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THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 120.51 FEET TO A POINT ON A 225.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 22°04'35" WEST;

THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°38'19", A DISTANCE OF 14.29 FEET;

THENCE NORTH 23°24'54" WEST, A DISTANCE OF 26.69 FEET TO A POINT ON A 175.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 65°16'04" EAST;

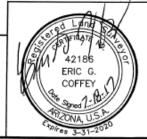
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Page 3 of 4

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Resolution No. 2018-09 MID 1181, Aloravita - Phase I Parcel 5 February 6, 2018 Page 10 of 13 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE NORTH 64°04'28" WEST, A DISTANCE OF 50.00 FEET TO A POINT ON A 225.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 64°04'28" EAST;

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CONTAINING 13.148 ACRES, MORE OR LESS.

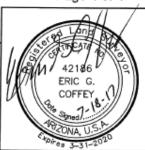
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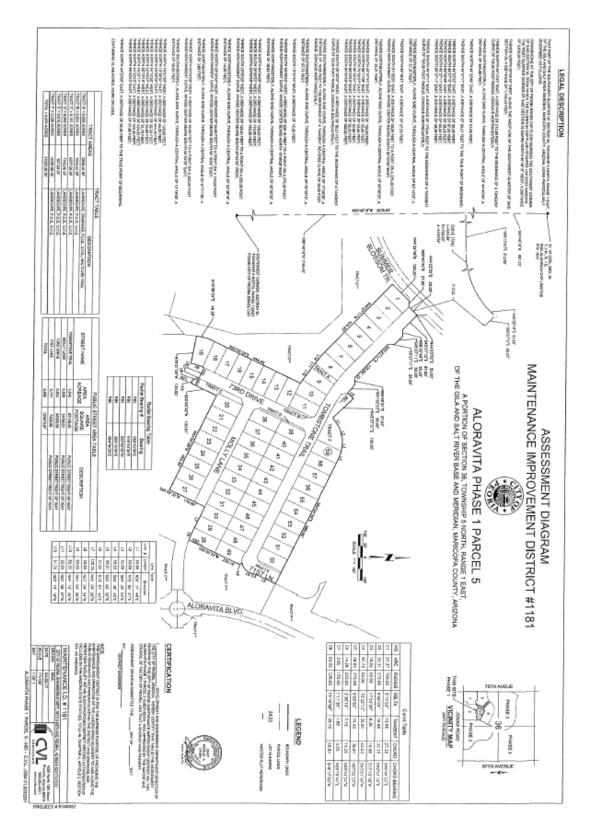
Resolution No. 2018-09 MID 1181, Aloravita - Phase I Parcel 5 February 6, 2018 Page 11 of 13 Pages

Resolution No. 2018 - 09

EXHIBIT "B"

IS ON FILE IN THE

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



Resolution No. 2018-09 MID 1181, Aloravita - Phase I Parcel 5 February 6, 2018 Page 13 of 13 Pages

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. 1181, ALORAVITA - PHASE I PARCEL 5.

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 6th day of February, 2018 the Mayor and Council of the City of Peoria adopted Resolution No. 2018-10; 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. 1181, 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. 1181 may be obtained by contacting Ms. Adina Lund, Engineering Director, City of Peoria, Arizona, 8401 West Monroe, Peoria, Arizona 85345, (623) 773-7691.

DATED AND SIGNED this	day of	, 2018.
		A.B. J. D.E.
		Adina Lund, P.E. Superintendent of Streets
		City of Peoria, Arizona

RESOLUTION NO. 2018-10

RESOLUTION OF THE MAYOR AND COUNCIL OF THE PEORIA. ARIZONA DECLARING OF INTENTION TO ORDER THE IMPROVEMENTS OF A CERTAIN AREA WITHIN THE CORPORATE LIMITS OF CITY AND CREATING ΑN **IMPROVEMENT** DISTRICT CITY KNOWN AS THE OF **PEORIA** DISTRICT NO. MAINTENANCE **IMPROVEMENT** 1181. ALORAVITA PHASE I PARCEL 5: PROVIDING THAT THE COST OF THE MAINTENANCE OF THE LANDSCAPING INCLUDED WITHIN. NEAR. AND ADJACENT TO Α **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. 1181.

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

Resolution No. 2018-10 MID 1181, Aloravita Phase I Parcel 5 February 6, 2018 Page 2 of 9 Pages

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. 1181 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. 1181 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. 1181 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. 1181.

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. 1181 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.

<u>SECTION 4</u>. 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.

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

<u>SECTION 6</u>. 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. 2018-10 MID 1181, Aloravita Phase I Parcel 5 February 6, 2018 Page 3 of 9 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 6th day of February, 2018.

	CITY OF PEORIA, an Arizo municipal corporation	na
	Cathy Carlat, Mayor	
ATTEST:	Date Signed	
Rhonda Geriminsky, City Clerk		
APPROVED AS TO FORM:		
Stephen Burg, City Attorney		
Effective Date:		

Resolution No. 2018-10 MID 1181, Aloravita Phase I Parcel 5 February 6, 2018 Page 4 of 9 Pages



EXHIBIT A LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CITY OF PEORIA BRASS CAP FLUSH MARKING THE SOUTHWEST CORNER OF SAID SECTION 36, FROM WHICH THE ALUMINUM CAP FLUSH STAMPED LS# 27239 MARKING THE WEST QUARTER CORNER OF SAID SECTION 36 BEARS NORTH 00°46'18" WEST, A DISTANCE OF 2,635.65 FEET;

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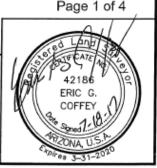
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Title: ALORAVITA PHASE 1 - PARCEL 5
MAINTENANCE IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014



Resolution No. 2018-10 MID 1181, Aloravita Phase I Parcel 5 February 6, 2018 Page 5 of 9 Pages



EXHIBIT A LEGAL DESCRIPTION

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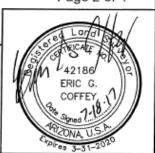
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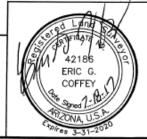
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Resolution No. 2018-10 MID 1181, Aloravita Phase I Parcel 5 February 6, 2018 Page 7 of 9 Pages



EXHIBIT A LEGAL DESCRIPTION

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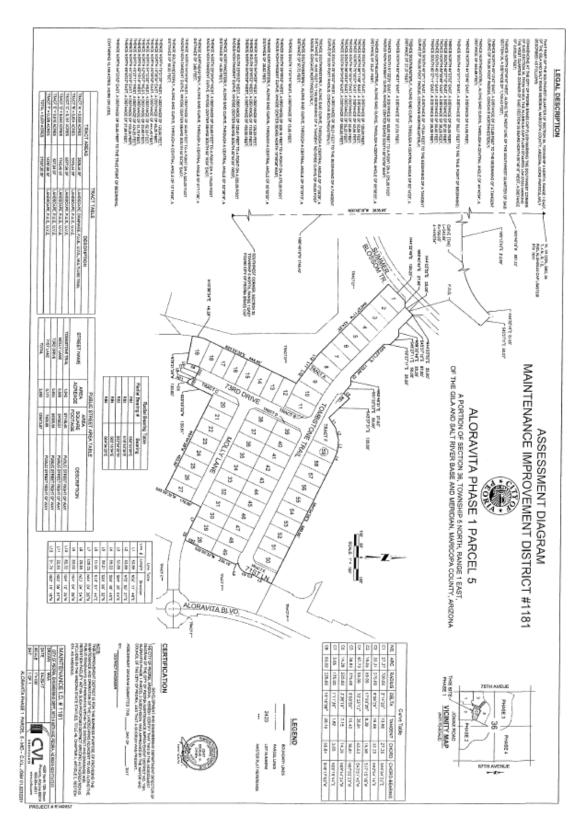
Resolution No. 2018-10 MID 1181, Aloravita Phase I Parcel 5 February 6, 2018 Page 8 of 9 Pages

Resolution No. 2018 - 10

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

Date Prepared: 1/22/2018 Council Meeting Date: 2/6/2018

TO: Jeff Tyne, City Manager

THROUGH: Andy Granger, Deputy City Manager

FROM: Adina Lund, P.E., Development and Engineering Director

SUBJECT: Maintenance Improvement District No. 1182, Aloravita – Phase I Parcel 6, 75th

Avenue and Jomax Road

Purpose:

Discussion and possible action to approve the Petition for Formation, adopt **RES. 2018-11** intention and ordering the formation of proposed Maintenance Improvement District No. 1182, Aloravita – Phase I Parcel 6, located at 75th Avenue and Jomax Road; and adopt **RES. 2018-12** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

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, a line item of \$0.00 will display on the homeowners' 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. 1182, Aloravita – Phase I Parcel 6, 75th Avenue and Jomax Road. In the case in which all of the property owners have presented a petition for formation, the ordinary publication and protest period are not required by law; 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 2019, the residents will have a line item of \$0.00 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 until such time the Homeowner's Association fails. 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 Aloravita – Phase I Parcel 6 was approved by the City on August 15, 2017 and recorded with the County.

Options:

A: The Maintenance Improvement District has been approved through the Development and Engineering Department. An option would be to not accept the proposed Maintenance Improvement District. It should be noted that not approving the Maintenance Improvement District will prevent any 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 Recommendation:

Staff recommends the approval of the Petition for Formation, adopt the Resolution of Intention, and Resolution Ordering the Improvements for a proposed Maintenance Improvement District No. 1182, Aloravita – Phase I Parcel 6, located at 75th Avenue and Jomax Road as well as authorize the City Clerk to record the Maintenance Improvement District with the Maricopa County Recorder's Office subject to the following stipulations:

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

Fiscal Analysis:

There is no direct fiscal 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 fails.

ATTACHMENTS:

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:

Adina Lund, Development and Engineering Director, (623) 773-7249

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

1182 MID#

ALORAVITA - PHASE 1 PARCEL 6

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.

- 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 16.360 acres and is entirely within the corporate boundaries of the City of Peoria.
- Ownership. The undersigned (is) (are) the sole owner(s) of the real property within the proposed district.
- 3. <u>Purpose</u>. 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. <u>Public Convenience and Necessity</u>. 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. <u>Waiver and Consent</u>. 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.

	Date:	Property (Tax Parce
Pulte Home Company, LLC		Numbers)
Print Property Owner Name Phil Turner	9/120/17	201-20-582
Print Name 16767 N Perimeter Dr. #100, Scottsdale, AZ 85260	Management and a second and a s	
Addres		
Signature		
	Date:	Property (Tax Parce Numbers)
Print Property Owner Name		7141115515/
Print Name		<u> </u>
Address		
Signature		
Accepted and approved by:		
CITY OF PEORIA, ARIZONA, an ARIZONA MUNICIPAL CORPORATION	ATTEST:	
	,,,,,,	
Зу Mayor	City Clerk	
Wayor	Only Olern	
APPROVED AS TO FORM:		

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

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

1182 MID#

P. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.	_	
Aloravita - Phase 1 - Parcel 6		
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. <u>Area of District</u>. 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 16.360 acres and is entirely within the corporate boundaries of the City of Peoria.
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 - (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 October 20 17 .

	Date:	Property (Tax Parcel
Pulte Home Company, LLC		Numbers)
Print Property Owner Name		
Phillip Turner	10/4/2017	201-20-582
Print Name		
16767 N. Perimeter Dr./ Suite 100 Scottsdale. AZ 85260		
Address		
Signature		
Signature		
	Date:	Property (Tax Parcel
	Daic.	Numbers)
		, , , , , , ,
Print Property Owner Name		

Print Name		
Address		
, add coo		
Signature		
Accepted and approved by:		
Accepted and approved by.		
CITY OF PEORIA, ARIZONA, an		
ARIZONA MUNICIPAL CORPORATION	ATTEST:	
Ву		
Mayor	City Clerk	
APPROVED AS TO FORM:		
City Attorney		
Oity Attorney		

RESOLUTION NO. 2018-11

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. 1182, ALORAVITA - PHASE I PARCEL 6, AS MORE PARTICULARLY DESCRIBED HEREIN. 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

Resolution No. 2018-11 MID 1182, Aloravita - Phase I Parcel 6 February 6, 2018 Page 2 of 14 Pages

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. <u>Definitions</u>.

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.

Resolution No. 2018-11 MID 1182, Aloravita - Phase I Parcel 6 February 6, 2018 Page 3 of 14 Pages

"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. 1182 filed with the Clerk prior to the adoption of this Resolution.

"Superintendent of Streets" shall mean the City Engineer.

Section 2. <u>Declaration of Intention to Order an Improvement.</u>

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. 1182

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. 1182.

Resolution No. 2018-11 MID 1182, Aloravita - Phase I Parcel 6 February 6, 2018 Page 4 of 14 Pages

Section 3. <u>Determination of Need</u>.

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. <u>Preparation of Assessment Diagrams</u>.

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. <u>Exclusion of Certain Property</u>.

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

Section 6. Officers Not Liable.

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

Section 7. Annual Statement.

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

Section 8. <u>Statutory Authority</u>.

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.

Resolution No. 2018-11 MID 1182, Aloravita - Phase I Parcel 6 February 6, 2018 Page 5 of 14 Pages

Section 9. <u>Delegation of Authority</u>.

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 6th day of February, 2018.

	CITY OF PEORIA, municipal corporation	an	Arizona
	Cathy Carlat, Mayor		
ATTEST:	Date Signed		
Rhonda Geriminsky, City Clerk			
APPROVED AS TO FORM:			
Stephen Burg, City Attorney			
Effective Date:			

Resolution No. 2018-11 MID 1182, Aloravita - Phase I Parcel 6 February 6, 2018 Page 6 of 14 Pages

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.
Adina Lund, Engineering Director
CERTIFICATION OF CITY CLERK
I hereby certify that the above and foregoing Resolution No. 2018-11 duly passed by the Mayor and Council of the City of Peoria, Arizona at a regula meeting held on February 6, 2018 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

Resolution No. 2018-11 MID 1182, Aloravita - Phase I Parcel 6 February 6, 2018 Page 7 of 14 Pages



EXHIBIT A LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CITY OF PEORIA BRASS CAP FLUSH MARKING THE SOUTHWEST CORNER OF SAID SECTION 36, FROM WHICH THE ALUMINUM CAP FLUSH STAMPED LS# 27239 MARKING THE WEST QUARTER CORNER OF SAID SECTION 36 BEARS NORTH 00°46'18" WEST, A DISTANCE OF 2,635.65 FEET;

THENCE SOUTH 89°55'37" EAST, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 36, A DISTANCE OF 2,148.00 FEET;

THENCE NORTH 00°04'23" 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 SOUTHEASTERLY;

THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 25°51'09", A DISTANCE OF 406.09 FEET;

THENCE NORTH 25°55'32" EAST, A DISTANCE OF 520.75 FEET; THENCE NORTH 64°04'28" WEST, A DISTANCE OF 299.40 FEET;

THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 60.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 25.00 FEET; THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 29.00 FEET; THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 120.00 FEET;

Title: ALORAVITA PHASE 1 - PARCEL 6
MAINTENANCE IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

Phone: 602-264-6831 Fax: 602-264-0928

Page 1 of 5



Resolution No. 2018-11 MID 1182, Aloravita - Phase I Parcel 6 February 6, 2018 Page 8 of 14 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 174.00 FEET;

THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 7.00 FEET;

THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 58.00 FEET;

THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 15.00 FEET;

THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 58.00 FEET;

THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 4.00 FEET;

THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 58.00 FEET;

THENCE NORTH 64°04'28" WEST, A DISTANCE OF 146.00 FEET;

THENCE SOUTH 19°04'28" EAST, A DISTANCE OF 28.28 FEET;

THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 0.90 FEET TO THE BEGINNING OF A TANGENT CURVE OF 55.00 FOOT RADIUS, CONCAVE NORTHEASTERLY:

THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 17°20'29", A DISTANCE OF 16.65 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE OF 55.00 FOOT RADIUS, CONCAVE SOUTHWESTERLY;

THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 124°40'59", A DISTANCE OF 119.69 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE OF 55.00 FOOT RADIUS, CONCAVE SOUTHEASTERLY;

THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 17°20'30", A DISTANCE OF 16.65 FEET;

THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 87.21 FEET;

THENCE NORTH 64°04'28" WEST, A DISTANCE OF 580.00 FEET;

THENCE NORTH 66°49'45" WEST, A DISTANCE OF 55.23 FEET;

THENCE NORTH 84°30'54" WEST, A DISTANCE OF 52.88 FEET;

Page 2 of 5

Title: ALORAVITA PHASE 1 - PARCEL 6
MAINTENANCE IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014



Resolution No. 2018-11 MID 1182, Aloravita - Phase I Parcel 6 February 6, 2018 Page 9 of 14 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE SOUTH 75°50'27" WEST, A DISTANCE OF 52.88 FEET; THENCE SOUTH 56°11'48" WEST, A DISTANCE OF 52.88 FEET;

THENCE NORTH 43°37'31" WEST, A DISTANCE OF 120.00 FEET TO A POINT ON A 275.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 43°37'31" EAST;

THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 06°56'25", A DISTANCE OF 33.31 FEET;

THENCE NORTH 51°22'23" WEST, A DISTANCE OF 50.00 FEET;

THENCE SOUTH 85°48'31" WEST, A DISTANCE OF 27.53 FEET TO A POINT ON A 700.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS NORTH 42°18'26" EAST;

THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 02°14'23", A DISTANCE OF 27.36 FEET;

THENCE NORTH 45°27'11" WEST, A DISTANCE OF 175.84 FEET;

THENCE NORTH 00°27'11" WEST, A DISTANCE OF 28.28 FEET;

THENCE NORTH 45°27'11" WEST, A DISTANCE OF 50.00 FEET;

THENCE SOUTH 89°32'49" WEST, A DISTANCE OF 28.28 FEET;

THENCE NORTH 45°27'12" WEST, A DISTANCE OF 87.00 FEET;

THENCE NORTH 41°16'25" EAST, A DISTANCE OF 12.02 FEET;

THENCE NORTH 00°27'12" WEST, A DISTANCE OF 17.41 FEET;

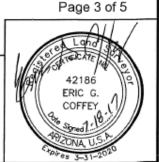
THENCE NORTH 44°32'49" EAST, A DISTANCE OF 103.69 FEET;

THENCE NORTH 45°27'11" WEST, A DISTANCE OF 3.00 FEET;

Title: ALORAVITA PHASE 1 - PARCEL 6
MAINTENANCE IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014



Resolution No. 2018-11 MID 1182, Aloravita - Phase I Parcel 6 February 6, 2018 Page 10 of 14 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE NORTH 47°38'11" EAST, A DISTANCE OF 69.09 FEET; THENCE NORTH 53°04'12" EAST, A DISTANCE OF 69.23 FEET; THENCE SOUTH 32°58'18" EAST, A DISTANCE OF 3.00 FEET; THENCE NORTH 60°09'37" EAST, A DISTANCE OF 68.95 FEET; THENCE NORTH 66°25'27" EAST, A DISTANCE OF 68.95 FEET; THENCE NORTH 20°26'38" WEST, A DISTANCE OF 3.00 FEET; THENCE NORTH 72°41'17" EAST, A DISTANCE OF 69.28 FEET; THENCE NORTH 78°57'07" EAST, A DISTANCE OF 69.28 FEET; THENCE SOUTH 07°54'58" EAST, A DISTANCE OF 3.00 FEET; THENCE NORTH 85°12'57" EAST, A DISTANCE OF 68.95 FEET; THENCE SOUTH 88°31'13" EAST, A DISTANCE OF 68.95 FEET; THENCE NORTH 04°36'42" EAST, A DISTANCE OF 3.00 FEET; THENCE SOUTH 82°15'23" EAST, A DISTANCE OF 69.28 FEET; THENCE SOUTH 75°59'33" EAST, A DISTANCE OF 69.28 FEET; THENCE SOUTH 17°08'22" WEST, A DISTANCE OF 3.00 FEET; THENCE SOUTH 69°43'44" EAST, A DISTANCE OF 68.95 FEET: THENCE SOUTH 63°43'03" EAST, A DISTANCE OF 62.41 FEET; THENCE NORTH 25°55'32" EAST, A DISTANCE OF 3.00 FEET; THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 116.00 FEET; THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 3.00 FEET; THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 116.00 FEET; THENCE NORTH 25°55'32" EAST, A DISTANCE OF 3.00 FEET; THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 116.00 FEET; THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 3.00 FEET; THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 116.00 FEET; THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 15.00 FEET; THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 29.03 FEET;

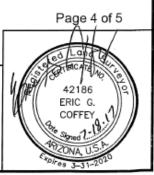
Title: ALORAVITA PHASE 1 - PARCEL 6
MAINTENANCE IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

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Phone: 602-264-6831

Fax: 602-264-0928



Resolution No. 2018-11 MID 1182, Aloravita - Phase I Parcel 6 February 6, 2018 Page 11 of 14 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 25.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 16.360 ACRES, MORE OR LESS.

