



City of Avondale

City Council Meeting

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

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



City of Avondale

City Council Meeting

Monday, February 3, 2020

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, February 3, 2020

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

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. SCHEDULED PUBLIC APPEARANCES**
 - a. WESTMARC UPDATE**
Ms. Sintra Hoffman, President and Chief Executive Officer, WESTMARC **provided** an update on the achievements of WESTMARC.
 - b. TORRES CONSULTING GROUP UPDATE**
Mark Cardenas, Torres Consulting Group, **provided** a brief introduction to his new role.
- 4. PRESENTATIONS**
 - a. PROCLAMATION - CAREER AND TECHNICAL EDUCATION**
Mayor and Council **issued** a proclamation recognizing the month of February 2020 as Career and Technical Education Month in the City of Avondale.

5. 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 December 2, 2019 City Council Retreat Minutes. The Council will take the appropriate action.

b. CALL AND NOTICE OF ELECTION

City Council **approved**: (a) call a Primary Election on August 4, 2020 and if necessary, a General Election on November 3, 2020; (b) authorized staff to add issues to the ballot as directed by Council, or by appropriate administrative action; and (c) authorized the City Clerk and the City Attorney to take all action necessary to conduct the election. The Council will take appropriate action.

c. CAPITAL IMPROVEMENT PLAN CITIZENS COMMITTEE MEMBER APPOINTMENT

City Council **approved** the appointment of Denise Stanfield as the Municipal Art Committee representative for the Capital Improvement Plan Citizens Committee. Council will take appropriate action.

d. RE-PLAT OF AVONDALE CITY CENTER PHASE 1 LOT 3

City Council **approved** a City-initiated request of a Re-Plat of Lot 3, Avondale City Center Phase 1 subdivision, approximately 3.40 acres of City-owned property located at the northeast corner of Avondale Boulevard and The BLVD. The proposed Re-Plat subdivides Lot 3 into two lots (0.81-acre Parcel 1 and 2.52-acre Parcel 2), incorporates approximately 0.75 acres of land into Parcels 1 and 2 that was not included within the plat boundary when the Final Plat for Avondale City Center Phase 1 was approved in April 2009, dedicates 2,933 square feet of right-of-way for Avondale Boulevard, and dedicates a public water line easement across Parcel 1 to accommodate an existing City water line. The Council will take appropriate action.

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

City Council **approved** the Memorandum of Understanding (MOU) which will be effective July 1, 2020 through June 30, 2022. The Council will take appropriate action.

f. RESOLUTION 1009-0220 - ADOPTING THE STATE OF ARIZONA NOMINATION FILING DATES, BALLOT PREPARATION DATES, AND STATE ELECTION PROCEDURES MANUAL FOR THE AUGUST 4, 2020 MUNICIPAL ELECTION

City Council **adopted** Resolution 1009-0220, adopting the State of Arizona nomination petition filing dates and ballot preparation date for the August 4, 2020 election, adopting the Arizona Secretary of State Election Procedures Manual, and declaring an emergency; and authorized the Mayor or City Manager and the City Clerk to execute the necessary documents. The Council will take appropriate action.

g. ORDINANCE 2006-0220 - SALE OF REAL PROPERTY LOCATED AT 705 N 114TH AVENUE City

City Council **adopted** Ordinance 2006-0220 authorizing the sale of real property located at 705 N 114th Avenue for the purpose of locating a Dutch Bros Coffee establishment, and authorized the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

- h. **PROFESSIONAL SERVICES AGREEMENT WITH AMERICAN MEDICAL RESPONSE OF MARICOPA, LLC DBA AMERICAN MEDICAL RESPONSE (AMR), FOR AMBULANCE SERVICES**
City Council **approved** a Professional Services Agreement with American Medical Response of Maricopa, LLC (AMR) commencing on the date the agreement is approved by Arizona Department of Health Services (ADHS) and valid for a period of two years for emergency ambulance and medical transportation services for the term of the agreement and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

6. **REGULAR AGENDA**

- a. **PUBLIC HEARING - ORDINANCE 2005-0220- ZONING ORDINANCE TEXT AMENDMENT - APPLICATION PL-19-0306**

City Council **held** a public hearing and **adopted** Ordinance 2005-0220 approving text amendments to the Zoning Ordinance and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents. The amendments to Avondale Zoning Ordinance Section 6 (Planned Area Development District) will allow for continued refinement of the Zoning Ordinance to reflect changes in development trends and necessary timelines for orderly site development. The Council will take appropriate action.

