



City of Avondale

City Council Online Meeting

Tuesday, January 19, 2021

Mayor and Council

Kenneth Weise, Mayor

Veronica Malone, Vice Mayor

Tina Conde, Council Member | Pat Dennis, Council Member

Bryan Kilgore, 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 | Cherlene Penilla, Deputy City Manager

Nicholle Harris, City Attorney | Marcella Carrillo, City Clerk

Online Meeting

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

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Notice & Agenda
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WORK SESSION

6:30 PM

CALL TO ORDER BY MAYOR

1. ROLL CALL BY THE CITY CLERK

2. CITY'S 2021 STRATEGIC PLAN

City Council will review the final draft of the Five-Year Strategic Plan that will guide internal performance management and budget development and external service delivery. This item is for discussion only.

3. ADJOURNMENT

Request to Speak: Anyone wishing to address the Council regarding items listed on the agenda or under unscheduled public appearance should 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. EXCEPTIONAL STUDENT OF AVONDALE RECOGNITION (AVI STAR STUDENT)

The Mayor and City Council will recognize Avondale students from all six school districts located in Avondale for their character and achievement. This item is for discussion only.

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 December 7, 2020 City Council Meeting Minutes. The Council will take the appropriate action.

b. RESOLUTION 1006-0121 - COUNCIL CODE OF CONDUCT

City Council will consider a request to adopt Resolution 1006-0121, approving a Code of Conduct outlining the standards of conduct for councilmembers when representing the City of Avondale. The Council will take the appropriate action

c. PRESENTATION OF THE AUDIT REPORT

City Council will consider a request to accept the City's Comprehensive Annual Financial Report and the results of the annual audit for the fiscal year ended June 30, 2020. The Council will take appropriate action.

d. SIXTH AMENDMENT TO JOB ORDER CONTRACT - SCHOFIELD CIVIL CONSTRUCTION AND BUDGET TRANSFER REQUEST - RILEY LIFT STATION RELOCATION

City Council will consider a request to approve an amendment to job order contract number 19-097C with Schofield Civil Construction, LLC, adding job order number six (6) for the construction of the Riley Drive Wastewater Lift Station in the amount of \$738,611; approve a budget amendment in the amount of \$340,000; and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

e. RESOLUTION 1003-0121 - AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY ADMINISTERED BY THE HUMAN SERVICES DEPARTMENT

City Council will consider a request to adopt Resolution 1003-0121, approving an amendment to an Intergovernmental Agreement with the Maricopa County Human Services Department for the provision of the Community Action Program (CAP) services, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

f. RESOLUTION 1004-0121 - FOURTH AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX FOR RECYCLING SERVICES

City Council will consider a request to adopt Resolution 1004-0121, authorizing the Fourth Amendment to the Intergovernmental Agreement with the City of Phoenix for recyclable materials processing services and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take the appropriate action.

g. ORDINANCE 2003-0121- SIXTH AMENDMENT TO THE OFFICE LEASE WITH THE UNIVERSITY OF MEDICAL SCIENCES ARIZONA

City Council will consider a request to adopt Ordinance 2003-0121, approving the Sixth Amendment to the Office Lease with the University of Medical Sciences Arizona to remain in the space on a month to month lease until June 30, 2021 and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

h. ORDINANCE 2004-0121 - DEDICATION OF PUBLIC UTILITY EASEMENT (PUE) FROM THE PENDERGAST SCHOOL DISTRICT

City Council will consider a request to adopt Ordinance 2004-0121, authorizing the dedication of a Public Utility Easement (PUE) on Palm Lane from 118th Avenue to 116th Drive adjacent to Canyon Breeze Elementary School, owned by the Pendergast School District No. 92, and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

i. ORDINANCE 2005-0121 - RECREATIONAL MARIJUANA REGULATIONS - CHAPTER 15 OF AVONDALE CITY CODE

City Council will consider a request to adopt Ordinance 2005-0121, amending Chapter 15 of the Avondale City Code relating to the regulation of recreational marijuana and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

j. ORDINANCE 2006-0121 - DECLARING AS A PUBLIC RECORD AND ADOPTING THE AVONDALE AMENDMENTS TO THE 2018 INTERNATIONAL FIRE CODE.

City Council will consider a request to adopt Ordinance 2006-0121 declaring the 2018 International Fire Code and the 2021 Avondale Specific Amendments to the 2018 International Fire Code as public record and adopt them by reference and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

k. PENA MINOR LAND DIVISION - 1ST STREET AND HARRISON DRIVE - APPLICATION PL-20-0252

City Council will consider a request by Mr. Miguel Pena, of Dynamic Homez LLC, for approval of a Minor Land Division (MLD) to split an existing single lot into two (2) separate lots and dedicate public utility easements along Harrison Drive and 1st Street. The site is approximately 0.4 gross acres in size and located at the southwest corner of 1st Street and Harrison Drive. The Council will take the appropriate action.

5. REGULAR AGENDA

a. **PUBLIC HEARING - REQUEST OF WITHDRAW OF APPLICATION PL-20-0167 - ZONING TEXT AMENDMENT - SECTION 1303.B MEDICAL MARIJUANA DISPENSARY HOURS OF OPERATION**

City Council will consider a request to withdraw application PL-20-0167, a request by Ms. Lauren Niehaus, Harvest Health & Recreation, Inc., for a text amendment to the Zoning Ordinance, Section 1303.B (Medical Marijuana Uses/Requirements), extending the permitted hours of operation of medical marijuana dispensaries from 8:00 P.M. to 10:00 P.M. In a letter dated December 23, 2020, the applicant has requested a withdrawal of this item. The Council will take appropriate action.

b. **PUBLIC HEARING – RESOLUTION 1005-0121 AND ORDINANCE 2007-0121 – CITY OF AVONDALE MARIJUANA USES - APPLICATION PL-20-0260**

City Council will hold a public hearing and consider a request to adopt Resolution 1005-0121, declaring as a public record a document entitled City of Avondale Marijuana Uses Regulations, and adopt Ordinance 2007-0121, adopting the aforementioned document as Section 13 of the Zoning Ordinance and revising Sections 1 and 13 relating to Marijuana Uses. The Council will take appropriate action. The amendments to Avondale Zoning Ordinance Section 1 (Administration and Procedures) and Section 13 (Marijuana Uses), will allow for continued refinement of the Zoning Ordinance to address a recently approved ballot initiative related to marijuana establishments and clarify restrictions for marijuana related uses and operations. The Council will take appropriate action.

c. **FULTON HOMES ACCLAIM - PRELIMINARY PLAT - 99TH AVENUE AND THOMAS ROAD - APPLICATION PL-20-0198**

City Council will consider a request by Mr. Josh Hannon, EPS Group, Inc., for approval of a Preliminary Plat for Fulton Homes Acclaim, a proposed 581-lot single-family residential subdivision on approximately 153.20 gross acres at the northwest corner of 99th Avenue and Thomas Road. 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.