



City of Avondale

City Council Meeting

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

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



City of Avondale

City Council Meeting

Tuesday, February 18, 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

Tuesday, February 18, 2020

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. **APS UPDATE ON NEW TRANSMISSION LINES**

A representative from Arizona Public Service (APS) **provided** an update to City Council on potential alignments of new transmission lines.

3. **OPERATING BUDGET DISCUSSION**

This presentation **provided** a general overview of the City's operating budget as part of the FY2021 budget preparation 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. 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 9, 2019 and December 16, 2019 City Council Meeting Minutes. The Council will take the appropriate action.

b. SERIES 04 (WHOLESALE) LIQUOR LICENSE - ORVO VODKA

City Council recommended **approval** to the Arizona Department of Liquor License and Control of an application for a Series 04 (Wholesale) License submitted by Jami Richard Van Swearingen to store the brand's vodka upon transport from California inside a fifty (50) square foot unit in the Storage Solutions mini-storage located at 1429 North Eliseo C. Felix Jr. Way, in Avondale and authorize the Mayor and City Clerk to execute the necessary documents. The Council will take appropriate action.

c. RESOLUTION NO. 1010-0220 - APPROVAL OF 2021 - 2023 HOME CONSORTIUM FUNDING INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY

City Council **adopted** Resolution 1010-0220 authorizing the City to enter into an Intergovernmental Agreement with Maricopa County and other municipalities in the Valley relating to the Home Investment Partnership Program, and authorized the City Manager, the Mayor and City Clerk to execute the necessary documents. The Council will take appropriate action.

d. RESOLUTION NO. 1011-0220 - AMENDMENT NUMBER TWO TO AN INTERGOVERNMENTAL AGREEMENT WITH ARIZONA DEPARTMENT OF TRANSPORTATION FOR THE VAN BUREN MULTI-USE PATH PROJECT

City Council **adopted** Resolution No. 1011-0220 authorizing Amendment Number 2 to the Intergovernmental Agreement with the Arizona Department of Transportation (ADOT) to allow ADOT to oversee the construction of the Van Buren Multi-Use Path Project, authorized the necessary budget transfers and authorized the Mayor, or City Manager and City Clerk, to execute the necessary documents. The Council will take appropriate action.

e. RESOLUTION NO. 1012-0220 - AMENDMENT NO. THREE TO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA THROUGH THE DEPARTMENT OF TRANSPORTATION FOR THE AGUA FRIA MULTI-USE PATH

City Council **adopted** Resolution No. 1012-0220 approving Amendment No. Three to the Intergovernmental Agreement with the State of Arizona, through the Department of Transportation, to designate the State as the City's agent to obtain federal funds for the construction of the Agua Fria Multi-Use Path, and authorized the Mayor, or City Manager and City Clerk to execute the appropriate documents. The Council will take appropriate action.

4. REGULAR AGENDA

a. PUBLIC HEARING - COSTCO #691 FUEL FACILITY - CONDITIONAL USE PERMIT - APPLICATION PL-19-0199

City Council **held** a public hearing and **approved** a request by Charles Moseley, Barghausen Consulting Engineers Inc., for a Conditional Use Permit (CUP) to allow a gas station in the Gateway Pavilions Planned Area Development (PAD) zoning district. The gas station use is proposed on a 17.9 gross acre site, currently developed with a Costco gas station, retail store, and parking lot located approximately 440 feet north of the northwest corner of 99th Avenue and McDowell Road. The subject property is zoned Gateway Pavilions 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 gas station in the C-2 district. The Council will take appropriate action.

b. PUBLIC HEARING - OLD BASELINE ROAD ALIGNMENT/ARIZONA STATE TRUST LAND ANNEXATION - APPLICATION PL-19-0276

City Council will **held** a public hearing for the proposed annexation of approximately 9.55 acres of Arizona State Trust Land generally located along the Old Baseline Road alignment and Indian Springs Road, from El Mirage Road to Avondale Boulevard. The Council will conduct a public hearing, no vote will be taken at this time.

