



City of Avondale

City Council Meeting

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

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



City of Avondale

City Council Meeting

Tuesday, January 21, 2020

Summary of Action

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



City Council Meeting
Agenda
Tuesday, January 21, 2020

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

WORK SESSION

6:30 PM

CALL TO ORDER BY MAYOR

1. ROLL CALL BY THE CITY CLERK

2. AVONDALE TRAILS SYSTEM

Staff **provided** the Mayor and City Council information about existing and planned trails in Avondale.

3. BUDGET PROCESS OVERVIEW

Staff **presented** a general overview of the City's budget and review the calendar for the upcoming process.

4. 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
7:00 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. PRESENTATION ITEMS

a. INTRODUCTION OF NEW EMPLOYEES

Introduction of new employees from the Economic Development Department:

- Kenneth Chapa, Director of Economic Development

Introduction of new employees from the Fire Department:

- Matthew Del Sol, Firefighter
- Tyler Griffith, Firefighter
- Jose Guzman, Firefighter
- Dylan Parisi, Firefighter

4. 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. SERIES 7 (BEER AND WINE BAR) LIQUOR LICENSE - RESIDENCE INN BY MARRIOTT

City Council **approved** an application for a Series 7 (Beer and Wine Bar) Liquor License submitted by Brian Daley Welker, allowing for the sale of beer and wine at the Residence Inn located at 11465 Hilton Way, in Avondale and authorize the Mayor and City Clerk to execute the necessary documents. The Council will take appropriate action.

b. SERIES 12 (RESTAURANT) LIQUOR LICENSE - ERIC'S FAMILY BARBECUE

City Council **approved** an application for a Series 12 (Restaurant) Liquor License submitted by Eric Tanori, allowing for the sale of alcoholic beverages at Eric's Family Barbecue located at 12345 W. Indian School Road, in Avondale and authorize the Mayor and City Clerk to execute the necessary documents. The Council will take appropriate action.

c. SERIES 12 (RESTAURANT) LIQUOR LICENSE - PASTA FACTORY

City Council **approved** an application for a Series 12 (Restaurant) Liquor License submitted by Jaime Rivera Rosales, allowing for the sale of beer and wine at Pasta Factory located at 701 West Western Avenue, in Avondale and authorize the Mayor and City Clerk to execute the necessary documents. The Council will take appropriate action.

d. RE-PLAT OF COPPER SPRINGS LOTS 1A AND 1B FOR BIOLIFE AVONDALE - APPLICATION PL-19-0300

City Council **approved** a request by Mr. Joe Cirone, JMC Engineering, for approval of a Re-Plat of Copper Springs Lots 1A and 1B for BioLife Avondale, approximately 4.93 net acres of property located at the northeast corner of McDowell Road and 107th Avenue. In conformance with the approved Site Plan for BioLife Plasma Services, the proposed Re-Plat divides existing Copper Springs Lot 1A into two parcels; 2.47-acre Lot 1A for development of BioLife Plasma Services, and 0.53-acre Lot 1C to be developed in the future jointly with the existing 1.92-acre Lot 1B. The proposed Re-Plat also abandons existing private water, sewer, and cross-access easements and dedicates new cross-access, private water and sewer, and temporary drainage easements in conformance with the approved BioLife Plasma Services site plan. The Council will take appropriate action.

e. RE-PLAT OF VISTA DEL VERDE PHASE 3 - APPLICATION PL-18-0147

City Council **approved** a request by Mr. Kirk Pangus, HILGARTWILSON, LLC., for approval of a Re-Plat for Vista del Verde Phase 3. Consistent with the Vista del Verde Preliminary Plat approved by City Council in December 2017, the proposed Re-Plat will reconfigure lot lines within the 37.1 net acre third phase of the 144.0 net acre Vista del Verde community located approximately 300 feet north of the northwest corner of 107th Avenue and Buckeye Road. A total of 127 single-family residential lots are currently platted in Phase 3; approval of the Re-Plat will increase the total to 144. City Council will consider adoption of Resolutions forming a Maintenance Improvement District (MID) for this phase as a separate agenda item. The Council will take appropriate action.

f. RE-PLAT OF VISTA DEL VERDE PHASE 4 - APPLICATION PL-18-0148

City Council **approved** a request by Mr. Kirk Pangus, HILGARTWILSON, LLC., for approval of a Re-Plat for Vista del Verde Phase 4. Consistent with the Vista del Verde Preliminary Plat approved by City Council in December 2017, the proposed Re-Plat will reconfigure lot lines within the 15.8 net acre fourth phase of the 144.0 net acre Vista del Verde community located approximately 300 feet north of the northwest corner of 107th Avenue and Buckeye Road. A total of 75 single-family residential lots are currently platted in Phase 4; approval of the Re-Plat will increase the total to 83. City Council will consider adoption of Resolutions forming a Maintenance Improvement District (MID) for this phase as a separate agenda item. The Council will take appropriate action.