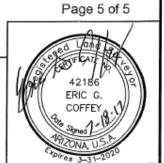
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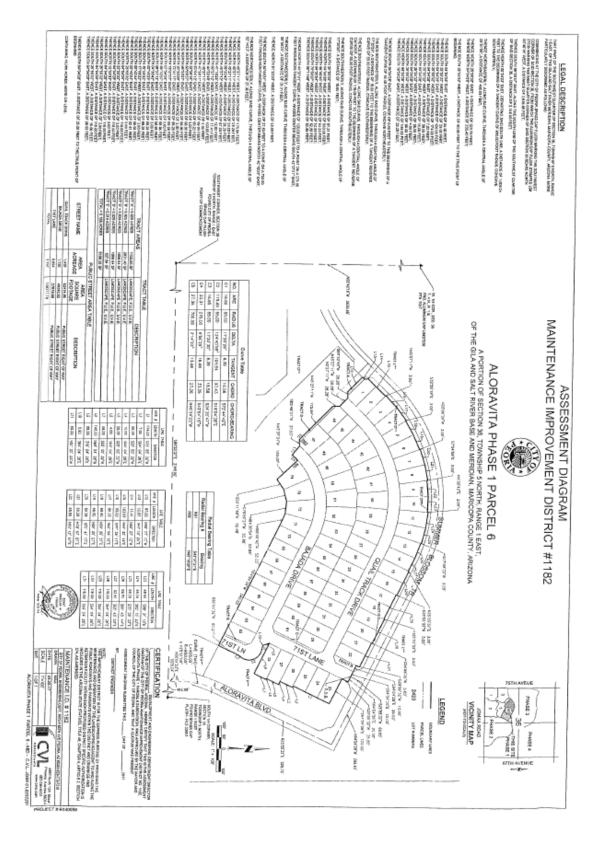
Resolution No. 2018-11 MID 1182, Aloravita - Phase I Parcel 6 February 6, 2018 Page 12 of 14 Pages

Resolution No. 2018 - 11

EXHIBIT "B"

IS ON FILE IN THE

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



Resolution No. 2018-11 MID 1182, Aloravita - Phase I Parcel 6 February 6, 2018 Page 14 of 14 Pages

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. 1182, ALORAVITA - PHASE I PARCEL 6.

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 6th day of February, 2018 the Mayor and Council of the City of Peoria adopted Resolution No. 2018-12; 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. 1182, 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. 1182 may be obtained by contacting Ms. Adina Lund, Engineering Director, City of Peoria, Arizona, 8401 West Monroe, Peoria, Arizona 85345, (623) 773-7691.

DATED AND SIGNED this	day of_	, 2018.
		Adina Lund, P.E. Superintendent of Streets City of Peoria, Arizona

RESOLUTION NO. 2018-12

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 **IMPROVEMENT** MAINTENANCE DISTRICT NO. 1182. ALORAVITA PHASE I PARCEL 6; **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. 1182.

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.

<u>SECTION 2</u>. 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

Resolution No. 2018-12 MID 1182, Aloravita Phase I Parcel 6 February 6, 2018 Page 2 of 10 Pages

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. 1182 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. 1182 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. 1182 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. 1182.

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. 1182 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.

<u>SECTION 4</u>. 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.

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

<u>SECTION 6</u>. 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. 2018-12 MID 1182, Aloravita Phase I Parcel 6 February 6, 2018 Page 3 of 10 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 6^{th} day of February, 2018.

	CITY OF PEORIA, an Arizona municipal corporation
	Cathy Carlat, Mayor
ATTEST:	Date Signed
Rhonda Geriminsky, City Clerk	
APPROVED AS TO FORM:	
Stephen Burg, City Attorney	
Effective Date:	

Resolution No. 2018-12 MID 1182, Aloravita Phase I Parcel 6 February 6, 2018 Page 4 of 10 Pages



EXHIBIT A LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CITY OF PEORIA BRASS CAP FLUSH MARKING THE SOUTHWEST CORNER OF SAID SECTION 36, FROM WHICH THE ALUMINUM CAP FLUSH STAMPED LS# 27239 MARKING THE WEST QUARTER CORNER OF SAID SECTION 36 BEARS NORTH 00°46'18" WEST, A DISTANCE OF 2,635.65 FEET;

THENCE SOUTH 89°55'37" EAST, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 36, A DISTANCE OF 2,148.00 FEET;

THENCE NORTH 00°04'23" 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 SOUTHEASTERLY;

THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 25°51'09", A DISTANCE OF 406.09 FEET;

THENCE NORTH 25°55'32" EAST, A DISTANCE OF 520.75 FEET; THENCE NORTH 64°04'28" WEST, A DISTANCE OF 299.40 FEET;

THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 60.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 25.00 FEET; THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 29.00 FEET; THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 120.00 FEET;

Title: ALORAVITA PHASE 1 - PARCEL 6
MAINTENANCE IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

Phone: 602-264-6831 Fax: 602-264-0928

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EXHIBIT A LEGAL DESCRIPTION

THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 174.00 FEET;

THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 7.00 FEET;

THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 58.00 FEET;

THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 15.00 FEET;

THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 58.00 FEET;

THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 4.00 FEET;

THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 58.00 FEET;

THENCE NORTH 64°04'28" WEST, A DISTANCE OF 146.00 FEET;

THENCE SOUTH 19°04'28" EAST, A DISTANCE OF 28.28 FEET;

THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 0.90 FEET TO THE BEGINNING OF A TANGENT CURVE OF 55.00 FOOT RADIUS, CONCAVE NORTHEASTERLY:

THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 17°20'29", A DISTANCE OF 16.65 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE OF 55.00 FOOT RADIUS, CONCAVE SOUTHWESTERLY;

THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 124°40'59", A DISTANCE OF 119.69 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE OF 55.00 FOOT RADIUS, CONCAVE SOUTHEASTERLY;

THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 17°20'30", A DISTANCE OF 16.65 FEET;

THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 87.21 FEET;

THENCE NORTH 64°04'28" WEST, A DISTANCE OF 580.00 FEET;

THENCE NORTH 66°49'45" WEST, A DISTANCE OF 55.23 FEET;

THENCE NORTH 84°30'54" WEST, A DISTANCE OF 52.88 FEET;

Title: ALORAVITA PHASE 1 - PARCEL 6

MAINTENANCE IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

Phone: 602-264-6831 Fax: 602-264-0928

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Resolution No. 2018-12 MID 1182, Aloravita Phase I Parcel 6 February 6, 2018 Page 6 of 10 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE SOUTH 75°50'27" WEST, A DISTANCE OF 52.88 FEET; THENCE SOUTH 56°11'48" WEST, A DISTANCE OF 52.88 FEET;

THENCE NORTH 43°37'31" WEST, A DISTANCE OF 120.00 FEET TO A POINT ON A 275.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 43°37'31" EAST;

THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 06°56'25", A DISTANCE OF 33.31 FEET;

THENCE NORTH 51°22'23" WEST, A DISTANCE OF 50.00 FEET;

THENCE SOUTH 85°48'31" WEST, A DISTANCE OF 27.53 FEET TO A POINT ON A 700.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS NORTH 42°18'26" EAST;

THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 02°14'23", A DISTANCE OF 27.36 FEET;

THENCE NORTH 45°27'11" WEST, A DISTANCE OF 175.84 FEET;

THENCE NORTH 00°27'11" WEST, A DISTANCE OF 28.28 FEET;

THENCE NORTH 45°27'11" WEST, A DISTANCE OF 50.00 FEET;

THENCE SOUTH 89°32'49" WEST, A DISTANCE OF 28.28 FEET;

THENCE NORTH 45°27'12" WEST, A DISTANCE OF 87.00 FEET;

THENCE NORTH 41°16'25" EAST, A DISTANCE OF 12.02 FEET;

THENCE NORTH 00°27'12" WEST, A DISTANCE OF 17.41 FEET;

THENCE NORTH 44°32'49" EAST, A DISTANCE OF 103.69 FEET;

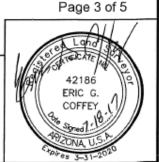
THENCE NORTH 45°27'11" WEST, A DISTANCE OF 3.00 FEET;

Title: ALORAVITA PHASE 1 - PARCEL 6
MAINTENANCE IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

Phone: 602-264-6831 Fax: 602-264-0928



Resolution No. 2018-12 MID 1182, Aloravita Phase I Parcel 6 February 6, 2018 Page 7 of 10 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE NORTH 47°38'11" EAST, A DISTANCE OF 69.09 FEET; THENCE NORTH 53°04'12" EAST, A DISTANCE OF 69.23 FEET; THENCE SOUTH 32°58'18" EAST, A DISTANCE OF 3.00 FEET; THENCE NORTH 60°09'37" EAST, A DISTANCE OF 68.95 FEET; THENCE NORTH 66°25'27" EAST, A DISTANCE OF 68.95 FEET; THENCE NORTH 20°26'38" WEST, A DISTANCE OF 3.00 FEET; THENCE NORTH 72°41'17" EAST, A DISTANCE OF 69.28 FEET; THENCE NORTH 78°57'07" EAST, A DISTANCE OF 69.28 FEET; THENCE SOUTH 07°54'58" EAST, A DISTANCE OF 3.00 FEET; THENCE NORTH 85°12'57" EAST, A DISTANCE OF 68.95 FEET; THENCE SOUTH 88°31'13" EAST, A DISTANCE OF 68.95 FEET; THENCE NORTH 04°36'42" EAST, A DISTANCE OF 3.00 FEET; THENCE SOUTH 82°15'23" EAST, A DISTANCE OF 69.28 FEET; THENCE SOUTH 75°59'33" EAST, A DISTANCE OF 69.28 FEET; THENCE SOUTH 17°08'22" WEST, A DISTANCE OF 3.00 FEET; THENCE SOUTH 69°43'44" EAST, A DISTANCE OF 68.95 FEET: THENCE SOUTH 63°43'03" EAST, A DISTANCE OF 62.41 FEET; THENCE NORTH 25°55'32" EAST, A DISTANCE OF 3.00 FEET; THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 116.00 FEET; THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 3.00 FEET; THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 116.00 FEET; THENCE NORTH 25°55'32" EAST, A DISTANCE OF 3.00 FEET; THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 116.00 FEET; THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 3.00 FEET; THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 116.00 FEET; THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 15.00 FEET; THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 29.03 FEET;

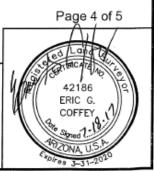
Title: ALORAVITA PHASE 1 - PARCEL 6
MAINTENANCE IMPROVEMENT DISTRICT

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EXHIBIT A LEGAL DESCRIPTION

THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 25.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 16.360 ACRES, MORE OR LESS.

Title: ALORAVITA PHASE 1 - PARCEL 6
MAINTENANCE IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

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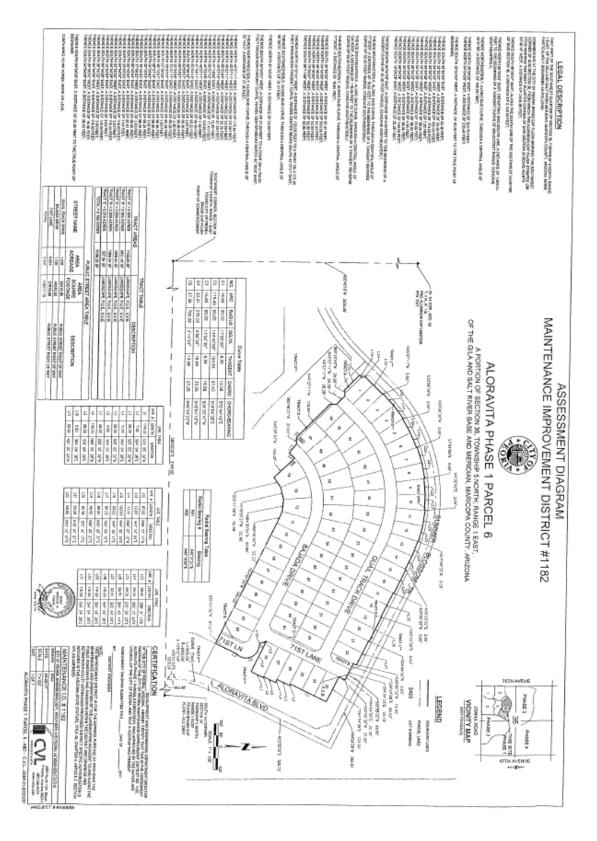
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Resolution No. 2018 - 12

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

Date Prepared: 1/25/2018 Council Meeting Date: 2/6/2018

TO: Jeff Tyne, City Manager

THROUGH: Andy Granger, Deputy City Manager

FROM: Adina Lund, P.E., Development and Engineering Director

SUBJECT: Maintenance Improvement District No. 1213, Riverwalk, 77th Avenue and

Pinnacle Peak Road

Purpose:

Discussion and possible action to approve the Petition for Formation, adopt **RES. 2018-34** intention and ordering the formation of proposed Maintenance Improvement District No. 1213, Riverwalk located at 77th Avenue and Pinnacle Peak Road; and adopt **RES. 2018-35** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

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, a line item of \$0.00 will display on the homeowners' 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. 1213, Riverwalk, located at 77th Avenue and Pinnacle Peak Road. In the case in which all of the property owners have presented a petition for formation, the ordinary publication and protest period are not required by law; 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 2019, the residents will have a line item of \$0.00 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 until such time the Homeowner's Association fails. 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 Riverwalk was approved by the City on December 12, 2017 and recorded with the County.

Options:

A: The Maintenance Improvement District has been approved through the Development and Engineering Department. An option would be to not accept the proposed Maintenance Improvement District. It should be noted that not approving the Maintenance Improvement District will prevent any 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 Recommendation:

Staff recommends the approval of the Petition for Formation, adopt the Resolution of Intention, and Resolution Ordering the Improvements for a proposed Maintenance Improvement District No. 1213, Riverwalk, located at 77th Avenue and Pinnacle Peak Road as well as authorize the City Clerk to record the Maintenance Improvement District with the Maricopa County Recorder's Office subject to the following stipulations:

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

Fiscal Analysis:

There is no direct fiscal 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 fails.

ATTACHMENTS:

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:

Ann DeHerrera, Engineering Technician II, (623) 773-7691

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

[1213 ·

[Riverwalk	1
	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 Literal 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. <u>Purpose</u>. 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. <u>Public Convenience and Necessity</u>. 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. <u>Waiver and Consent</u>. 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.

In Witness whereof the parties have executed this Petition and Waiver Agreement as of the Date: Property (Tax Parcel Numbers) MELLOR DEVELOPMENTS ARIZONA, INC.

Print Property Owner Name 201-14-004N 201-14-004R AN MOTT 201-14-032 rint Name 201-14-034 Print Name 6930 E. CHAUNUEY LANE Address PHOENIX, AZ 85054 200-07-008M 200-07-008 N Date: Property (Tax Parcel Numbers) Print Property Owner Name **Print Name** Address Signature Accepted and approved by: CITY OF PEORIA, ARIZONA, an ARIZONA MUNICIPAL CORPORATION ATTEST: Mayor City Clerk APPROVED AS TO FORM: City Attorney

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

RESOLUTION NO. 2018-34

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. RIVERWALK, AS MORE PARTICULARLY DESCRIBED AND DECLARING THE WORK HEREIN. 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

Resolution No. 2018-34 MID 1213, Riverwalk February 6, 2018 Page 2 of 10 Pages

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. <u>Definitions</u>.

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.

Resolution No. 2018-34 MID 1213, Riverwalk February 6, 2018 Page 3 of 10 Pages

"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. 1213 filed with the Clerk prior to the adoption of this Resolution.

"Superintendent of Streets" shall mean the City Engineer.

Section 2. <u>Declaration of Intention to Order an Improvement.</u>

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. 1213

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. 1213.

Section 3. <u>Determination of Need</u>.

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. <u>Preparation of Assessment Diagrams</u>.

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. <u>Exclusion of Certain Property</u>.

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

Section 6. Officers Not Liable.

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

Section 7. Annual Statement.

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

Section 8. <u>Statutory Authority</u>.

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.

Resolution No. 2018-34 MID 1213, Riverwalk February 6, 2018 Page 5 of 10 Pages

Section 9. <u>Delegation of Authority</u>.

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 6th day of February, 2018.

	CITY OF PE municipal corpo		Arizona
	Cathy Carlat, M	ayor	
ATTEST:	 Date Signed		
ATTEST.			
Rhonda Geriminsky, City Clerk			
APPROVED AS TO FORM:			
Stephen Burg, City Attorney			
Effective Date:			

Resolution No. 2018-34 MID 1213, Riverwalk February 6, 2018 Page 6 of 10 Pages

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.
Adina Lund, Engineering Director
CERTIFICATION OF CITY CLERK
I hereby certify that the above and foregoing Resolution No. 2018-34 duly passed by the Mayor and Council of the City of Peoria, Arizona at a regular meeting held on February 6, 2018 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

Resolution No. 2018-34 MID 1213, Riverwalk February 6, 2018 Page 7 of 10 Pages

LEGAL DESCRIPTION

The southeast quarter of the southeast quarter of Section 11 and the northeast quarter of the northeast quarter of Section 14, Township 4 North, Range 1 East, of the Gila and Salt River and Meridian, Maricopa County, Arizona, more particularly described as follows;

BEGINNING at the a found Aluminum Cap stamped R.L.S. 32222 marking the northeast corner of the northeast quarter of the northeast quarter of Section 14;

THENCE South 00 degrees 02 minutes 08 seconds West, along the east line of said northeast quarter of the northeast quarter, 1327.31 feet to a found Rebar and Cap R.L.S. 36162 marking the southeast corner of said northeast quarter of the northeast quarter of Section 14:

THENCE South 89 degrees 53 minutes 25 seconds West, along the south line of said northeast quarter of the northeast quarter, 1318.13 feet to a found Rebar and Cap R.L.S. 32222 marking the southwest corner of said northeast quarter of the northeast quarter of Section 14;

THENCE North 00 degrees 09 minutes 53 seconds East, along the west line of said northeast quarter of the northeast quarter, 1328.11 feet, to a found Rebar and Cap R.L.S. 32222 marking the northwest corner of said northeast quarter of the northeast quarter of section 14, also being the southwest corner of the southeast quarter of the southeast quarter of Section 11;

THENCE North 00 degrees 17 minutes 59 seconds East, along the west line of said southeast quarter of the southeast quarter of Section 11, a distance of 1320.85 feet, to a point marking the northwest corner of said southeast quarter of the southeast quarter of Section 11;

THENCE North 89 degrees 58 minutes 14 seconds East, along the north line of said southeast quarter of the southeast quarter, 1307.18 feet to a found Rebar and Cap R.L.S. 44007 marking the northeast corner of said southeast quarter of the southeast quarter of Section 11;

THENCE South 00 degrees 02 minutes 41 seconds East, along the east line of said southeast quarter of Section 11, a distance of 1319.77 feet to the POINT OF BEGINNING.

June 09, 2017 Rick Engineering Company Job No. 4196C MEC



Expires: 3-31-2018

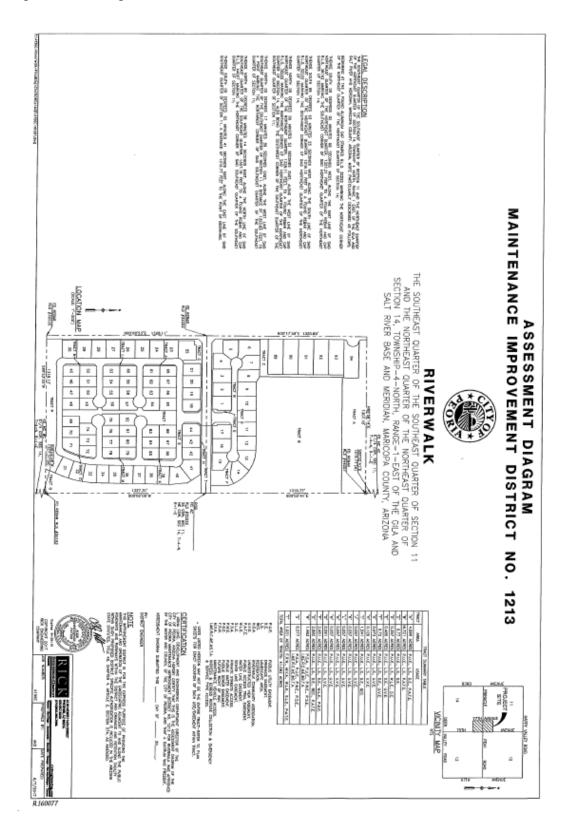
Resolution No. 2018-34 MID 1213, Riverwalk February 6, 2018 Page 8 of 10 Pages

Resolution No. 2018 - 34

EXHIBIT "B"

IS ON FILE IN THE

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



Resolution No. 2018-34 MID 1213, Riverwalk February 6, 2018 Page 10 of 10 Pages

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. 1213, RIVERWALK.

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 6th day of February, 2018 the Mayor and Council of the City of Peoria adopted Resolution No. 2018-35; 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. 1213, 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. 1213 may be obtained by contacting Ms. Adina Lund, Engineering Director, City of Peoria, Arizona, 8401 West Monroe, Peoria, Arizona 85345, (623) 773-7691.

DATED AND SIGNED this_	day of	, 2018.
		Lund, P.E.
		intendent of Streets f Peoria, Arizona

RESOLUTION NO. 2018-35

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. 1213, RIVERWALK: 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:

<u>SECTION 1</u>. 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. 1213.

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

Resolution No. 2018-35 MID 1213, Riverwalk February 6, 2018 Page 2 of 6 Pages

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. 1213 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. 1213 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. 1213 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. 1213.

