



City of Avondale

City Council Meeting

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

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



City of Avondale

City Council Online Meeting

Monday, April 5, 2021

Summary of Council Actions

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>

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, April 5, 2021**

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**WORK SESSION
6:00 PM**

CALL TO ORDER BY MAYOR

1. ROLL CALL BY THE CITY CLERK

2. PRESENTATION AND DISCUSSION OF THE CITY MANAGER'S PROPOSED BUDGET

City Council **received** a general overview of the City Manager's proposed budget for fiscal year 2022 (FY2022). This item is for discussion only

3. THOMAS ROAD BRIDGE DESIGN CONCEPT REPORT UPDATE

City Council **received** an update from staff regarding the Thomas Road Bridge Design Concept Report. This item is for discussion only.

4. ADJOURNMENT

Request to Speak: Anyone wishing to address the Council regarding items listed on the agenda or under unscheduled public appearance should email a request to speak 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)

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 February 16 and March 1, 2021 City Council Meeting Minutes. The Council will take the appropriate action.

b. RESTAURANT LIQUOR LICENSE (AMENDED) - TRAPPER'S SUSHI CO. AVONDALE

City Council **recommended** approval to the Arizona Department of Liquor License and Control of an Amended Series 12 Restaurant Liquor License submitted by Jason Perry Paul Geronimo Reyna for the sale of alcohol at Trapper's Sushi Co located at 10321 West McDowell Road, Suite A101, in Avondale and authorized the City Clerk to execute the necessary documents. The Council will take appropriate action.

c. RESTAURANT LIQUOR LICENSE - BARRIO QUEEN

City Council **recommended** approval to the Arizona Department of Liquor License and Control of a Series 12 Restaurant Liquor License submitted by Camila Alarcon for the sale of alcohol at Barrio Queen located at 10455 West McDowell Road in Avondale and authorizde the City Clerk to execute the necessary documents. The Council will take appropriate action.

d. FINAL PLAT FOR AVARI APARTMENTS - APPLICATION PL-20-0303

City Council **approved** a request by Mr. Craig Smith, KSE Design Group, PLC., of a Final Plat for Avari Apartments, approximately 18.89 gross acres of land located at the northwest corner of Avondale Boulevard and the Corporate Drive alignment. Consistent with the approved Avari Apartments Development Plan, the proposed Final Plat consolidates two (2) existing parcels into a single 16.39 acre lot, dedicates right-of-way for Avondale Boulevard, Corporate Drive, and 117th Avenue adjacent to the site, and dedicates public utility easements (PUEs) adjacent to each street. The Council will take appropriate action.

4. REGULAR AGENDA

a. DEL RIO RANCH III PHASES 2 THROUGH 5 – PRELIMINARY PLAT AMENDMENT – APPLICATION PL-20-0154

City Council **approved** a request by Mr. Keith Nichter, Kimley-Horn, on behalf of property owner Don Switzenberg, DC Holdings Inc., for an amended Preliminary Plat for Del Rio Ranch III Phases 2 through 5, a proposed 358-lot single family subdivision located on approximately 128.89 gross acres at the southeast corner of Buckeye Road and the Agua Fria River. With approval of the amended Preliminary Plat, Del Rio Ranch III will include a total of 521 single-family lots, inclusive of the 153 lots currently in development by Beazer Homes (and not impacted by the proposed amended plat) in Phase 1 of the project. The Council will take appropriate action.

b. PUBLIC HEARING - 2021-2022 HUD ANNUAL ACTION PLAN

City Council **held** a public hearing and **received** an update on the draft of the City's 2021-2022 Annual Action Plan which is required by the U.S. Department of Housing and Urban Development (HUD) as a condition to receive the Community Development Block Grant (CDBG) and HOME Investment Partnership funding (HOME). This item is for discussion only, no action will be taken.

5. DISCUSSION ITEMS

Council will discuss items listed below and possibly give direction to city staff to research and prepare item for future meeting.

a. CONTRIBUTIONS ASSISTANCE PROGRAM FISCAL YEAR 2021-2022 UPDATE

City staff **presented** to Council, an update on the program, including overview of eligibility requirements, funding levels and evaluation criteria for the Fiscal Year 2021-2022 Contributions Assistance Program. This item is for discussion only.

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.

