



City of Avondale

City Council Meeting

 [**Link to Summary of Council Actions**](#)

 [**Link to Meeting Minutes**](#)



City of Avondale

City Council Meeting

Monday, December 9, 2019

Summary of Council Actions

Mayor and Council

Kenn Weise, Mayor

Pat Dennis, Vice Mayor

Tina Conde, Council Member | Bryan Kilgore, Council Member

Veronica Malone, Council Member | Curtis Nielson, Council Member

Mike Pineda, Council Member

Administration

Charles A. Montoya, City Manager

Gina Montes, Assistant City Manager

Michael Wawro, City Attorney

Marcella Carrillo, City Clerk

City Council Chambers

11465 West Civic Center Drive

Avondale, AZ 85323



Summary of Council Actions

City Council Meeting Agenda

Monday, December 9, 2019

CITY COUNCIL CHAMBERS | 11465 WEST CIVIC CENTER DRIVE | AVONDALE, AZ 85323

WORK SESSION

6:00 PM

CALL TO ORDER BY MAYOR

1. **ROLL CALL BY THE CITY CLERK**
2. **HISTORIC AVONDALE MARKET ANALYSIS FOR THE PROPOSED HISTORIC AVONDALE SPECIFIC PLAN**
City Staff **presented** an update and request feedback from City Council on the Historic Avondale Market Analysis. This item is for discussion only.
3. **ADJOURNMENT**

Request to Speak: Anyone wishing to address the Council regarding items listed on the agenda or under unscheduled public appearance should fill out a card located at the back of the Council Chambers and hand it to the City Clerk prior to consideration of that agenda item.

REGULAR MEETING

6:30 PM

**CALL TO ORDER BY MAYOR
PLEDGE OF ALLEGIANCE
MOMENT OF REFLECTION**

1. ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK

2. UNSCHEDULED PUBLIC APPEARANCES

(Limit three minutes per person. Please state your name.)

3. CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

a. MINUTES

City Council **approved** the November 12, 2019 City Council Meeting Minutes. The Council will take the appropriate action.

b. PLANNING COMMISSION MEETING SCHEDULE CHANGE

City Council **approved** a request to move the monthly Planning Commission meeting from the third Thursday each month to the third Wednesday of each month. The Council will take the appropriate action.

c. ESTABLISHMENT OF AN AD HOC CITIZENS QUALITY OF LIFE COMMITTEE

City Council **approved** a request to establish an Ad Hoc Citizens Quality of Life Committee to prepare for the upcoming local elections and explore solutions to enhance the quality of life to the residents of the City of Avondale and authorize the City Clerk to make appointment recommendations to City Council. The Council will take appropriate action.

d. RESOLUTION 3598-1219 - BYLAWS OF THE NEIGHBORHOOD AND FAMILY SERVICES COMMISSION

City Council **adopted** Resolution 3598-1219 amending the bylaws of the Neighborhood and Family Services Commission, adding the library division and providing for several administrative changes and authorized the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

e. USE OF CONTINGENCY FUNDS FOR CIVIC CENTER ANNEX BUILDING CONSTRUCTION MANAGER AT RISK SERVICES

City Council **approved** a budget amendment for expenditure authority from the Grant Contingency Fund in the amount of \$119,938 to establish a new CIP project, the Civic Center Annex Building, authorizing the complete design, construction and project management services for a new 20,000 S.F two story office building on the Civic Center campus and authorized the City Manager and City Clerk to execute the necessary documents, including a Construction Manager At Risk Agreement with Haydon Building Corporation for pre-construction services. The Council will take the appropriate action.

f. USE OF CONTINGENCY FUNDS FOR CIVIC CENTER ANNEX OFFICE BUILDING DESIGN SERVICES

City Council **approved** the transfer of expenditure authority from the Grant Contingency Fund in the amount of \$1,205,500 to establish a new CIP project, the Civic Center Annex Building, authorizing the complete design services for a new 20,000 S.F two story office building on the Civic Center campus and authorized the City Manager and City Clerk to execute the necessary documents, including a Professional Services Agreement with Architekton, Inc. The Council will take the appropriate action.

g. CONTRACT AWARD WITH RUMMEL CONSTRUCTION FOR MCDOWELL RECHARGE BASIN SEDIMENTATION REMOVAL

City Council **approved** a Contract with Rummel Construction, Inc. for McDowell Recharge Basin Sedimentation and Berm Removal in the amount of \$175,442; approve a budget amendment in the amount of \$41,591; and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

h. ORDINANCE 1711-1219 107TH AVENUE (VERDE TRAILS) DEANNEXATION

City Council **adopted** Ordinance 1711-1219 deannexing 32 feet of City right-of-way previously dedicated to the City by the Master Plat for Verde Trails Unit I Phase I and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents. The approximately 1.84-acre property is a segment of right-of-way along 107th Avenue south of Broadway Road, about 150 feet north of Roeser Road. The Council will take appropriate action.

i. ORDINANCE 1714-1219 DEDICATING A WATER LINE AND ACCESS EASEMENT TO THE CITY OF GOODYEAR IN AVONDALE BOULEVARD, ELWOOD STREET AND ON CITY OWNED PROPERTY SOUTH OF FESTIVAL FIELDS.

City Council **adopted** Ordinance 1714-1219 dedicating a Water Line and Access Easement to the City of Goodyear in Avondale Boulevard, Elwood Street and on City owned property south of Festival Fields and authorized the Mayor or City Manager, and the City Clerk to execute the necessary documents. The Council will take the appropriate action.

j. RE-PLAT OF VERDE TRAILS UNIT I, PARCEL 3 - APPLICATION PL-19-0242

City Council **approved** a request by Mr. Paul Haas, HILGARTWILSON, LLC, for a Re-Plat of Verde Trails Unit I, Parcel 3, approximately 27.26 gross acres located west of the southwest corner of 107th Avenue and Broadway Road. The proposed Re-Plat eliminates an unneeded 20'x176' sewer easement in Tract M. Except for elimination of the sewer easement, no other modifications are proposed to the Parcel 3 Final Plat approved by City Council in May 2019. The Council will take appropriate action.