g. RESOLUTIONS 1004-0120 AND 1005-0120 – VISTA DEL VERDE PHASE 3 MAINTENANCE IMPROVEMENT DISTRICT

City Council **approved** the Petition for Formation, **adopted** Resolution 1004-0120 declaring its intention to form the City of Avondale Maintenance Improvement District No. 16, Vista del Verde Phase 3, providing for the assessment, and **adopted** Resolution 1005-0120 declaring its intention to order the improvements within the newly established maintenance improvement district, providing for the assessment and declaring an emergency. The Council will take appropriate action.

h. RESOLUTIONS 1006-0120 AND 1007-0120 – VISTA DEL VERDE PHASE 4 MAINTENANCE IMPROVEMENT DISTRICT

City Council **approved** the Petition for Formation, **adopted** Resolution 1006-0120 declaring its intention to form the City of Avondale Maintenance Improvement District No. 17, Vista del Verde Phase 4, providing for the assessment, and **adopted** Resolution 1007-0120 declaring its intention to order the improvements within the newly established maintenance improvement district, providing for the assessment and declaring an emergency. The Council will take appropriate action.

5. REGULAR AGENDA

a. REVIEW AND APPROVAL OF MODIFICATIONS TO THE MEMORANDUM OF UNDERSTANDING WITH THE AVONDALE PROFESSIONAL FIREFIGHTERS ASSOCIATION (APFA) LOCAL 3924

City Council reviewed and **approved** future modifications to the Memorandum of Understanding (MOU) which will be effective July 1, 2020 through June 30, 2022 and **directed** staff to bring a revised MOU before City Council at a future meeting. The Council will take appropriate action.

b. PUBLIC HEARING AND RESOLUTION 1008-0120 - MINOR GENERAL PLAN LAND USE MAP AMENDMENT FOR AVONDALE TOWNHOMES ON DYSART – APPLICATION PL-19-0195

City Council **held** a public hearing and **adopted** Resolution 1008-0120, approving a request by Mr. Lance Baker, Synectic Design Inc., to adopt a Resolution approving a Minor Amendment to the Avondale General Plan 2030 Land Use Map for Avondale Townhomes on Dysart, a proposed 302-unit townhome development with an adjacent commercial area on 28.35 gross acres located approximately 760 feet south of the southwest corner of Dysart Road and Van Buren Street. The proposed Minor General Plan Amendment, if approved, will amend the General Plan 2030 Land Use designation on 25.86 acres of the property from Local Commercial to Medium/High Density Residential. The MHDR designation allows for single-family detached, single-family attached, townhomes, condominiums, patio homes and casitas in a density range of 4.0 to 12.0 dwelling units per acre (4.0 du/acre target density). Approximately 2.49 gross acres of the property adjacent to Dysart Road are excluded from the General Plan Amendment request and will remain designated Local Commercial. A request to rezone the property from C-2 (Community Commercial) to PAD (Planned Area Development) to accommodate development of a 302-unit townhome community and a 2.49 gross acre commercial site will be considered separately. The Council will take appropriate action.

c. PUBLIC HEARING AND ORDINANCE 2004-0120 - REZONING FROM COMMUNITY COMMERCIAL (C-2) TO PLANNED AREA DEVELOPMENT (PAD) FOR AVONDALE TOWNHOMES ON DYSART – APPLICATION PL-19-0194

City Council **held** a public hearing and **adopted** Ordinance 2004-0120, approving a request by Mr. Lance Baker, Synectic Design Inc., to rezone 28.35 gross acres located approximately 760 feet south of the southwest corner of Dysart Road and Van Buren Street from C-2 (Community Commercial) to PAD (Planned Area Development). The proposed Avondale Townhomes on Dysart PAD will allow for a 302-unit single-family attached townhome community featuring two clubhouses and two community pools on 25.86 gross acres. The proposed PAD also reserves 2.49 gross acres of property directly adjacent to Dysart Road for future commercial development under the uses and standards of the City's C-1(Neighborhood Commercial) zoning district. A request to change the General Plan 2030 Land Use Map designation of 25.86 acres of the property from Local Commercial to Medium/High Density Residential (MHDR) will be considered separately. The Council will take appropriate action.

6. ADJOURNMENT INTO EXECUTIVE SESSION

City Council **approved** request to adjourn the Regular Meeting and hold an Executive Session pursuant to Ariz. Rev. Stat. § 38-431.03(A)(7) for the purpose of discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase of real property located at 100 N. Clubhouse Dr.