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
ONLINE MEETING
April 5, 2021

A **Work Session** of the City Council of the City of Avondale, Arizona was convened using the Zoom Cloud Meeting platform in open and public session at 6:01 p.m. All participants attended by phone or video.

Members Present: Mayor Kenn Weise; Vice Mayor Veronica Malone; Council Members Tina Conde, Pat Dennis, Bryan Kilgore, 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; Cherlene Penilla, Deputy City Manager; Nicholle Harris, City Attorney; Marcella Carrillo, City Clerk; Kirk Beaty, Public Works Director; Ken Chapa, Economic Development Services Director; Lindsey Duncan, Finance and Budget Director; Bryan Hughes, Parks and Recreation Director; Craig Jennings, Judge; Chris Lopez, Neighborhood and Family Services Director; Callie McGraw, Interim Human Resource Director; Kevin Murphy, Development and Engineering Services Director; Dale Nannenga, Police Chief; Jeffrey Scheetz, Chief Information Officer; and Pier Simeri, Marketing and Public Relations Director.

Audience: Approximately 10 members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. PRESENTATION AND DISCUSSION OF THE CITY MANAGER'S PROPOSED BUDGET

City Council received a general overview of the City Manager's proposed budget for fiscal year 2022 (FY2022). This item was for discussion only.

Lindsey Duncan, Director of Finance and Budget, reviewed that the process started in December 2020 with the Council retreat, which focused on operating requests and preliminary identification of department needs. Discussion included budget requests to maintain levels of service as well as new programs and enhanced levels of service. In February 2021, there was an overview and financial status update with fiscal year 2021 year-to-date information and a projection for fiscal year 2022. In March 2021, there was a capital and asset replacement discussion. The current presentation will focus on the City Manager's recommended budget. Upcoming discussions include department operations in April 2021 and water, wastewater and solid waste updates in May 2021. The revenue forecast has been revised, increasing from \$87.9 million to \$95.8 million. Local sales tax estimates increased from \$50.6 million to \$51.4 million, specifically in the area of retail and auto sales. Property tax is levied at \$3.1 million and state shared revenues have not been altered. There was a significant increase of over \$5 million to licenses, permits and charges for services related to growth in the areas of development and engineering services related to not only single-family residential permits but also

commercial and other areas. Some updates were made to the “other” category, which largely represents projected land sales. Other updates arose as a result of previous capital and asset replacement discussions. Traffic mitigation plans on lower Buckeye and Avondale Boulevard are proceeding. Rumble strips go in this week and a flashing stop sign will be installed in four to six weeks. Also proceeding is traffic calming on 107th Avenue and I-10 as well as work at Garden Lakes Parkway.

Council previously requested that staff look at the temporary Court security office facility. Staff plans to have a solution developed by the end of the week. Council also requested planning for an open house regarding Western Avenue and Central Avenue improvements. Per Council direction, the brickwork will be preserved at this intersection.

For the overall budget, expenditures of \$324.9 million will be subject to the home rule, setting the amount on total expenditures at the time of the tentative budget. It will also be the appropriated amount for the fiscal year AG final budget. Transfers out total \$57.9 million, reflecting the total uses of funds at \$382.9 million. When compared to 2021, there is an increase of expenditures of approximately \$44.8 million. Much of the increase is due to an appropriation increase for unforeseen revenues generally related to the City’s response to the coronavirus pandemic. Transfers out increased from \$37.2 million to \$57.9 million. This is a technical change related to calculation of the CIP carryover. The overall recommended budget is \$382.9 million for fiscal year 2022. Focus areas for fiscal year 2022 include public safety, fire and medical services, asset replacement, growth and development, parks and facility maintenance, Van Buren Fire Station, City Hall Annex Building, street improvements and The BLVD improvements.

Personnel cost changes include compensation increases at \$1.8 million, benefit updates at \$500,000. There is an increase to the Safety Personnel Retirement System of \$250,000 and an increase in the Arizona State Retirement System of approximately \$50,000. There are Public Safety wage and benefit increases associated with maintenance agreements with the Avondale Fire Association at approximately \$200,000. There is a budget increase of \$250,000 for contractual technology generally representing annual maintenance agreements on software. Other increases include landscaping services, janitorial services, and water purchases. These are increased costs from SRP due to increase in deliveries associated with growth and a 3.5 percent rate increase, as well as additional cost increases for the Central Arizona Project and water purchases. The one-time expenses include \$60.6 million for capital, \$7.8 million for asset replacement, and \$7.4 million for operating.