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City Council **approved** a request by Mr. Paul Haas, HILGARTWILSON, LLC, for a Re-Plat of Verde Trails Unit I, Parcel 4, approximately 25.82 gross acres located west of the southwest corner of 107th Avenue and Broadway Road. The proposed Re-Plat eliminates an unneeded 20'x149' sewer easement in Tract A. Except for elimination of the sewer easement, no other modifications are proposed to the Parcel 4 Final Plat approved by City Council in May 2019. The Council will take appropriate action.

l. RE-PLAT OF "99TH & ENCANTO" FOR AVONDALE STATION (FORMERLY VIRTUA99) - APPLICATION PL-19-0230

City Council **approved** a request by Mr. Shaine Alleman, Tiffany & Bosco, P.A., for a Re-Plat of "99th & Encanto" for Avondale Station (formerly Virtua99), approximately 59.77 gross acres located north of the northwest corner of 99th Avenue and McDowell Road. In conformance with the approved Avondale Station/Virtua99 Planned Area Development (PAD), the proposed Re-Plat divides the subject property into seven lots, dedicates 99th Avenue half-street right-of-way, and dedicates tracts for private streets and public and private easements to serve the future development. The Council will take appropriate action.

m. RE-PLAT OF CITY OF AVONDALE "RILEY PROPERTY" - AVONDALE RESOURCE CENTER City Council **approved** a City initiated request for a Re-Plat of the "Riley Property", approximately 9.94 acres of City-owned land located at the southwest corner of Riley Drive and 10th Street. The proposed Re-Plat will reconfigure three existing lots into two lots, one for development of the City's new Resource Center, and the second for future development. The proposed Re-Plat also dedicates right-of-way triangles at the southwest corner of Riley Drive and 10th Street and the northwest corner of Western Avenue and 10th Street. The Council will take appropriate action.

4. REGULAR AGENDA

a. PUBLIC HEARING AND RESOLUTION 3596-1219 - MINOR GENERAL PLAN LAND USE MAP AMENDMENT FOR AVONDALE 50 – APPLICATION PL-19-0159

City Council **held** a public hearing and **approved** a request by Mr. Shaine Alleman, Tiffany & Bosco, P.A., and **adopted** Resolution 3596-1219 approving a Minor Amendment to the Avondale General Plan 2030 Land Use Map for Avondale 50, a proposed 50.56 gross acre planned commerce park development at the northwest corner of 119th Avenue and Corporate Drive. The proposed Minor General Plan Amendment, if approved, will amend the General Plan 2030 Land Use Map designation for the property from High Intensity Office to Business Park. The requested Business Park category accommodates development of campuses for light manufacturing, corporate commerce, office, research and development, limited warehouse and distribution uses, and other similar light industrial uses. The Council will take appropriate action.

b. PUBLIC HEARING AND ORDINANCE 1713-1219 - REZONING FROM AGRICULTURAL (AG) TO PLANNED AREA DEVELOPMENT (PAD) FOR AVONDALE 50 – APPLICATION PL-19-0160

City Council **held** a public hearing and **approved** a request by Mr. Shaine Alleman, Tiffany & Bosco, P.A., and **adopted** Ordinance 1713-1219 rezoning 50.56 gross acres located at the northwest corner of 119th Avenue and Corporate Drive from Agricultural (AG) to Planned Area Development (PAD). The proposed Avondale 50 PAD will allow a mix of light industrial and commercial uses based on the City's Commerce Park (CP) zoning district, with allowances for heavier uses such as warehousing and distribution on portions of the site where those uses will have the least impacts on surrounding properties. Development will take the form of a campus, featuring multiple buildings of varying sizes. A request to change the General Plan 2030 Land Use Map designation of the property from High Intensity Office to Business Park will be considered separately. The Council will take appropriate action.

c. PUBLIC HEARING AND ORDINANCE 1712-1219 – MAJOR PLANNED AREA DEVELOPMENT (PAD) AMENDMENT FOR ROOSEVELT PARK II– APPLICATION PL-19-0245

City Council **held** a public hearing and **approved** a request by Ms. Jordan Rose, Rose Law Group PC, and **adopted** Ordinance 1712-1219 approving a Major Amendment to the 144.9-acre Roosevelt Park II Planned Area Development (PAD) located at the northwest corner of Van Buren Street and 107th Avenue. The proposed Major PAD Amendment reorders the project's phasing, including modifications to the phasing of required off-site infrastructure improvements. The Council will take appropriate action.

d. PRELIMINARY PLAT FOR ROOSEVELT PARK II PHASE 2 – APPLICATION PL-19-0232

City Council **approved** a request by Mr. Joe Petrucci, EPS Group, Inc., for a Preliminary Plat for Roosevelt Park II Phase 2, a proposed 147-lot single family subdivision on approximately 26.80 gross acres at the northeast corner of Van Buren Street and 111th Avenue. The Council will take appropriate action.

e. PUBLIC HEARING AND RESOLUTION 3597-1219 - MAJOR GENERAL PLAN AMENDMENT FOR ENTRADA – APPLICATION PL-19-0054

City Council **held** a public hearing and **approved** a request by Ms. Toni Bonar, AICP, HILGARTWILSON, LLC, and **adopted** Resolution 3597-1219, approving a Major Amendment to the Avondale General Plan 2030 Land Use Map for Entrada, a proposed 191 gross acre planned development at the northwest corner of 107th Avenue and Broadway Road. The proposed Major General Plan Amendment, if approved, will amend the General Plan 2030 Land Use Map designations for the property from 166 acres of Estate Low Density Residential, 13 acres of Medium Density Residential, 9 acres of Local Commercial, and 3 acres of High Density Residential to 181 acres of Medium Density Residential and 10 acres of Local Commercial. The Council will take appropriate action.

f. PRELIMINARY PLAT FOR PARKSIDE – APPLICATION PL-19-0197

City Council **approved** a request by Mr. Troy Wahlberg, William Lyon Homes, for a Preliminary Plat for Parkside (formerly Parkside Village), a proposed 662-lot single family subdivision on approximately 128.5 acres located one-quarter mile west of the southwest corner of 99th Avenue and Indian School Road. The Council will take appropriate action.

g. PUBLIC HEARING - CONDITIONAL USE PERMIT FOR BIOLIFE PLASMA SERVICES – APPLICATION PL-19-0187

City Council held a public hearing and **approved** a request by Mr. Paul E. Gilbert, Beus Gilbert PLLC, for a Conditional Use Permit (CUP) to allow a plasma center use in the Planned Area Development (PAD) zoning district. The use is proposed on 2.95 gross acres of vacant/undeveloped land located approximately 220 feet north of the northeast corner of McDowell Road and 107th Avenue. The subject property is zoned Harbor Shores PAD, which allows for use of the subject property in accordance with the permitted uses in the City's C-2 (Community Commercial) zoning district; City Council approval of a Conditional Use Permit is required for a plasma center use in the C-2 district. The Council will take appropriate action.

h. PUBLIC HEARING - EXTENDING THE LOCALLY CONTROLLED ALTERNATIVE EXPENDITURE LIMITATION - HOME RULE OPTION

City Council **held** the first of two required public hearings on the alternative expenditure limitation (home rule option).