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 oído, o con necesidad de impresión grande o intérprete, deben comunicarse con la Secretaria de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos días hábiles antes de la junta del Concejo.

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
CITY COUNCIL CHAMBER
January 21, 2020

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 6:00 p.m.

Members Present: Vice Mayor Pat Dennis; Councilmembers Tina Conde, Bryan Kilgore, Veronica Malone, Curtis Nielson, and Mike Pineda.

Members Absent: Mayor Kenn Weise.

Other Municipal Officials Present: 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; Kenneth Chapa, Economic Development Services Director; Lindsey Duncan, Finance and Budget Director; Kirk Haines, Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Kevin Murphy, Director of Development & Engineering Services; Dale Nannenga, Police Chief; Jeffrey Scheetz, Chief Information Officer; and Pier Simeri, Community Relations and Public Affairs Director.

Audience: Approximately ten members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. AVONDALE TRAILS SYSTEM

Kirk Haines, Parks and Recreation Director provided the Mayor and City Council information about existing and planned trails in Avondale.

Mr. Haines stated that there are several trail corridors to include utility lines, the Agua Fria River, the Roosevelt Canal, and the Buckeye Canal. An aerial map displayed the primary and secondary trail systems, as well as various connecting trails. These tie into the primary and secondary trails. Much of the trail inventory has been developed through homeowners' associations. Some of the trails are privately managed and not open for public access.

Development of the Van Buren Multiuse Path will begin in 2020 at a budget of \$3.3 million. Additional connections are planned for 2021, including the extension of the Agua Fria River at Van Buren Street. The Riverside development will construct a small segment of trail. The commercial and hotel district along the Roosevelt Canal, on the east side of the property will be developing the path and making it accessible in that location. These 2021 projects are funded at this time. Over the next couple of years, the focus will be on tying segments together into the Agua Fria trail system. Projects for fiscal year 2022 are unfunded but it is anticipated that funding will come from Arizona Department of Transportation, federal resources and Avondale matching funds. For fiscal year 2023

and beyond, potential funding sources include a sales tax initiative, general fund funds, state grants and federal grants.

In response to a question by Council Member Conde, Mr. Haines identified the underpass locations on the map and explained lighting systems are anticipated to be installed along the trails.

In response to questions from Council Member Nielson, Mr. Haines confirmed that eventually the trails from Festival Fields would be connected to Friendship Park. The City will align its trail systems to connect with trail systems in surrounding municipalities. Parking opportunities will be made available along the trail system and maps will be prepared. Power lines and utility equipment will not be moved to accommodate paths. The configuration of the paths will be designed based upon the location of existing equipment facilities.

In response to a question by Council Member Pineda, Mr. Haines explained the Parks and Recreation department will be responsible for path maintenance. In some circumstances, Home Owner Associations will have the responsibility to maintain paths.

Council Member Malone thanked Mr. Haines for the presentation and spoke positively about the presented trails and future connectivity throughout the city.

In reference to the Roosevelt Canal, Vice Mayor Dennis asked about the possibility of partnering through an agreement with the district to gain access. Mr. Haines stated the City has not decided to partner with the district at this time. He explained a future partnership would be considered, as the City is designing and developing the trails.

3. BUDGET PROCESS OVERVIEW

Lindsey Duncan, Finance and Budget Director presented a general overview of the City's budget and reviewed the calendar for the upcoming process.

Ms. Duncan stated that the process was kicked off with a City retreat in December, which allowed Council to receive preliminary information about the budget process and current status. The City budget is a process to allocate resources to programs, services and infrastructure. The formal budget document and process serves several purposes. It is a financial plan that ensures the City is operating in a fiscally sustainable way toward a five-year forecast. It serves as an operating guide for departments. It serves to communicate to the public which items will be funded. It indicates which projects will require other funding methods and which projects will be put off into the future. The budget serves as a policy document, which takes into consideration the general plan, master plans, City Council discussions and public meetings. The budget acts as a legal authority device, which provides legal permission to spend monies collected through tax dollars and other sources.

The City is governed under Article 42, Chapter 17 of the Arizona Revised Statutes, with the City budget constituting appropriation of funds and establishing legal spending authority. Funds may not be allocated for purposes not included in the budget. The City

may not incur debt or spend in excess of the legally established budget. The State Statutes set out what items must be detailed; which includes contingencies, bond principal and interest, tax levies, sources, expenditures, expenditure limits, total expenditure limits, number of positions, salaries, related expenses, retirement and healthcare costs. The State expenditure limitations are governed by the Arizona State Statutes and the Arizona Constitution. The baseline is established by the 1980 Fiscal Year. Four alternatives may be used to govern the expenditure limitation, if that baseline is insufficient over time.