7. **DISCUSSION ITEMS**

- a. **FY2021 REVENUE OVERVIEW AND FORECAST**

Staff **presented** an overview of the City's major revenue sources and the forecast for those revenue sources for FY2021.

8. **ADJOURNMENT**

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
February 3, 2020

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 7:00 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; Council Members Tina Conde, Bryan Kilgore, Veronica Malone, Curtis Nielson, and Mike Pineda.

Members Absent: None.

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; Jessica Blazina, Intergovernmental Affairs Administrator; 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; Dale Nannenga, Police Chief; Cherlene Penilla, Human Resources Director; 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

Cesar Morales, Light of the World Church, invited Mayor and City Council to the grand inauguration event on February 10, 2020.

3. SCHEDULED PUBLIC APPEARANCES

a. WESTMARC UPDATE

Ms. Sintra Hoffman, President and Chief Executive Officer, WESTMARC provided an update on the achievements of WESTMARC.

Ms. Hoffman stated that WESTMARC covers 15 communities, 13 municipalities, two Maricopa County unincorporated communities, 3,000 square miles and 1.7 million residents. The mission is to promote the West Valley for economic development opportunities and job growth. Goals include: promoting a talented workforce; promoting the Greater Maricopa Foreign Trade Zone; communicating the West Valley message with one voice; and increasing member value. In 2017, they hired a consultant to develop a long-term strategic plan for workforce development. This included stakeholder outreach,

followed by development of the West Valley Pipeline. The initiative is now in the action phase which includes marketing, industry partnerships and outreach. Industries targeted include advanced business services; advanced manufacturing; aerospace and aviation; health services; information technology; transportation and logistics. Implementation of the plan is achieved through a marketing subcommittee, education partners, business outreach and industry advisory groups.

The focus in 2019 was repositioning and redefining the West Valley. WESTMARC also promoted the Greater Maricopa Foreign Trade Zone (GMFTZ), which has been in existence for ten years in the West Valley and has created nearly 3,000 jobs with over \$1.4 billion in capital improvement. The Valley's Next Big Play investment forum represents a focus on Class A office space in the West Valley. Thirty-four percent of all finance and insurance workers in Maricopa County live in the West Valley; however, many residents commute out of the West Valley for lack of opportunities. The initiative will bring developers, commercial real estate brokers and financiers together in a forum on Thursday, February 6, 2020.

Ms. Hoffman listed events and benefits brought specifically to Avondale:

- Governor's State of the State Address – 2020
- WESTMARC Annual meeting – 2018
- Opportunity Zone Investment Forum – 2019
- Healthcare Career Expos
- Healthcare Summit
- Class A Attraction Strategy
- League of Cities and Towns Conference
- Council Representational Regionally
- Eight Avondale Business/Education Members
- NASCAR Accelerators

Council Member Pineda commented that the forums allow people to come together with a regional approach, which provides power in numbers.

Mayor Weise added that the cooperation between West Valley cities is unique to the region.

Vice Mayor Dennis asked about the techniques for tracking strategy results. Ms. Hoffman said they track social media hits and shares. They also track written comments and how many requests are received as a result of a post or communication.

Vice Mayor Dennis asked about expansion of workforce development. Ms. Hoffman discussed the Education Partners Group, consisting of K-12 members through WESTMARC, postsecondary, through public and private universities. There are nine implementation strategies, including rebranding vocational education.

b. TORRES CONSULTING GROUP UPDATE

Mark Cardenas, Torres Consulting Group, will provide a brief introduction to his new role.

Mr. Cardenas, on behalf of the Arizona Building Trades and Construction Council, stated the agency is proposing to develop a Responsible Contractor Ordinance in Avondale and other cities in the State. It would address the exploitation of cash-paid workers in several ways. For public projects, contractors who enter into agreements with a city must prove they have all business, trade, professional licenses, registrations and certificates required by law. They would be required to have bonding and insurance to minimum state standards. Any government agency contractor may not be engaged if they have had their license revoked in the past three years. They must have a clean record on law compliance with no major violations.