5. ADJOURNMENT INTO EXECUTIVE SESSION

City Council **adjourned** the meeting and **held** an executive session pursuant to Ariz. Rev. Stat. § 38--431.03(A)(5) 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 labor negotiations with the Avondale Professional Firefighters Association, International Association of Fire Fighters, Local 3924.

Council Members of the City of Avondale will attend either in person or by telephone conference call.

Los miembros del Concejo de la Ciudad de Avondale participaran ya sea en persona o por medio de llamada telefonica.

Individuals with special accessibility needs, including sight or hearing impaired, large print, or interpreter, should contact the City Clerk at 623-333-1200 or TDD 623-333-0010 at least two business days prior to the Council Meeting.

Personas con necesidades especiales de accesibilidad, incluyendo personas con impedimentos de vista u oido, o con necesidad de impresion grande o interprete, deben comunicarse con la Secretaria de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos dias habiles antes de la junta del Concejo.

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
CITY COUNCIL CHAMBER
December 9, 2019

A **Work Session** of the City Council of the City of Avondale, Arizona was convened at 11465 Civic Center Drive in open and public session at 6:02 p.m.

Members Present: Mayor Kenn Weise and Council Members Tina Conde, Veronica Malone, Curtis Nielson, and Mike Pineda.

Members Absent: Vice Mayor Pat Dennis and Council Member Bryan Kilgore.

Other Municipal Officials Present: Charles Montoya, City Manager; Gina Montes, Assistant City Manager; Tracy Stevens, Deputy City Manager; Michael Wawro, City Attorney; Marcella Carrillo, City Clerk; Cindy Blackmore, Public Works Director; Jessica Blazina, Intergovernmental Affairs Administrator; Jeff Case, Fire Chief; Lindsey Duncan, Finance and Budget Director; Kirk Haines, Parks and Recreation Director; Dale Nannenga, Police Chief; Cherlene Penilla, Human Resources Director; and Jeffrey Scheetz, Chief Information Officer.

Audience: Approximately five members of the public were present.

1 ROLL CALL BY THE CITY CLERK

2. HISTORIC AVONDALE MARKET ANALYSIS FOR THE PROPOSED HISTORIC AVONDALE SPECIFIC PLAN

Aaron White, Employment and Business Professional with the Economic Development Department, presented an update and request feedback from City Council on the Historic Avondale Market Analysis. Presentation by Mr. White included the following:

The market analysis is the first step in the specific planning process. The Specific Plan will study the areas of Historic Avondale, Cashion, Las Ligas and Rio Vista. This will include a branding component and marketing strategy. Substantial investment has occurred in Historic Avondale neighborhoods in the last 20 years, including more than \$50 million in capital programs and infrastructure. Implemented policies and programs include Infill Overlay Zoning District, Infill Incentive District, Cashion Business District, New Markets Tax Credits and Small Business Improvement Programs. The Mayor and City Council have made CDBG Residential Investments a priority to remediate blighted properties.

A number of public engagement strategies have been employed. In September, a broker and investor tour was hosted with approximately 12 individuals in attendance. In October, a residents and business tour was held. Staff in Neighborhood and Family Services have conducted survey outreach with area stakeholders. The City contracted with Elliott Pollack to perform a market analysis of the revitalization areas.

In terms of the results of public engagement to date, brokers and investors were very complimentary of City staff and processes. They emphasized the need for patience and

long-term planning for the area. Ongoing marketing of the area is needed. There have been a number of successes, including Bridgewater Assisted Living, Carolina's and new industrial development. In Cashion, the recommendation is to look at the area north of MC 85 to pursue possible annexation along the railroad track. In Las Ligas and Rio Vista, there is potential market support for a grocery-anchored development at Lower Buckeye and Avondale Boulevard. In Historic Avondale, it was noted that there are great restaurants and destinations, however, they are spread out for such a large area. There needs to be more of a clustering and synergy in a smaller geographic area. Other recommendations include the continued emphasis on Western Avenue as the hub with more multifamily development.

For the business and resident tour, there were similar comments. Recommendations included ongoing marketing and branding of the area. Specific recommendations included having signage that co-brands the Historic Neighborhood with the City of Avondale. They recommended a park or small retail development on the city-owned property located at 111th and Pima. In Las Ligas and Rio Vista, the recommendation was for additional townhomes, single family homes and residential development. In Historic Avondale, they continued to stress the need for public safety presence as well as more residential development.

The market analysis from Elliott Pollack made the following recommendations:

- Encourage high density residential and enhance neighborhoods with infill and renovation.
- Conduct more public events.
- Identify Western Avenue as the key investment area for restaurants and retail.
- Look towards Dysart Road between Western and Riley as a potential gateway to Western Avenue.
- Encourage pride of ownership and attract smaller neighborhood retail.
- Identify and obtain key vacant parcels for future development.

Market analysis considerations including the following:

- Maintaining patience and having a density increase in the 3 to 5-mile radius for new development.
- Addition of the entertainment district at the BLVD could be a competing factor.

The market analysis included case studies for both Gilbert and Chandler as success stories in the region that can be looked to as examples. Both included aggressive economic development strategies with city land acquisition. In 1989, the Heritage District Redevelopment area was designated in Gilbert. In Chandler, the redevelopment area was designated in 1995. There has been success taking off in these two historic areas over the last five years.

The question for consideration in terms of Avondale is: What type of development does City Council envision in this specific planning area? Some options include: high Density/Multi-family throughout, small, Arizona-owned restaurants and retail shops, and single-family homes.

Next steps in the process include:

- January: Ad-Hoc meeting with stakeholders
- March: Community meeting
- March: Neighborhood and Family Services Commission
- April/May: Work sessions – Planning Commission/City Council
- June: City Council Specific Plan Adoption

Mr. White asked what type of development City Council envisions in the Specific Plan area.

Mayor Weise stated that for as long as he has been on City Council, the discussion has focused on at what point City investment yields to private investment. Public dollars can only go so far. He stated public dollars have been invested in libraries, streets, sewers sidewalks, beautification of areas, and installing key public facilities. The three districts are very different, and their approach is very different. There must be a complete buy-in from the private community. He noted the Make a Difference Day and stated there needs to be more of that for the community in the area. He noted Downtown Gilbert as an example of a successful historic area for a similar municipality. He asked other Council Members to consider what the City has done well in the past and what they anticipate the City doing well with in the future, specifically to Council Members Malone and Pineda who have grown up in Avondale.