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. 1213 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.

<u>SECTION 4</u>. 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.

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

<u>SECTION 6</u>. 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. 2018-35 MID 1213, Riverwalk February 6, 2018 Page 3 of 6 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 6^{th} day of February, 2018.

	CITY OF PEORIA, an municipal corporation	Arizona
	Cathy Carlat, Mayor	
ATTEST:	Date Signed	
Rhonda Geriminsky, City Clerk		
APPROVED AS TO FORM:		
Stephen Burg, City Attorney		
Effective Date:		

Resolution No. 2018-35 MID 1213, Riverwalk February 6, 2018 Page 4 of 6 Pages

LEGAL DESCRIPTION

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June 09, 2017 Rick Engineering Company Job No. 4196C MEC



Expires: 3-31-2018

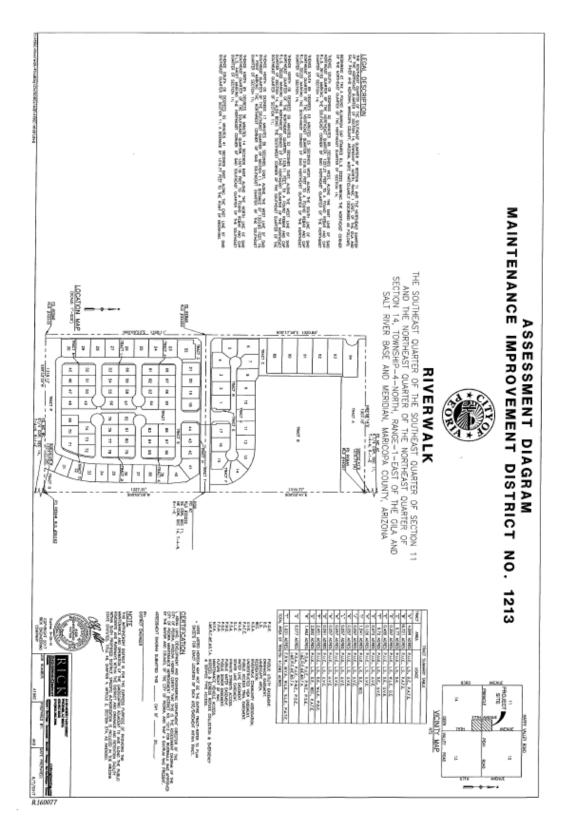
Resolution No. 2018-35 MID 1213, Riverwalk February 6, 2018 Page 5 of 6 Pages

Resolution No. 2018 - 35

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

Date Prepared: 1/23/2018 Council Meeting Date: 2/6/2018

TO: Jeff Tyne, City Manager

THROUGH: Andy Granger, Deputy City Manager

FROM: Adina Lund, P.E., Development and Engineering Director

SUBJECT: Maintenance Improvement District No. 1217, Four Seasons at Ventana Lakes,

107th Avenue and Beardsley Road

Purpose:

Discussion and possible action to approve the Petition for Formation, adopt **RES. 2018-23** intention and ordering the formation of proposed Maintenance Improvement District No. 1217, Four Seasons at Ventana Lakes, located at 107th Avenue and Beardsley Road; and adopt **RES. 2018-24** ordering the improvements within the proposed Maintenance Improvement District and declaring an emergency.

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, a line item of \$0.00 will display on the homeowners' 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. 1217, Four Seasons at Ventana Lakes, located at 107th Ave. & Beardsley Rd. In the case in which all of the property owners have presented a petition for formation, the ordinary publication and protest period are not required by law; 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 2019, the residents will have a line item of \$0.00 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 until such time the Homeowner's Association fails. 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 Four Seasons at Ventana Lakes was approved by the City on November 28, 2018 and recorded with the County.

Options:

A: The Maintenance Improvement District has been approved through the Development and Engineering Department. An option would be to not accept the proposed Maintenance Improvement District. It should be noted that not approving the Maintenance Improvement District will prevent any 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 Recommendation:

Staff recommends the approval of the Petition for Formation, adopt the Resolution of Intention, and Resolution Ordering the Improvements for a proposed Maintenance Improvement District No. 1217, Four Seasons at Ventana Lakes, located at 107th Ave. & Beardsley Rd. 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.

Fiscal Analysis:

There is no direct fiscal 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 fails.

ATTACHMENTS:

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:

Adina Lund, Development and Engineering Director, (623) 773-7249

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

[1217] MID#

Four Seasons at Ventana Lakes

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. <u>Area of District</u>. 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 17.30 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. <u>Purpose</u>. 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. <u>Public Convenience and Necessity</u>. 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. <u>Waiver and Consent</u>. 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.

In Witness whereof the parties have executed this Petition and Waiver Agreement as of the Property (Tax Parcel Date: Numbers) K. Hovnanian at Ventana Lakes, LLC Print Property Owner Name 11-20-17 Chuck Chisholm 200-35-229U/200-12-002B Print Name 20830 N Tatum Blvd, Phoenix, AZ 85050 Address Signature Date: Property (Tax Parcel Numbers) Print Property Owner Name Print Name Address Signature Accepted and approved by: CITY OF PEORIA, ARIZONA, an ARIZONA MUNICIPAL CORPORATION ATTEST: Mayor City Clerk APPROVED AS TO FORM: City Attorney

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

RESOLUTION NO. 2018-23

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. FOUR SEASONS AT VENTANA LAKES, 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 PERFORMED BE UNDER ARIZONA REVISED STATUTES TITLE 48, CHAPTER 4, ARTICLE 2. AND AMENDMENTS THERETO 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

Resolution No. 2018-23 MID 1217, Four Seasons at Ventana Lakes February 6, 2018 Page 2 of 12 Pages

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. <u>Definitions</u>.

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.

Resolution No. 2018-23 MID 1217, Four Seasons at Ventana Lakes February 6, 2018 Page 3 of 12 Pages

"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. 1217 filed with the Clerk prior to the adoption of this Resolution.

"Superintendent of Streets" shall mean the City Engineer.

Section 2. <u>Declaration of Intention to Order an Improvement.</u>

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. 1217

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. 1217.

Resolution No. 2018-23 MID 1217, Four Seasons at Ventana Lakes February 6, 2018 Page 4 of 12 Pages

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. <u>Preparation of Assessment Diagrams</u>.

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. <u>Exclusion of Certain Property</u>.

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

Section 6. Officers Not Liable.

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

Section 7. Annual Statement.

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

Section 8. <u>Statutory Authority</u>.

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.

Resolution No. 2018-23 MID 1217, Four Seasons at Ventana Lakes February 6, 2018 Page 5 of 12 Pages

Section 9. <u>Delegation of Authority</u>.

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 6th day of February, 2018.

	CITY OF PEORIA, municipal corporation	an	Arizona
	Cathy Carlat, Mayor		
ATTEST:	Date Signed		
Rhonda Geriminsky, City Clerk			
APPROVED AS TO FORM:			
Stephen Burg, City Attorney			
Effective Date:			

Resolution No. 2018-23 MID 1217, Four Seasons at Ventana Lakes February 6, 2018 Page 6 of 12 Pages

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.
Adina Lund, Engineering Director
CERTIFICATION OF CITY CLERK
I hereby certify that the above and foregoing Resolution No. 2018-23 duly passed by the Mayor and Council of the City of Peoria, Arizona at a regular meeting held on February 6, 2018 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

Resolution No. 2018-23 MID 1217, Four Seasons at Ventana Lakes February 6, 2018 Page 7 of 12 Pages



EXHIBIT A LEGAL DESCRIPTION

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 19 AND THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CITY OF PEORIA BRASS CAP IN HAND HOLE MARKING THE NORTHEAST CORNER OF SAID SECTION 30, ALSO BEING THE SOUTHEAST CORNER OF SAID SECTION 19, FROM WHICH THE CITY OF PEORIA BRASS CAP FLUSH STAMPED LS#40808 MARKING THE EAST QUARTER CORNER OF SAID SECTION 30 BEARS SOUTH 00°00'00" EAST, A DISTANCE OF 2,652.22 FEET;

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THENCE NORTHERLY, ALONG SAID EASTERLY LINE AND ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°40'25", A DISTANCE OF 2.67 FEET TO THE NORTHEAST CORNER OF SAID CERTAIN PARCEL OF LAND;

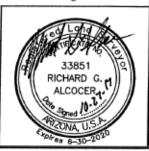
Page 1 of 3

Title: FOUR SEASONS AT VENTANA LAKES

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

Phone: 602-264-6831



Resolution No. 2018-23 MID 1217, Four Seasons at Ventana Lakes February 6, 2018 Page 8 of 12 Pages



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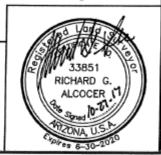
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CONTAINING 841,047 SQUARE FEET OR 19.308 ACRES, MORE OR LESS.

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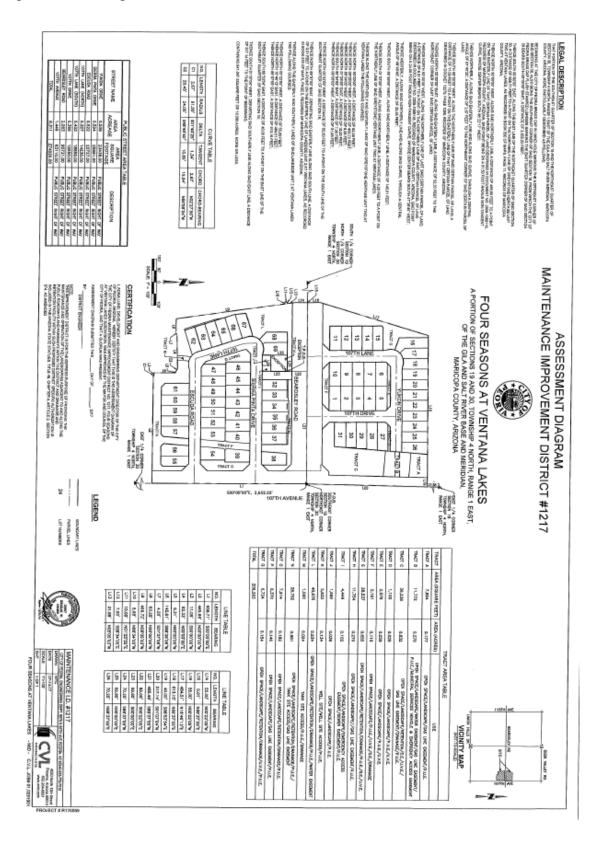
Resolution No. 2018-23 MID 1217, Four Seasons at Ventana Lakes February 6, 2018 Page 10 of 12 Pages

Resolution No. 2018-23

EXHIBIT "B"

IS ON FILE IN THE

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



Resolution No. 2018-23 MID 1217, Four Seasons at Ventana Lakes February 6, 2018 Page 12 of 12 Pages

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. 1217, FOUR SEASONS AT VENTANA LAKES.

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 6th day of February, 2018 the Mayor and Council of the City of Peoria adopted Resolution No. 2018-24; 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. 1217, 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. 1217 may be obtained by contacting Ms. Adina Lund, Engineering Director, City of Peoria, Arizona, 8401 West Monroe, Peoria, Arizona 85345, (623) 773-7691.

DATED AND SIGNED this	day of	, 2018.
		Adia a Lund D.E.
		Adina Lund, P.E. Superintendent of Streets City of Peoria, Arizona

RESOLUTION NO. 2018-24

RESOLUTION OF THE MAYOR AND COUNCIL OF THE PEORIA, DECLARING CITY ARIZONA INTENTION TO ORDER THE IMPROVEMENTS OF A CERTAIN AREA WITHIN THE CORPORATE LIMITS OF THE CITY AND CREATING ΑN **IMPROVEMENT** KNOWN DISTRICT THE CITY OF AS **PEORIA** MAINTENANCE **IMPROVEMENT** DISTRICT NO. **FOUR** SEASONS ΑT **VENTANA** 1217, LAKES: 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. 1217.

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

Resolution No. 2018-24 MID 1217, Four Seasons at Ventana Lakes February 6, 2018 Page 2 of 8 Pages

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. 1217 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. 1217 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. 1217 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. 1217.

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. 1217 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.

<u>SECTION 4</u>. 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.

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

<u>SECTION 6</u>. 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. 2018-24 MID 1217, Four Seasons at Ventana Lakes February 6, 2018 Page 3 of 8 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 6th day of February, 2018.

	CITY OF PEORIA, a municipal corporation	an Arizona
	Cathy Carlat, Mayor	
ATTEST:	Date Signed	
Rhonda Geriminsky, City Clerk		
APPROVED AS TO FORM:		
Stephen Burg, City Attorney		
Effective Date:		

Resolution No. 2018-24 MID 1217, Four Seasons at Ventana Lakes February 6, 2018 Page 4 of 8 Pages



EXHIBIT A LEGAL DESCRIPTION

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 19 AND THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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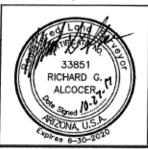
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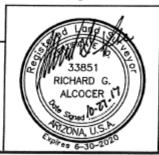
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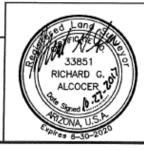
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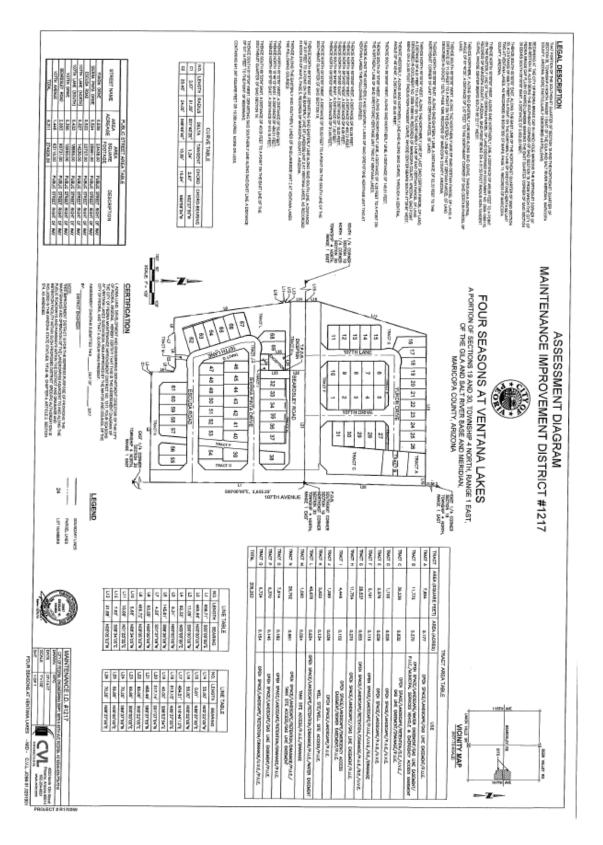
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Resolution No. 2018 - 24

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

Date Prepared: 1/18/2018 Council Meeting Date: 2/6/2018

TO: Jeff Tyne, City Manager

THROUGH: Andy Granger, Deputy City Manager

FROM: Adina Lund, P.E., Development and Engineering Director

SUBJECT: Street Light Improvement District No. 1106, Aloravita – Phase I Parcel 3, 75th

Avenue and Jomax Road

Purpose:

Discussion and possible action to approve the Petition for Formation and adopt **RES. 2018-17** intention and ordering the formation of proposed Street Light Improvement District No. 1106, Aloravita – Phase I Parcel 3, located at 75th Avenue and Jomax Road; and adopt **RES. 2018-18** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

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. 1106, Aloravita – Phase I Parcel 3, located at 75th Avenue and Jomax Road. In the case in which all of the property owners have presented a petition for formation, the ordinary publication and protest period are not required by law; 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 2019, the residents will receive, on their property tax bill, an additional charge for operation of the street light system. In accordance with state statute, an assessment diagram and map listing each parcel of property within the district has been prepared.

Previous Actions:

The final plat for Aloravita – Phase I Parcel 3 was approved by the Council on August 15, 2017.

Options:

A: The Street Light Improvement District has been approved through the Development and Engineering Department. An option would be to not accept the proposed Street Light Improvement District. 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 Recommendation:

Staff recommends 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. 1106, Aloravita – Phase I Parcel 3, located at 75th Avenue and Jomax Road, and authorize the City Clerk to record the Street Light Improvement District with the Maricopa County Recorder's Office subject to the following stipulations:

- 1. All civil and street light plans must be approved by the City of Peoria (City) prior to recordation of the Street Light Improvement District.
- 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.

Fiscal Analysis:

There is no direct fiscal 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.

ATTACHMENTS:

Exhibit 1: Petition for Formation

Exhibit 2: Proposed Resolution of Intention to Create

Exhibit 3: Proposed Resolution Ordering the Improvements

Contact Name and Number:

Ann DeHerrera, Engineering Technician II, 623-773-7691

SLID#

ALORAVITA - PHASE 1 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. <u>Area of District</u>. 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 <u>19.438</u> acres and is entirely within the corporate boundaries of the City of Peoria.
- 2. <u>Ownership</u>. The undersigned (is) (are) the sole owner(s) of the real property within the proposed district.
- 3. <u>Purpose</u>. 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. <u>Public Convenience and Necessity</u>. 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. <u>Waiver and Consent</u>. 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 $\frac{2C}{2}$ day of $\frac{2C}{2}$ $\frac{17}{2}$.

Print Property Owner Name David Concine Print Name 2800 N. CAINEY CENTER A Signature	Date:	Property (Tax Parcel Numbers) 201-20-582
Print Property Owner Name Print Name 3800 N. GAINEY CENTER	Date:	Property (Tax Parcel Numbers)
Olghardic Cantille Ca		
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. 2018-17

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. 1106, ALORAVITA - PHASE PARCEL 3: PROVIDING THAT THE COST OF THE ELECTRICITY REQUIRED TO OPERATE 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:

<u>SECTION 1</u>. 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

Resolution No. 2018-17 SLID 1106, Aloravita - Phase 1 Parcel 3 February 6, 2018 Page 2 of 8 Pages

chargeable upon a district to be known and designated as the City of Peoria Streetlight Improvement District No. 1106 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. 1106 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. 1106 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. 1106.

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. 1106 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.

<u>SECTION 4</u>. 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.

<u>SECTION 5</u>. 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. 2018-17 SLID 1106, Aloravita - Phase 1 Parcel 3 February 6, 2018 Page 3 of 8 Pages

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 6th day of February, 2018.

	CITY OF PEORIA, municipal corporation	an	Arizona
	Cathy Carlat, Mayor		
ATTEST:	Date Signed		
Rhonda Geriminsky, City Clerk			
APPROVED AS TO FORM:			
Stephen Burg, City Attorney			
Effective Date:			

Resolution No. 2018-17 SLID 1106, Aloravita - Phase 1 Parcel 3 February 6, 2018 Page 4 of 8 Pages



EXHIBIT A LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CITY OF PEORIA BRASS CAP FLUSH MARKING THE SOUTHWEST CORNER OF SAID SECTION 36, FROM WHICH THE ALUMINUM CAP FLUSH STAMPED LS# 27239 MARKING THE WEST QUARTER CORNER OF SAID SECTION 36 BEARS NORTH 00°46'18" WEST, A DISTANCE OF 2,635.65 FEET;

THENCE NORTH 00°46'18" WEST, ALONG THE WEST LINE OF SOUTHWEST QUARTER OF SAID SECTION 36, A DISTANCE OF 964.47 FEET TO THE TRUE POINT OF BEGINNING:

THENCE CONTINUING NORTH 00°46'18" WEST ALONG SAID WEST LINE, A DISTANCE OF 843.96 FEET;

THENCE NORTH 89°13'42" EAST, DEPARTING SAID WEST LINE, A DISTANCE OF 35.00 FEET;

THENCE SOUTH 45°46'18" EAST, A DISTANCE OF 42.43 FEET;

THENCE NORTH 89°13'42" EAST, A DISTANCE OF 248.89 FEET TO THE BEGINNING OF A TANGENT CURVE OF 670.00 FOOT RADIUS, CONCAVE NORTHWESTERLY;

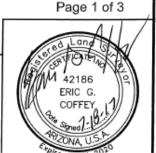
THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°04'29", A DISTANCE OF 129.50 FEET;

Title: ALORAVITA PHASE 1 - PARCEL 3
STREET LIGHT IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

Phone: 602-264-6831 Fax: 602-264-0928



Resolution No. 2018-17 SLID 1106, Aloravita - Phase 1 Parcel 3 February 6, 2018 Page 5 of 8 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE NORTH 30°48'14" EAST, A DISTANCE OF 40.65 FEET; THENCE NORTH 73°27'14" EAST, A DISTANCE OF 50.00 FEET;

THENCE SOUTH 63°53'46" EAST, A DISTANCE OF 40.65 FEET TO A POINT ON A 670.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS NORTH 21°14'46" WEST;

THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 23°56'38", A DISTANCE OF 279.99 FEET;

THENCE SOUTH 45°11'24" EAST, A DISTANCE OF 60.00 FEET; THENCE NORTH 89°40'42" EAST, A DISTANCE OF 14.53 FEET; THENCE SOUTH 44°32'49" WEST, A DISTANCE OF 100.25 FEET; THENCE SOUTH 45°27'11" EAST, A DISTANCE OF 424.25 FEET; THENCE SOUTH 52°15'18" EAST, A DISTANCE OF 51.70 FEET; THENCE SOUTH 52°59'57" EAST, A DISTANCE OF 22.60 FEET; THENCE SOUTH 54°12'35" EAST, A DISTANCE OF 82.33 FEET; THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 444.40 FEET; THENCE SOUTH 10°38'34" WEST, A DISTANCE OF 46.29 FEET; THENCE SOUTH 06°24'57" WEST, A DISTANCE OF 52.99 FEET; THENCE SOUTH 50°50'25" WEST, A DISTANCE OF 104.91 FEET; THENCE NORTH 74°25'22" WEST, A DISTANCE OF 120.00 FEET; THENCE NORTH 75°37'21" WEST, A DISTANCE OF 50.01 FEET; THENCE SOUTH 57°34'03" WEST, A DISTANCE OF 11.96 FEET; THENCE NORTH 00°46'15" WEST, A DISTANCE OF 114.33 FEET; THENCE SOUTH 89°13'45" WEST, A DISTANCE OF 580.00 FEET; THENCE SOUTH 00°46'15" EAST, A DISTANCE OF 120.02 FEET; THENCE SOUTH 89°13'45" WEST, A DISTANCE OF 74.55 FEET;

Page 2 of 3

Title: ALORAVITA PHASE 1 - PARCEL 3 STREET LIGHT IMPROVEMENT DISTRICT

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Resolution No. 2018-17 SLID 1106, Aloravita - Phase 1 Parcel 3 February 6, 2018 Page 6 of 8 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE NORTH 45°46'17" WEST, A DISTANCE OF 42.43 FEET;

THENCE SOUTH 89°13'42" WEST, A DISTANCE OF 35.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 19.438 ACRES, MORE OR LESS.