Avondale has exercised the Home Rule (Alternative Expenditure Limitation) in the past. Under the constitutional limit, Avondale's limit for Fiscal Year 2020 would have been approximately \$56.3 million. However, since the Home Rule was adopted on August 30th, 2016, the Fiscal Year 2020 budget is approximately \$236.7 million. Council has voted to refer this to the ballot to ask the voters if they would allow the exercising of the Home Rule for another four years.

The City also has a State-mandated budget calendar, which has the budget process running through the month of August. However, since the fiscal year starts on July 1st, the process is backed up to have a balanced budget and the property tax levy adopted before the fiscal year begins.

The budget calendar is as follows:

- December: Council Retreat
- January-April: Council Work Sessions
- April: Recommended Budget Issued
- May: Tentative Budget Adoption
- June: Public Hearings
- June: Final Budget Adoption and Property Tax Levy

Participants and their roles in the budget process include:

- Mayor and City Council: Make policy decisions and set strategic plan.
- City Manager: Focuses staff on supporting strategic direction and provides a recommendation to meet needs.
- Residents, visitors and businesses: Provide input through the Citizens CIP Committee and informal conversations with City Council.
- City Departments: Develop operating/capital plans and submit requested budget changes.
- Finance/Budget: Create the budget based on historical data, future projections, analysis and feedback.

Once the budget is adopted, it continues to be a focus throughout the year, as conditions change and needs must be addressed. The process begins with Council policy discussions where mission, goals, and objectives are established. Budget development is a constant monitoring of money to ensure that estimates are accurate. This is followed by implementation and evaluation through analysis and performance management.

The financial policies provide guidance through the process and cover five areas: revenues, expenditures/budget control, capital planning, fund balance and debt management.

Within the revenue section, the balanced budget definition relies on the use of ongoing revenues for ongoing expenditures and one-time revenues for one-time expenditures. It suggests that enterprise funds should be self-sustaining, and the rates charged be enough to recover total costs. When combined, the primary and secondary property tax rate shall be no greater than \$2. Rates and fees are evaluated annually.

Within the expenditure section, indirect cost charges shall be updated to ensure that the efforts of the General Fund are most effectively recovered from eligible grant sources and Enterprise Funds. Midyear additions should be minimized, so that all additions to the budget shall be weighed equally with all other requests. Expenditure of unforeseen revenue shall be appropriate. The policy lays out City Council and City Manager authority to amend the budget.

Within the capital section, ten-year planning horizon to budget for the future. The annual CIP Citizen's Committee review. Maintain a favorable investment rating. Operating impact on all capital projects to ensure operating expenses are considered after the construction of a project. Established general goals and authority for changes.

The fund balance policies establish authority and identifies stabilization of the general fund reserve. Debt-related policies include not using long-term debt for operations and short-term/leases will be minimized. General obligation bonds shall not be issued if the primary and secondary tax is greater than \$2. Water and sewer shall be issued as revenue bonds, rather than general obligation bonds. Water and sewer operating revenue shall be at least 1.25 times the amount paid annually for principal and interest. Excise tax bonds shall be issued through the Municipal Development Corporation.

Staff will be presenting again in two weeks, which will provide another opportunity for comments and input. In terms of funding, the City practices fund accounting, meaning that buckets are set up for certain monies coming in that are restricted to certain uses. This includes Special Revenue Funds which may only be used for a specific purpose and might be restricted by a third party or a state statute. The dedicated public safety tax also falls under the Special Revenue Fund but will be included in General Fund discussions as it is very similar to the other purposes of the General Fund, including the remainder of public safety funding.

Enterprise funds operate like a business and may reimburse other funds for services provided. Debt service funds are used to pay principal and interest on bonds used to finance infrastructure, such as buildings, roads, water and sewer. Internal service funds are used to track goods and services which are moved between funds on a reimbursement basis. Capital funds are used for large scale construction projects above and below ground. The general fund is the primary operating fund of the City, typically

funding a significant portion of the City's operations. The general fund can be used for any purpose.

The fiscal year 2020 budget is \$236.7 million, which is broken down into three categories: governmental (\$169.9 million), internal service funds (\$6.7 million) and enterprise funds (\$60.2 million). Under governmental are the following categories: general fund (\$66 million), special revenue (\$27.1 million), capital (\$66.6 million) and debt service (\$10.2 million).

