



City of Avondale

City Council Online Meeting

Monday, August 24, 2020

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

Tracy Stevens, Deputy City Manager

Nicholle Harris, Interim City Attorney

Marcella Carrillo, City Clerk

Online Meeting

Join the meeting and view presentations: <https://avondaleaz.zoom.us/j/3083557784>

Using a Mobile Device? Download the Zoom Cloud Meeting App

Join the meeting with audio only: Call 301-715-8592 (meeting ID: 308 355 7784)



City Council Online Meeting Notice & Agenda Monday, August 24, 2020

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Request to Speak: Anyone wishing to address the Council regarding items listed on the agenda or under unscheduled public appearance should email their comments to CityClerk@AvondaleAZ.gov 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. RECOGNITION ITEMS

a. ARIZONA PARKS AND RECREATION ASSOCIATION – OUTSTANDING FACILITY AWARD

City Council will receive an award on behalf of the City for Outstanding Facility (Population 10,000-100,000) from the Arizona Parks and Recreation Association for Festival Fields Park.

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. MINUTES

City Council will consider a request to approve the July 27, 2020 Work Session, July 27, 2020 Regular Meeting, and August 10, 2020 Regular Meeting minutes. The Council will take the appropriate action.

b. RESOLUTION 1057-0820 - CANVASS OF VOTES FOR THE AUGUST 4, 2020 PRIMARY ELECTION

City Council will consider a request to adopt Resolution 1057-0820 canvassing the results of the August 4, 2020 Primary Election and authorize the City Clerk to issue Certificates of Election. The Council will take appropriate action.

c. RESOLUTION 1058-0820 – INTERGOVERNMENTAL AGREEMENT FOR PARTICIPATING IN THE ARIZONA CHILD ABDUCTION RESPONSE TEAM.

City Council will consider a request to adopt Resolution 1057-0820 authorizing the Avondale Police Department's participation in an Intergovernmental Agreement for Participating in the Arizona Child Abduction Response Team (AZCART) and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

d. RESOLUTIONS 1059-0820 AND 1060-0820 - AGREEMENTS PERTAINING TO THE GILA RIVER GENERAL STREAM ADJUDICATION

City Council will consider a request to adopt: (a) Resolution 1059-0820 authorizing the First Amendment to the Intergovernmental Agreement with the Cities of Glendale, Mesa, and Scottsdale for joint legal representation in the Gila River General Stream Adjudication; (b) adopt Resolution 1060-0820 authorizing a Legal Services Contract With Engelman-Berger for continued representation in the Gila River Stream General Adjudication; and (c) authorize the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

e. RESOLUTION 1061- 0820 - GRANT FROM MARICOPA ASSOCIATION OF GOVERNMENTS FOR STREET SWEEPER

City Council will consider a request to adopt Resolution 1061-0820 authorizing the acceptance of grant funding from the Maricopa Association of Governments for the purchase of a replacement street sweeper in an amount not to exceed \$239,967; the expenditure of a local match in an amount not to exceed \$20,000; and the purchase of a street sweeper for a total not to exceed purchase price of \$259,967; and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

f. RESOLUTION 1062-0820 - GRANT - FIRST THINGS FIRST SOUTHWEST MARICOPA REGIONAL PARTNERSHIP COUNCIL

City Council will consider a request to adopt Resolution 1062-0820 authorizing the grant agreement with the First Things First Southwest Maricopa Regional Partnership Council to receive \$200,000 in funding and authorize the Mayor, City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

g. EMPLOYMENT AGREEMENT WITH CHARLES A. MONTOYA

City Council will consider a request to approve the Amended Employment Agreement with Charles A. Montoya and authorize the Mayor and City Clerk to execute the necessary documents. The Council will take appropriate action.