Mayor Weise asked for a list of other cities this has been presented to. Mr. Cardenas said they are proposing the ordinance not only at the city level (already passed in Tempe, Tucson and Phoenix), but also at union school districts, including Cartwright, Phoenix Union, soon at Tolleson Union, followed by schools in Tucson. They are moving ahead in the process with 14 other school districts throughout the state.

Mayor Weise asked that City staff keep Council apprised of any updates.

4. PRESENTATIONS

a. PROCLAMATION CAREER AND TECHNICAL EDUCATION

Anne Wisener, Career and Technical Education Director of the Agua Fria High School District, accepted a proclamation issued by Mayor and City Council recognizing the month of February 2020 as Career and Technical Education Month in the City of Avondale.

5. CONSENT AGENDA

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Mayor Weise asked to have agenda items 5d, 5g, and 5h removed from the Consent Agenda and no additional requests for removal were received. Motion was made by Council Member Nielson, seconded by Council Member Malone, to approve the Consent Agenda with the exception of Agenda Item 5d. Re-Plat of Avondale City Center Phase 1 Lot 3; Agenda Item 5g. Ordinance 2006-0220 Sale of Real Property Located at 705 N. 114th Avenue; and Agenda Item 5h. Professional Services Agreement with American Medical Response of Maricopa, LLC DBA American Medical Response (AMR), for Ambulance Services.

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. MINUTES

City Council approved the December 2, 2019 City Council Retreat Minutes.

b. CALL AND NOTICE OF ELECTION

City Council approved a request to call a Primary Election on August 4, 2020 and if necessary, a General Election on November 3, 2020; authorized staff to add issues to the ballot as directed by Council, or by appropriate administrative action; and authorized the City Clerk and the City Attorney to take all action necessary to conduct the election.

c. CAPITAL IMPROVEMENT PLAN CITIZENS COMMITTEE MEMBER APPOINTMENT

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

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f. RESOLUTION 1009-0220 ADOPTING THE STATE OF ARIZONA NOMINATION FILING DATES, BALLOT PREPARATION DATES, AND STATE ELECTION PROCEDURES MANUAL FOR THE AUGUST 4, 2020 MUNICIPAL ELECTION

City Council adopted Resolution 1009-0220, adopting the State of Arizona nomination petition filing dates and ballot preparation date for the August 4, 2020 election, adopting the Arizona Secretary of State Election Procedures Manual, and declaring an emergency; and authorized the Mayor or City Manager and the City Clerk to execute the necessary documents.

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

d. RE-PLAT OF AVONDALE CITY CENTER PHASE 1 LOT 3

City Council considered a Re-Plat of Lot 3, Avondale City Center Phase 1 subdivision, approximately 3.40 acres of City-owned property located at the northeast corner of Avondale Boulevard and The BLVD. The proposed Re-Plat subdivides Lot 3 into two lots

(0.81-acre Parcel 1 and 2.52-acre Parcel 2), incorporates approximately 0.75 acres of land into Parcels 1 and 2 that was not included within the plat boundary when the Final Plat for Avondale City Center Phase 1 was approved in April 2009, dedicates 2,933 square feet of right-of-way for Avondale Boulevard, and dedicates a public water line easement across Parcel 1 to accommodate an existing City water line.

Brian Craig, Planning Manager, stated that the property was zoned and platted as City Center Phase I in 2009. The proposal is to replat the area, incorporating previously unplatted land and then split it back again into two separate lots. The north lot, Parcel 1, is intended for a drive-through coffee shop and Parcel 2 will remain as temporary parking for the ASC. The intent is to dedicate existing right-of-way as a deceleration right turn lane into the Plaza on Dale Earnhardt Drive.

Kenneth Chapa, Economic Development Director, addressed the Dutch Bros Coffee establishment, noting that it is a name brand operation, that will serve as a magnet to increase the visibility of The BLVD and act as a catalyst to increase activity and spur future opportunities in the area. It brings an additional asset to the area's existing amenity mix. This will benefit surrounding hotels and patrons of the Arizona Sports Center. This leads to more customers, investment and money being spent in Avondale. Unlike other Dutch Bros Coffee establishments, this business is not being placed in an existing retail parking lot that was never designed to handle the traffic or the flow. City staff and the Dutch Bros team are working together to build from the ground up. This ensures that the design standards of The BLVD will integrate well with the overall vision. The design will close out the curb cut on Dale Earnhardt Drive to direct traffic and minimizing queuing and stacking. Sidewalks will help to connect north and south areas where the hotels are coming in.