5. ADJOURNMENT INTO EXECUTIVE SESSION

The Council **adjourned** the Regular Meeting and **held** an executive session pursuant to: (a) Ariz. Rev. Stat. § 38-431.03(A)(3) for discussion or consultation for legal advice with the City Attorney; and (b) Ariz. Rev. Stat. § 38-431.03(A)(4) for discussion or consultation with the City Attorney in order to consider its position and instruct the City Attorney regarding the public body's position regarding potential litigation.

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 18, 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 and Council Members Tina Conde, Veronica Malone, and Curtis Nielson.

Members Absent: Mayor Kenn Weise and Council Members Bryan Kilgore and Mike Pineda.

Other Municipal Officials Present: Charles Montoya, 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; Ken 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; and Jeffrey Scheetz, Chief Information Officer.

Audience: Approximately ten members of the public were present.

1 ROLL CALL BY THE CITY CLERK

2. APS UPDATE ON NEW TRANSMISSION LINES

Kendra Lee from Arizona Public Service (APS) provided an update to City Council on potential alignments of new transmission lines.

Ms. Lee stated that APS is building a number of new substation facilities and transmission lines to serve the substations and prospective customers in the southwest valley. A map depicting existing and planned substation locations for the southwest valley was reviewed.

Ms. Lee addressed the Project Lumberjack site due to councils' concerns voiced at a prior council meeting regarding the park at this location. Ms. Lee indicated that this project is currently on hold and that the transmission lines are not confirmed; different routes may be used. Once the project moves forward, APS will work closely with Avondale on prospective line routes addressing impact to the park area and streets.

Vice Mayor Dennis referred to Project Lumberjack and asked whether the parcel designated in blue would have to be taken down in order to complete the substation. Ms. Lee stated that it would only require the small portion of the lot, approximately two to three acres for this facility, located in the southern corner on the map. In response to a question from Vice Mayor Dennis, Ms. Lee reiterated that there are no confirmed locations for the line route and assured council that APS will work closely with the city and community members to determine the best line routes.

Ms. Lee reviewed a list of the active 69kV projects, as well as the maps of the existing and proposed lines associated with each of the projects. She indicates that this is helpful as a reference in terms of the overall project schedule, and how they flow into the Three Rivers Transmission line siting project that will run through Avondale and Goodyear to service the Compass Data Center.

Ms. Lee stated that the Three Rivers Transmission Line Project will launch tomorrow and will take place throughout 2020. She announced two open houses being held in conjunction with this project, one tomorrow night at Collier Elementary School and one on Thursday at Centerra Mirage STEM Academy. Newsletters were sent out to approximately 30,000 stakeholders in the area.

A site map of the project area was reviewed. The intent is to connect into an existing 230 kV transmission corridor. One such location exists as the White Tanks Substation. Two 230kV line routes will be required to feed into the Three Rivers Substation. Ms. Lee discussed the complexity and challenges for this project. A review (including photographs and configuration) of the existing 230 kV Substation at Cotton Lane and Camelback Road was provided as a visual example. Discussion ensued regarding the maps, line locations existing and proposed.

Vice Mayor Dennis asked who is responsible to fund the expansion of the service line. Ms. Lee stated that a significant portion of the siting effort is being funded by Compass Data Center. The final outcome of the siting effort will determine the portion to be paid by Compass Data Center. This is still under negotiation at this time; however, a good portion of the costs are paid by the requestor.

Ms. Lee reviewed the lifecycle timeline for a CEC process. Once this process is complete, it goes to the ACC for a hearing, approval, and final outcome.

In response to a question from Council Member Nielson, Ms. Lee stated that the location and routes of the two 230 lines into the Three Rivers Substation will be determined as part of the open house and public stakeholder process.

Council Member Malone asked whether there is an appeal process if the City is not in favor of the final routes. Ms. Lee stated that once the routes pass through all the stakeholder review, the ACC hearings is the final decision (there is no appeals process). The City of Avondale has an opportunity to intervene or support the project during the community review process. APS will keep the City of Avondale team involved throughout the process. After the upcoming open houses, APS will schedule a meeting with the City of Avondale team to review the initial feedback.