Total City revenues were reviewed according to sources and percentage totals. Revenues are estimated to be higher than originally adopted, largely due to growth in local sales tax and charges for services related to permitting. The recommended contingency for the General Fund of \$43.8 million was reviewed, largely relying on unanticipated revenue that can be used for COVID-related grants and other City received grants.

There are upcoming edits to department fees for Parks and Recreation, Development and Engineering Services and the Fire and Medical Services Departments. A public

notice will take place on April 7th with Council action on June 7th. Future actions will address utility rates, Conference Center fees and Arizona Complete Health Avondale Resource Center fee schedules. Specific fees and schedules were reviewed.

Upcoming budget actions include an update to the over-hire position authorization for public safety and incorporating this into the comprehensive annual financial policy, a cleanup on the CIP related to dedicated sales taxes as well as annual action items, including naming chief fiscal officer of the annual expenditure limitation report and the pension fund policy. The budget document has been posted on the City's website and a link is provided for public use.

The Department presentations to present major recommended changes will be held on April 19, 2021 which will be presented by the Finance and Budget Director with department heads available for questions. The recommended changes were initially identified during the December budget retreat

Highlights were provided on the adoption of the budget and the steps moving forward in the coming months.

The upcoming budget calendar was reviewed. Mayor Weise thanked staff for the presentation and invited questions from Council.

Council Member Dennis agreed with the source of funding change for the CIP. She commended staff for stepping up to the challenges brought on by COVID and for pursuing grants and improvements to the community.

Mayor Weise thanked staff for taking Council's previous comments to heart and for making them a priority in the budget process.

Council Member Kilgore thanked staff for the presentation and commended staff for putting together the information. He echoed the comments by Council Member Dennis and Mayor Weise. He spoke positively on the fact a balanced budget was presented. He inquired about plans to diminish debt. Charles Montoya, City Manager, stated that the debt will be expiring in the next few years and Council may look at more general obligation bonds in the future. Ms. Duncan added that the 2 percent in the General Fund is related to lease payments for the chiller and the street lighting project which will retire shortly.

Council Member Nielson asked what the budget would be like without the presence of the COVID funding. Ms. Duncan said there would likely have been higher gains in the local sales tax and in the state shared sales tax as there was slowing in state shared sales tax and tourism in the economy. Mr. Montoya stated that despite the slowdown, Council had previously approved another dealership and its sales have been phenomenal. Another such business is coming for Council approval shortly. Income taxes are reported two years in arrears, so these levels are yet to be determined.

Council Member Pineda thanked staff for their extensive work and for the concise presentations.

Council Member Conde thanked staff for their close monitoring of the City's finances.

Vice Mayor Malone commended staff for the excellent presentation and ease of understanding. She thanked them for incorporating Council's comments, questions and concerns.

Mayor Weise noted that the budget calls for one park ranger and he suggested a planning strategy that would allow for more patrolling by Tres Rios as there are issues in the area related to homelessness, trespassing, and gunfire. He addressed water purchases through SRP and CAP with the increase of \$235,000, clarifying that this will be an annual increase. Since both account for approximately one-third of the water portfolio, he asked how this will impact water and sewer fees in the City. Mr. Montoya stated that signs are in the process of being placed regarding trespassing. The additional park ranger is to assist with the Park coming online for Alamar; however, the Chief has been stressing the need for patrols. The City also needs to confer with the County and the Flood Control District, as this falls within their jurisdiction. He acknowledged the slight water fee increase and reminded Council that staff are reviewing current fees for potential adjustments.

3. THOMAS ROAD BRIDGE DESIGN CONCEPT REPORT UPDATE

City Council received an update from staff regarding the Thomas Road Bridge Design Concept Report. This item was for discussion only

Kevin Murphy, Director of Development and Engineering Services, stated that the project was initiated with the design concept report to analyze crossing of the Agua Fria River at the Thomas Road alignment. The proposal is for a four-lane arterial cross section for half of a mile of roadwork. The Agua Fria River span is 1,300 feet. The project scope includes all comments necessary to construct the bridge across the river. Potential traffic impacts of constructing the crossing versus foregoing the crossing were reviewed.