In response to a question from Vice Mayor Dennis, Mr. Craig confirmed that customers will be able to exit through the same entrance they came in from. They can make a left to go north on 114th or go south on 114th. Another exit will be available farther south in the lot to make a right-hand turn onto The BLVD. If a customer chooses to exit on the north end, they can go north and back around to circle out to Dale Earnhardt Drive.

Vice Mayor Dennis asked about plans for Parcel 2. Mr. Craig stated that the mentioned parcel is within the Park Avenue District within The BLVD District which include the core of the entertainment district. There is not currently a developer on board and parking would need to be relocated elsewhere when developed.

Vice Mayor Dennis expressed concern with the concept of having a coffee shop without an indoor seating area. She explained the purpose of creating The BLVD area was to make it a walkable "stay" aspect of development rather than a drive-thru only concept.

Mr. Montoya discussed the location of the businesses' patio areas. He added that while the goal is to create a walkable community but stated they need to draw traffic and the community to the site. Another opportunity is coming to the City, which he will brief in the next week, to allow the City to own more of The BLVD site for future planning. Currently,

the City only owns approximately 40 percent of The BLVD. This upcoming opportunity will give the City the opportunity to increase its ownership to 65 to 70 percent. Vice Mayor Dennis stated that the proposed development does not match what she envisioned for the development of The BLVD. She expressed that this location will create extra traffic in a small area.

Council Member Malone referred to the 95th Avenue and Glendale Dutch Bros site queuing, which appears to be effective. In terms of the proposed development, she recommends considering the design at 95th Avenue, which allows the opportunity to enter one way without blocking traffic or parked vehicles. She opinioned that the location is good, noting that the park-and-ride in the same area is busy with commuters going to and from the area. She noted that the location on Central and Thomas was forced to close. She asked how the City will mitigate traffic issues for the retail shops around the proposed development. Mr. Montoya noted that the retail businesses in the area are currently complaining that they do not have enough traffic to the area. The businesses are not open the number of hours they would like to be, partially because there are not enough people at the site. He stated staff will address traffic issues if they arise in the future but stated this is one way to help promote the business in the area.

Council Member Conde requested staff be mindful on getting people safely across the street to the sports center as well as the park-and-ride. Mr. Montoya stated the City will be installing more enhanced crosswalks. The parking for the sports center is going to move to the park-and-ride and to the rear, as the parking at that location is currently not being used.

Council Member Pineda addressed the possibility of eliminating the parking spaces facing north/south and installing an exit-only option. Mr. Montoya explained that a certain number of parking spaces are required pursuant to a City ordinance. He agreed with Council Member Malone and Conde, explaining staff will ensure the individuals parking on the site can safely leave without their car being blocked.

Council Member Nielson commented that recently, he was stuck in a parking lot due to congestion and parking issues and suggested alternate queuing off the north entrance. He inquired on the location of future parking for restaurants in that area as well as zoning designations of the area. Mr. Montoya said there is ample parking on Dayle Earnhardt drive for a future restaurant in the area. He explained that staff will educate the owners of the stores regarding parking to allow for more parking for the hotels in the area. According to Valley Metro, less than 30% of the parking spaces at the park-and-ride are used.

Council Member Malone addressed the arrows coming in to the site and asked about the possibility of a decelerating lane, which would prevent backup of traffic for other areas of the sports center. She asked about an alternative exit closest to Avondale Boulevard. Mr. Montoya stated that while this was considered, they were mindful of not affecting Avondale Boulevard in terms of adverse traffic. The proposed exit could be added, however it would have to be a right turn exit only. Council Member Malone also suggested

a decelerator turning lane across the street. Mr. Montoya said staff will add a right turn exit only as well as a decelerating turning lane off Avondale Boulevard.