Title: ALORAVITA PHASE 1 - PARCEL 3
STREET LIGHT IMPROVEMENT DISTRICT

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Page 3 of 3

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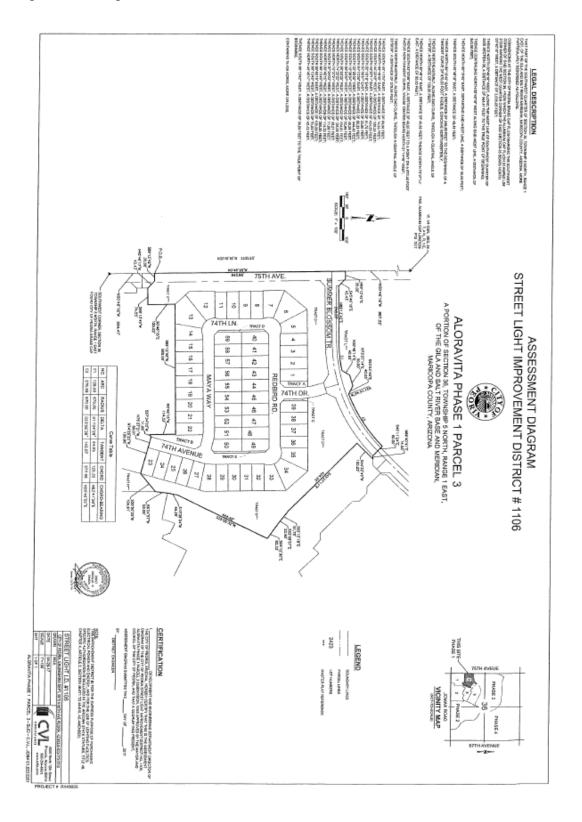
Resolution No. 2018-17 SLID 1106, Aloravita - Phase 1 Parcel 3 February 6, 2018 Page 7 of 8 Pages

Resolution No. 2018 - 17

EXHIBIT "B"

IS ON FILE IN THE

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



RESOLUTION NO. 2018-18

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. 1106. ALORAVITA - PHASE 1 PARCEL 3 PURSUANT TO TITLE CHAPTER 4. ARIZONA 48, 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 6th day of February, 2018, the Mayor and Council of the City of Peoria, Arizona, passed and adopted Resolution No. 2018-17, 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. 1106; 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. 2018-17 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. 2018-17, said notices being headed "Notice of Proposed Improvement", each heading in letters at least one (1)

Resolution No. 2018-18 SLID 1106, Aloravita - Phase 1 Parcel 3 February 6, 2018 Page 2 of 9 Pages

inch in height. Said notices stated the fact of the passage of said Resolution of Intention No. 2018-17 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. 2018-17 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. 2018-17; 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. 2018-17 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 6th day of February, 2018, 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. 2018-18 SLID 1106, Aloravita - Phase 1 Parcel 3 February 6, 2018 Page 3 of 9 Pages

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 6^{th} day of February, 2018.

	CITY OF PEORIA, ar municipal corporation	n Arizona
	Cathy Carlat, Mayor	
	Date Signed	
ATTEST:		
Rhonda Geriminsky, City Clerk		
APPROVED AS TO FORM:		
Stephen Burg, City Attorney		
Effective Date:		

Resolution No. 2018-18 SLID 1106, Aloravita - Phase 1 Parcel 3 February 6, 2018 Page 4 of 9 Pages



EXHIBIT A LEGAL DESCRIPTION

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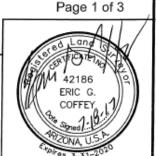
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Title: ALORAVITA PHASE 1 - PARCEL 3
STREET LIGHT IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

Phone: 602-264-6831 Fax: 602-264-0928



Resolution No. 2018-18 SLID 1106, Aloravita - Phase 1 Parcel 3 February 6, 2018 Page 5 of 9 Pages



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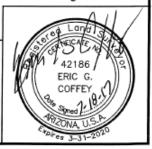
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Resolution No. 2018-18 SLID 1106, Aloravita - Phase 1 Parcel 3 February 6, 2018 Page 6 of 9 Pages



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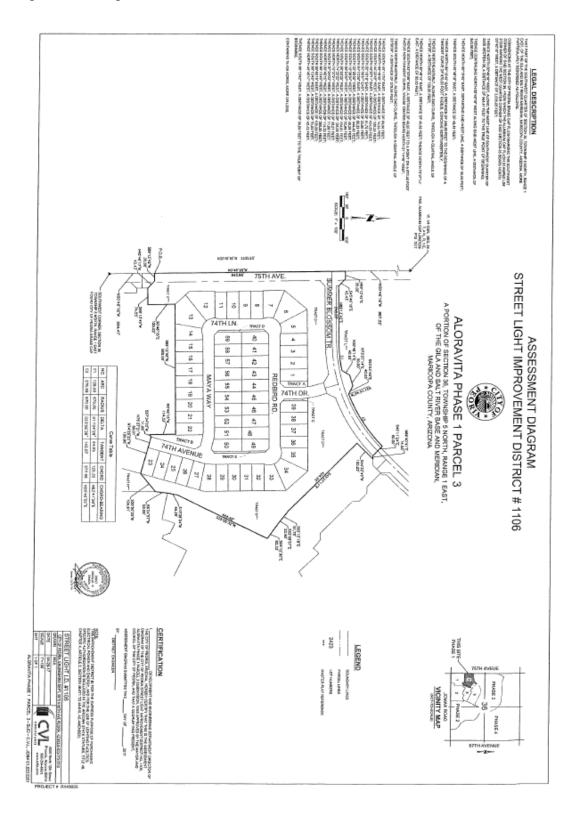
Resolution No. 2018-18 SLID 1106, Aloravita - Phase 1 Parcel 3 February 6, 2018 Page 7 of 9 Pages

Resolution No. 2018-18

EXHIBIT "B"

IS ON FILE IN THE

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



Resolution No. 2018-18 SLID 1106, Aloravita - Phase 1 Parcel 3 February 6, 2018 Page 9 of 9 Pages

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. 1106, ALORAVITA - PHASE 1 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 6th day of February, 2018, the Mayor and Council of the City of Peoria adopted Resolution No. 2018-18; 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. 1106, 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. 1106 may be obtained by contacting Mrs. Adina Lund, Engineering Director, City of Peoria, Arizona, 8401 West Monroe, Peoria, Arizona 85345, (623) 773-7691.

DATED AND SIGNED this	day of	, 2018.
	Adina Lur	nd, P.E.
	Superinte	ndent of Streets
	City of Pe	oria, Arizona

CITY OF PEORIA, ARIZONA COUNCIL COMMUNICATION

Date Prepared: 1/22/2018 Council Meeting Date: 2/6/2018

TO: Jeff Tyne, City Manager

THROUGH: Andy Granger, Deputy City Manager

FROM: Adina Lund, P.E., Development and Engineering Director

SUBJECT: Street Light Improvement District No. 1107, Aloravita – Phase I Parcel 5, 75th

Avenue and Jomax Road

Purpose:

Discussion and possible action to approve the Petition for Formation and adopt **RES. 2018-19** intention and ordering the formation of proposed Street Light Improvement District No. 1107, Aloravita – Phase I Parcel 5, located at 75th Avenue and Jomax Road; and adopt **RES. 2018-20** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

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. 1107, Aloravita – Phase I Parcel 5, located at 75th Avenue and Jomax Road. In the case in which all of the property owners have presented a petition for formation, the ordinary publication and protest period are not required by law; 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 2019, the residents will receive, on their property tax bill, an additional charge for operation of the street light system. In accordance with state statute, an assessment diagram and map listing each parcel of property within the district has been prepared.

Previous Actions:

The final plat for Aloravita – Phase I Parcel 5 was approved by the Council on August 15, 2017.

Options:

A: The Street Light Improvement District has been approved through the Development and Engineering Department. An option would be to not accept the proposed Street Light Improvement District. 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 Recommendation:

Staff recommends 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. 1107, Aloravita – Phase I Parcel 5, located at 75th Avenue and Jomax Road, and authorize the City Clerk to record the Street Light Improvement District with the Maricopa County Recorder's Office subject to the following stipulations:

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

Fiscal Analysis:

There is no direct fiscal 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.

ATTACHMENTS:

Exhibit 1: Petition for Formation

Exhibit 2: Proposed Resolution of Intention to Create

Exhibit 3: Proposed Resolution Ordering the Improvements

Contact Name and Number:

Ann DeHerrera, Engineering Technician II, 623-773-7691

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

1107 SLID#

ALORAVITA - PHASE 1 PARCEL 5

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. <u>Area of District</u>. 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 <u>15.411</u> acres and is entirely within the corporate boundaries of the City of Peoria.
- 2. <u>Ownership</u>. The undersigned (is) (are) the sole owner(s) of the real property within the proposed district.
- 3. <u>Purpose</u>. 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. <u>Public Convenience and Necessity</u>. 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. <u>Waiver and Consent</u>. 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 day of 2017.

Thyloiz Moizer Son Are For , INC. Print Property Owner Name	Date:	Property (Tax Parcel Numbers)
Print Property Owner Name STEVE KUNZWEILER Print Name 900 E PIMA CTR PKWY #350 Address SCOTTSDALE, AZ 85258	10/06/2017	201-20-582
Signature		
	Date:	Property (Tax Parcel Numbers)
Print Property Owner Name		
Print Name		
Address		
Signature		
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		

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

[1107 SLID#			
Aloravita - Phase 1 Parcel 5			
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 agree to waive certain rights under the Arizona Improvement District Law and to consent to the formation and completion of the District.

- 1. <u>Area of District</u>. 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 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. <u>Purpose</u>. 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. <u>Public Convenience and Necessity</u>. 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. <u>Waiver and Consent</u>. 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 4th
day of	October	20 <u>17</u> .

	Date:	Property (Tax Parcel Numbers)
Pulte Home Company, LLC Print Property Owner Name Phillip Turner	10/4/2017	201-20-582
Print Name 16767 N. Perimeter Dr., Suite 100 Scottsdale, AZ 85260 Add		
Signature		
	Date:	Property (Tax Parcel Numbers)
Print Property Owner Name		
Print Name		
Address		
Signature		
Accepted and approved by:		
CITY OF PEORIA, ARIZONA, an ARIZONA MUNICIPAL CORPORATION	ATTEST:	
By Mayor	City Clerk	
APPROVED AS TO FORM:		
City Attorney		

PETITION, WAIVER AND CONSENT TO FORMATION OF A MUNICIPAL STREET LIGHT IMPROVEMENT DISTRICT BY THE CITY OF PEORIA 1107

SLID#

ALORAVITA - PHASE 1 PARCEL 5

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.

- 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 15.411 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. <u>Purpose</u>. 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. <u>Public Convenience and Necessity</u>. 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. <u>Waiver and Consent</u>. 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
day of _		20

	Date:	Property (Tax Parcel
Pulte Home Company, LLC		Numbers)
Print Property Owner Name Phil Turn ur	9/20/17	201-20-582
Print Name		201-20-302
16767 N Perimeter Dr. #100, Scottsdale, AZ 85260		
Addre		
Signature		
, particular and an analysis of the second	Date:	Property (Tax Parcel
		Numbers)
Print Property Owner Name		
Print Name	Michigan Control and All And Street Control and Contro	and the second s
Find Name		
Address		
Signature		
Accepted and approved by:		
CITY OF PEORIA, ARIZONA, an		
ARIZONA MUNICIPAL CORPORATION	ATTEST:	
	7117201.	
By	011 01 1	
Mayor	City Clerk	
APPROVED AS TO FORM:		
,		
Charles As IV. Charles		
Stephen M. Kemp, City Attorney		

RESOLUTION NO. 2018-19

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. 1107, ALORAVITA - PHASE PARCEL 5: PROVIDING THAT THE COST OF THE ELECTRICITY REQUIRED TO OPERATE 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:

<u>SECTION 1</u>. 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

Resolution No. 2018-19 SLID 1107, Aloravita - Phase 1 Parcel 5 February 6, 2018 Page 2 of 10 Pages

chargeable upon a district to be known and designated as the City of Peoria Streetlight Improvement District No. 1107 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. 1107 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. 1107 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. 1107.

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. 1107 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.

<u>SECTION 4</u>. 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.

<u>SECTION 5</u>. 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. 2018-19 SLID 1107, Aloravita - Phase 1 Parcel 5 February 6, 2018 Page 3 of 10 Pages

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 6th day of February, 2018.

	CITY OF PEORIA, municipal corporation	an	Arizona
	Cathy Carlat, Mayor		
ATTEST:	Date Signed		
Rhonda Geriminsky, City Clerk			
APPROVED AS TO FORM:			
Stephen Burg, City Attorney			
Effective Date:			

Resolution No. 2018-19 SLID 1107, Aloravita - Phase 1 Parcel 5 February 6, 2018 Page 4 of 10 Pages



EXHIBIT A LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CITY OF PEORIA BRASS CAP FLUSH MARKING THE SOUTHWEST CORNER OF SAID SECTION 36, FROM WHICH THE ALUMINUM CAP FLUSH STAMPED LS# 27239 MARKING THE WEST QUARTER CORNER OF SAID SECTION 36 BEARS NORTH 00°46'18" WEST, A DISTANCE OF 2,633.65 FEET;

THENCE NORTH 00°46'18" WEST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 36, A DISTANCE OF 1.808.43 FEET:

THENCE NORTH 89°13'42" EAST, DEPARTING SAID WEST LINE, A DISTANCE OF 35.00 FEET;

THENCE SOUTH 45°46'18" EAST, A DISTANCE OF 42.43 FEET;

THENCE NORTH 89°13'42" EAST, A DISTANCE OF 248.89 FEET TO THE BEGINNING OF A TANGENT CURVE OF 670.00 FOOT RADIUS, CONCAVE NORTHWESTERLY:

THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°04'29", A DISTANCE OF 129.50 FEET;

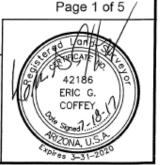
THENCE NORTH 30°48'14" EAST, A DISTANCE OF 40.65 FEET; THENCE NORTH 73°27'14" EAST, A DISTANCE OF 50.00 FEET:

THENCE SOUTH 63°53'46" EAST, A DISTANCE OF 40.65 FEET TO A POINT ON A 670.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS NORTH 21°14'46" WEST;

Title: ALORAVITA PHASE 1 - PARCEL 5
STREET LIGHT IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014



Resolution No. 2018-19 SLID 1107. Aloravita - Phase 1 Parcel 5 February 6, 2018 Page 5 of 10 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 23°56'38", A DISTANCE OF 279.99 FEET TO THE TRUE POINT OF BEGINNING:

THENCE NORTHEASTERLY, CONTINUING ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°15'47", A DISTANCE OF 3.08 FEET;

THENCE NORTH 44°32'49" EAST, A DISTANCE OF 106.65 FEET: THENCE SOUTH 45°27'11" EAST, A DISTANCE OF 60.00 FEET; THENCE SOUTH 00°27'12" EAST, A DISTANCE OF 42.43 FEET; THENCE SOUTH 45°27'12" EAST, A DISTANCE OF 87.00 FEET; THENCE NORTH 89°32'49" EAST, A DISTANCE OF 28.28 FEET. THENCE SOUTH 45°27'11" EAST, A DISTANCE OF 50.00 FEET; THENCE SOUTH 00°27'11" EAST, A DISTANCE OF 28.28 FEET;

THENCE SOUTH 45°27'11" EAST, A DISTANCE OF 175.84 FEET TO THE BEGINNING OF A TANGENT CURVE OF 700.00 FOOT RADIUS, CONCAVE NORTHEASTERLY:

THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 02°14'23", A DISTANCE OF 27.36 FEET;

THENCE NORTH 85°48'31" EAST, A DISTANCE OF 27.53 FEET;

THENCE SOUTH 51°22'23" EAST, A DISTANCE OF 50.00 FEET TO A POINT ON A 275.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 50°33'56" EAST;

THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 06°56'25", A DISTANCE OF 33.31 FEET;

Title: ALORAVITA PHASE 1 - PARCEL 5 STREET LIGHT IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

Phone: 602-264-6831 Fax: 602-264-0928 Page 2 of 5



Resolution No. 2018-19 SLID 1107, Aloravita - Phase 1 Parcel 5 February 6, 2018 Page 6 of 10 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE SOUTH 43°37'31" EAST, A DISTANCE OF 120.00 FEET; THENCE NORTH 56°11'48" EAST, A DISTANCE OF 52.88 FEET; THENCE NORTH 75°50'27" EAST, A DISTANCE OF 52.88 FEET; THENCE SOUTH 84°30'54" EAST, A DISTANCE OF 52.88 FEET;

THENCE SOUTH 84°30'54" EAST, A DISTANCE OF 52.88 FEET; THENCE SOUTH 66°49'45" EAST, A DISTANCE OF 55.23 FEET;

THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 787.23 FEET TO A POINT ON A 870.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 71°05'22" EAST;

THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 16°39'37", A DISTANCE OF 252.98 FEET;

THENCE SOUTH 89°23'13" WEST, A DISTANCE OF 60.07 FEET TO A POINT ON A 20.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS NORTH 87°56'05" WEST:

THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 56°39'26", A DISTANCE OF 19.78 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE OF 75.00 FOOT RADIUS, CONCAVE SOUTHEASTERLY:

THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 30°22'33", A DISTANCE OF 39.76 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE OF 20.00 FOOT RADIUS, CONCAVE NORTHWESTERLY;

THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 61°43'35", A DISTANCE OF 21.55 FEET;

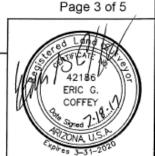
THENCE NORTH 89°55'37" WEST, A DISTANCE OF 87.66 FEET TO THE BEGINNING OF A TANGENT CURVE OF 375.00 FOOT RADIUS, CONCAVE NORTHEASTERLY;

Title: ALORAVITA PHASE 1 - PARCEL 5 STREET LIGHT IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

Phone: 602-264-6831 Fax: 602-264-0928



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Resolution No. 2018-19 SLID 1107, Aloravita - Phase 1 Parcel 5 February 6, 2018 Page 7 of 10 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 25°51'09", A DISTANCE OF 169.20 FEET;

THENCE NORTH 64°04'28" WEST, A DISTANCE OF 120.25 FEET; THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 170.00 FEET; THENCE NORTH 64°04'28" WEST, A DISTANCE OF 452.50 FEET;

THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 120.51 FEET TO A POINT ON A 225.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 22°04'35" WEST:

THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°38'19", A DISTANCE OF 14.29 FEET;

THENCE NORTH 23°24'54" WEST, A DISTANCE OF 26.69 FEET TO A POINT ON A 175.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 65°16'04" EAST:

THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°11'36", A DISTANCE OF 3.65 FEET;

THENCE NORTH 64°04'28" WEST, A DISTANCE OF 50.00 FEET TO A POINT ON A 225.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 64°04'28" EAST;

THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 15°16'58", A DISTANCE OF 60.02 FEET;

THENCE NORTH 79°21'26" WEST, A DISTANCE OF 120.00 FEET; THENCE NORTH 10°38'34" EAST, A DISTANCE OF 46.29 FEET; THENCE NORTH 25°55'32" EAST, A DISTANCE OF 444.40 FEET;

Page 4 of 5

Title: ALORAVITA PHASE 1 - PARCEL 5
STREET LIGHT IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014



Resolution No. 2018-19 SLID 1107, Aloravita - Phase 1 Parcel 5 February 6, 2018 Page 8 of 10 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE NORTH 54°12'35" WEST, A DISTANCE OF 82.33 FEET; THENCE NORTH 52°59'57" WEST, A DISTANCE OF 22.60 FEET; THENCE NORTH 52°15'18" WEST, A DISTANCE OF 51.70 FEET; THENCE NORTH 45°27'11" WEST, A DISTANCE OF 424.25 FEET; THENCE NORTH 44°32'49" EAST, A DISTANCE OF 100.25 FEET; THENCE SOUTH 89°40'42" WEST, A DISTANCE OF 14.53 FEET;

THENCE NORTH 45°11'24" WEST, A DISTANCE OF 60.00 FEET TO THE TRUE POINT OF BEGINNING.