The crossing would assist with the following community needs:

- Community connection for a continuous corridor.
- Multimodal connectivity between neighborhoods, services, schools, parks and open spaces, guiding principle outlined in the City of Avondale General Plan.
- Accessibility to Estrella Mountain Community College.

Public outreach events were reviewed. A total of 621 online surveys were submitted. Opinions are strongly divided with slightly more than 50 percent supporting the project. Mr. Murphy provided a review of project alternatives considered as well as cross section details for the bridge and a low flow crossing section. A brief video on the project location was played. Next steps include funding elements, design phase and estimated schedule. The tentative schedule is to obtain land and coordination of utilities during fiscal years 2026 through 2030, followed by construction and depending upon funding availability.

Mayor Weise noted that the community is essentially evenly split on approval of the projects. While policy is not conducted according to polls, a vocal group is commenting on how the project will impact home values and quality of life. He asked Mr. Montoya to comment on the potential for the federal government to mandate the crossing as traffic

increases on McDowell, Van Buren, and Indian School. Mr. Montoya stated that there is no possibility of widening McDowell. The new West Point High School opened last year; however, due to COVID, there was not a significant increase in student traffic. An apartment building is being constructed behind the manufactured home park by I-10. As traffic grows, there is a significant risk of increased accidents, possibly involving pedestrians. This portion of the project is for design only with the intent to be ready to go upon potential federal funding or a future mandate.

Council Member Dennis commented that McDowell Road must be shut down when accidents occur, causing significant travel delays. She commented on trying to mitigate the travel delays as well as traffic noise. The area has significant volumes of cut-through traffic. With the new presidential administration talking about infrastructure plans, there may be the opportunity for federal funding.

Council Member Nielson asked whether the project will also cover the area from the bridge to Dysart. Mr. Murphy confirmed that it includes the connecting roadways on both ends.

Council Member Kilgore thanked staff for the presentation. He asked if the split responses received were from the residents of the Rancho Santa Fe community or from those among the City. Mr. Murphy stated that the split was amongst all those who provided feedback. He noted that the majority of people who attended the in-person meeting were those who lived within the area. He stated he was not sure of the residence of the individuals who submitted the online form. Council Member Kilgore expressed interest in learning if the individuals providing feedback are residents of Avondale as well as the true comments of those who live in the impacted area (to include residents of the Rancho Santa Fe community). He inquired about feedback from local businesses. Mr. Montoya stated the notification went to all residents within the specific area that would be directly affected, noting staff can work on obtaining the addresses. Business were notified; however, the notifications went to the owners of the business property and not necessarily those leasing space. He noted feedback received regarding devaluation of property; however, when these types of projects are finalized, this does not occur. He noted that with the proper sound barriers and landscaping, property values increase as the transportation corridor brings more people to the businesses within the area and residents have more access to schools and public safety. Council Member Kilgore reiterated the importance of obtaining feedback from the residents within the area as well as the businesses and not just the owners of the properties. He reflected on previous controversy related to the bridge and stressed the importance of hearing the feedback from the community to hear the heart and concern of the people. He spoke on comments received from residents within the area and stressed the importance of doing what is best for the residents.

Mr. Montoya reiterated the point that while staff will work with the community, the City may not have a choice if the bridge is mandated in the future. Council Member Kilgore applaud staff for their due diligence, but he would still like to give residents an opportunity to voice their opinions and stress their reasons why.

In response to a question from Mayor Weise, Mr. Montoya stated that over the next five years, there will likely be six to twelve more public hearings on this subject.

Council Member Pineda acknowledged the concerns of citizens not supporting the project; however, the City must also consider connectivity and the benefits to all residents as a whole. It is important for the City to be transparent going forward as public input continues to be received going forward.

Council Member Conde commented that there are complaints about the traffic on Thomas Road backing up at approximately 3 p.m., resulting in congestion at Avondale Boulevard. The concern is the safety of the community, particularly regarding high school traffic and young drivers. Preparing for the City's growth is essential and public outreach is critical.

Vice Mayor Malone stressed the need for greater connectivity and acknowledged that many Council Members will no longer be serving when the project is completed. Laying the groundwork is key at this time.