Mayor Weise stated that he is supportive of the project, understanding that the parking and flow needs to be worked out. Dutch Bros will bring more people to the area than a Starbucks or regular coffee shop. He requested clarification regarding the map. Mr. Montoya stated that the area will consist of a walk-up area as well as a patio area. The walk-up area will be important in terms of upcoming hotels to the north and south.

Mayor Weise said he is okay with the agreement with the understanding that they look at adding an exit on Avondale Boulevard.

Vice Mayor Dennis summarized her earlier stated concerns. Mr. Montoya stated that based on the input from Council, they will add the exit-only lane coming off Avondale Boulevard and add a deceleration lane. They will work on the parking issue near the drive thru with the developer. However, because of the ordinance, they are required to have a specific number of parking spots, but staff will work on the concern.

Council Member Malone inquired as to parking counts at the park-and-ride. Mr. Montoya estimated approximately 380 parking spots with fewer than 100 ever being utilized. In response to a suggestion from Council Member Malone, Mr. Montoya stated that they will begin placing signs at the location ahead of time, so that citizens become accustomed to the upcoming parking changes. In response to a question by Council Member Malone, Mr. Montoya stated there are not currently signs on the property stating spaces are available, but staff are working to educate the current attendees to park in the rear of the building.

Vice Mayor Dennis asked about the plan of action for marketing by the real estate broker. Mr. Montoya said SRS is actively marketing the retail shop sites in front of the ASC.

Mr. Montoya stated staff has noted the comments by Council and the requests will be made.

Council Member Pineda moved to approve a Re-Plat of Lot 3, Avondale City Center Phase 1 subdivision, approximately 3.40 acres of City-owned property located at the northeast corner of Avondale Boulevard and The BLVD; Council Member Nielson seconded the motion.

Upon vote, the motion was carried 6 to 1.

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

Vice Mayor Dennis	Nay
Mayor Weise	Aye

g. ORDINANCE 2006-0220 SALE OF REAL PROPERTY LOCATED AT 705 N 114TH AVENUE

City Council considered adoption of Ordinance 2006-0220 authorizing the sale of real property located at 705 North 114th Avenue for the purpose of locating a Dutch Bros Coffee establishment and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

The presentation and comments portion were included under Agenda Item 5d.

Council Member Malone moved to adopted Ordinance 2006-0220 authorizing the sale of real property located at 705 North 114th Avenue for the purpose of locating a Dutch Bros Coffee establishment and authorize the Mayor or City Manager and City Clerk to execute the necessary documents; Council Member Pineda seconded the motion.

Upon vote, the motion was carried 6 to 1.

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

h. PROFESSIONAL SERVICES AGREEMENT WITH AMERICAN MEDICAL RESPONSE OF MARICOPA, LLC DBA AMERICAN MEDICAL RESPONSE (AMR), FOR AMBULANCE SERVICES

City Council approved a Professional Services Agreement with American Medical Response of Maricopa, LLC (AMR) commencing on the date the agreement is approved by Arizona Department of Health Services (ADHS) and valid for a period of two years for emergency ambulance and medical transportation services for the term of the agreement and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents.

Vice Mayor Dennis stated that she requested another presentation on this item in order to provide an update on ambulance service use.

Mr. Montoya stated that the City has not been under contract with any ambulance company in the past three years. He asked that Aaron Glass, Fire Division Chief, discuss the process of working with a new provider. Mr. Glass stated that they have been working with AMR for a while under the certificate of necessity with Maricopa County. Going forward, the contract will outline several reimbursements the City will receive in terms of

paramedic ride-ins to the hospital with patients. It also opens the opportunity for the City to pursue its own certificate of necessity in the future.

Vice Mayor Dennis asked about the number of available ambulances. David Tantone, AMR Regional Director for Central Arizona, said there are two 24-hour units as well as one peak unit truck. In addition, the West Valley currently has 13 operating ambulances. If Avondale's ambulances become depleted, AMR will be able to move those resources into the City. The certificate of necessity states that they must be on-scene for 911 calls within ten minutes on code-three (lights and siren) traffic 80 percent of the time. However, they have been holding themselves to a 90 percent standard.

Mr. Montoya stated that one of the original concerns was the staging of units and where they would be located. They are currently leasing a staging area off Eliseo Felix as well as off McDowell Road.