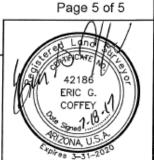
CONTAINING 15.411 ACRES, MORE OR LESS.

Title: ALORAVITA PHASE 1 - PARCEL 5 STREET LIGHT IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

Phone: 602-264-6831 Fax: 602-264-0928



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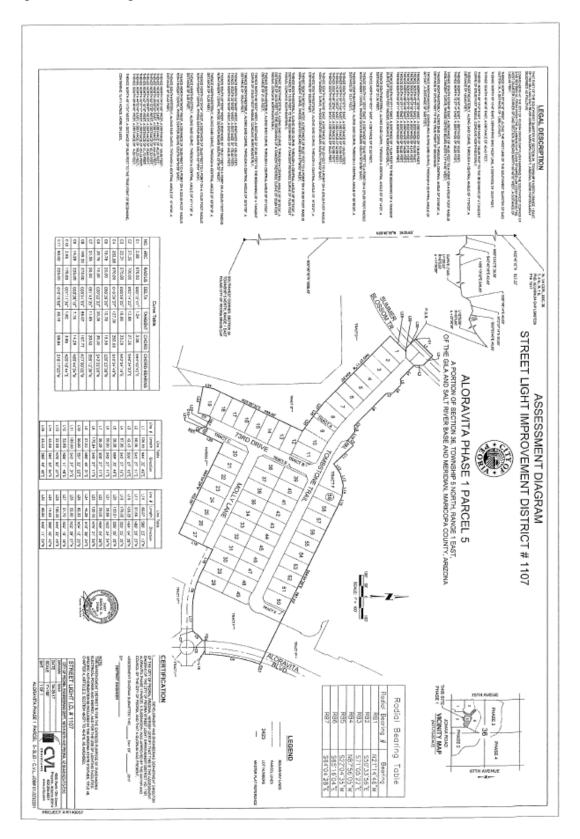
Resolution No. 2018-19 SLID 1107, Aloravita - Phase 1 Parcel 5 February 6, 2018 Page 9 of 10 Pages

Resolution No. 2018 - 19

EXHIBIT "B"

IS ON FILE IN THE

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



RESOLUTION NO. 2018-20

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. 1107. ALORAVITA - PHASE 1 PARCEL 5 PURSUANT TO 48. CHAPTER 4, ARIZONA REVISED TITLE 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 6th day of February, 2018, the Mayor and Council of the City of Peoria, Arizona, passed and adopted Resolution No. 2018-19, 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. 1107; 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. 2018-19 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. 2018-19, said notices being headed "Notice of Proposed Improvement", each heading in letters at least one (1)

Resolution No. 2018-20 SLID 1107, Aloravita - Phase 1 Parcel 5 February 6, 2018 Page 2 of 11 Pages

inch in height. Said notices stated the fact of the passage of said Resolution of Intention No. 2018-19 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. 2018-19 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. 2018-19; 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. 2018-19 and in accordance with the Plans and Specifications approved and adopted by the Mayor and Council of the City of Peoria, Arizona.

<u>Section 2</u>. 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 6th day of February, 2018, 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. 2018-20 SLID 1107, Aloravita - Phase 1 Parcel 5 February 6, 2018 Page 3 of 11 Pages

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 6^{th} day of February, 2018.

	CITY OF PEORIA, au municipal corporation	n Arizona
	Cathy Carlat, Mayor	
	Date Signed	
ATTEST:		
Rhonda Geriminsky, City Clerk		
APPROVED AS TO FORM:		
Stephen Burg, City Attorney		
Effective Date:		

Resolution No. 2018-20 SLID 1107, Aloravita - Phase 1 Parcel 5 February 6, 2018 Page 4 of 11 Pages



EXHIBIT A LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CITY OF PEORIA BRASS CAP FLUSH MARKING THE SOUTHWEST CORNER OF SAID SECTION 36, FROM WHICH THE ALUMINUM CAP FLUSH STAMPED LS# 27239 MARKING THE WEST QUARTER CORNER OF SAID SECTION 36 BEARS NORTH 00°46'18" WEST, A DISTANCE OF 2,633.65 FEET;

THENCE NORTH 00°46'18" WEST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 36, A DISTANCE OF 1,808.43 FEET;

THENCE NORTH 89°13'42" EAST, DEPARTING SAID WEST LINE, A DISTANCE OF 35.00 FEET:

THENCE SOUTH 45°46'18" EAST, A DISTANCE OF 42.43 FEET;

THENCE NORTH 89°13'42" EAST, A DISTANCE OF 248.89 FEET TO THE BEGINNING OF A TANGENT CURVE OF 670.00 FOOT RADIUS, CONCAVE NORTHWESTERLY:

THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°04'29", A DISTANCE OF 129.50 FEET;

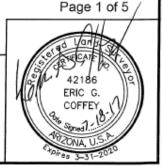
THENCE NORTH 30°48'14" EAST, A DISTANCE OF 40.65 FEET; THENCE NORTH 73°27'14" EAST, A DISTANCE OF 50.00 FEET:

THENCE SOUTH 63°53'46" EAST, A DISTANCE OF 40.65 FEET TO A POINT ON A 670.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS NORTH 21°14'46" WEST;

Title: ALORAVITA PHASE 1 - PARCEL 5
STREET LIGHT IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014



Resolution No. 2018-20 SLID 1107, Aloravita - Phase 1 Parcel 5 February 6, 2018 Page 5 of 11 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 23°56'38", A DISTANCE OF 279.99 FEET TO THE TRUE POINT OF BEGINNING:

THENCE NORTHEASTERLY, CONTINUING ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°15'47", A DISTANCE OF 3.08 FEET;

THENCE NORTH 44°32'49" EAST, A DISTANCE OF 106.65 FEET; THENCE SOUTH 45°27'11" EAST, A DISTANCE OF 60.00 FEET; THENCE SOUTH 00°27'12" EAST, A DISTANCE OF 42.43 FEET; THENCE SOUTH 45°27'12" EAST, A DISTANCE OF 87.00 FEET; THENCE NORTH 89°32'49" EAST, A DISTANCE OF 28.28 FEET; THENCE SOUTH 45°27'11" EAST, A DISTANCE OF 50.00 FEET; THENCE SOUTH 00°27'11" EAST, A DISTANCE OF 28.28 FEET;

THENCE SOUTH 45°27'11" EAST, A DISTANCE OF 175.84 FEET TO THE BEGINNING OF A TANGENT CURVE OF 700.00 FOOT RADIUS, CONCAVE NORTHEASTERLY:

THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 02°14'23", A DISTANCE OF 27.36 FEET;

THENCE NORTH 85°48'31" EAST, A DISTANCE OF 27.53 FEET;

THENCE SOUTH 51°22'23" EAST, A DISTANCE OF 50.00 FEET TO A POINT ON A 275.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 50°33'56" EAST;

THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 06°56'25", A DISTANCE OF 33.31 FEET;

Title: ALORAVITA PHASE 1 - PARCEL 5
STREET LIGHT IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

Phone: 602-264-6831 Fax: 602-264-0928

Page 2 of 5



Resolution No. 2018-20 SLID 1107, Aloravita - Phase 1 Parcel 5 February 6, 2018 Page 6 of 11 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE SOUTH 43°37'31" EAST, A DISTANCE OF 120.00 FEET; THENCE NORTH 56°11'48" EAST, A DISTANCE OF 52.88 FEET; THENCE NORTH 75°50'27" EAST, A DISTANCE OF 52.88 FEET; THENCE SOUTH 84°30'54" EAST, A DISTANCE OF 52.88 FEET;

THENCE SOUTH 66°49'45" EAST, A DISTANCE OF 52.88 FEET;

THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 787.23 FEET TO A POINT ON A 870.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 71°05'22" EAST;

THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 16°39'37", A DISTANCE OF 252.98 FEET;

THENCE SOUTH 89°23'13" WEST, A DISTANCE OF 60.07 FEET TO A POINT ON A 20.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS NORTH 87°56'05" WEST:

THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 56°39'26", A DISTANCE OF 19.78 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE OF 75.00 FOOT RADIUS, CONCAVE SOUTHEASTERLY:

THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 30°22'33", A DISTANCE OF 39.76 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE OF 20.00 FOOT RADIUS, CONCAVE NORTHWESTERLY;

THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 61°43'35", A DISTANCE OF 21.55 FEET;

THENCE NORTH 89°55'37" WEST, A DISTANCE OF 87.66 FEET TO THE BEGINNING OF A TANGENT CURVE OF 375.00 FOOT RADIUS, CONCAVE NORTHEASTERLY;

Title: ALORAVITA PHASE 1 - PARCEL 5 STREET LIGHT IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

Phone: 602-264-6831 Fax: 602-264-0928

42186 ERIC G. COFFEY

Page 3 of 5

N:\01\0232201\CADD\Phase 1\Parcel 4\VX.LG.SLID.2017.dwg TomD July 18, 2017

Resolution No. 2018-20 SLID 1107, Aloravita - Phase 1 Parcel 5 February 6, 2018 Page 7 of 11 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 25°51'09", A DISTANCE OF 169.20 FEET;

THENCE NORTH 64°04'28" WEST, A DISTANCE OF 120.25 FEET; THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 170.00 FEET; THENCE NORTH 64°04'28" WEST, A DISTANCE OF 452.50 FEET;

THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 120.51 FEET TO A POINT ON A 225.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 22°04'35" WEST:

THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°38'19", A DISTANCE OF 14.29 FEET;

THENCE NORTH 23°24'54" WEST, A DISTANCE OF 26.69 FEET TO A POINT ON A 175.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 65°16'04" EAST:

THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°11'36", A DISTANCE OF 3.65 FEET;

THENCE NORTH 64°04'28" WEST, A DISTANCE OF 50.00 FEET TO A POINT ON A 225.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 64°04'28" EAST;

THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 15°16'58", A DISTANCE OF 60.02 FEET;

THENCE NORTH 79°21'26" WEST, A DISTANCE OF 120.00 FEET; THENCE NORTH 10°38'34" EAST, A DISTANCE OF 46.29 FEET; THENCE NORTH 25°55'32" EAST, A DISTANCE OF 444.40 FEET;

Page 4 of 5

Title: ALORAVITA PHASE 1 - PARCEL 5
STREET LIGHT IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014



Resolution No. 2018-20 SLID 1107, Aloravita - Phase 1 Parcel 5 February 6, 2018 Page 8 of 11 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE NORTH 54°12'35" WEST, A DISTANCE OF 82.33 FEET; THENCE NORTH 52°59'57" WEST, A DISTANCE OF 22.60 FEET; THENCE NORTH 52°15'18" WEST, A DISTANCE OF 51.70 FEET; THENCE NORTH 45°27'11" WEST, A DISTANCE OF 424.25 FEET; THENCE NORTH 44°32'49" EAST, A DISTANCE OF 100.25 FEET; THENCE SOUTH 89°40'42" WEST, A DISTANCE OF 14.53 FEET;

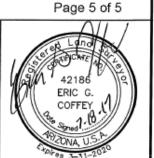
THENCE NORTH 45°11'24" WEST, A DISTANCE OF 60.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 15.411 ACRES, MORE OR LESS.

Title: ALORAVITA PHASE 1 - PARCEL 5 STREET LIGHT IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014



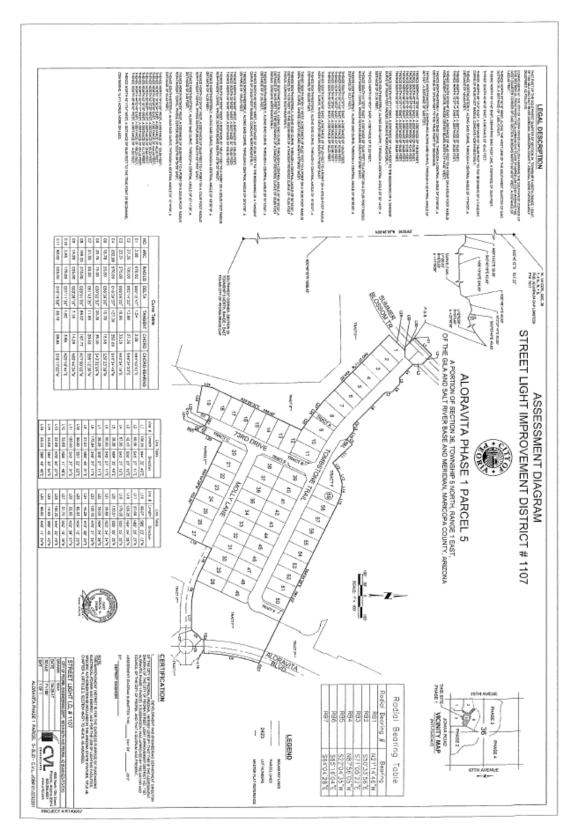
Resolution No. 2018-20 SLID 1107, Aloravita - Phase 1 Parcel 5 February 6, 2018 Page 9 of 11 Pages

Resolution No. 2018-20

EXHIBIT "B"

IS ON FILE IN THE

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



Resolution No. 2018-20 SLID 1107, Aloravita - Phase 1 Parcel 5 February 6, 2018 Page 11 of 11 Pages

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. 1107, ALORAVITA - PHASE 1 PARCEL 5.

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 6th day of February, 2018, the Mayor and Council of the City of Peoria adopted Resolution No. 2018-20; 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. 1107, 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. 1107 may be obtained by contacting Mrs. Adina Lund, Engineering Director, City of Peoria, Arizona, 8401 West Monroe, Peoria, Arizona 85345, (623) 773-7691.

DATED AND SIGNED this	day of	, 2018.
	Adina Lun	id, P.E.
	Superinte	ndent of Streets
	City of Pe	oria, Arizona

CITY OF PEORIA, ARIZONA COUNCIL COMMUNICATION

Agenda Item: 14C.

Date Prepared: 1/23/2018 Council Meeting Date: 2/6/2018

TO: Jeff Tyne, City Manager

THROUGH: Andy Granger, Deputy City Manager

FROM: Adina Lund, P.E., Development and Engineering Director

SUBJECT: Street Light Improvement District No. 1108, Aloravita – Phase I Parcel 6, 75th

Avenue and Jomax Road

Purpose:

Discussion and possible action to approve the Petition for Formation and adopt **RES. 2018-21** intention and ordering the formation of proposed Street Light Improvement District No. 1108, Aloravita — Phase I Parcel 6, located at 75th Avenue and Jomax Road; and adopt **RES. 2018-22** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

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. 1108, Aloravita – Phase I Parcel 6, located at 75th Avenue and Jomax Road. In the case in which all of the property owners have presented a petition for formation, the ordinary publication and protest period are not required by law; 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 2019, the residents will receive, on their property tax bill, an additional charge for operation of the street light system. In accordance with state statute, an assessment diagram and map listing each parcel of property within the district has been prepared.

Previous Actions:

The final plat for Aloravita – Phase I Parcel 6 was approved by the Council on August 15, 2017.

Options:

A: The Street Light Improvement District has been approved through the Development and Engineering Department. An option would be to not accept the proposed Street Light Improvement District. 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 Recommendation:

Staff recommends 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. 1108, Aloravita – Phase I Parcel 6, located at 75th Avenue and Jomax Road, and authorize the City Clerk to record the Street Light Improvement District with the Maricopa County Recorder's Office subject to the following stipulations:

- 1. All civil and street light plans must be approved by the City of Peoria (City) prior to recordation of the Street Light Improvement District.
- 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.

Fiscal Analysis:

There is no direct fiscal 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.

ATTACHMENTS:

Exhibit 1: Petition for Formation

Exhibit 2: Proposed Resolution of Intention to Create

Exhibit 3: Proposed Resolution Ordering the Improvements

Contact Name and Number:

Ann DeHerrera, Engineering Technician II, 623-773-7691

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

1108				
SLID#				
Aloravita - Phase 1 Parcel 6]			
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 agree to waive certain rights under the Arizona Improvement District Law and to consent to the formation and completion of the District.

- 1. <u>Area of District</u>. 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 acres and is entirely within the corporate boundaries of the City of Peoria.
- 2. <u>Ownership.</u> The undersigned (is) (are) the sole owner(s) of the real property within the proposed district.
- 3. <u>Purpose</u>. 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. <u>Public Convenience and Necessity</u>. 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. <u>Waiver and Consent</u>. 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 Witnes	s whereof the parties have	e executed this Petition a	and Waiver Agreement as o	of the 4th
day of October	20 <u>17</u> .			

Pulte Home Company, LLC	Date:	Property (Tax Parcel Numbers)
Print Property Owner Name Phillip Turner	10/4/2017	201-20-582
Print Name 16767 N. Perimeter Dr. Suite 100 Scottsdale, AZ 85360 Address		
Signature		
	Date:	Property (Tax Parcel Numbers)
Print Property Owner Name		
Print Name		
Address		
Signature		
Accepted and approved by:		
CITY OF PEORIA, ARIZONA, an ARIZONA MUNICIPAL CORPORATION	ATTEST:	
By Mayor	City Clerk	
APPROVED AS TO FORM:		
City Attorney	-	

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

1108 SLID#

ALORAVITA - PHASE 1 PARCEL 6

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. <u>Area of District</u>. 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 22.387 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. <u>Purpose</u>. 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. <u>Public Convenience and Necessity</u>. 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. <u>Waiver and Consent</u>. 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 W	aiver Agreement as of the
day of _	20	N.	•

	Date:	Property (Tax Parcel
Pulte Home Company, LLC		Numbers)
Print Property Owner Name **Thil Turner**	9/20/17	201-20-582
Print Name		201-20-362
16767 N. Perimeter Dr., #100, Scottsdale, AZ 85260		
Address		
Signature		
	Date:	Property (Tax Parcel
		Numbers)
=	-	
Print Property Owner Name		
Print Name		
Filir Name		<u> </u>
Address		
Signature		
A second and an account to a		
Accepted and approved by:		
CITY OF PEORIA, ARIZONA, an		
ARIZONA MUNICIPAL CORPORATION	ATTEST:	
D.		
By Mayor	City Clerk	
Mayor	City Clerk	
APPROVED AS TO FORM:		
Stephen M. Kemp, City Attorney		
orebusing: vembi on viriles		

RESOLUTION NO. 2018-21

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. 1108, ALORAVITA - PHASE PARCEL 6: PROVIDING THAT THE COST OF THE ELECTRICITY REQUIRED TO **OPERATE** 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

Resolution No. 2018-21 SLID 1108, Aloravita - Phase 1 Parcel 6 February 6, 2018 Page 2 of 10 Pages

chargeable upon a district to be known and designated as the City of Peoria Streetlight Improvement District No. 1108 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. 1108 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. 1108 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. 1108.

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. 1108 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.

<u>SECTION 4</u>. 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.

<u>SECTION 5</u>. 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. 2018-21 SLID 1108, Aloravita - Phase 1 Parcel 6 February 6, 2018 Page 3 of 10 Pages

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 6th day of February, 2018.