Council Member Pineda stated that he has seen a positive change on Western Avenue in that although there are not true entertainment-type destination points, the new restaurants are helping to create it as a destination point to a certain extent. This is a good starting point and there is potential going forward. One important strategy will be wayfinding and signage. He also expressed belief that there is capacity for many different destination points. He stated the importance of having a starting point similar to the marketing efforts made for the BLVD and at 99th Avenue and McDowell.

Mayor Weise opinioned that the people living and investing in Historic Avondale area should decide what the area will be, instead of City Council. He agreed with Council Member Pineda that the wayfinding signs are important.

Council Member Malone agreed with the need for wayfinding signage, especially coming off Festival Fields Park. Continued code enforcement to beautify the properties and increased lighting in the area is important. She stated that she had spent eight hours on one occasion walking down Western Avenue talking with residents and business owners. They expressed three main areas of focus: 1) caring about the City as a whole; 1) helping to beautify the area via code enforcement; and 3) a police presence. The change must come from the community as organic growth and development. It is also important to leverage the success of restaurants such as Laura's Burgers, which has been featured in four magazines in the last year and listed as 14th best burger in the nation and number one in Arizona. For the Las Ligas area, she would like to see a business adjacent to Family Dollar. A major challenge for the area is in housing. Having branding signage welcoming visitors to Cashion would also be helpful.

Mayor Weise noted there has been discussion for many years regarding having lights on Western Avenue as well as a monument sign. He posed the question to Council Members about how the City makes this a destination point.

Council Member Conde noted the importance of culture. The community members themselves must have buy-in. In thinking outside the box, restaurants in the area could host events for tamale and tortilla making. A food and beverage crawl would also bring awareness to the area. Another possibility is a First Friday event, as held in other cities. When high schools and students become involved, attendance multiplies. There is a sense of pride in the area, however the residents just need some guidance. She suggested finding people within the community who would like to become park ambassadors. The ambassador could assume some accountability for community engagement. Lastly, she expressed interest in a museum to honor historic residents.

Mayor Weise commented that a museum in the area does not have to include a huge building but rather tell the Avondale story with signage. He suggested working with residents in the area to see if they would be interested in putting their items on display.

Council Member Malone mentioned an active food market in the area and suggested the city help promote events like that. She also suggested including the business owners in community events instead of adding the fencing where they are outside of the events.

Council Member Nielson agreed with the need for signage. He noted that there are parks in these areas and that movie nights could be held. Overall, community outreach is a high priority and the residents already have the pride of their community.

Mayor Weise summarized the suggestions, stating signage is important as well as lighting along Western Avenue.

Charles Montoya, City Manager, stated that staff can return in January to provide general ideas towards accomplishing these specific goals. He stressed the importance of engagement of business owners and residents in the area.

3 ADJOURNMENT

There being no further business before the Council, Council Member Malone moved to adjourn the Work Session meeting; Council Member Conde seconded the motion.

Upon vote, the motion was carried unanimously 5 to 0.

Council Member Conde	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Mayor Weise	Aye

Meeting adjourned at 6:40 p.m.

A **Regular Meeting** of the City Council of the City of Avondale, Arizona was convened at 11465 Civic Center Drive in open and public session at 6:40 p.m.

Mayor Kenn Weise led the Pledge of Allegiance followed by a moment of silent reflection in remembrance of the military personnel wounded at the shooting in Florida this week.

Members Present: Mayor Kenn Weise and Council Members Tina Conde, Veronica Malone, Curtis Nielson, and Mike Pineda.

Members Absent: Vice Mayor Pat Dennis and Council Member Bryan Kilgore.

Other Municipal Officials Present: Charles Montoya, City Manager; Gina Montes, Assistant City Manager; Tracy Stevens, Deputy City Manager; Michael Wawro, City Attorney; Marcella Carrillo, City Clerk; Cindy Blackmore, Public Works Director; Jessica Blazina, Intergovernmental Affairs Administrator; Jeff Case, Fire Chief; Lindsey Duncan, Finance and Budget Director; Kirk Haines, Parks and Recreation Director; Dale Nannenga, Police Chief; Cherlene Penilla, Human Resources Director; and Jeffrey Scheetz, Chief Information Officer.

Audience: Approximately 15 members of the public were present.

1. ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK

2. UNSCHEDULED PUBLIC APPEARANCES

Mr. Jeff Uber, local resident, requested a Council Meeting be hosted at the Sam Garcia Western Avenue Library. In response to a question from Mayor Wiese, Mr. Montoya stated staff intends on bring City Council meetings to different venues in the upcoming months.

3. CONSENT AGENDA

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Mayor Weise asked if any Councilmember wished to have an item removed from the Consent Agenda. Having no requests from Council, motion was made by Council Member Nielson, seconded by Council Member Malone, to approve the Consent Agenda.

Upon vote, the motion carried unanimously 5 to 0.

Council Member Conde	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Mayor Weise	Aye

a. MINUTES

City Council approved the November 12, 2019 City Council Meeting Minutes.

b. PLANNING COMMISSION MEETING SCHEDULE CHANGE

City Council approved a request to move the monthly Planning Commission meeting from the third Thursday each month to the third Wednesday of each month.

c. ESTABLISHMENT OF AN AD HOC CITIZENS QUALITY OF LIFE COMMITTEE

City Council approved a request to establish an Ad Hoc Citizens Quality of Life Committee to prepare for the upcoming local elections and explore solutions to enhance the quality of life to the residents of the City of Avondale and authorize the City Clerk to make appointment recommendations to City Council.

d. RESOLUTION 3598-1219 - BYLAWS OF THE NEIGHBORHOOD AND FAMILY SERVICES COMMISSION

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development. The proposed Re-Plat also dedicates right-of-way triangles at the southwest corner of Riley Drive and 10th Street and the northwest corner of Western Avenue and 10th Street.

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

Note: The City Council took a recess at 6:52 p.m. and reconvened at 7:00 p.m.

4 REGULAR AGENDA

a. PUBLIC HEARING AND RESOLUTION 3596-1219 - MINOR GENERAL PLAN LAND USE MAP AMENDMENT FOR AVONDALE 50 - APPLICATION PL-19-0159

City Council held a public hearing and considered a request by Mr. Shaine Alleman, Tiffany & Bosco, P.A., to adopt Resolution 3596-1219 approving a Minor Amendment to the Avondale General Plan 2030 Land Use Map for Avondale 50, a proposed 50.56 gross acre planned commerce park development at the northwest corner of 119th Avenue and Corporate Drive. The proposed Minor General Plan Amendment, if approved, will amend the General Plan 2030 Land Use Map designation for the property from High Intensity Office to Business Park. The requested Business Park category accommodates development of campuses for light manufacturing, corporate commerce, office, research and development, limited warehouse and distribution uses, and other similar light industrial uses.