In response to a question from Vice Mayor Dennis, Mr. Tantone listed other ambulance locations in Tolleson, El Mirage, and others strategically positioned in the area. Mr. Tantone explained each ambulance will have at least one paramedic and one EMT.

Council Member Nielson moved to approve a Professional Services Agreement with American Medical Response of Maricopa, LLC (AMR) commencing on the date the agreement is approved by Arizona Department of Health Services (ADHS) and valid for a period of two years for emergency ambulance and medical transportation services for the term of the agreement and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents; Vice Mayor Dennis 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. REGULAR AGENDA

a. PUBLIC HEARING ORDINANCE 2005-0220 – ZONING ORDINANCE TEXT AMENDMENT APPLICATION PL-19-0306

City Council held a public hearing to consider a staff-initiated request to adopt Ordinance 2005-0220 approving text amendments to the Zoning Ordinance and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents. The amendments to Avondale Zoning Ordinance Section 6 (Planned Area Development District) will allow

for continued refinement of the Zoning Ordinance to reflect changes in development trends and necessary timelines for orderly site development.

Mr. Montoya stated that Council discussed the text amendment in August of 2019. At that time, there were also discussions with developers who had expressed concerns. The Planning Department and City Manager's Office met with the developers and came to an agreement. The presentation addresses the modifications.

Brian Craig, Planning Manager, stated that the purpose of the update to Section 6 was to reduce the planned area development (PAD) expiration period from four years to two years. After meeting with developers, it was realized that at worst, the plan was unfeasible and at best left little room for error. Staff is making an effort to reverse course.

Specific changes include:

- Changes expiration of PAD zoning from two to four years for commencement of horizontal construction.
- Allows for administrative approval of a one-time, one-year extension.
- Clarifies that progress must be made on the platting; site design for the PAD zoning may be recommended for reversion to the prior zoning classification.

Staff recommends approval of the City-initiated text change to the zoning ordinance.

Mayor Weise opened the public hearing and noted that Chris Anaradian with BFSO Law completed a request to speak card stating he was in support of the item, but does not wish to speak. There were no other requests to speak. Mayor Weise closed the public hearing and opened the floor for comments from Council.

Vice Mayor Dennis thanked staff for going back to the development community to reanalyze the process.

Mayor Weise agreed and expressed appreciation for staff's responsiveness to Council's concerns.

Council Member Nielson moved to adopt Ordinance 2005-0220 approving Application PL-19-0306, a request for text amendments to the Zoning Ordinance and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents; Vice Mayor Dennis 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

7. DISCUSSION ITEMS

a. FY2021 REVENUE OVERVIEW AND FORECAST

Lindsey Duncan, Finance and Budget Director, provided an overview of the City's major revenue sources and the forecast for those revenue sources for FY2021.

Ms. Duncan stated the budget process was discussed with Council during the last presentation as well as the budget calendar, financial policies and fund structure.

The revenue percentages by fund type were reviewed. In looking at the General Fund by source, local taxes represent 56 percent of revenues. Intergovernmental services represent 30 percent of revenues and other sources comprise the remainder. Local sales taxes (transaction privilege taxes) are the single largest revenue source and are broken down by category: retail, restaurants, entertainment, utilities, etc. Different categories have different rates. With the local sales tax, the City experiences a narrowing base overall. As the economy shifts from one of goods and commodities to a service-based economy, there are reductions in the base source over time. There are restrictions on levying new taxes on services. There also continue to be legislative exemptions in this area. The rate for most of the City's categories is 2.5 percent. Of this, they have earmarked uses including 0.5 percent for public safety and 0.5 percent for streets, water, sewer and transit. The remaining 1.5 percent can be used for any governmental purpose. The authority to change the sales tax rate is by a majority of qualified electors. Ms. Duncan demonstrated how a purchase of \$10 ultimately costs the buyer \$10.88 total:

Forecasting for local sales taxes involves:

- Looking for trends and anomalies
- Monitoring actual receipts monthly
- Year over year, month over month, comparison to budget
- Accounting for changes in the economy
- Holiday shopping published in February

State shared revenues include sales tax, income tax (Urban Revenue Sharing) and vehicle license tax. All three may be used for any municipal purpose. Streets and highways are funded by the Highway User Revenue Funds (HURF). All four of these sources are collected by the state and distributed to cities and towns based on population. Avondale's share is 1.3 percent, consistent over time. This is another area with a narrowing base. Factors affecting the narrowing base include: Service-based economy, increasing vehicle fuel efficiency and legislative exemptions. The authority to change these revenue sources is the state legislature.