	CITY OF PEORIA, municipal corporation	an	Arizona
	Cathy Carlat, Mayor		
	Date Signed		
ATTEST:			
Rhonda Geriminsky, City Clerk			
APPROVED AS TO FORM:			
Stephen Burg, City Attorney			
Effective Date:			

Resolution No. 2018-21 SLID 1108. Aloravita - Phase 1 Parcel 6 February 6, 2018 Page 4 of 10 Pages



EXHIBIT A LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CITY OF PEORIA BRASS CAP FLUSH MARKING THE SOUTHWEST CORNER OF SAID SECTION 36, FROM WHICH THE ALUMINUM CAP FLUSH STAMPED LS# 27239 MARKING THE WEST QUARTER CORNER OF SAID SECTION 36 BEARS NORTH 00°46'18" WEST, A DISTANCE OF 2.635.65 FEET:

THENCE NORTH 00°46'18" WEST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 36, A DISTANCE OF 1,808.43 FEET;

THENCE NORTH 89°13'42" EAST, DEPARTING SAID WEST LINE, A DISTANCE OF 35.00 FEET;

THENCE SOUTH 45°46'18" EAST, A DISTANCE OF 42.43 FEET;

THENCE NORTH 89°13'42" EAST, A DISTANCE OF 248.89 FEET TO THE BEGINNING OF A TANGENT CURVE OF 670.00 FOOT RADIUS, CONCAVE NORTHWESTERLY;

THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°04'29", A DISTANCE OF 129.50 FEET;

THENCE NORTH 30°48'14" EAST, A DISTANCE OF 40.65 FEET; THENCE NORTH 73°27'14" EAST, A DISTANCE OF 50.00 FEET;

THENCE SOUTH 63°53'46" EAST, A DISTANCE OF 40.65 FEET TO A POINT ON A 670.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS NORTH 21°14'46" WEST:

Title: ALORAVITA PHASE 1 - PARCEL 6 STREET LIGHT IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

Phone: 602-264-6831 Fax: 602-264-0928 Page 1 of 5



Resolution No. 2018-21 SLID 1108, Aloravita - Phase 1 Parcel 6 February 6, 2018 Page 5 of 10 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 24°12'25", A DISTANCE OF 283.07 FEET;

THENCE NORTH 44°32'49" EAST, A DISTANCE OF 106.65 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 44°32'49" EAST, A DISTANCE OF 97.75 FEET TO THE BEGINNING OF A TANGENT CURVE OF 705.00 FOOT RADIUS, CONCAVE SOUTHEASTERLY;

THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 40°12'57". A DISTANCE OF 494.84 FEET;

THENCE NORTH 41°59'46" EAST, A DISTANCE OF 44.05 FEET; THENCE NORTH 89°13'47" EAST, A DISTANCE OF 50.00 FEET;

THENCE SOUTH 43°32'12" EAST, A DISTANCE OF 44.05 FEET TO A POINT ON A 705.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 03°41'48" WEST;

THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 22°13'44", A DISTANCE OF 273.52 FEET;

THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 773.40 FEET TO THE BEGINNING OF A TANGENT CURVE OF 20.00 FOOT RADIUS, CONCAVE NORTHERLY;

THENCE EASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 58°14'35", A DISTANCE OF 20.33 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE OF 75.00 FOOT RADIUS, CONCAVE SOUTHEASTERLY;

Page 2 of 5

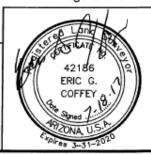
Title: ALORAVITA PHASE 1 - PARCEL 6
STREET LIGHT IMPROVEMENT DISTRICT

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Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

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Fax: 602-264-0928



Resolution No. 2018-21 SLID 1108, Aloravita - Phase 1 Parcel 6 February 6, 2018 Page 6 of 10 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 26°29'11", A DISTANCE OF 34.67 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE OF 20.00 FOOT RADIUS, CONCAVE NORTHWESTERLY;

THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 58°14'35", A DISTANCE OF 20.33 FEET;

THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 60.00 FEET TO A POINT ON A 20.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 64°04'28" EAST:

THENCE SOUTHERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 58°14'35", A DISTANCE OF 20.33 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE OF 75.00 FOOT RADIUS, CONCAVE SOUTHWESTERLY;

THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 29°58'10", A DISTANCE OF 39.23 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE OF 20.00 FOOT RADIUS, CONCAVE NORTHEASTERLY:

THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 61°43'35", A DISTANCE OF 21.55 FEET;

THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 50.00 FEET TO A POINT ON A 20.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 25°55'32" WEST;

THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 61°43'35", A DISTANCE OF 21.55 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE OF 75.00 FOOT RADIUS, CONCAVE NORTHWESTERLY;

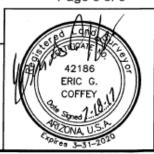
Page 3 of 5

Title: ALORAVITA PHASE 1 - PARCEL 6
STREET LIGHT IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

Phone: 602-264-6831 Fax: 602-264-0928



Resolution No. 2018-21 SLID 1108, Aloravita - Phase 1 Parcel 6 February 6, 2018 Page 7 of 10 Pages



EXHIBIT A LEGAL DESCRIPTION

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THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 58°14'35", A DISTANCE OF 20.33 FEET; THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 439.97 FEET TO THE BEGINNING OF A TANGENT CURVE OF 870.00 FOOT RADIUS, CONCAVE SOUTHEASTERLY;

THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 07°00'54", A DISTANCE OF 106.52 FEET;

THENCE NORTH 64°04'28" WEST, A DISTANCE OF 787.23 FEET; THENCE NORTH 66°49'45" WEST, A DISTANCE OF 55.23 FEET; THENCE NORTH 84°30'54" WEST, A DISTANCE OF 52.88 FEET; THENCE SOUTH 75°50'27" WEST, A DISTANCE OF 52.88 FEET;

THENCE SOUTH 75°50'27" WEST, A DISTANCE OF 52.88 FEET; THENCE SOUTH 56°11'48" WEST, A DISTANCE OF 52.88 FEET;

THENCE NORTH 43°37'31" WEST, A DISTANCE OF 120.00 FEET TO A POINT ON A 275.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 43°37'31" EAST;

THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 06°56'25", A DISTANCE OF 33.31 FEET:

THENCE NORTH 51°22'23" WEST, A DISTANCE OF 50.00 FEET;

THENCE SOUTH 85°48'31" WEST, A DISTANCE OF 27.53 FEET TO A POINT ON A 700.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS NORTH 42°18'26" EAST;

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Resolution No. 2018-21 SLID 1108, Aloravita - Phase 1 Parcel 6 February 6, 2018 Page 8 of 10 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE NORTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 02°14'23", A DISTANCE OF 27.36 FEET;

THENCE NORTH 45°27'11" WEST, A DISTANCE OF 175.84 FEET; THENCE NORTH 00°27'11" WEST, A DISTANCE OF 28.28 FEET; THENCE NORTH 45°27'11" WEST, A DISTANCE OF 50.00 FEET; THENCE SOUTH 89°32'49" WEST, A DISTANCE OF 28.28 FEET; THENCE NORTH 45°27'12" WEST, A DISTANCE OF 87.00 FEET; THENCE NORTH 00°27'12" WEST, A DISTANCE OF 42.43 FEET;

THENCE NORTH 45°27'11" WEST, A DISTANCE OF 60.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 22.387 ACRES, MORE OR LESS.

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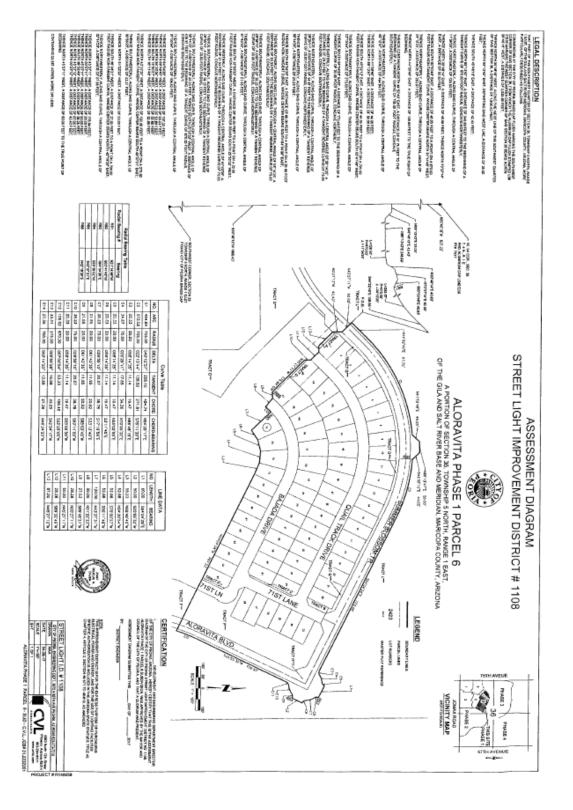
Resolution No. 2018-21 SLID 1108, Aloravita - Phase 1 Parcel 6 February 6, 2018 Page 9 of 10 Pages

Resolution No. 2018 - 21

EXHIBIT "B"

IS ON FILE IN THE

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



RESOLUTION NO. 2018-22

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. 1108. ALORAVITA - PHASE 1 PARCEL 6 PURSUANT TO 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 6th day of February, 2018, the Mayor and Council of the City of Peoria, Arizona, passed and adopted Resolution No. 2018-21, 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. 1108; 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. 2018-21 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. 2018-21, said notices being headed "Notice of Proposed Improvement", each heading in letters at least one (1)

Resolution No. 2018-22 SLID 1108, Aloravita - Phase 1 Parcel 6 February 6, 2018 Page 2 of 11 Pages

inch in height. Said notices stated the fact of the passage of said Resolution of Intention No. 2018-21 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. 2018-21 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. 2018-21; 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. 2018-21 and in accordance with the Plans and Specifications approved and adopted by the Mayor and Council of the City of Peoria, Arizona.

<u>Section 2</u>. 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 6th day of February, 2018, 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. 2018-22 SLID 1108, Aloravita - Phase 1 Parcel 6 February 6, 2018 Page 3 of 11 Pages

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 6^{th} day of February, 2018.

	CITY OF PEORIA, au municipal corporation	n Arizona
	Cathy Carlat, Mayor	
	Date Signed	
ATTEST:		
Rhonda Geriminsky, City Clerk		
APPROVED AS TO FORM:		
Stephen Burg, City Attorney		
Effective Date:		

Resolution No. 2018-22 SLID 1108, Aloravita - Phase 1 Parcel 6 February 6, 2018 Page 4 of 11 Pages



EXHIBIT A LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CITY OF PEORIA BRASS CAP FLUSH MARKING THE SOUTHWEST CORNER OF SAID SECTION 36, FROM WHICH THE ALUMINUM CAP FLUSH STAMPED LS# 27239 MARKING THE WEST QUARTER CORNER OF SAID SECTION 36 BEARS NORTH 00°46'18" WEST, A DISTANCE OF 2,635.65 FEET;

THENCE NORTH 00°46'18" WEST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 36, A DISTANCE OF 1,808.43 FEET;

THENCE NORTH 89°13'42" EAST, DEPARTING SAID WEST LINE, A DISTANCE OF 35.00 FEET;

THENCE SOUTH 45°46'18" EAST, A DISTANCE OF 42.43 FEET;

THENCE NORTH 89°13'42" EAST, A DISTANCE OF 248.89 FEET TO THE BEGINNING OF A TANGENT CURVE OF 670.00 FOOT RADIUS, CONCAVE NORTHWESTERLY;

THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°04'29", A DISTANCE OF 129.50 FEET:

THENCE NORTH 30°48'14" EAST, A DISTANCE OF 40.65 FEET; THENCE NORTH 73°27'14" EAST, A DISTANCE OF 50.00 FEET;

THENCE SOUTH 63°53'46" EAST, A DISTANCE OF 40.65 FEET TO A POINT ON A 670.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS NORTH 21°14'46" WEST;

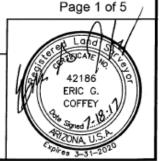
Title: ALORAVITA PHASE 1 - PARCEL 6 STREET LIGHT IMPROVEMENT DISTRICT

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

Phone: 602-264-6831

Fax: 602-264-0928



Resolution No. 2018-22 SLID 1108, Aloravita - Phase 1 Parcel 6 February 6, 2018 Page 5 of 11 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 24°12'25", A DISTANCE OF 283.07 FEET;

THENCE NORTH 44°32'49" EAST, A DISTANCE OF 106.65 FEET TO THE TRUE POINT OF BEGINNING:

THENCE CONTINUING NORTH 44°32'49" EAST, A DISTANCE OF 97.75 FEET TO THE BEGINNING OF A TANGENT CURVE OF 705.00 FOOT RADIUS, CONCAVE SOUTHEASTERLY;

THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 40°12'57". A DISTANCE OF 494.84 FEET;

THENCE NORTH 41°59'46" EAST, A DISTANCE OF 44.05 FEET; THENCE NORTH 89°13'47" EAST, A DISTANCE OF 50.00 FEET;

THENCE SOUTH 43°32'12" EAST, A DISTANCE OF 44.05 FEET TO A POINT ON A 705.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 03°41'48" WEST;

THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 22°13'44", A DISTANCE OF 273.52 FEET;

THENCE SOUTH 64°04'28" EAST, A DISTANCE OF 773.40 FEET TO THE BEGINNING OF A TANGENT CURVE OF 20.00 FOOT RADIUS, CONCAVE NORTHERLY;

THENCE EASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 58°14'35", A DISTANCE OF 20.33 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE OF 75.00 FOOT RADIUS, CONCAVE SOUTHEASTERLY;

Page 2 of 5

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Resolution No. 2018-22 SLID 1108, Aloravita - Phase 1 Parcel 6 February 6, 2018 Page 6 of 11 Pages



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THENCE SOUTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 61°43'35", A DISTANCE OF 21.55 FEET;

THENCE SOUTH 25°55'32" WEST, A DISTANCE OF 50.00 FEET TO A POINT ON A 20.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 25°55'32" WEST;

THENCE WESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 61°43'35", A DISTANCE OF 21.55 FEET TO THE BEGINNING OF A TANGENT REVERSE CURVE OF 75.00 FOOT RADIUS, CONCAVE NORTHWESTERLY;

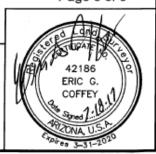
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Resolution No. 2018-22 SLID 1108, Aloravita - Phase 1 Parcel 6 February 6, 2018 Page 7 of 11 Pages



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THENCE SOUTHWESTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 06°56'25", A DISTANCE OF 33.31 FEET:

THENCE NORTH 51°22'23" WEST, A DISTANCE OF 50.00 FEET;

THENCE SOUTH 85°48'31" WEST, A DISTANCE OF 27.53 FEET TO A POINT ON A 700.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS NORTH 42°18'26" EAST;

Title: ALORAVITA PHASE 1 - PARCEL 6 STREET LIGHT IMPROVEMENT DISTRICT

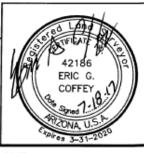
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EXHIBIT A LEGAL DESCRIPTION

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CONTAINING 22.387 ACRES, MORE OR LESS.

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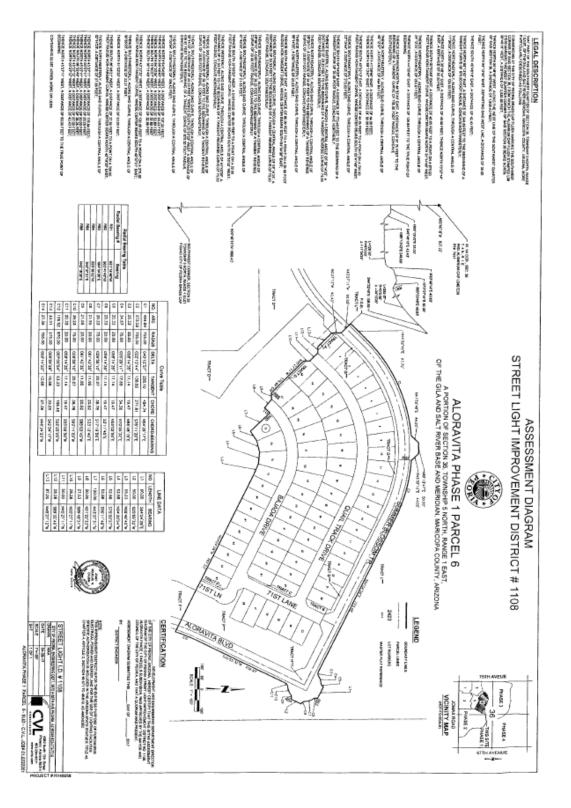
Resolution No. 2018-22 SLID 1108, Aloravita - Phase 1 Parcel 6 February 6, 2018 Page 9 of 11 Pages

Resolution No. 2018-22

EXHIBIT "B"

IS ON FILE IN THE

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



Resolution No. 2018-22 SLID 1108, Aloravita - Phase 1 Parcel 6 February 6, 2018 Page 11 of 11 Pages

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. 1108, ALORAVITA - PHASE 1 PARCEL 6.

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 6th day of February, 2018, the Mayor and Council of the City of Peoria adopted Resolution No. 2018-22; 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. 1108, 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. 1108 may be obtained by contacting Mrs. Adina Lund, Engineering Director, City of Peoria, Arizona, 8401 West Monroe, Peoria, Arizona 85345, (623) 773-7691.

DATED AND SIGNED this	day of	, 2018.
	Adina Lur	nd, P.E.
	Superinte	ndent of Streets
	City of Pe	oria, Arizona

CITY OF PEORIA, ARIZONA COUNCIL COMMUNICATION

Date Prepared: 1/24/2018 Council Meeting Date: 2/6/2018

TO: Jeff Tyne, City Manager

THROUGH: Andy Granger, Deputy City Manager

FROM: Adina Lund, P.E., Development and Engineering Director

SUBJECT: Street Light Improvement District No. 1130, Four Seasons at Ventana Lakes,

107th Avenue and Beardsley Road

Purpose:

Discussion and possible action to approve the Petition for Formation and adopt **RES. 2018-25** intention and ordering the formation of proposed Street Light Improvement District No. 1130, Four Seasons at Ventana Lakes, located at 107th Avenue and Beardsley Road; and adopt **RES. 2018-26** ordering the improvements within the proposed Street Light Improvement District and declaring an emergency.

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. 1130, Four Seasons at Ventana Lakes, located at 107th Ave. & Beardsley Rd. In the case in which all of the property owners have presented a petition for formation, the ordinary publication and protest period are not required by law; 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 2019, the residents will receive, on their property tax bill, an additional charge for operation of the street light system. In accordance with state statute, an assessment diagram and map listing each parcel of property within the district has been prepared.

Previous Actions:

The final plat for Four Seasons at Ventana Lakes was approved by the Council on November 28, 2018.

Options:

A: The Street Light Improvement District has been approved through the Development and Engineering Department. An option would be to not accept the proposed Street Light Improvement District. 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 Recommendation:

Staff recommends 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. 1130, Four Seasons at Ventana Lakes, located at 107th Ave. & Beardsley Rd., 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.
- 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.

Fiscal Analysis:

There is no direct fiscal 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.

ATTACHMENTS:

Exhibit 1: Petition for Formation

Exhibit 2: Proposed Resolution of Intention to Create

Exhibit 3: Proposed Resolution Ordering the Improvements

Contact Name and Number:

Ann DeHerrera, Engineering Technician II, (623) 773-7691

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

[1130]

	SLID#	
1	Four Seasons at Ventana Lakes]
	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 agree to waive certain rights under the Arizona Improvement District Law and to consent to the formation and completion of the District.

- 1. <u>Area of District</u>. 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 acres and is entirely within the corporate boundaries of the City of Peoria.
- 2. <u>Ownership</u>. The undersigned (is) (are) the sole owner(s) of the real property within the proposed district.
- 3. <u>Purpose</u>. 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. <u>Public Convenience and Necessity</u>. 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. <u>Waiver and Consent</u>. 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	
day of _	20				

	Date:	Property (Tax Parcel Numbers)
K. Hovnanian at Ventana Lakes, LLC Print Property Owner Name	11 20 10	
Chuck Chisholm Print Name	11.20.17	200-35-229U/200-12-002B
20830 N Tatum Blvd, Phoenix, AZ 85050		
Addre		
Signature		
	Date:	Property (Tax Parcel Numbers)
Died Description Over Name		,
Print Property Owner Name		
Print Name		
Address		
Signature		
	A CONTRACTOR OF THE PROPERTY O	
Accepted and approved by:		
CITY OF PEORIA, ARIZONA, an		
ARIZONA MUNICIPAL CORPORATION	ATTEST:	
By		
Mayor	City Clerk	
APPROVED AS TO FORM:		
City Attorney		

RESOLUTION NO. 2018-25

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 PEORIA STREETLIGHT **IMPROVEMENT** DISTRICT NO. 1130, FOUR SEASONS AT VENTANA LAKES: PROVIDING THAT THE COST OF THE ELECTRICITY REQUIRED TO OPERATE 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:

<u>SECTION 1</u>. 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

Resolution No. 2018-25 SLID 1130, Four Seasons at Ventana Lakes February 6, 2018 Page 2 of 8 Pages

chargeable upon a district to be known and designated as the City of Peoria Streetlight Improvement District No. 1130 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. 1130 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. 1130 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. 1130.

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. 1130 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.

<u>SECTION 4</u>. 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.

<u>SECTION 5</u>. 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. 2018-25 SLID 1130, Four Seasons at Ventana Lakes February 6, 2018 Page 3 of 8 Pages

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 6th day of February, 2018.