Mayor Weise acknowledged the need for the project and the necessary planning. It is likely that a current sitting Council Member will be mayor when the project is constructed. The two other bridges to the south are a higher priority, especially the one that will link the southside development. He understands the issues related to cut-through traffic; however, the biggest concern has been effects on the quality of life for Rancho Santa Fe. In addition, Thomas Road ends four miles west of this location. The plans should be ready to go; however, there should be in-depth conversations with residents of the area.

Council Member Dennis acknowledged that mitigating citizen concerns is the top priority; however, access and public safety are also priorities. She asked Mr. Montoya to address the other two bridges and the status of planning. Mr. Montoya stated that MAG is still discussing moving forward with the expansion of the 400 and the Avondale portion is the SR-30. Much of the funding has been pushed off and there are no bridges in the plan for Avondale at this time. Staff has had discussions regarding the means and location of the southern crossing. The goal is towards shovel-readiness, particularly in terms of potentially available federal funding. Community meetings will continue over the next two years.

4. ADJOURNMENT

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

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

Council Member Conde	Aye
Council Member Dennis	Aye
Council Member Kilgore	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye

Vice Mayor Malone	Aye
Mayor Weise	Aye

Meeting adjourned at 7:13 p.m.

A **Regular Meeting** of the City Council of the City of Avondale, Arizona was convened using the Zoom Cloud Meeting platform in open and public session at 7:24 p.m. All participants attended by phone or video.

Charles A. Montoya, City Manager, led the Pledge of Allegiance, followed by a moment of silent reflection for law enforcement across the country, specifically the Capitol police.

Members Present: Mayor Kenn Weise; Vice Mayor Veronica Malone; Council Members Tina Conde, Pat Dennis, Bryan Kilgore, 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; Cherlene Penilla, Deputy City Manager; Nicholle Harris, City Attorney; Marcella Carrillo, City Clerk; Kirk Beaty, Public Works Director; Ken Chapa, Economic Development Services Director; Lindsey Duncan, Finance and Budget Director; Bryan Hughes, Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Callie McGraw, Interim Human Resource Director; Kevin Murphy, Development and Engineering Services Director; Dale Nannenga, Police Chief; Jeffrey Scheetz, Chief Information Officer; and Pier Simeri, Marketing and Public Relations Director.

Audience: Approximately 10 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 Council Member wished to have an item removed from the Consent Agenda. Having no requests from Council, motion was made by Council Member Nielson, seconded by Council Member Kilgore, to approve the Consent Agenda.

Upon vote, the motion carried unanimously 7 to 0.

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

a. MINUTES

City Council approved the February 16 and March 1, 2021 City Council Meeting Minutes.

b. RESTAURANT LIQUOR LICENSE (AMENDED) - TRAPPER'S SUSHI CO. AVONDALE

City Council recommended approval to the Arizona Department of Liquor License and Control of an Amended Series 12 Restaurant Liquor License submitted by Jason Perry Paul Geronimo Reyna for the sale of alcohol at Trapper's Sushi Co located at 10321 West McDowell Road, Suite A101, in Avondale and authorized the City Clerk to execute the necessary documents.

c. RESTAURANT LIQUOR LICENSE - BARRIO QUEEN

City Council recommend approval to the Arizona Department of Liquor License and Control of a Series 12 Restaurant Liquor License submitted by Camila Alarcon for the sale of alcohol at Barrio Queen located at 10455 West McDowell Road in Avondale and authorized the City Clerk to execute the necessary documents.

d. FINAL PLAT FOR AVARI APARTMENTS - APPLICATION PL-20-0303

City Council approved a request by Mr. Craig Smith, KSE Design Group, PLC., for approval of a Final Plat for Avari Apartments, approximately 18.89 gross acres of land located at the northwest corner of Avondale Boulevard and the Corporate Drive alignment. Consistent with the approved Avari Apartments Development Plan, the proposed Final Plat consolidates two (2) existing parcels into a single 16.39 acre lot, dedicates right-of-way for Avondale Boulevard, Corporate Drive, and 117th Avenue adjacent to the site, and dedicates public utility easements (PUEs) adjacent to each street.

4. REGULAR AGENDA

a. DEL RIO RANCH III PHASES 2 THROUGH 5 – PRELIMINARY PLAT AMENDMENT – APPLICATION PL-20-0154

City Council considered a request by Mr. Keith Nichter, Kimley-Horn, on behalf of property owner Don Switzenberg, DC Holdings Inc., for approval of an amended Preliminary Plat for Del Rio Ranch III Phases 2 through 5, a proposed 358-lot single family subdivision located on approximately 128.89 gross acres at the southeast corner of Buckeye Road and the Agua Fria River. With approval of the amended Preliminary Plat, Del Rio Ranch III will include a total of 521 single-family lots, inclusive of the 153 lots currently in

development by Beazer Homes (and not impacted by the proposed amended plat) in Phase 1 of the project.