In forecasting state shared revenues, the City accounts for changes in the local, national and international economy. They receive figures published by the Arizona League of Cities/Towns in March-April. The City is free to create its own revenue forecast and often does so. In comparing the budget, the City sometimes notes that the Arizona League of Cities/Towns is not trending consistent with what is seen in Avondale. Income taxes are one of the largest sources of income and it is a fixed amount through individual and corporate income taxes. These figures are also published by the Arizona League of Cities/Towns during March/April. City staff have determined that the figure is up approximately \$1.4 million (12 percent) for next fiscal year.

The next category are charges for services and fines. These can be fees and fines for specific programs, such as sports programs, building permits and library fines. Most are set to recover all or a portion of the costs of providing the service. City Council has the authority to set rates on charges for services and most fines. This includes a requirement that the City reports on its website up to 60 days before Council approval. Categories include permits, court cases, recreation participants, etc. Fees changes are based on accounting for changes in the economy.

Property taxes are assessed by the valuation of the property. The valuation in Arizona is established at the county level. Uncollected amounts are tied to the property. Once levied, the City tends to collect upwards of 99 plus percent of this revenue source, which is often paid with monthly mortgage payments. There are two categories: the primary may be used for any general government purpose and the secondary is restricted to repayment of bond principal and interest. Both primary and secondary initial adoption require voter approval. City Council is responsible for adopting the annual levy amount and rate for both. The primary is restricted to a 2 percent increase over the prior year maximum levy amount. Per City Council policy, the combined amount of the primary and secondary tax is limited to \$2 per \$100 of assessed valuation. The truth in taxation process requires the City calculate the amount of an increase on the levy, which is the dollar amount, not the percentage rate. It requires public notice, two times in a local newspaper as well as a press release. The State statute include precise language for the newspaper publication. Other obligations include a public hearing and 60-day notice before Council action.

Ms. Duncan noted that a question at the last work session related to the capacity for both the primary and secondary as compared to the \$2 limitation. The primary property tax levy for fiscal year 2020 was established at the maximum levy amount. For this year, the City would have been able to increase the rate by \$0.35, which equates to a \$1.5 million annual increase. As such, the City would have been able to issue approximately \$15 million in bonds. Ms. Duncan noted the outstanding bond authority amounts.

Ms. Duncan noted that one of the policies noted at the last discussion was that the City would not issue general obligation bonds for utilities. Instead, they would rely upon revenue bonds. When adding up streets, public safety and general government, this equates to an amount slightly over the City's capacity this year. It is anticipated that there will be some growth in assessed valuation. Staff plans to bring before Council a decision

to issue general obligation bonds likely in the areas of streets and general government for the next fiscal year.

Property tax distributions in Arizona are very different than in the eastern United States. In Arizona, school districts are more reliant on property taxes and the City is more reliant on sales taxes. The final sources identified for the General Fund for this fiscal year include sale of assets. This includes proceeds from the sale of City buildings and land. The fund balance represents money in the bank at the beginning of the year. She reviewed upcoming budget discussion topics and calendar.

Vice Mayor Dennis asked about the discussion on water/wastewater costs. Ms. Duncan said staff will be bringing Council an updated calendar for utility rates, which includes the financial condition of the fund balance against rate increases. This discussion will occur on March 23rd. Vice Mayor Dennis asked about the notice requirements. Ms. Duncan stated that it is slightly different than the Enterprise Fund and that this will also be covered in the upcoming discussion.

Mayor Weise asked whether staff has any thoughts based on observations month over month. Ms. Duncan said she was pleased to see the local sales tax up year over year. Other categories are generally up approximately 4.8 percent.

8. ADJOURNMENT

There being no further business before the Council, Council Member Kilgore moved to adjourn the Regular Meeting; Council Member Nielson 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 8:48 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 Regular Meeting of the Council of the City of Avondale held on the 3rd day of February 2020. I further certify that the meeting was duly called and held and that the quorum was present.

Marcella Carrillo, City Clerk