3. OPERATING BUDGET DISCUSSION

Lindsey Duncan, Director of Finance and Budget, presented a general overview of the City's operating budget as part of the fiscal year 2021 budget preparation process.

Ms. Duncan stated that for fiscal year 2020, the General Fund totals approximately \$66 million. The General Governmental Fund is the City's largest operating fund, funding a

majority of the City's salaries, supplies and services. It is comprised of the General Fund and the Public Safety dedicated sales tax fund.

General Governmental Funds are critical, as they fund most services, including public safety, parks, development services, administration and several other departments. It also largely funds capital and asset replacement for streets, building construction and asset replacement. It subsidizes other operating funds such as transit, senior nutrition programs and community action programs. The uses and transfers-out for General Governmental were presented. In developing the budget, a number of costs are considered, and many are personnel related. Categories include:

- Medical and dental insurance employer contributions
- Retirement system employer contributions
- Negotiated increases for Fire employees
- Previously unbudgeted costs
- Police holiday pay
- Regularly scheduled overtime for sworn fire employees (Fair Labor Standards Act)
- Compensation (merit-based and/or market-based)

The City's personnel retirement systems comprise a significant portion of the budget. The Arizona State Retirement System sees modest rate increases for fiscal year 2021. The majority of other increases are seen in the Public Safety Personnel Retirement System with separate rates for Fire and Police.

A retreat comprised of Council Members and City staff in December of 2019 included high-level discussion of requests to be considered this fiscal year. Many are related to one of five key areas: Public Safety, technology, operations for capital projects, growth-related and inflationary. Future budget discussion subjects and dates were reviewed.

Council Member Nielson asked about the method for accurately determining when assets must be replaced. Ms. Duncan stated she has been actively working with IT staff to determine the best software fit for the City's needs. In the interim, she has been utilizing lists and spreadsheets to develop a plan and address needs going forward.

4. ADJOURNMENT

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

Upon vote, the motion was carried unanimously 4 to 0.

Council Member Conde	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Vice Mayor Dennis	Aye

Meeting adjourned at 6:48 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 7:01 p.m.

Mayor Kenn Weise led the Pledge of Allegiance, followed by a moment of silent reflection in remembrance of White Mountain Apache Police Officer David Kellywood.

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

Members Absent: Council Members Bryan Kilgore.

Other Municipal Officials Present: Charles Montoya, 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; 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; and Jeffrey Scheetz, Chief Information Officer

Audience: Approximately five members of the public were present.

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

2. UNSCHEDULED PUBLIC APPEARANCES

None.

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.

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 Malone, to approve the Consent Agenda.

Upon vote, the motion carried unanimously 6 to 0.

Council Member Conde	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 9, 2019 and December 16, 2019 City Council Meeting Minutes.

b. SERIES 04 (WHOLESALE) LIQUOR LICENSE ORVO VODKA

City Council recommended approval to the Arizona Department of Liquor License and Control of an application for a Series 04 (Wholesale) License submitted by Jami Richard Van Swearingen to store the brand's vodka upon transport from California inside a fifty (50) square foot unit in the Storage Solutions ministorage located at 1429 North Eliseo C. Felix Jr. Way, in Avondale and authorized the Mayor and City Clerk to execute the necessary documents.

c. RESOLUTION NO. 10100220 APPROVAL OF 2021 2023 HOME CONSORTIUM FUNDING INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY

City Council adopted Resolution 1010-0220 authorizing the City to enter into an Intergovernmental Agreement with Maricopa County and other municipalities in the Valley relating to the Home Investment Partnership Program, and authorized the City Manager, the Mayor and City Clerk to execute the necessary documents.

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e. RESOLUTION NO. 1012-0220 - AMENDMENT NO. THREE TO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA THROUGH THE DEPARTMENT OF TRANSPORTATION FOR THE AGUA FRIA MULTI-USE PATH

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4. REGULAR AGENDA

a. PUBLIC HEARING - COSTCO #691 FUEL FACILITY - CONDITIONAL USE PERMIT - APPLICATION PL-19-0199

City Council held a public hearing and considered a request by Charles Moseley, Barghausen Consulting Engineers Inc., for approval of a Conditional Use Permit (CUP) to allow a gas station in the Gateway Pavilions Planned Area Development (PAD) zoning district. The gas station use is proposed on a 17.9 gross acre site, currently developed with a Costco gas station, retail store, and parking lot located approximately 440 feet

north of the northwest corner of 99th Avenue and McDowell Road. The subject property is zoned Gateway Pavilions 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 gas station in the C-2 district.