The contingency category allows for an expenditure authority placeholder. Based on the Home Rule, there are limits on how much can be spent, regardless of revenues brought in. Contingency allows for unforeseen emergencies or challenges during the fiscal year, such as natural disasters, legislative changes, citizen initiatives, and economic development opportunities. Contingencies should be backed by existing savings funds or new revenue sources.

The City's reserves ensure that the City has adequate resources. This includes a fund balance set aside, which is generally not intended to be spent. Reserve policies require City Council approval. Any drawdown should include a plan to replenish and there are no plans to tap the reserves for this fiscal year.

One-time and ongoing funds are clearly distinguished. One-time sources and uses are considered inconsistent and volatile. These are spent towards one-time uses, such as contingency, asset replacement or capital. Ongoing sources and uses are consistent and relatively stable, generally used for items such as personnel costs and ongoing utilities.

Council Member Pineda thanked staff for the clear presentation.

Vice Mayor Dennis concurred with Council Member Pineda's comment. Vice Mayor Dennis requested staff bring additional information back to City Council regarding the \$2 property tax limit and a list of the projects that may be impacted by the limit. Ms. Duncan stated that staff will bring this back in February during the revenue discussion, as well as on March 2nd during the capital funds discussion.

In response to a question from Vice Mayor Dennis, Ms. Duncan confirmed that the public safety tax includes both police and fire.

4. ADJOURNMENT

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

Upon vote, the motion was carried unanimously 6 to 0.

Council Member Conde	Aye
Council Member Kilgore	Aye
Council Member Malone	Aye

Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Dennis	Aye

Meeting adjourned at 7:13 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 7:22 p.m.

Mayor Kenn Weise led the Pledge of Allegiance, followed by a moment of silent reflection.

Members Present: Mayor Kenn Weise; Vice Mayor Pat Dennis; Councilmembers Tina Conde, Bryan Kilgore, Veronica Malone, Curtis Nielson, and Mike Pineda.

Members Absent: None.

Other Municipal Officials Present: 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; Kenneth Chapa, Economic Development Services Director; Lindsey Duncan, Finance and Budget Director; Kirk Haines, Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Kevin Murphy, Director of Development & Engineering Services; Dale Nannenga, Police Chief; Jeffrey Scheetz, Chief Information Officer; and Pier Simeri, Community Relations and Public Affairs Director.

Audience: Approximately 20 members of the public were present.

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

2. UNSCHEDULED PUBLIC APPEARANCES

None.

3. PRESENTATION ITEMS

a. INTRODUCTION OF NEW EMPLOYEES

Tracy Stevens, Deputy City Manager, introduced the new director of the Economic Development department, Kenneth Chapa. Mr. Chapa spoke a few words of appreciation.

Jeff Case, Fire Chief, introduced the following new employees from the Fire Department: Matthew Del Sol, Firefighter; Tyler Griffith, Firefighter; Jose Guzman, Firefighter; and Dylan Parisi, Firefighter.

4. 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.

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 Vice Mayor Dennis, seconded by Council Member Conde, to approve the Consent Agenda.

Upon vote, the motion carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Kilgore	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Dennis	Aye
Mayor Weise	Aye

a. SERIES 7 (BEER AND WINE BAR) LIQUOR LICENSE - RESIDENCE INN BY MARRIOTT

City Council approved an application for a Series 7 (Beer and Wine Bar) Liquor License submitted by Brian Daley Welker, allowing for the sale of beer and wine at the Residence Inn located at 11465 Hilton Way, in Avondale and authorized the Mayor and City Clerk to execute the necessary documents.

b. SERIES 12 (RESTAURANT) LIQUOR LICENSE - ERIC'S FAMILY BARBECUE

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c. SERIES 12 (RESTAURANT) LIQUOR LICENSE - PASTA FACTORY

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d. RE-PLAT OF COPPER SPRINGS LOTS 1A AND 1B FOR BIOLIFE AVONDALE - APPLICATION PL-19-0300

City Council approved a request by Mr. Joe Cirone, JMC Engineering, for approval of a Re-Plat of Copper Springs Lots 1A and 1B for BioLife Avondale, approximately 4.93 net acres of property located at the northeast corner of McDowell Road and 107th Avenue. In conformance with the approved Site Plan for BioLife Plasma Services, the proposed Re-Plat divides existing Copper Springs Lot 1A into two parcels; 2.47-acre Lot 1A for

development of BioLife Plasma Services, and 0.53-acre Lot 1C to be developed in the future jointly with the existing 1.92-acre Lot 1B. The proposed Re-Plat also abandons existing private water, sewer, and cross-access easements and dedicates new cross-access, private water and sewer, and temporary drainage easements in conformance with the approved BioLife Plasma Services site plan.