5. REGULAR AGENDA

a. ADOPT PARK NAME AT ALAMAR DEVELOPMENT

City Council will consider a request to formally adopt a name for the future community park in the Alamar development. City Council will take appropriate action.

b. PUBLIC HEARING AND ORDINANCE 2024-0820 – MAJOR AMENDMENT TO THE AVONDALE AUTOMALL PLANNED AREA DEVELOPMENT (PAD) - APPLICATION PL-20-0119

City Council will hold a public hearing and consider a request to adopt Ordinance 2024-0820, by Paul Gilbert, of Beus Gilbert McGroder PLLC, for a Major Amendment to the Avondale Automall PAD to conditionally permit one (1) automotive dealership selling used vehicles only, provided that the dealer has a minimum consolidated annual revenue of \$500 million and shall maintain a minimum of 140 vehicles on display at all times on the Avondale Automall property. This PAD amendment is proposed for a single 6.02 net acre property (APN 102-54-102) located in the western portion of the Avondale Automall PAD. This area is depicted in Exhibit F and fully described (as a legal description) in Exhibit G and authorize the Mayor or City Manager, and City Clerk to execute the necessary documents. The Council will take appropriate action.

c. PUBLIC HEARING - CONDITIONAL USE PERMIT FOR ECHOPARK AUTOMOTIVE, AVONDALE AUTOMALL – APPLICATION PL-20-0120

City Council will hold a public hearing and consider a request by Paul Gilbert, of Beus Gilbert McGroder PLLC (on behalf of EchoPark Automotive), for approval of a Conditional Use Permit (CUP) to allow for the operation of one (1) automotive dealership selling used vehicles only, provided that the dealer has a minimum consolidated annual revenue of \$500 million and shall maintain a minimum of 140 vehicles on display at all times. The subject request is contingent upon City Council approval of a Major Planned Area Development (PAD) Amendment (application PL-20-0119) to the Avondale Automall, to conditionally permit one (1) such a used vehicle only dealership, meeting the criteria described above, at this subject property. The subject property (APN 102-54-102) is located within the western portion of the Avondale Automall PAD. The Council will take appropriate action.

d. PUBLIC HEARING AND ORDINANCE 2025-0820 - ENTRADA ANNEXATION – APPLICATION PL-19-0227

City Council will hold a public hearing and consider a request to adopt Ordinance 2025-0820, approving a request by Ms. Carolyn Oberholtzer, Bergin, Frakes, Smalley & Oberholtzer, PLLC, on behalf of property owner Avondale Entrada, L.L.C., annexing approximately 203.86 acres generally located at the northwest corner of 107th Avenue and Broadway Road into the jurisdiction of the City of Avondale. The properties within the proposed annexation boundary are inclusive of some, but not all, unincorporated land located north of Broadway Road, west of 107th Avenue, south of Miami Avenue, and east of Avondale Boulevard. The Council will take appropriate action.

e. PUBLIC HEARING AND ORDINANCE 2026-0820 - REZONING FROM URBAN RESIDENTIAL (R1-6) AND RURAL RESIDENTIAL (RR-43) TO PLANNED AREA DEVELOPMENT (PAD) FOR ENTRADA – APPLICATION PL-19-0201

City Council will hold a public hearing and consider a request to adopt Ordinance 2026-0820, approving a request by Ms. Toni Bonar, AICP, HILGARTWILSON, LLC, to rezone approximately 185.55 acres located at the northwest corner of 107th Ave and Broadway Rd from Rural Residential (RR-43) and Urban Residential (R1-6) to Planned Area Development (PAD) to allow for the development of a single-family residential community consisting of a maximum of 624 lots with eighteen (18) percent open space (approx. 29 acres) on 176.6 acres, a density of approximately 3.5 units/acre. Additionally, the PAD would allow for 9.0 acres located at the northwest corner of 107th Ave and Broadway Rd to be developed with commercial uses in accordance with the uses and development standards of the City's Neighborhood Commercial (C-1) zoning district. The property is currently in the jurisdiction of Maricopa County and the annexation of the property is to be considered at this same meeting. The Council will take appropriate action.

f. AVARI APARTMENTS – DEVELOPMENT PLAN – APPLICATION PL-19-0308

City Council will consider a request by by Mr. Andrew Yancey, Bergin, Frakes, Smalley and Oberholtzer, PLLC, for approval of a Development Plan for Avari Apartments, a proposed 354-unit multi-family apartment community located on 16.44 net acres located at the northwest corner of Avondale Boulevard and the Corporate Drive alignment. The Council will take appropriate action.

6. ADJOURNMENT

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

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