Michelle Pelishek, Senior Planner of Development and Engineering Services, provided a brief history of the site and an overview of the site description and location. The request is for the construction of an 11,650 square foot canopy, 32 fuel pumps, enclosure, transformer and underground fuel tanks. Costco is requesting to operate the same hours as their existing gas station. The project is proposed in two phases: phase I includes construction of the new gas station and phase II includes demolition and decommissioning of the existing gas station and developing the area as parking. The new gas station will have twenty more pumps, wider lanes and more spacing between dispensers for easier maneuverability. It will reduce wait time and queuing of cars. It is anticipated to reduce traffic conflicts by locating the gas station farther from the main drive aisle.

Ms. Pelishek reviewed the site plan indicating traffic will enter from the west and exit north or south. The city is requesting a stop ahead sign as well as installation of a new four-way intersection. The new parking area is where the existing gas station is located. Additional landscaping will be provided, two colored concrete block ways, and two pedestrian crossing signs. The architecture meets design guidelines and complements the existing Costco building and Gateway Pavilions development. All required notifications were completed. A neighborhood meeting was held on January 14th with no attendees. A Planning Commission meeting was held on January 15th. The Commission unanimously recommended approval, with no public comments. The aVOICE platform received nine views and no comments.

The gas station use is consistent with the freeway commercial land use designation and furthers objectives for development in the Freeway Corridor. It is compatible with and not detrimental to the surrounding uses. The site plan meets all City requirements in terms of parking, setbacks and landscaping. Staff believes any adverse effects have been mitigated through conditions of approval indicated in the staff report. The site includes appropriate access to streets, including 99th Avenue and McDowell Road. Staff recommends approval of application PL19-0199 Costco Fuel Facility Conditional Use Permit, subject to three recommended conditions 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.

Vice Mayor Dennis asked about the current conditions of queuing vehicles with the existing pumps. Council Member Malone commented on her observation that the queue often backs up, flowing all the way around and sometimes even into the parking area.

Mr. Montoya, concurred with Council Member Malone, indicating the current lines are ten cars deep, wrapping around the other side of the exit with a Costco employee trying to direct traffic.

Council Member Malone inquired about the number of entrances into the gas station facility in a high traffic area off 99th avenue.

Vice Mayor Dennis asked about the entrance direction for the new configuration and how the flow of traffic will be in the area.

Mayor Weise surmised that customers will enter off 101st or 103rd Avenue, following the drive path of the driveway. Currently, as people come off McDowell into the gas station, traffic congests into the rest of the area.

In response to a question from Council Member Malone, Ms. Pelishek stated that there should not be an overflow on the Crunch Fitness and Ulta areas, as there is expected to be sufficient stacking as there are more pumps and more lanes. Spill-out to other areas is not anticipated. Council Member Malone commented that having 32 pumps will mean significantly more traffic and queuing. Mayor Weise said this may be the case for a regular gas station; however, only Costco members will be able to utilize this station, so extra pumps should alleviate congestion.

Vice Mayor Dennis asked about options for mitigating queuing that may occur in the future. Mr. Montoya stated that currently, approximately 80 percent of traffic is coming from 99th Avenue, with drivers making a U-turn and coming around the parking lot. This is due to the current configuration of one exit and one entrance. This creates a backup in one entire lane. With the new configuration, there are three entrance locations and two exits. Council is free to add a condition that the development must return to the City to work on traffic mitigation, if needed. It is also notable that approximately six months ago, Council approved the sale of the property to the northeast, which also includes a plan for expanded parking.

Vice Mayor Dennis asked what will happen with the existing tanks. Ms. Pelishek stated that they will be removed.