e. RE-PLAT OF VISTA DEL VERDE PHASE 3 - APPLICATION PL-18-0147

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f. RE-PLAT OF VISTA DEL VERDE PHASE 4 - APPLICATION PL-18-0148

City Council approved a request by Mr. Kirk Pangus, HILGARTWILSON, LLC., for approval of a Re-Plat for Vista del Verde Phase 4. Consistent with the Vista del Verde Preliminary Plat approved by City Council in December 2017, the proposed Re-Plat will reconfigure lot lines within the 15.8 net acre fourth phase of the 144.0 net acre Vista del Verde community located approximately 300 feet north of the northwest corner of 107th Avenue and Buckeye Road. A total of 75 single-family residential lots are currently platted in Phase 4; approval of the Re-Plat will increase the total to 83. City Council will consider adoption of Resolutions forming a Maintenance Improvement District (MID) for this phase as a separate agenda item.

g. RESOLUTIONS 1004-0120 AND 1005-0120 – VISTA DEL VERDE PHASE 3 MAINTENANCE IMPROVEMENT DISTRICT

City Council approved the Petition for Formation, adopted Resolution 1004-0120 declaring its intention to form the City of Avondale Maintenance Improvement District No. 16, Vista del Verde Phase 3, providing for the assessment, and adopted Resolution 1005-0120 declaring its intention to order the improvements within the newly established maintenance improvement district, providing for the assessment and declaring an emergency.

h. RESOLUTIONS 1006-0120 AND 1007-0120 – VISTA DEL VERDE PHASE 4 MAINTENANCE IMPROVEMENT DISTRICT

City Council approved the Petition for Formation, adopted Resolution 1006-0120 declaring its intention to form the City of Avondale Maintenance Improvement District No. 17, Vista del Verde Phase 4, providing for the assessment, and adopted Resolution 1007-0120 declaring its intention to order the improvements within the newly established maintenance improvement district, providing for the assessment and declaring an emergency.

5. REGULAR AGENDA

a. REVIEW AND APPROVAL OF MODIFICATIONS TO THE MEMORANDUM OF UNDERSTANDING WITH THE AVONDALE PROFESSIONAL FIREFIGHTERS ASSOCIATION (APFA) LOCAL 3924

City Council considered a request to review and approve future modifications to the Memorandum of Understanding (MOU) which will be effective July 1, 2020 through June 30, 2022 and direct staff to bring a revised MOU before City Council at a future meeting.

Presentation by Gina Montes, Assistant City Manager, included the following:

Ms. Montes stated that the agreement generally reincorporates most of the existing MOU language. The agreement has a two-year term and is from July 2020 to June 2022.

Key changes include the following:

- In the first year, everyone will receive a one-step increase (4%) and removes the bottom two steps for firefighter and adds one-step to the top of the range.
- In the second year, everyone will receive a one-step increase (4%) and removes the fixed merit award for members at the top of the range.
- For the regular hourly rate provisions, life insurance benefit will revert to what is provided citywide.

The City has only been paying what is required by the Fair Labor Standards Act (FLSA) in terms of overtime payment. There is one pay period out of every three pay periods that overtime is not triggered (96 hours). The proposal is to pay time and a half for any hours worked above 96 hours. In order to determine the effects of the change, it will begin on a pilot basis, to be assessed prior to the next MOU. It is proposed to have an additional holiday pay for members who work on a holiday, which will equate to 11.25 hours of straight time in addition to whatever an employee is making on a designated holiday. Another key change removes a requirement to match citywide sick/vacation leave accruals if they exceed MOU accruals. Currently, members can sell back vacation time twice per year. The new provision maintains this agreement; however, payment would be paid over two consecutive pay periods. Total budgetary impact for the changes is \$367,360.

Bryan Depauw, Fire Engineer, spoke a few words of appreciation for staff's efforts in working with the Fire Department on the MOU. In response to an inquiry by Mayor Weise, Mr. Depauw spoke about the process and the importance of building relationships.

Mayor Weise stressed the importance of keeping City-trained fire personnel in the City as opposed to losing them to other cities because of market and wage changes.

Vice Mayor Dennis asked whether overtime and holiday hours can be combined. Mr. Depauw stated that this is only for select members based on their pay cycle. The individual would receive the first ten hours as time and a half and would receive straight time of 11.25 hours for working the holiday. Vice Mayor Dennis commented that this is a positive step in keeping good employees on board.

Vice Mayor Dennis moved to approve future modifications to the Memorandum of Understanding (MOU) which will be effective July 1, 2020 through June 30, 2022 and direct staff to bring a revised MOU before City Council at a future meeting; Council Member Malone seconded the motion.