	CITY OF PEORIA, municipal corporation	an	Arizona
	Cathy Carlat, Mayor		
ATTEST:	Date Signed		
Rhonda Geriminsky, City Clerk			
APPROVED AS TO FORM:			
Stephen Burg, City Attorney			
Effective Date:			

Resolution No. 2018-25 SLID 1130, Four Seasons at Ventana Lakes February 6, 2018 Page 4 of 8 Pages



EXHIBIT A LEGAL DESCRIPTION

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 19 AND THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CITY OF PEORIA BRASS CAP IN HAND HOLE MARKING THE NORTHEAST CORNER OF SAID SECTION 30, ALSO BEING THE SOUTHEAST CORNER OF SAID SECTION 19, FROM WHICH THE CITY OF PEORIA BRASS CAP FLUSH STAMPED LS#40808 MARKING THE EAST QUARTER CORNER OF SAID SECTION 30 BEARS SOUTH 00°00'00" EAST, A DISTANCE OF 2,652.22 FEET;

THENCE SOUTH 00°00'00" EAST, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 658.71 FEET TO A POINT ON THE NORTHERLY LINE OF GREYSTONE HERITAGE UNIT TWO AT VENTANA LAKES, AS RECORDED IN BOOK 550 OF MAPS, PAGE 11, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 90°00'00" WEST, ALONG SAID NORTHERLY LINE, A DISTANCE OF 465.66 FEET TO A POINT ON THE EASTERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DOCUMENT NO. 2008-1089118, RECORDS OF MARICOPA COUNTY, ARIZONA, SAID POINT BEING ON A 91.50 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 88°22'17" WEST;

THENCE NORTHERLY, ALONG SAID EASTERLY LINE AND ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°40'25", A DISTANCE OF 2.67 FEET TO THE NORTHEAST CORNER OF SAID CERTAIN PARCEL OF LAND;

Page 1 of 3

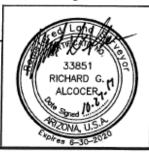
Title: FOUR SEASONS AT VENTANA LAKES

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

Phone: 602-264-6831

Fax: 602-264-0928



Resolution No. 2018-25 SLID 1130, Four Seasons at Ventana Lakes February 6, 2018 Page 5 of 8 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE SOUTH 90°00'00" WEST, ALONG THE NORTHERLY LINE OF SAID CERTAIN PARCEL OF LAND, A DISTANCE OF 11.09 FEET TO A POINT ON THE EASTERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DOCKET 13270, PAGE 1099, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 00°00'00" EAST, ALONG SAID EASTERLY LINE, A DISTANCE OF 92.33 FEET TO THE NORTHEAST CORNER OF LAST SAID CERTAIN PARCEL OF LAND;

THENCE NORTH 90°00'00" WEST, ALONG THE NORTHERLY LINE OF LAST SAID CERTAIN PARCEL OF LAND, A DISTANCE OF 6.31 FEET TO A POINT ON THE NORTHERLY LINE OF SAID CERTAIN PARCEL OF LAND DESCRIBED IN DOCUMENT NO. 2008-1089118, RECORDS OF MARICOPA COUNTY, ARIZONA, SAID POINT BEING ON A 24.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 47°25'46" WEST;

THENCE WESTERLY, ALONG SAID NORTHERLY LINE AND ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 48°49'40", A DISTANCE OF 20.45 FEET:

THENCE SOUTH 88°36'06" WEST, ALONG SAID NORTHERLY LINE, A DISTANCE OF 145.81 FEET;

THENCE SOUTH 01°37'06" WEST, ALONG SAID NORTHERLY LINE, A DISTANCE OF 4.20 FEET TO A POINT ON THE NORTHERLY LINE OF SAID GREYSTONE HERITAGE UNIT TWO AT VENTANA LAKES;

THENCE ALONG THE NORTHERLY AND EASTERLY LINES OF SAID GREYSTONE HERITAGE UNIT TWO AT VENTANA LAKES THE FOLLOWING COURSES:

Page 2 of 3

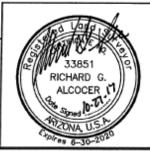
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Resolution No. 2018-25 SLID 1130, Four Seasons at Ventana Lakes February 6, 2018 Page 6 of 8 Pages



EXHIBIT A LEGAL DESCRIPTION

THENCE NORTH 90°00'00" WEST, A DISTANCE OF 63.28 FEET;

THENCE NORTH 08°05'03" WEST, A DISTANCE OF 466.72 FEET;

THENCE NORTH 88°34'05" WEST, A DISTANCE OF 8.68 FEET:

THENCE NORTH 01°25'55" EAST, A DISTANCE OF 10.00 FEET;

THENCE SOUTH 88°34'05" EAST, A DISTANCE OF 7.00 FEET;

THENCE NORTH 08°05'03" WEST, A DISTANCE OF 31.88 FEET;

THENCE NORTH 00°22'05" WEST, A DISTANCE OF 55.00 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19;

THENCE NORTH 89°37'55" EAST, DEPARTING SAID EASTERLY LINE ALONG SAID SOUTH LINE, A DISTANCE OF 0.01 FEET TO A POINT ON THE EASTERLY LINE OF LAKESIDE UNIT 2 AT VENTANA LAKES, AS RECORDED IN BOOK 379 OF MAPS, PAGE 5, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE ALONG THE EASTERLY AND SOUTHERLY LINES OF SAID LAKESIDE UNIT 2 AT VENTANA LAKES THE FOLLOWING COURSES:

THENCE NORTH 00°22'05" WEST, A DISTANCE OF 55.00 FEET; THENCE NORTH 16°46'13" EAST, A DISTANCE OF 484.51 FEET; THENCE NORTH 89°37'55" EAST, A DISTANCE OF 613.15 FEET:

THENCE SOUTH 88°53'54" EAST, A DISTANCE OF 40.00 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19;

THENCE SOUTH 01°07'04" WEST, DEPARTING SAID SOUTHERLY LINE ALONG SAID EAST LINE, A DISTANCE OF 517.14 FEET TO THE POINT OF BEGINNING.

CONTAINING 841,047 SQUARE FEET OR 19.308 ACRES, MORE OR LESS.

LAKEC

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Page 3 of 3

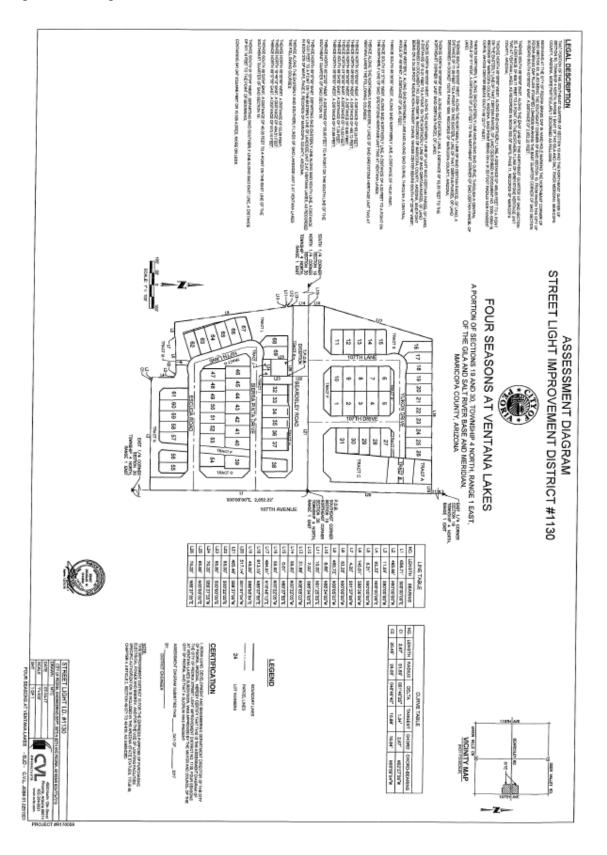
Resolution No. 2018-25 SLID 1130, Four Seasons at Ventana Lakes February 6, 2018 Page 7 of 8 Pages

Resolution No. 2018 - 25

EXHIBIT "B"

IS ON FILE IN THE

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



RESOLUTION NO. 2018-26

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. 1130. FOUR SEASONS AT VENTANA LAKES 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 6th day of February, 2018, the Mayor and Council of the City of Peoria, Arizona, passed and adopted Resolution No. 2018-25, 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. 1130; 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. 2018-25 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. 2018-25, said notices being headed "Notice of Proposed Improvement", each heading in letters at least one (1)

Resolution No. 2018-26 SLID 1130, Four Seasons at Ventana Lakes February 6, 2018 Page 2 of 9 Pages

inch in height. Said notices stated the fact of the passage of said Resolution of Intention No. 2018-25 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. 2018-25 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. 2018-25; 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. 2018-25 and in accordance with the Plans and Specifications approved and adopted by the Mayor and Council of the City of Peoria, Arizona.

<u>Section 2</u>. 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 6th day of February, 2018, 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. 2018-26 SLID 1130, Four Seasons at Ventana Lakes February 6, 2018 Page 3 of 9 Pages

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 6^{th} day of February, 2018.

	CITY OF PEORIA, a municipal corporation	n Arizona
	Cathy Carlat, Mayor	
	Date Signed	
ATTEST:		
Rhonda Geriminsky, City Clerk		
APPROVED AS TO FORM:		
Stephen Burg, City Attorney		
Effective Date:		

Resolution No. 2018-26 SLID 1130, Four Seasons at Ventana Lakes February 6, 2018 Page 4 of 9 Pages



EXHIBIT A LEGAL DESCRIPTION

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 19 AND THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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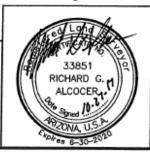
Title: FOUR SEASONS AT VENTANA LAKES

Preparing Firm: COE & VAN LOO CONSULTANTS, INC.

Address: 4550 NORTH 12TH STREET, PHOENIX, AZ 85014

Phone: 602-264-6831

Fax: 602-264-0928



Resolution No. 2018-26 SLID 1130, Four Seasons at Ventana Lakes February 6, 2018 Page 5 of 9 Pages



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RICHARD G.
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Resolution No. 2018-26 SLID 1130, Four Seasons at Ventana Lakes February 6, 2018 Page 6 of 9 Pages



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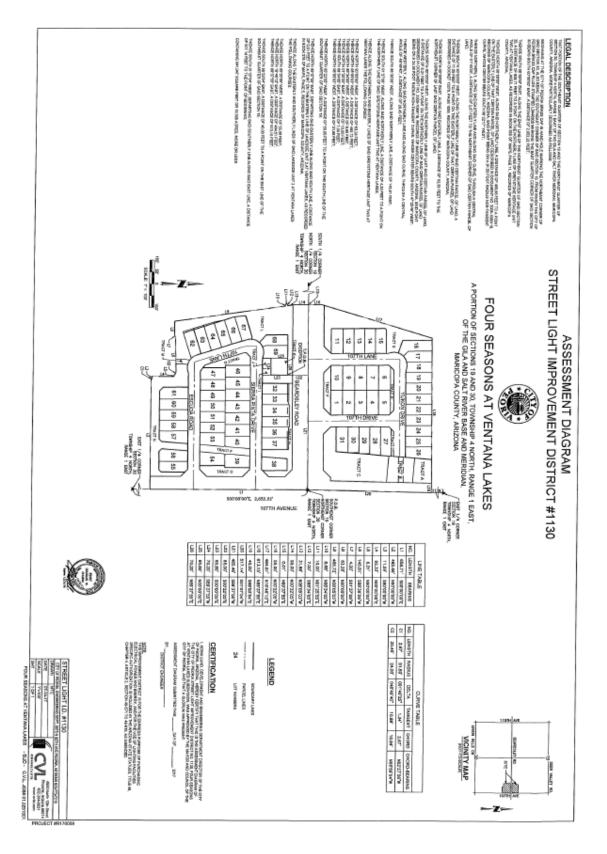
Resolution No. 2018-26 SLID 1130, Four Seasons at Ventana Lakes February 6, 2018 Page 7 of 9 Pages

Resolution No. 2018-26

EXHIBIT "B"

IS ON FILE IN THE

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



Resolution No. 2018-26 SLID 1130, Four Seasons at Ventana Lakes February 6, 2018 Page 9 of 9 Pages

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. 1130, FOUR SEASONS AT VENTANA LAKES.

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 6th day of February, 2018, the Mayor and Council of the City of Peoria adopted Resolution No. 2018-26; 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. 1130, 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. 1130 may be obtained by contacting Mrs. Adina Lund, Engineering Director, City of Peoria, Arizona, 8401 West Monroe, Peoria, Arizona 85345, (623) 773-7691.

DATED AND SIGNED this	day of	, 2018.
	Adina Lur	nd, P.E.
	Superinte	ndent of Streets
	City of Pe	oria, Arizona

CITY OF PEORIA, ARIZONA COUNCIL COMMUNICATION

Agenda Item: 16C.

Date Prepared: 1/22/2018 Council Meeting Date: 2/6/2018

TO: Jeff Tyne, City Manager

THROUGH: Andy Granger, Deputy City Manager

FROM: Adina Lund, P.E., Development and Engineering Director

SUBJECT: Final Plat, QuikTrip Store #0484, 95th Avenue and Olive Avenue

Purpose:

Discussion and possible action to approve a Final Plat of QuikTrip Store #0484, located on 95th Avenue and Olive Avenue, subject to stipulations.

Background/Summary:

The purpose of the Final Plat is to plat a subdivision for commercial use. This development is within the City's water/sewer service area. This final plat creates a total of 2 new lots. One lot is currently being proposed for development; the other lot will be further subdivided as it develops.

Previous Actions:

There has been no previous Council action.

Options:

A: The Final Plat has been approved through the Development and Engineering 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 Recommendation:

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

Fiscal Analysis:

No fiscal impact

ATTACHMENTS:

Exhibit 1: Final Plat Exhibit 2: Vicinity Map

Contact Name and Number:

Adina Lund, Development and Engineering Director, 623-773-7249

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LOT 1: 117,845 SQ. FT. OR 2.70 ACRES
LOT 2: 589,585 SQ. FT. OR 13.53 ACRES
CROSS: 608,343 SQ. FT. OR 18.58 ACRES LY COMISSION EXPIRES FEBRUARY 21, 2011 STATE OF **EXCRESSIO**) ON THIS 13 DAY OF DESCRIBED 2017 BEFORE HE THE UNDERSONED THENCE NORTH 88"40"49" EAST, ALLING SAID NORTH LINE, A DISTANCE OF 1158.34 FEET TO THE POINT OF BECANNING. THENCE NORTH 0143'50" EAST, ALONG SAID EAST LINE, A DISTANCE OF 698.07 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHWEST QUARTER: THENCE SOUTH 8972/04" NEST, ALONG THE NORTHERLY LINE OF SAID LA JOLLA GROVES, A DISTANCE OF 1158,29 FEET TO A POINT ON THE EXIST LINE OF THE MEST 165.00 FEET OF THE NORTHEAST QUARTER OF THE NORTHEST QUARTER OF SAID SECTION 33; RECHANG AT A FORM BRASS DO IN HARMES AT THE MORTH GUARTER CORREST OF SAN SCHOOL WAS THE ATTEMPT OF SAN SCHOOL WAS THE ARTHWEST CORREST OF SAN SCHOOL WAS BASED AT THE ARTHWEST CORREST OF SAN SCHOOL WAS BASED AT WEIGHT WAS A MANUAL WAS BASED AT THE ARTHWEST CORREST OF SAN SCHOOL WEST, A DISTINCT OF ZMAJER FEET. EIGETOF FIDIA SALVE BOLSENOO AN Thenas south ot 3854" Nest, along the east line of said northwest duarter, a distance of 699.83 feet to the northeast corner of La Jolla Rodes as recorded in book 640, page 20, records of Markoppa, Colunte, Arizona; THE PROPERTY OF THE PROPERTY O IOTARY PUBLIC y mitness whereof, i hereunto set my hand and official seal WHO MAP PIEUR PRESNULT MONERLE THE THE THE ME ACHONIDADED INSIDE TO BE A LOUBLE OF CHAIRM AND THAT IS AS SOLD BEFORE BUY AND THAT IS AS SOLD BEFORE BUY AND HANT TO CALL THE TOCKNING THE AND THAT THE THE THE THE THAT IS AS SOLD BEFORE BUY AND HANT TO CALL THE THE THE THE THAT IS ASSOCIATED BY A SOLD BUY AND THE CHIPMAN, IT HANCE AS SUCH BURBER. ACKNOWLEDGMENT Porticm of land stuated in the morthwest quarter of section 33, densities a north, brance 1 east of the gia, and salt river bass and brouna, amended a section, amended a county, arecome, after particularly described as ollows. ARENT PARCEL: DESCRIPTION WINESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL QUIKTRIP #0484 @ SWC 95th AVENUE & OLIVE AVENUE CONTROL OF THE INSTRUCT CHARGES CHARGES CONTROL CHARGE SHIPS, CONTROL CHARGE SHIPS, CONTROL CHARGE SHIPS, CONTROL CHARGE CHARGES CHAR

FINAL PLAT

QUIKTRIP STORE #0484"

A COMMERCIAL SUBDIVISION
LOCATED IN THE NORTHWEST QUARTER OF SECTION 33,
TOWNSHIP 3 NORTH, RANGE 1 EAST, OF THE GILA & SALT RIVER BASE & MERIDIAN
MARICOPA COUNTY, ARIZONA

3118

STREET CENTERLINE MONUMENT, FOUND ON AS NOTED FOUND PROPERTY CORNER, AS NOTED SET PROPERTY CORNER, LS 33880 SUBDIVISION BOUNDARY LINE

RIGHT OF WAY LINE

- EASEMENT LINE
RIGHT-OF-WAY

ASSURED WATER SUPPLY.
HIS SUBDIVISION IS LOCATED WITHIN THE CITY OF PEORIA SEMER SERVICE AREA.
AREA.
HIS SUBDIVISION IS LOCATED WITHIN THE VICINITY OF A MILITARY AIRPORT. ated within the city of peoria water compani been designated as having a 100—year

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VICINITY MAP

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SECTION 33

T.JN., R.T.E., G.MES.R.B.BM.
MARICOPA COUNTY, ARZONA

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OUNTIE CEPPORATION ARIZONA DIVISION
1118 E BROADWY ROAD
THEE BROADWY ROAD
THEE ARIZONA BAZES
PHONE 490-1447-EXTE
ENAL ANAUTROLIKTREP.COM

LOP ENTERPRISES, INC.
25820 S. ARZONA AVENUE
25820 S. ARZONA 85248
CHANDLER, ARZONA 85248
PHONE: 802-390-0148
EMAIL: AIGOLFCARTBAOLCOM

BASIS OF BEARINGS
THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 33, MONUMENTED AS SHOWN HEREON AS BEARNIC NEW 449°E, PER BOOK 640 OF LIAPS, PAGE 20, ILC.R.

FLOOD ZONE INFORMATION
THE PARCEL IS LOCATED IN ZONE "X" ACCORDING TO FEMA FIRM MAP
NO. 04073C1668 IL DATED OCTOBER 16, 2013.

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DON WALDING, R.L.S. \$33850 800 W. BROADWAY RD., SUITE 150 EAPE, AZ 85282 HONE (480) 736—1800

THE MAYOR AND CITY COUNCIL OF THE CITY OF PEORIA, ARIZONA

APPROVALS

3TVQ DATE

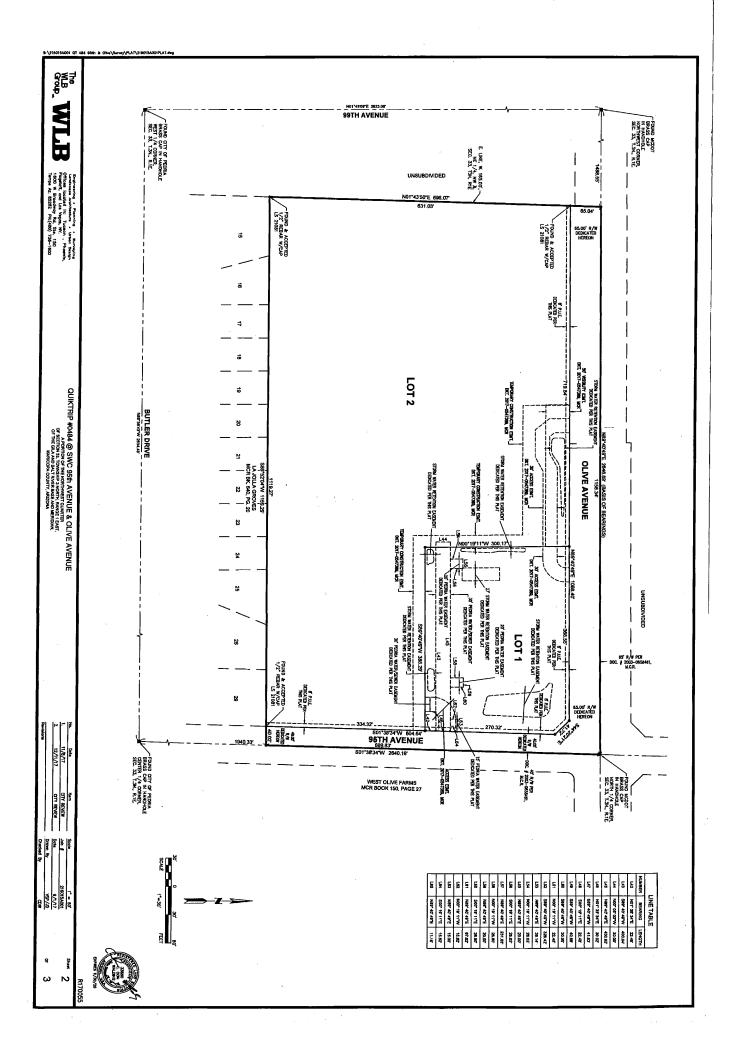
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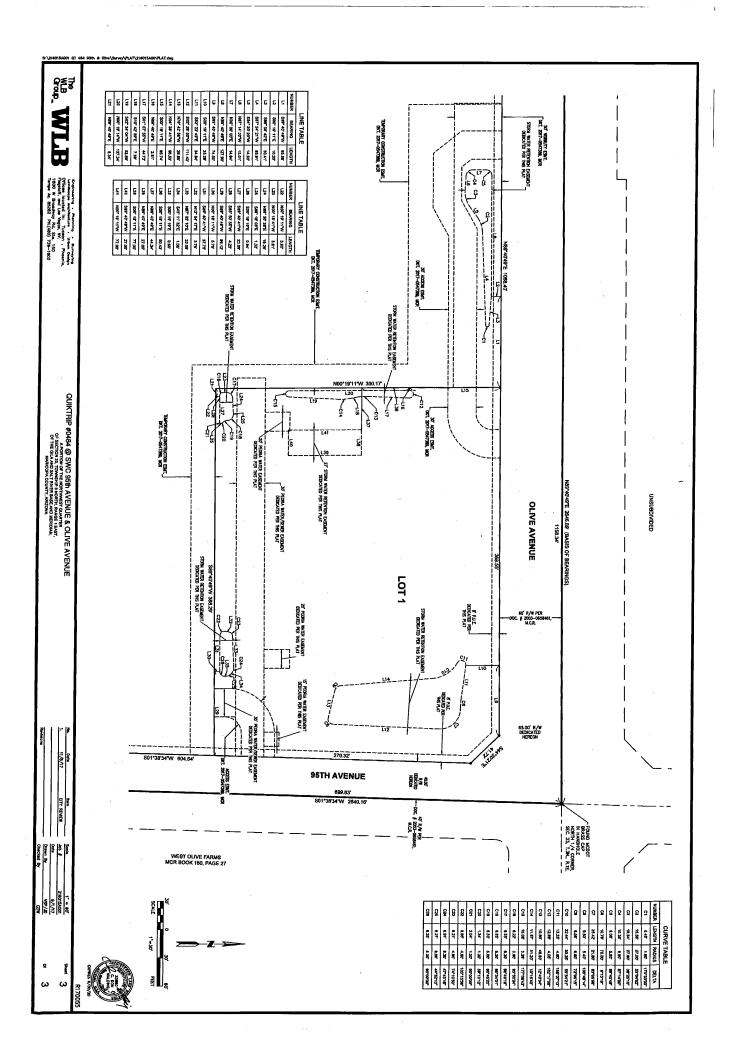
OTY REVIEW

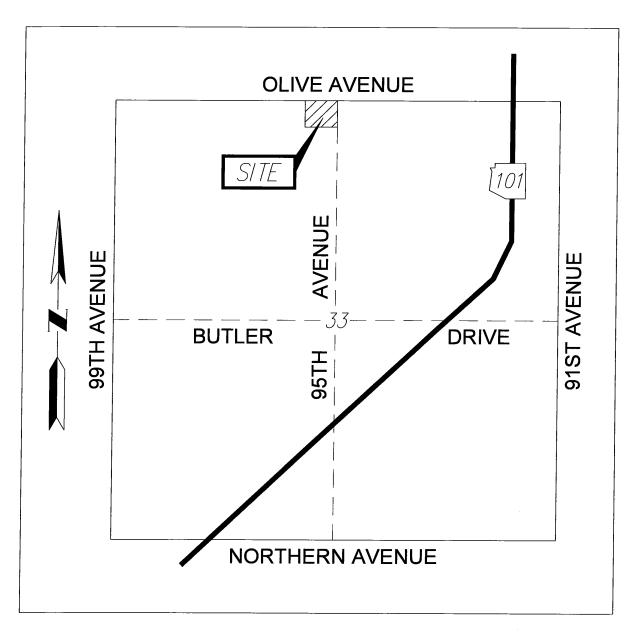
218015,A001 9/1/07 VSP/JD VSP/JD

FOR CITY ENGINE

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VICINITY MAP

NOT TO SCALE
SECTION 33
T.3N., R.1E., G.&S.R.B.&M.
MARICOPA COUNTY, ARIZONA

CITY OF PEORIA, ARIZONA VISTANCIA WEST COMMUNITY FACILITIES DISTRICT COMMUNICATION

Agenda Item: 17C.