Council Member Malone inquired as to Costco locations in other cities, where similar expansions were constructed and how those areas mitigated increased traffic volumes. Ms. Pelishek said that when Costco studied other sites with similar designs, they found that queuing was reduced by 30 to 50 percent.

Council Member Conde inquired on the amount of additional parking spaces to be added in Phase II. Ms. Pelishek said the proposal is to remove 84 spaces; however, Costco is in the process of purchasing another site to add 24 additional spots in the future. The minimum parking for the Costco store is 445. Even with the removal, they retain 755 spaces.

In response to a question from Council Member Conde, Ms. Pelishek stated she was unaware of the nearest Costco location with 32 pumps; however, the applicant was present to answer the question. Chris Berko, Barghausen Consulting Engineers, consultants for Costco, stated that he did not have that information immediately available. Costco is hoping to expand its Scottsdale station to a similar size. Costco is making similar expansions throughout the country to alleviate queuing.

Council Member Nielson made two comments. In terms of the south exit, drivers wishing to go left must cut across a lane to approach a stop sign. This will cause problems with traffic backup going east. He asked about the location for fueling trucks. Mr. Berko acknowledged that the left turn may be tight. However, the expectation would be that the driver would determine if they cannot go left, they would take the option of turning right. Mr. Montoya indicated that there is an option to designate this as a right-only turn. Mr. Berko stated in terms of the fuel trucks, they will enter from east to west, utilizing the small boxes (remote fills) south of the tanks.

In response to a question from Vice Mayor Dennis, Mr. Berko responded that this area will be for the fill truck only, it is a protected area with signage that will say "do not enter".

Vice Mayor Dennis moved to accept the findings and approve Application PL-19-0199, a request for approval of a Conditional Use Permit to allow a gas station on a 17.9 gross acre property located approximately 440 feet north of the northwest corner of 99th Avenue and McDowell Road, in addition to the three (3) conditions of approval listed in the staff report, add two (2) additional stipulations (listed below):

- Stipulation number four (4): if there is need for additional traffic mitigation the applicant will participate with the City to mitigate any issues; and
- Stipulation number five (5): that the southbound exit out of gas station be a right turn only.

Council Member Malone seconded the motion.

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

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

b. PUBLIC HEARING - OLD BASELINE ROAD ALIGNMENT/ARIZONA STATE TRUST LAND ANNEXATION - APPLICATION PL-19-0276

City Council held a public hearing for the proposed annexation of approximately 9.55 acres of Arizona State Trust Land generally located along the Old Baseline Road alignment and Indian Springs Road, from El Mirage Road to Avondale Boulevard.

Michelle Pelishek, Senior Planner of Development and Engineering Services, provided an overview of the site location. The purpose of the annexation is to eliminate a county island. She received two telephone calls today requesting information about the annexation. One question addressed impacts on access to the Tres Rios Trail which the annexation will result in no changes in access. The public hearing is required by Arizona State Statute and a vote for adoption of an ordinance will occur on March 23, 2020.

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 asked if the annexation will enhance access to Estrella Mountain Park. Mr. Montoya said this is just one annexation of those coming in the year. The goal is to provide the City more availability to work with partners at ISM and NASCAR in terms of access to many areas, including Estrella Mountain and Tres Rios. The goal is to have overall management oversight.

5. ADJOURNMENT INTO EXECUTIVE SESSION

There being no further business before the Council, Council Member Malone moved to a adjourn the Regular Meeting and hold an executive session pursuant to: (a) Ariz. Rev. Stat. § 38-431.03(A)(3) for discussion or consultation for legal advice with the City Attorney; and (b) Ariz. Rev. Stat. § 38-431.03(A)(4) for discussion or consultation with the City Attorney in order to consider its position and instruct the City Attorney regarding the public body's position regarding potential litigation. the Regular Meeting into Executive Session; Council Member Nielson seconded the motion.

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

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

Meeting adjourned at 7:33 p.m.

Kenn Weise, Mayor

CERTIFICATION AND ATTESTATION

Work Session and Regular City Council Meeting Minutes

February 18, 2020

Page **10** of **10**

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 18th 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