Ken Galica, Division Lead Planner, provided an overview of the property size, location and attributes. Surrounding uses include single family residential to the south and east, including Rio Vista Phase 1 of Del Rio Ranch 3, which is under construction and not part of this proposal. To the north is the Cashion Tank and Steel property, partially located within the county. This site is part of the larger 440-acre Del Rio Ranch Master Planned Community. It was annexed in 2005 with zoning approved at that time. Zoning has been amended three times. The preliminary plat was approved in 2017. An amendment is needed to address changes to the planned area development (PAD) as part of the minor amendment this year. Surrounding zoning areas were reviewed. The property is designated with the majority of medium high-density residential land use in the General Plan with a segment of high density. The zoning use for single family is a legal nonconforming use per the General Plan designation.

The change in the current proposal is to eliminate the connection to Buckeye and replace it with a series of local streets. 125th Avenue loops and turns into Durango Street, which connects onto El Mirage Road to the east. The plan will free up additional land, which the applicant has used to generate 30 additional lots. Access will be from El Mirage Road via Durango Street. From the south, access to the site is from Lower Buckeye Road via 125th Avenue. The remainder of the Del Rio Ranch 3 property will consist of 358 lots with three lot sizes. Lot sizes and locations were reviewed. Approximately 45 percent of the site is open space (60 acres). Much is unimproved or undevelopable land located within the floodplain, but still usable for recreation. Park amenities were discussed. Phases 2 through 5 will include a three-quarter acre park, including various amenities. The property can be developed as part of the City's trail system, which runs north/south along the Agua Fria River. The developer will construct the trail and a 40-foot recreational corridor, including a landscaped and lighted 12-foot wide trail. The plan is in conformance with the PAD as amended. Theming and design are consistent with existing phases of the development. The schools have submitted certificates of adequate capacity. The Planning Commission recommended approval in February 2021 and staff recommends approval subject to seven recommended conditions.

Council Member Dennis asked about the changes to the roadway on 27th Avenue to Buckeye Road. Mr. Galica stated that historically, the connection would have taken 125th through the Cashion Tank and Steel property to connect to Buckeye Road. The connection was problematic, as it would be close to the bridge abutment for the Buckeye Road Bridge over the Agua Fria River. This caused concern with the traffic engineer regarding visibility of traffic turning at the location, due to the change in grade. Secondly, it would have divided the Cashion Tank and Steel property in two, making it very difficult to develop. There remains access from two arterial streets. Council Member Dennis asked about the details of the traffic analysis of removing access adding additional 30 lots. Mr. Galica said the analysis supported access as proposed off 125th Avenue and Durango Street without the connection to Buckeye Road. Council Member Dennis inquired about a traffic light at Durango Street. Mr. Galica stated that a light is not

currently planned. Mr. Montoya stated that staff will keep an eye on this to ensure that it is placed on the capital plan when and if warranted.

Council Member Nielson noted that after completion, there will be over 500 lots. He cited to a potential emergency where the river would overflow and noted that there are only two exits to allow 500 homeowner vehicles to exit. He suggested the possibility of using the empty lot at the opposite side of Cashion Tank and Steel, which might be used as an additional exit. Mr. Galica opined that all residents would be able to exit in the event of an emergency. The property will be developed outside of the floodplain. An orderly evacuation could certainly occur, if necessary. There are examples in the City of two to three access points to much larger communities. In terms of the vacant property, there is the possibility of creating a roadway; however, there is also the possibility of creating an undevelopable issue with the property. There will be emergency access only from Buckeye Road.

Council Member Kilgore thanked staff for the presentation, noting he was looking forward to project completion.

Council Member Pineda wished to hear Vice Mayor Malone's thoughts on the traffic issues, as El Mirage Road tends to get backed up. Otherwise, the project is a good use of land for development.

Council Member Conde thanked staff for the presentation. With the City's growing employment opportunities, they must ensure adequate housing in the West Valley.