Ken Galica, Division Lead Planner, described the property size and characteristics. Surrounding land uses are predominantly undeveloped property, with the exception of Desert Springs Village to the south. The property has frontage on I-10 and Corporate Drive. It was annexed in 1978 and rezoned from AG to PAD Avondale Spectrum in 2008. It was reverted from PAD to AG in 2011. The current designation is High Intensity Office. The proposed General Plan designation is Business Park, which allows for a range of office and lighter industrial.

Mr. Galica reviewed the proposed Avondale 50 PAD, consisting of three buildings, A, B and C. The Proposed GPA allows for a few heavier uses, such as warehousing and distribution only in Building B and up to 50 percent of Building A. Due to proximity to residential, Building C will be limited to lighter industrial enclosed uses. The building presentation is higher upscale office appearance. The architect has incorporated colored blocks into the design which will be illuminated to project Avondale's four bright colors to those driving by. The design will incorporate a series of trails as well as outdoor dining and pedestrian nodes, where employees may have their lunch.

All developers are required to complete offsite improvements adjacent to their properties, which would entail 119th Avenue and Corporate Drive at the location. Because there will be truck traffic, it was determined that a secondary point of access would be warranted directly to Fairway Drive. The developer will construct the north half of Corporate Drive to Fairway Drive. Staff believes that the proposed General Plan amendment will result in development that is compatible with existing single-family residential use to the south as well as the BLVD development and other area uses. It furthers the General Plan and Freeway Corridor-

specific plan goals related to job creation in the Freeway Corridor. All development standards, building setbacks and landscape requirements exceed zoning ordinance requirements.

The required notifications were complete for all meetings in the process. A neighborhood meeting on October 10th was unattended. There were six viewers to the aVOICE digital commenting tool, but no comments. There was one call from the treasurer of the Desert Springs Village HOA, who was concerned with potential truck traffic. However, she was not aware that Corporate Drive is to be extended; this information alleviated much of her concern. The Planning Commission recommended unanimous approval of the GPA and rezoning on November 21st.

Mayor Weise opened the public hearing and received no requests to speak from the public. Mayor Weise closed the public hearing and opened the floor for comments from Council.

Mayor Weise expressed his appreciation to the applicant for creating a buffer for the housing community. He likes the design of the building and notes that the developer listened to the comments from City staff and City Council in terms of buffering the warehousing from I-10. He also stated he liked the lights and block features on the building.

In response to a question from Council Member Nielson, Mr. Galica confirmed that Corporate Drive will be extended to the west to meet up with Fairway.

Council Member Conde expressed appreciation for the development's aesthetics as well as the healthy lifestyle for the employees in terms of open space and trails.

Council Member Nielson moved to adopt Resolution 3596-1219, approving Application PL-19-0159 Avondale 50, a request for a Minor Amendment to the General Plan 2030 Land Use Map changing the Land Use designation of the subject property to Business Park; Council Member Conde seconded the motion.

Upon vote, the motion was carried unanimously 5 to 0.

Council Member Conde	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Mayor Weise	Aye

b. PUBLIC HEARING AND ORDINANCE 1713-1219 - REZONING FROM AGRICULTURAL (AG) TO PLANNED AREA DEVELOPMENT (PAD) FOR AVONDALE 50 – APPLICATION PL-19-0160

City Council held a public hearing and considered a request by Mr. Shaine Alleman, Tiffany & Bosco, P.A., to adopt Ordinance 1713-1219 rezoning 50.56 gross acres located at the northwest corner of 119th Avenue and Corporate Drive from Agricultural (AG) to Planned Area Development (PAD). The proposed Avondale 50 PAD will allow a mix of light industrial and commercial uses based on the City's Commerce Park (CP) zoning district, with

allowances for heavier uses such as warehousing and distribution on portions of the site where those uses will have the least impacts on surrounding properties. Development will take the form of a campus, featuring multiple buildings of varying sizes. A request to change the General Plan 2030 Land Use Map designation of the property from High Intensity Office to Business Park will be considered separately.

The presentation for this item was included under Agenda Item 4A.

Mayor Weise opened the public hearing and received no requests to speak from the public. Mayor Weise closed the public hearing and opened the floor for comments from Council. There were no comments from Council.

Council Member Conde moved to accept the findings and adopt Ordinance 1713-1219, approving Application PL-19-0160 Avondale 50, a request to rezone approximately 50.56-acre from Agricultural (AG) to Planned Area Development (PAD), subject to thirteen (13) recommended conditions of approval as listed in the staff report; Council Member Malone seconded the motion.

Upon vote, the motion was carried unanimously 5 to 0.

Council Member Conde	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Mayor Weise	Aye

c. PUBLIC HEARING AND ORDINANCE 1712-1219 – MAJOR PLANNED AREA DEVELOPMENT (PAD) AMENDMENT FOR ROOSEVELT PARK II – APPLICATION PL-19-0245

City Council held a public hearing and considered a request by Ms. Jordan Rose, Rose Law Group PC, to adopt Ordinance 1712-1219 approving a Major Amendment to the 144.9-acre Roosevelt Park II Planned Area Development (PAD) located at the northwest corner of Van Buren Street and 107th Avenue. The proposed Major PAD Amendment reorders the project's phasing, including modifications to the phasing of required off-site infrastructure improvements.

Ken Galica, Division Lead Planner, provided an overview of the property specifications as well as existing development in the area. Phase I is currently under construction. Phase II is slightly less than 27 acres. The site was annexed and rezoned to PAD in 2001, subsequently amended twice by City Council in July 2005 and April 2018. The site has medium high-density General Plan designation, allowing for between four and twelve dwelling units per acre, higher density single family.

The proposed PAD amendment is strictly related to phasing of the development. Phase II is currently slated to be 107th Avenue (northeast quadrant) north of the commercial property. The developer would like to move Phase II to the remainder of the frontage on Van Buren

and do Phase III (northwest quadrant in the same order as originally contemplated). Phase IV would then be what is currently slated as Phase II.