Date Prepared: 1/23/2018 Council Meeting Date: 2/6/2018

TO: Jeff Tyne, District Manager

FROM: Rhonda Geriminsky, Distict Clerk

SUBJECT: Minutes

Purpose:

Discussion and possible action to approve the December 12, 2017 Vistancia West Community Facilities District Meeting minutes.

ATTACHMENTS:

December 12, 2017 Minutes

Contact Name and Number:

Rhonda Geriminsky, (623) 773-7340

MINUTES OF THE VISTANCIA WEST COMMUNITY FACILITIES DISTRICT BOARD

CITY OF PEORIA, ARIZONA COUNCIL CHAMBER December 12, 2017

The Vistancia West Community Facilities District Board met in open and public session at 8401 West Monroe Street immediately following the conclusion of the new business of the Peoria City Council.

<u>Members Present</u>: Board Chairperson Cathy Carlat; Vice Chairperson Jon Edwards; Board Members Bridget Binsbacher, Michael Finn, Vicki Hunt, Carlo Leone and Bill Patena.

Board Youth Liaisons: Maylee Acosta and Cassidy Gatrost.

Other Municipal Officials Present: Jeff Tyne, District Manager; Julie Arendall, Deputy District Manager; Andy Granger, Deputy District Manager; Steve Burg, District Counsel; Linda Blas, Deputy District Clerk; Thomas Adkins, Intergovernmental Affairs Director; Chris Jacques, Planning and Community Development Director; Laura Ingegneri, Human Resources Director; Stuart Kent, Public Works/Utilities Director; Dan Nissen, Development and Engineering Deputy Director; Sonia Andrews, Interim Finance Director; Roy Minter, Police Chief; Bobby Ruiz, Fire Chief; John Sefton, Community Services Director; Jennifer Stein, Office of Communications Director; Dawn Prince, Assistant to the District Manager; and Natalie Gilstrap, Management Analyst.

<u>Audience</u>: Approximately 15 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: All items listed with a "C" are considered to be routine or have been previously reviewed by the District Board and will be enacted by one motion. There will be no separate discussion of these items unless a Board Member 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.

Chairperson Carlat asked if any Board Member wished to have an item removed from the Consent Agenda. Having no requests from the Board, motion was made by Board Member Binsbacher, seconded by Board Member Finn, to approve the Consent Agenda.

Upon vote, the motion carried unanimously $\underline{7}$ to $\underline{0}$.

CONSENT – New Business:

Clerk's Note: The agenda item numbers shown below reflect the items as they were numbered on the agenda.

Vistancia West Community Facilities District Board Special Meeting December 12, 2017 Page 2 of 2

22C. Minutes

Approved the November 7, 2017 Vistancia West Community Facilities District Meeting minutes.

23C. Fiscal Year 2017 Annual Financial Report

Accepted and filed the Vistancia West Community Facilities District Annual Financial Report for the fiscal year ended June 30, 2017.

Call To The Public (Non-Agenda Items)

None.

ADJOURNMENT:

Being no further business to come before the District Board, the meeting was duly adjourned at 8:04 p.m.

	Cathy Carlat, Board Chairperson
ATTEST:	
Rhonda Geriminsky, District Clerk	
CERTIFICATION	

I hereby certify that the foregoing minutes are a true and correct summary of the proceedings of the Vistancia West Community Facilities District Meeting held on the 12th day of December, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated	this	6 ^{ui} day	of F	ebruary	/, 2018	
(Seal)						

Rhonda Geriminsky, District Clerk

CITY OF PEORIA, ARIZONA VISTANCIA WEST COMMUNITY FACILITIES DISTRICT COMMUNICATION

Agenda Item: 18C.

Date Prepared: 1/23/2018 Council Meeting Date: 2/6/2018

TO: Jeff Tyne, District Manager

THROUGH: Julie Arendall, Deputy District Manager

FROM: Sonia Andrews, Acting Finance Director

SUBJECT: Investment Report, Quarter Ending December 31, 2017

Purpose:

Discussion and possible action to review and accept the Investment Report as presented.

Background/Summary:

Effective cash management includes investment of available or idle funds. The City of Peoria invests all available funds of the Vistancia and Vistancia West CFDs, taking into consideration anticipated cash flow requirements and the safety and risk of investments. Investments are made in accordance with the City's Investment Policy, District bond documents and Arizona Revised Statues Title 35-321 through 35-329. The primary objective of the District's investments, in order of priority, is:

- 1. Safety Investments shall be undertaken in a manner that seeks to insure the preservation of capital in the portfolio.
- 2. Liquidity The investment portfolio will remain sufficiently liquid to enable the District to meet all operating requirements which might be reasonably anticipated.
- 3. Yield The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the District's very strict risk constraints. Public funds may only be invested in authorized and suitable investments such as US Treasury Obligations, US Agency Obligations, Certificates of Deposits, Commercial Paper rated A-1/P-1, Corporate Notes rated AA or better, Money Market Funds and the Arizona State Investment Pool. Investment in stocks, mutual funds, hedge funds, real estate, foreign investments or other risky or alternative investments are strictly prohibited.

The Investment Policy imposes a 3 year maximum weighted average maturity on the overall investment portfolio with specific maximum maturities for each type of investment.

The District utilizes PFM Asset Management LLC, an investment advisory firm, to provide advice and assist with managing its investments. All securities are held by a third party custodian in the District's name.

Quarterly investment reports are provided to the Board to report the investment portfolio holdings, maturity distribution, investment performance and compliance with the Investment Policy

Previous Actions:

There are no previous actions for this item.

Options:

A: Accept the Quarterly Investment Report as presented.

B: Not accept the Quarterly Investment Report and request additional information from staff.

Staff Recommendation:

This is a request for the Board to review and accept the Investment Report for the quarter ended December 31, 2017.

Fiscal Analysis:

At 12/31/17, remaining Vistancia West CFD investments were held in money market funds in anticipation of draw downs. As such the investments are temporarily not in compliance with the investment policy allocation percentages. Book value of investments at 12/31/17 was \$118,629 and investment income for the quarter (10/1/17 to 12/31/17) totaled \$276.

The portfolio's weighted average yield to maturity was 1.20% as of 12/31/17.

The attached Investment Report prepared by PFM Asset Management includes the following detail information on the District's investments:

Contents of Investment Report

- 1. Snapshot of investment portfolio
- 3. Investment policy compliance
- 4. Current market trends and portfolio strategy

ATTACHMENTS:

Investment Report, 4th Quarter

Contact Name and Number:

Sonia Andrews, (623) 773-5206



Vistancia West CFD

Investment Portfolio SummaryQuarter Ending December 31, 2017

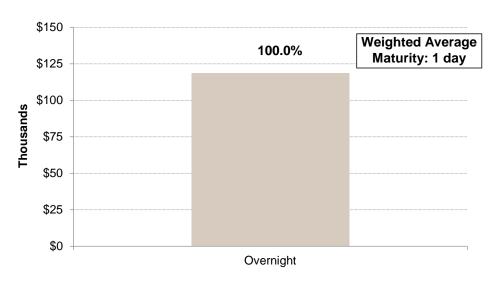
Paulina Woo, Director



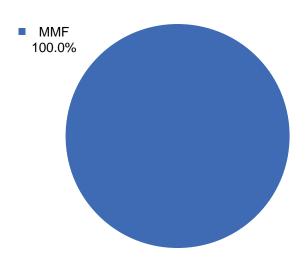
Executive Summary

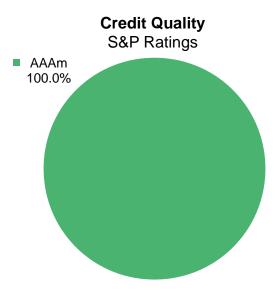
Account Summary	Beginning Values as of 10/1/17	_
Market Value	\$118,353	\$118,629
Book Value	\$118,353	\$118,629
Unrealized Gain/(Loss)	\$0	\$0
Weighted Avg. YTM	0.91%	1.20%
Weighted Avg. YTM	0.91%	1.20%

Maturity Distribution



Allocation by Security Type







Security Type and Issuer Compliance

Security Type	Book Value	% of Portfolio	Permitted by Policy	Compliance
U.S. Treasury	-	0.0%	80%	✓
Federal Agency	-	0.0%	80%	✓
Corporate Note	-	0.0%	35%	✓
Commercial Paper	-	0.0%	35%	✓
Money Market Fund	\$118,629	100.0%	35% ¹	х
Total Book Value	\$118,629	100.0%		

Issuer	Book Value	% of Portfolio	Permitted by Policy	Compliance
Money Market Fund	\$118,629	100.0%	35%	x
FFCB	-	0.0%	40%	✓
FHLB	-	0.0%	40%	✓
FHLMC	-	0.0%	40%	✓
FNMA	-	0.0%	40%	✓
U.S. Treasury	-	0.0%	80%	✓
Toyota Motor Credit	-	0.0%	10%	✓
JP Morgan	-	0.0%	10%	✓
Wells Fargo & Co	-	0.0%	5%	✓
Berkshire Hathaway Inc	-	0.0%	5%	✓
Apple Inc	-	0.0%	5%	✓
General Electric	-	0.0%	10%	✓
Private Export Funding_	-	0.0%	40%	✓
Total Book Value	\$118,629	100.0%		

Maturity	Book Value	% of Portfolio	Permitted by Policy	Compliance
Overnight	\$118,629	100.0%	No Limit	
0-6 Months	=	0.0%	No Limit	
6-12 Months	-	0.0%	No Limit	
1-2 Years	-	0.0%	No Limit	
2-3 Years	=	0.0%	No Limit	
Over 3 Years_	=	0.0%	20%	✓
Total Book Value	\$118,629	100.0%		

Other Policy Tests	Compliance
Policy requires at least 35% of portfolio to mature in less than one year. Current portfolio maturing is less than one year =100.0%	√
Policy sets a maximum weighted average maturity of 3 years (1095 days). Current portfolio weighted average maturity = 1	√

Accrual Basis Earnings		10/1/17 through 12/31/17
	Earnings	\$276
	Total Earnings	\$276



Market Update



Economic Update

Current Market Themes

- Continued GDP growth
- Strengthening labor market
- Continued momentum in the equities market
- Low inflation
- Gradually increasing interest rates with 3
 Fed rate hikes in 2017 and another 3
 increases expected in 2018
- Optimistic global growth prospects, led by the Euro-area

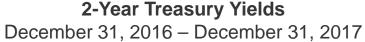
Portfolio Strategy

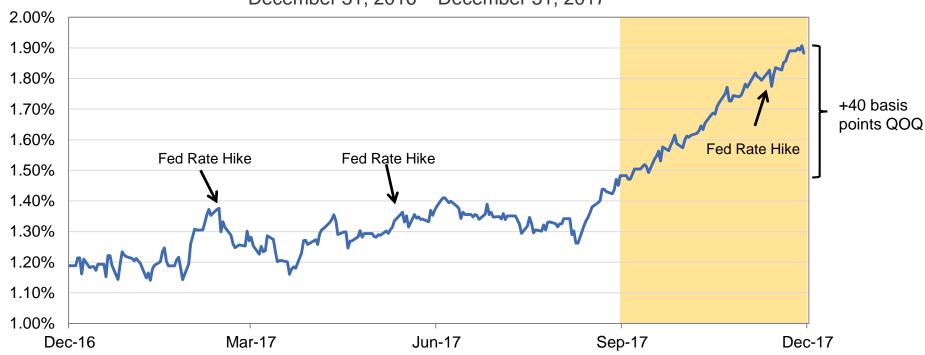
- Returns driven by economic landscape and Fed policy.
- Flat yield curve emphasizes importance of maturity selection.
- Sector allocation requires broad diversification.
- Continue to emphasize use of credit instruments.



2017 Interest Rates

Two-year treasury yields moved notably higher for the year ended December 31, 2017; the increase was most
pronounced during the fourth quarter as markets responded to another rate hike by the Federal Reserve and the
passage of the largest overhaul of the U.S. tax system in more than 30 years.







Disclosures

PFM is the marketing name for a group of affiliated companies providing a range of services. Investment advisory services are provided by PFM Asset Management LLC which is registered with the Securities and Exchange Commission under the Investment Advisers Act of 1940. Additional applicable regulatory information is available upon request.

The views expressed within this material constitute the perspective and judgment of PFM Asset Management LLC at the time of distribution and are subject to change. Any forecast, projection, or prediction of the market, the economy, economic trends, and equity or fixed-income markets are based upon current opinion as of the date of issue, and are also subject to change. Opinions and data presented are not necessarily indicative of future events or expected performance. Information contained herein is based on data obtained from recognized statistical services, issuer reports or communications, or other sources believed to be reliable. No representation is made as to its accuracy or completeness. This material is intended for informational purposes only and should not be relied upon to make an investment decision, as it was prepared without regard to any specific objectives or financial circumstances. It should not be construed as an offer to purchase/sell any investment. References to particular issuers are for illustrative purposes only, and are not intended to be recommendations or advice regarding such issuers.

It is not possible to invest directly in an index. The index returns shown throughout this material do not represent the results of actual trading of investor assets. Third-party providers maintain the indices shown and calculate the index levels and performance shown or discussed. Index returns do not reflect payment of any sales charges or fees an investor would pay to purchase the securities they represent. The imposition of these fees and charges would cause investment performance to be lower than the performance shown.

PFM Asset Management LLC has exercised reasonable professional care in the preparation of this performance report. However, information in this report on market indices and security characteristics, as well as information incorporated in the Market Commentary section, is received from sources external to PFM Asset Management LLC.

PFM Asset Management LLC relies on the client's custodian for security holdings and market values. Transaction dates reported by the custodian may differ from money manager statements. While efforts are made to ensure the data contained herein is accurate and complete, we disclaim all responsibility for any errors that may occur.

For more information regarding PFM's services or entities, please visit www.pfm.com.

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CITY OF PEORIA, ARIZONA COUNCIL COMMUNICATION

Agenda Item: 19.

Date Prepared: 1/23/2018 Council Meeting Date: 2/6/2018

FROM: Rhonda Geriminsky, City Clerk

SUBJECT: Council Calendar

Background/Summary:

To provide the Mayor and City Council with the City Council Calendar for February and March.

ATTACHMENTS:

February March

Contact Name and Number:

Rhonda Geriminsky, (623) 773-7340

<u><< Previous Month</u> <u>Next Month >></u>

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
28	29	30	31	1	2	3
4	5	5:00 PM Special City Council Meeting & Executive Session 7:00 PM City Council Meeting	7	8	9	10
11	12	13 5:30 PM Council Boards and Commission Subcommittee Meeting	14	15	16	17
18	19	20 5:00 PM Special City Council Meeting & Executive Session 7:00 PM City Council Meeting	21	22	23	24
25	26	27	28	1	2	3

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
25	26	27	28	1	2	3
4	5	6 5:00 PM Special City Council Meeting & Executive Session 7:00 PM City Council Meeting	7	8	9	10
11	12	13	14	15	16	17
18	19	20 5:00 PM Special City Council Meeting & Executive Session 7:00 PM City Council Meeting	21	22	23	24
25	26	27 5:30 PM Council Boards and Commission Subcommittee Meeting	28	29	30	31

CITY OF PEORIA, ARIZONA COUNCIL COMMUNICATION

Agenda Item: 20.A.

Date Prepared: 1/22/2018 Council Meeting Date: 2/6/2018

TO: Jeff Tyne, City Manager

THROUGH: Andy Granger, Deputy City Manager

FROM: Adina C. Lund, P.E., Development and Engineering Director

SUBJECT: Northern Community Park Project Update

Background/Summary:

Development and Engineering will provide an update on the design and permitting of the Northern Community Park.

The Northern Community Park design is nearly complete and is over half way through the requisite city, county, state, and federal permitting processes which began in September 2017. Different than Peoria's prior neighborhood and community parks, this park will be developed on land owned by another political entity, the Flood Control District of Maricopa County. The land the park will be constructed on was once land held by the Bureau of Land Management (BLM) and subsequently passed to the District when the New River Dam and Levees were constructed by the US Army Corps of Engineers. The federal government deed restricted the land for recreational purposes, but retains the authority to review and approve all proposed uses and improvement plans.

Since 2015, the City of Peoria and Flood Control District have worked closely with BLM and the Corps to study and resolve any flood management, cultural, or biological impacts of the proposed park. During these investigations, several previously identified cultural resources (artifacts) were re-examined by archaeologists and have been recommended for further investigation before construction. These investigations and the careful documenting of our city and state's cultural history are an important step in the development process. The collaboration of the Corps, State Historic Preservation Office (SHPO), and the tribal communities will run a concurrent path with the permitting processes of the many agencies involved. Though permitting is anticipated to be complete by late Spring 2018, the full process of cultural resource recovery and a clearance to construct the park is anticipated in Fall 2018.

The construction phase is anticipated to take 18 months. The construction phase will span the winter months, necessitating some additional spring warmth to fully establish the tournament quality sports fields before the park's opening, anticipated in May 2020.

Contact Name and Number:

Adina Lund, (623) 773-7249

CITY OF PEORIA, ARIZONA COUNCIL COMMUNICATION

Agenda Item: 20.B.

Date Prepared: Council Meeting Date: 2/6/2018

TO: Jeff Tyne, City Manager

THROUGH: Julie Arendall, Deputy City Manager

FROM: Thomas Adkins, Intergovernmental Affairs Director

SUBJECT: Peoria Neighborhood Day at the Legislature

Background/Summary:

The City of Peoria Intergovernmental Affairs department hosted the first Peoria Neighborhood Day at the Legislature on Wednesday, January 31, 2018. The Mayor and Council identified Peoria residents in attendance as engaged community leaders, who are eager to learn more about the State Legislature's role in determining policy for our city and state. Councilmember Bridget Binsbacher, Councilmember Jon Edwards, and Councilmember Bill Patena attended the event.

The event began with introductions and a brief overview of the legislative process in the Senate Majority Caucus Room, followed by an opportunity for legislator Q&A, guided tours of the Capitol complex, lunch at the League of Arizona Cities and Towns, and concluded with recognition of all attendees on the House floor.

This was a great opportunity for our legislators to engage, not only with our council, but with our residents. Strengthening these connections and lines of communications helps us to better work together and find compromise down the line.

Contact Name and Number:

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