Vice Mayor Malone was concerned with removal of the roadway from 127th Avenue and Buckeye Road. There are several developments coming into El Mirage Road. When traffic floods onto Lower Buckeye Road, this causes significant backup. The turning road is minimally helpful, and the queue is quite long. This results in significant cut-through in the various neighborhoods trying to get back onto Buckeye Road. Cashion Tank and Steel is up for sale and she suggested that the City or the developer attempt to acquire a portion of the land to create a through street to Buckeye Road. The development in the area will continue to congest and is currently only two lanes per direction which result in significant safety issues as well. There should also be consideration for a traffic light on Durango in the future. Mr. Montoya stated that staff is making notes to track the conditions and potential warrants. In terms of the Tank and Steel property, it is not realistic for the City to engage in this discussion, due to potentially significant mitigation challenges.

In response to a question from Mayor Weise, Mr. Montoya concurred that the concerns relate to environmental issues.

Ms. Carolyn Oberholtzer, Bergin, Frakes, Smalley & Oberholtzer, PLLC, stated that the agency has worked with staff for nearly a year on the engineering elements. Robust traffic studies have been associated with every phase of development. The City engineer and staff have determined that the project does not require demand at levels necessary for an extension. However, there are additional options, such as the emergency access in

unique situations. The key new access is the trail connection along the entire west side, providing for the eight-foot path adjacent to Agua Fria to create a new regional amenity.

Vice Mayor Malone asked if the path will be similar to the one located at Coldwater Ridge. Jason Burm with Kimley-Horn said the trail will not be located at the bottom of the Agua Fria Trail. The property will be elevated a few feet higher than the existing grade. The trail will meander on the downside of the slope, but well above the floodplain. It will include landscaping and lighting.

Vice Mayor Dennis addressed the need to move pedestrian traffic across El Mirage Road. At the time of the original discussion in 2017, there was a pedestrian tunnel under El Mirage Road. Subsequently, this plan was abandoned, and the new plan was for pedestrian access across the street. There have been no additional details regarding connectivity to this project. Mr. Galica stated that the tunnel was in approximate alignment to this open space area. It was shallow at seven to eight feet and narrow, causing safety concerns and has since been closed off. In place of that, the developer built a pedestrian crossing essentially at the same alignment. It included striping across the street and a pedestrian refuge in the middle of the street to include fencing and a bench. Council Member Dennis renewed her concerns that striping will not slow or stop traffic. Access for pedestrians will require improvements to accommodate increased pedestrian traffic.

Mayor Weise stated his concern that Council would be requiring the developer and landowner to improve a road that was improved just three years ago, merely because 26 lots are being added. The project has not changed significantly. The City can address potential issues with rumble strips, flashing lights or other mitigation. Vice Mayor Malone suggested the addition of flashing lights prior to the crosswalk landing.

Mayor Weise asked Mr. Montoya to discuss ways to alleviate concerns on El Mirage Road in terms of pedestrian traffic. Mr. Montoya stated that it is feasible to install flashing lights to alert drivers to the presence of pedestrians. Moving west towards Tank and Steel is County land, which limits what the City can do.

Mayor Weise commented that in the future for such situations, it would be helpful to have traffic reports of any serious incidents in the area. Vice Mayor Malone stated that on weekends, people who attend the swap mart are parking on the east side of El Mirage and crossing the street. The last accident occurred approximately six weeks prior and shut down access points to El Mirage for Cambridge and Diamond Ridge. Mayor Weise stated that the unsafe environment due to a swap meet should be addressed by the City; however, the issue may or may not be substantive to the crossing itself. He asked Vice Mayor Malone and Council Member Dennis whether the addition of lighting and rumble strips at the El Mirage crossing would help eliminate their concerns. Both affirmed that it would alleviate their concerns. Council Member Nielson commented that he frequently bikes along that street and the crosswalk is not related to the swap meet issues. Mr. Montoya stated that staff will put the installation of the flashing lights on its action list.

Council Member Pineda moved to approve Application PL-20-0154 Del Rio Ranch III Phases 2 through 5 Preliminary Plat subject to seven (7) recommended conditions; Council Member Nielson seconded the motion.

Upon vote, the motion carried unanimously 7 to 0.