Staff has no concerns with the revised phasing requests. There are requests for offsite infrastructure change in schedule, due to the revised phasing to include 107th Avenue Improvements. The City has requested that the developer complete the curb, gutter and right-of-way landscaping adjacent to the residential portion. Phase II would include the completion of 111th Avenue by the developer for the full length of the property. Roosevelt Street will be deferred to Phase III. The developer will contribute to new signals at Roosevelt Parkway and Van Buren and 111th Avenue and Van Buren and Pierce Street. The signal at 107th would be funded partially by the developer. The Preliminary Plat is for the revised Phase II and is approximately 27 acres, consisting of 147 lots, (three different lot sizes) ranging from 4,275 square feet to 5,700 square feet. Access would be through Phase I gated entrance with no new access and the 111th Avenue street would have an exit only at King Street.

Mr. Galica stated that 22.7 percent open space is provided (inclusive of Phase I). Phase I includes the large primary central park with future pool and clubhouse. There will be additional open space in this phase, including 1.2-acre neighborhood park with a tot lot, trail system, benches and ramadas. Lighted trail connections will be provided throughout, connecting to the future Van Buren Street trail.

The scope of the amendment to the PAD is limited to phasing with no impact to General Plan conformance. The preliminary plat meets all City required findings and conforms with subdivision regulations, zoning ordinance and design manuals. The open space and amenities exceed requirements, inclusive of Phase I with consisting theming and design.

Only the PAD amendment requires the public process. All meetings were advertised, and a neighborhood meeting was held November 19th with no attendees. There were five viewers to the aVOICE site with no written or phone correspondence. The Planning Commission recommended approval of both the PAD amendment and preliminary plat on November 21st. Staff recommends approval of the PAD amendment, subject to 15 recommended conditions as well as the preliminary plat, subject to four conditions as listed in the staff report.

Mayor Weise opened the public hearing and received no requests to speak from the public. Mayor Weise closed the public hearing and opened the floor for comments from Council.

The applicant, Cameron Carter, Rose Law Group, representing Mattamy Homes, addressed one of the conditions for approval. He acknowledged the importance of 107th Avenue and 111th Avenue in terms of improvements, regardless to the phasing changes proposed. Mattamy Homes is agreeable to make the improvements both to 111th Avenue (adjacent to Phase II) as well as 107th Avenue, which is not adjacent to Phase II and is adjacent to what will be Phase IV. However, they request a slight modification of Condition 4. He quoted the first sentence, "Pavement, curb, gutter and sidewalk improvements along 107th Avenue from Pierce Street to the southern edge of Roosevelt Street right-of-way shall be constructed by the developer with Phase II of the project." The developer proposes a change to strike the word "with" and say, "Those improvements shall be constructed by the developer prior

to the issuance of the certificate of occupancy for the final dwelling unit within Phase II of the project.”

Mr. Montoya explained staff would not recommend this proposal as it means that offsite improvements would not be completed until after the last house is built and sold. Staff recommends that the improvements be made at the same time as the development.

Council Member Malone concurred, noting that 111th Avenue is one way in and one way out. There are already constraints on the neighborhood.

Mr. Carter stated that 111th Avenue will be started immediately, to be built with Phase II. Both the improvements to 111th Avenue and 107th Avenue will be completed prior to the final home in Phase II being completed and certificate of occupancy issued. There is a right-of-way running along 107th Avenue and it will take significant time to coordinate with SRP on the release of the easement. Even though there are no actual SRP irrigation improvements within the easement, the developer fears building permits or certificates of occupancy within Phase II could be held up if the improvements are not complete.

Mayor Weise asked whether the switch from Phase II to Phase VI relates to the SRP easement. Mr. Carter stated that the phase changes result from market conditions.

Mayor Weise asked staff about a middle ground consideration. He stressed the importance of completing 111th Avenue as well as the Van Buren frontage. He asked about the down side on 107th. Mr. Montoya noted additional construction coming in the future on 107th. He explained it is important for work to be completed ahead of time so that the City can stay on track with its own construction schedule. The stipulation was intentionally written by staff to ensure that improvements were made timely.

Mayor Weise asked about the timeline for bringing Phase II online. Mr. Carter said they would like to proceed as soon as they can get the final plats. He noted that for approval tonight include preliminary plats as well as a change in the phasing. He commented that their intent is not to change the timing of the improvements but rather timing of the SRP release of the easement.

Mayor Weise asked Mr. Montoya about a timeline he would be comfortable with. Mr. Montoya stated that the CIP includes an extension lane on 107th Avenue, which increases the necessity for all improvements to be complete in a timely fashion.

Mr. Carter commented that the City will not be able to move any faster than the developer, due to the issue of the SRP easement release. Mr. Montoya stated that the City will work with the developer and SRP on this.

Note: The City Council took a recess at 7:35 p.m. and reconvened at 7:41 p.m.

Council Member Conde moved to accept the findings and adopt Ordinance 1712-1219, approving Application PL-19-0245 Roosevelt Park, a request for a Major Amendment to the Roosevelt Park II Planned Area Development (PAD), subject to fourteen (14) recommended

conditions of approval as listed in the staff report; Council Member Malone seconded the motion.

Upon vote, the motion was carried unanimously 5 to 0.

Council Member Conde	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Mayor Weise	Aye

d. PRELIMINARY PLAT FOR ROOSEVELT PARK II PHASE 2 – APPLICATION PL-19-0232

City Council considered a request by Mr. Joe Petrucci, EPS Group, Inc., for approval of a Preliminary Plat for Roosevelt Park II Phase 2, a proposed 147-lot single family subdivision on approximately 26.80 gross acres at the northeast corner of Van Buren Street and 111th Avenue.

Discussion on this item was included under Agenda Item 4C.

Council Member Pineda moved to accept the findings and approve Application PL-19-0232 Roosevelt Park II Phase 2, a Preliminary Plat for the proposed 147-lot Roosevelt Park II Phase 2 community, subject to four (4) recommended conditions of approval as listed in the staff report; Council Member Nielson seconded the motion.

Upon vote, the motion was carried unanimously 5 to 0.

Council Member Conde	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Mayor Weise	Aye

e. PUBLIC HEARING AND RESOLUTION 3597-1219 - MAJOR GENERAL PLAN AMENDMENT FOR ENTRADA – APPLICATION PL-19-0054

City Council held a public hearing and considered a request by Ms. Toni Bonar, AICP, HILGARTWILSON, LLC, to adopt Resolution 3597-1219, approving a Major Amendment to the Avondale General Plan 2030 Land Use Map for Entrada, a proposed 191 gross acre planned development at the northwest corner of 107th Avenue and Broadway Road. The proposed Major General Plan Amendment, if approved, will amend the General Plan 2030 Land Use Map designations for the property from 166 acres of Estate Low Density Residential, 13 acres of Medium Density Residential, 9 acres of Local Commercial, and 3 acres of High Density Residential to 181 acres of Medium Density Residential and 10 acres of Local Commercial.