Upon vote, the motion was carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Kilgore	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Dennis	Aye
Mayor Weise	Aye

Note from the City Clerk: Items 5b and 5c were presented together and voted on individually.

b. PUBLIC HEARING AND RESOLUTION 1008-0120 - MINOR GENERAL PLAN LAND USE MAP AMENDMENT FOR AVONDALE TOWNHOMES ON DYSART – APPLICATION PL-19-0195

City Council held a public hearing and considered a request by Mr. Lance Baker, Synectic Design Inc., to adopt a Resolution approving a Minor Amendment to the Avondale General Plan 2030 Land Use Map for Avondale Townhomes on Dysart, a proposed 302-unit townhome development with an adjacent commercial area on 28.35 gross acres located approximately 760 feet south of the southwest corner of Dysart Road and Van Buren Street. The proposed Minor General Plan Amendment, if approved, will amend the General Plan 2030 Land Use designation on 25.86 acres of the property from Local Commercial to Medium/High Density Residential. The MHDR designation allows for single-family detached, single-family attached, townhomes, condominiums, patio homes and casitas in a density range of 4.0 to 12.0 dwelling units per acre (4.0 du/acre target density). Approximately 2.49 gross acres of the property adjacent to Dysart Road are excluded from the general plan amendment request and will remain designated Local Commercial. A request to rezone the property from C-2 (Community Commercial) to PAD (Planned Area Development) to accommodate development of a 302-unit townhome community and a 2.49 gross acre commercial site will be considered separately.

Presentation by Ken Galica, Lead Planner, included the following:

Mr. Galica noted that items 5(a) and 5(b) would be presented together, however they will require separate public hearings and motions. He provided an overview of the site details and summarized the requested amendment. The development includes 302 townhomes with 37% open space, including two pool facilities, tot lots, two clubhouses and a dog park. There are two access points, one from Dysart Road and one from 4th Street. A 2.47-acre C-2 neighborhood commercial area will be constructed during a later phase. The proposed architecture is Spanish Colonial Revival style with complementary

architecture throughout the site. Staff feels that the general plan amendment and rezoning are compatible with and complementary to existing uses in the area. Staff further believes it advances City goals and policies as they relate to the revitalization of historic Avondale. The proposed PAD does conform to the general plan land use map.

The proposed development standards exceed zoning ordinance requirements. There are two exceptions to the zoning ordinance as the code established in September requires one guest parking space per unit. The amendment was in review prior to adoption of the new code and the developer is proposing slightly less than what the current code requires, but still more than the City would have typically gotten with this type of development in the past. Common areas of the development will be HOA-owned. Staff believes exceptional design is provided in the quality of the architecture as well as the variety provided between buildings. The infrastructure improvements will be completed by the developer. The general plan amendment and rezoning, in staff's view, meet all required findings.

Mr. Galica stated that all required notifications were completed, including a neighborhood meeting at City Hall on December 5th with no attendees. There were three viewers and no comments on the aVOICE platform. One email was received in support of the proposal from a nearby commercial property owner. The Planning Commission recommended approval in December. He noted that applicant had a builder on board until very recently. Unfortunately, the transaction fell through, but the applicant is currently in conversation with several builders.

Mayor Weise opened the public hearing and did not receive any requests to speak. Mayor Weise closed the public hearing and opened the floor for comments from Council.

Vice Mayor Dennis expressed concern in terms of moving forward without a current builder, as this changes the general plan from medium to high density. If the project falls through, the concern with changing the general plan is that the parcel will be open to other developers at medium to high density. She suggested having a continuance on the project both in terms of the general plan and the rezoning.

Mayor Weise asked Mr. Galica to discuss what a postponement or continuance means to the applicant and whether it places the project on hold for a significant period of time. Mr. Galica stated that the PAD requires the proposed development to be built. Any change to detached homes or apartments would require a major PAD amendment, which would require Council approval.

Rick Jellies, on behalf of the applicant, stated that they met with several Council Members as they were beginning the process of crafting a vision for this redevelopment area of Historic Avondale. The property owner has been involved with the property for 15 years. Members of the applicant's office have been in marketing efforts for the property as commercial property for over eight years. During that time, every possible avenue has been exhausted. In order to develop the property, a land use change is appropriate. The proposed development provides opportunities for home ownership of an affordable and high-quality nature. Staff has painstakingly worked with them towards this goal. This

project cannot be sold from landowner to developer to builder. It is a very expensive project with significant amenities. The individual platting guarantees that property taxes will be three times what they would be as an apartment project. The land use change serves to get builders interested.

Vice Mayor Dennis asked about the building timeline. Michael Wawro, City Attorney, stated the timeline has not yet been brought to Council. Mr. Galica added that under the September approval, the validity was changed to two years with a potential one-year extension.