Ken Galica, Division Lead Planner, discussed the property details, stating the property is currently within the jurisdiction of Maricopa County. There is a current annexation application and rezoning application for the property to bring it within the City of Avondale for

development. Surrounding land uses are largely rural which future development will change this. Verde Trails is located to the south of the Entrada property with Alamar to the west. A request for Major General Plan amendment is the first step in development of the property. Currently, the property has four General Plan designations, the most predominant of which is Estate Low Density Residential (ELDR), followed by Medium Density Residential (MDR). At 107th Avenue and Broadway Road, nine acres are designated for local commercial and at four acres are designated High Density Residential (HDR) at the far tip of the property. The proposal is to designate the majority of the property (181 acres) as MDR. Ten acres of local commercial will be provided. The other designations would be removed from the property. There is currently very low inventory in the City for unentitled MDR. This amendment would provide the land to accommodate future communities. There are significant encumbrances on the property that the developer will be required to mitigate, including large irrigation canals to be undergrounded, powerline corridors and the Durango Regional Channel Corridor. The PAD will be used to provide adequate transitions to rural uses.

All required public notifications have been completed, including a 60-day interagency review requirement. The proposal will be sent to all relevant state, local and county jurisdictions for input and concerns. There was a response from the Flood Control District of Maricopa County as well as the City of Goodyear. The City of Goodyear was in support of the amendment and the Flood Control District raised awareness regarding the regional drainage corridor. The City has received certificates of adequate school facilities from Tolleson Union Head Start director, however Littleton indicated that they do not currently have adequate capacity. The applicant noted they are working with the district to adopt an agreement.

The first Planning Commission hearing occurred on October 17th, 2019. One member of the public was present who alerted the developer to some concerns. The neighborhood meeting was held October 22nd, 2019. There were approximately five attendees with no major concerns. The Planning Commission held its second public hearing on November 21, 2019 and forwarded recommendation of approval to Council on November 21st. Staff recommends approval of the Major General Plan request for Entrada.

Mayor Weise opened the public hearing and received no requests to speak from the public. Mayor Weise closed the public hearing and opened the floor for comments from Council.

Mayor Weise stated that it has been a goal of Council to have executive-style lots, looking to the southern part of the City to achieve the goal. The future freeway, SR-30, changes this strategy by pushing the plan to a different area. These lots are typically far away from freeway corridors.

Council Member Pineda moved to adopt Resolution 3597-1219 approving Application PL-19-0054 Entrada, a request for a Major Amendment to the General Plan 2030 Land Use Map changing the Land Use designations of the subject property to Medium Density Residential (181 acres) and Local Commercial (10 acres); Council Member Nielson seconded the motion.

Upon vote, the motion was carried unanimously 5 to 0.

Council Member Conde	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Mayor Weise	Aye

f. PRELIMINARY PLAT FOR PARKSIDE – APPLICATION PL-19-0197

City Council considered a request by Mr. Troy Wahlberg, William Lyon Homes, for approval of a Preliminary Plat for Parkside (formerly Parkside Village), a proposed 662-lot single family subdivision on approximately 128.5 acres located one-quarter mile west of the southwest corner of 99th Avenue and Indian School Road.

Ken Galica, Division Lead Planner, stated that the property is 128-acres, located at 99th Avenue and Indian School Road and is zoned Planned Area Development (PAD). The proposed preliminary plat is in conformance with the PAD that City Council reviewed a couple of months ago. There are 128.5-acres for the residential portion with four different lot types totaling 662 single family residential lots, with four lot types and four access points.

The proposal includes 21 percent open space to include a 6.3-acre central park, community pool, sport courts, secondary parks, outdoor movie theater, and lighted trails. All open space amenities will be HOA owned and maintained. The theme is modern character with a classic design.

The preliminary plat is identical to what was included in the PAD approved by Council. It is conformance with the zoning ordinance, subdivision regulations and design manual. Wall and monument design will establish a sense of place. The Planning Commission recommended approval on November 21st, 2019. Staff recommends approval of the preliminary plat subject to four recommended conditions as listed in the staff report.

Mayor Weise described this as an exciting project as a gateway to the City. The developer has promised that the quality level of construction would highlight Avondale.

Council Member Malone moved to accept the findings and approve Application PL-19-0197 Parkside, a Preliminary Plat for the proposed 662-lot Parkside community, subject to four (4) recommended conditions of approval as listed in the staff report; Council Member Conde seconded the motion.

Upon vote, the motion was carried unanimously 5 to 0.

Council Member Conde	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Mayor Weise	Aye

**g. PUBLIC HEARING - CONDITIONAL USE PERMIT FOR BIOLIFE PLASMA SERVICES
– APPLICATION PL-19-0187**

City Council held a public hearing and considered a request by Mr. Paul E. Gilbert, Beus Gilbert PLLC, for approval of a Conditional Use Permit (CUP) to allow a plasma center use in the Planned Area Development (PAD) zoning district. The use is proposed on 2.95 gross acres of vacant/undeveloped land located approximately 220 feet north of the northeast corner of McDowell Road and 107th Avenue. The subject property is zoned Harbor Shores PAD, which allows for use of the subject property in accordance with the permitted uses in the City's C-2 (Community Commercial) zoning district; City Council approval of a Conditional Use Permit is required for a plasma center use in the C-2 district. The Council will take appropriate action.

Ken Galica, Division Lead Planner, discussed the property attributes and surrounding land uses. The site was annexed in 1985 and given a local commercial General Plan land use designation. The Local Commercial General Plan designation is intended to serve neighbors in the vicinity of the project. The PAD for Harbor Shores was approved by City Council in 1985 and designed the commercial areas to be developed for C-2 community commercial uses. The site is in the North Avondale Specific Plan Boundary as well as within the Economic Development Department's Avondale Health Tech Corridor Initiative.

The BioLife Plasma Center will collect plasma from donors for a small donation. The proposed facility will be single story, 14,662 square feet with an upscale design. There will be a reception area and exam rooms, donor floor and employee areas. Parking will be provided in excess of City requirements. There will be direct access to 107th Avenue as well as through the property to the south, connecting to McDowell Road. The BioLife facility will have 50 employees (12 to 15 on site at a time) with 150 to 250 donors per day, typically coming from a seven-mile radius. The hours of operation would be 6:00 a.m. to 7:00 p.m., consistent with other area medical facilities. Donors receive payment in the form of prepaid debit cards. Donors are required to have an appointment; however, walk-ins are accepted based on availability. Donors must wait inside the lobby, with no loitering permitted. Donors are required to show proof of residency, pass a physical exam and pass random drug screenings.