Council Member Malone asked if there is a provision to pull the project, if it is not developed exactly as approved. Mr. Galica said the zoning ordinance is very clear in terms of what is considered a major amendment versus a minor amendment. Currently, the development is proposed as a 302 unit, individually platted townhome complex. Potential major changes would include going from individual townhomes to apartments, which would have to come back for Council approval. Minor changes would include a slight modification to architecture.

Council Member Pineda commented on the land being vacant for an excess amount of time and noted he was in support of the project and believes they will develop the project as it states. He noted the City has safe guards in place that take away the mentioned concerns.

Mr. Gellis added that there have been 18 documented evictions of homeless camps on the site and others that have been undocumented.

Council Member Conde stated that Avondale currently does not have townhome housing stock in the community. As a licensed realtor, she often takes clients to a neighboring city for this type of housing. She voiced support for the townhome product and would not want to stray from something else at this site in the future. She complimented the amenities and location of the project.

Council Member Kilgore voiced his support of the project, mentioning the project is an asset to the City. He did not have any concerns with the project and he expressed his belief that everything will work out in the end.

Council Member Nielson agreed that this is an opportunity for the City to have a needed product for prospective homeowners.

Mayor Weise asked that once a builder is found, any potential changes will be brought back to Council for approval.

Council Member Pineda moved to adopt Resolution 1008-0120 approving Application PL-19-0195 Avondale Townhomes on Dysart, a request for a Minor Amendment to the General Plan 2030 Land Use Map changing the Land Use designation of 25.86 acres of the subject property from Local Commercial to Medium/High Density Residential; Council Member Malone seconded the motion.

Upon vote, the motion was carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Kilgore	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Dennis	Aye
Mayor Weise	Aye

c. PUBLIC HEARING AND ORDINANCE 2004-0120 - REZONING FROM COMMUNITY COMMERCIAL (C-2) TO PLANNED AREA DEVELOPMENT (PAD) FOR AVONDALE TOWNHOMES ON DYSART – APPLICATION PL-19-0194

City Council held a public hearing and considered a request by Mr. Lance Baker, Synectic Design Inc., to rezone 28.35 gross acres located approximately 760 feet south of the southwest corner of Dysart Road and Van Buren Street from C-2 (Community Commercial) to PAD (Planned Area Development). The proposed Avondale Townhomes on Dysart PAD will allow for a 302-unit singlefamily attached townhome community featuring two clubhouses and two community pools on 25.86 gross acres. The proposed PAD also reserves 2.49 gross acres of property directly adjacent to Dysart Road for future commercial development under the uses and standards of the City's C-1 (Neighborhood Commercial) zoning district. A request to change the General Plan 2030 Land Use Map designation of 25.86 acres of the property from Local Commercial to Medium/High Density Residential (MHDR) will be considered separately.

This item was presented under Agenda Item 5(a).

Mayor Weise opened the public hearing and did not receive any requests to speak. Mayor Weise closed the public hearing and opened the floor for comments from Council.

The comments portion was included under Agenda Item 5(a)

Vice Mayor Dennis moved to accept the findings and adopt Ordinance 2004-0120 approving Application PL-19-0194 Avondale Townhomes on Dysart, a request to rezone approximately 28.35 acres from C-2 (Community Commercial) to Planned Area Development (PAD), subject to four (4) recommended conditions of approval as listed in the staff report, and one (1) additional condition of approval for the project to include a deceleration lane on Dysart Road to be paid for by the applicant and approved by the City Engineer in accordance with City standards; Council Member Pineda seconded the motion.

Upon vote, the motion was carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Kilgore	Aye
Council Member Malone	Aye
Council Member Nielson	Aye

Council Member Pineda	Aye
Vice Mayor Dennis	Aye
Mayor Weise	Aye

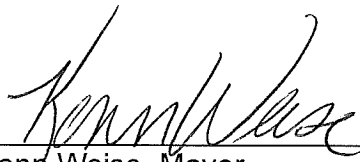
6. ADJOURNMENT INTO EXECUTIVE SESSION

There being no further business before the Council, Council Member Kilgore moved to adjourn the Regular Meeting and hold an Executive Session pursuant to Ariz. Rev. Stat. § 38-431.03(A)(7) for the purpose of discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase of real property located at 100 N. Clubhouse Dr; Council Member Malone seconded the motion.

Upon vote, the motion was carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Kilgore	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Dennis	Aye
Mayor Weise	Aye

Meeting adjourned at 8:20 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 21st day of January 2020. I further certify that the meeting was duly called and held and that the quorum was present.



Marcella Carrillo, City Clerk