Staff believes that the request meets all five requirements for a conditional use permit. The use is consistent with the General Plan land use map designation of local commercial. It is a service that will cater to local residents. It furthers the objective for development in the North Avondale and Health Tech Corridor. BioLife has a good reputation in the industry. The proposed site plan meets all city requirements, including parking, landscaping, building design with appropriate access.

All public notice items were completed, including a neighborhood meeting a City Hall in November. There were seven attendees and concerns were initially expressed but most concerns were alleviated by the applicant's presentation. Vice Mayor Dennis and Council Member Nielson were also in attendance. There were no comments via aVOICE. The applicant did submit 100 signatures in support of the proposal. The Planning Commission recommended approval on November 21st. Staff does recommend approval subject to three recommended conditions.

Mayor Weise opened the public hearing and received no requests to speak from the public. Mayor Weise closed the public hearing and opened the floor for comments from Council.

Mayor Weise stated that he visited BioLife's Glendale facility, finding it to be clean and professional. He noted that initially there was pushback from the community due to the location. He asked Mr. Montoya to refresh Council regarding the location issue. Mr. Montoya stated that the applicant originally proposed the location as the old Fresh & Easy building across from the plaza. Staff worked with the applicant and his attorney to find a more appropriate location on the Health Tech Corridor. Mayor Weise commented that it does fit in the Health Tech Corridor as a medical facility.

Council Member Nielson commented that he was impressed with the applicant's presentation and was impressed with the building after driving by the Glendale facility.

Council Member Malone stated she received an invitation to visit the Glendale facility but did not have the opportunity to go.

Council Member Conde stated that she was originally concerned due to living in the area. However, after discussion with her family members about the business model and purpose, her concerns were alleviated. She was also impressed that the developer gathered signatures in support of the business, as.

Council Member Conde moved to approve Application PL-19-0187 BioLife Plasma Services, a request for a Conditional Use Permit to allow a plasma center in the Harbor Shores Planned Area Development (PAD) zoning district, subject to three (3) recommended conditions of approval as listed in the staff report; Council Member Nielson seconded the motion.

Upon vote, the motion was carried unanimously 5 to 0.

Council Member Conde	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Mayor Weise	Aye

h. PUBLIC HEARING - EXTENDING THE LOCALLY CONTROLLED ALTERNATIVE EXPENDITURE LIMITATION - HOME RULE OPTION

City Council held the first of two required public hearings on the alternative expenditure limitation (home rule option).

Lindsey Duncan, Finance and Budget Director, presented on the following:

- The Home Rule item is regulated through the Arizona Constitution and State law.
- State law implies the adoption of a balanced budget, estimated resources should be greater than or equal to appropriated expenditures.

- It also imposed an expenditure limitation for all cities and towns, based on a number set forth in FY 1980, adjusted for population growth and inflation.
- It includes an expenditure limitation alternative that may be used after approval at local election when the base limit is insufficient.
- Expenditure limitation alternatives include:
 - Home Rule: The City maintains local control of the annual budget and determines the annual expenditure limitation with the annual adoption of the budget. This rule is effective for the next four fiscal years.
 - Permanent Base adjustment: Allows the City to permanently adjust the expenditure base to a level other than the FY 1980 amount. This would be in effect until the limit is reached, after which time it would have to be revisited as a permanent base adjustment, Home Rule or other option.
 - One-Time Override: Allows the City to exceed the State imposed expenditure for one fiscal year.

There are sanctions for exceeding the limitation and the Auditor General is responsible for determining whether a city has exceeded the expenditure limitation. If they have been determined to do so, a portion of the allocation of the State share of income tax is withheld. State shared revenues represent approximately one-third of the General Fund. If the City were to exceed the expenditure limitation by less than five percent, the penalty would be equal to the amount of the excess. If exceeded by more than five percent, but less than ten percent, the penalty would be three times the excess amount. If exceeded by more than ten percent, the penalty is five times the excess or one-third of the State income tax, whichever is less.

Avondale has had Home Rule elections during several years, having been successful on several occasions. The 2016 Home Rule election passed by 86 percent approval. For this reason and based on the public familiarization and support of the Home Rule election, it is recommended that the City pursue this again next fiscal year.

The State-imposed expenditure limitation is adjusted for growth and inflation. Fortunately, locally approved funds are not taken into consideration. This includes dedicated sales tax, public safety sales tax and Proposition 400 regional transportation improvements. Unfortunately, excluding these from the expenditure limitation does not bring the City within the currently calculated limits. If the City were to proceed without renewal of the Home Rule, the expenditure limitation that would have been in effect would have required the City to reduce the current fiscal year budget by approximately \$139 million, or more than one-third of the current budget. If the State limitation had been exceeded by more than ten percent, the penalty would have been \$3.7 million.

If the City were to move forward with the recommended Home Rule Election, it may be referred to the voters by a two-thirds vote of the City Council and would be placed on the ballot for a regularly scheduled election for nomination or election of Council Members. If approved, it applies to the four succeeding fiscal years, with 2020 approval applying to fiscal years 2022 through 2025.

Next steps in the Home Rule process are as follows:

- December 9, 2019: First Public Hearing
- January 6, 2020: Second Public Hearing and consideration of Home Rule Resolution
- January 10, 2020: Publish note of vote on the Home Rule Resolution
- August 4, 2020: Potential election day

Mayor Weise opened the public hearing and received no requests to speak from the public. Mayor Weise closed the public hearing and opened the floor for comments from Council.

Mayor Weise noted that the public is very aware of Home Rule. The 86 to 14 approval provides notice that the voters have confidence in the way the City is being run. There was consensus among Council for agreement in terms of the proposed schedule going forward.

5 ADJOURNMENT INTO EXECUTIVE SESSION

There being no further business before the Council, Council Member Pineda moved to adjourn the Regular Meeting and hold an executive session pursuant to Ariz. Rev. Stat. § 38--431.03(A)(5) 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 labor negotiations with the Avondale Professional Firefighters Association, International Association of Fire Fighters, Local 3924; Council Member Malone seconded the motion.

Upon vote, the motion was carried unanimously 5 to 0.

Council Member Conde	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Mayor Weise	Aye

Meeting adjourned at 8:14 p.m.

Kenn Weise, Mayor

CERTIFICATION AND ATTESTATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session and Regular Meeting of the Council of the City of Avondale held on the 9th day of December 2019. I further certify that the meeting was duly called and held and that the quorum was present.

Marcella Carrillo, City Clerk