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

b. PUBLIC HEARING - 2021-2022 HUD ANNUAL ACTION PLAN

City Council held a public hearing and received an update on the draft of the City's 2021-2022 Annual Action Plan which is required by the U.S. Department of Housing and Urban Development (HUD) as a condition to receive the Community Development Block Grant (CDBG) and HOME Investment Partnership funding (HOME). This item was for discussion only, no action was taken

Christopher Lopez, Director of Neighborhood and Family Services, stated the Annual Action Plan is an extension of the five-year consolidated planning process. The Annual Action Plan assigns funding for specific activities based on the total allocation for the program year. Activities included in the plan must further the goals listed in the consolidated plan.

The recommended activities and funding for CDBG funds were presented with a proposed total of \$745,967. The recommended activities and funding for HOME funds were presented with a proposed total of \$211,296 with a 25 percent required match of \$52,824 that will be included as part of the upcoming budget process. The total proposed funding is \$264,120. The process timeline was reviewed. A plan is scheduled to be submitted to HUD in May with anticipated availability of funding in August.

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.

Council Member Dennis did not have any questions, but she did note that the action plan as presented was appropriate for the City.

Council Member Nielson thanked staff for the presentation and agreed with Council Member Dennis.

Council Member Kilgore asked for details on the number of housing opportunities provided to low- and moderate-income residents over the past eight years. Mr. Montoya stated that staff is currently researching this information and will provide it to Council as soon as it is available. Council Member Kilgore asked for clarification if staff know the

information, Mr. Montoya stated they could provide an average number, but it will not be exact. Council Member Kilgore asked for the number of housing opportunities provided to low- and moderate-income residents so far this year. Mr. Lopez stated that the City has rehabbed approximately 27 homes in the past year, which provides improvements to the health and safety of structures to reserve stock in affordable housing. The City also assists homeowners in the purchase of homes; however, given to the current housing market, there is not significant interest from first time homebuyers. Council Member Kilgore acknowledged that the department are using the funds but desires to have others hear about the good job they are doing.

Council Member Kilgore inquired about the \$1,000 budget to promote fair housing. Mr. Lopez stated that it was previously funded at \$500 and has been increased. The funds are used for purchase of advertising and presentation materials. There is not a tremendous need for higher funding in this area. Much of the outreach is conducted through staff manning tables at events and marketing and community relations through social media. Council Member Kilgore reiterated his desire to have people within the City know that the funds are used appropriately, that fair housing opportunities are available, and that all residents of Avondale can be helped, regardless of economic status.

Council Members Conde and Pineda did not have any questions and they thanked staff for the presentation. Vice Mayor Malone and Mayor Weise did not have any questions and they thanked staff for the presentation.

5. DISCUSSION ITEMS

Council will discuss items listed below and possibly give direction to city staff to research and prepare item for future meeting.

a. CONTRIBUTIONS ASSISTANCE PROGRAM FISCAL YEAR 2021-2022 UPDATE

City staff presented an update on the Contributions Assistance Program, including an overview of eligibility requirements, funding levels, and evaluation criteria for the Fiscal Year 2021-2022 Contributions Assistance Program. This item was for discussion only.

Edith Baltierrez, Assistant Director for Neighborhood and Family Services stated that the Contribution Assistance Program allocates funding to eligible non-profit agencies with 501(c)3 status that provide health and human services to Avondale residents. This includes \$10,000 to support administrative costs associated with each project. In fiscal year 2021, 22 nonprofit agencies were funded with services including free tax preparation assistance, home repairs, childcare, food supplemental programs, medical equipment, care and prescription assistance, children's literacy, youth programming, homeless services, high school and college student support services, and home services for older adults. Due to COVID, all agencies have had to alter or complete change service delivery models for continuity of service. All agencies are on track with budget and goals.

The criteria for the agencies were presented. Staff will continue to work closely with the Council Subcommittee, including Vice Mayor Malone and Council Members Conde and Nielson as members. The Council Subcommittee requested staggered three-year Council

subcommittee appointments in order to maintain familiarity and continuity. Staff will work closely with the City Clerk's Office through its committee appointment process to address this request. The process and tentative timeline were reviewed.

Council Member Conde asked whether applications are open to new nonprofits or only those that have been established for some time. Ms. Baltierrez stated that the only requirement is to be a 501(c)3 nonprofit. Eligible agencies receive a link to the application from staff. Council Member Conde asked for an update on the Maricopa Community College District Foundation. Ms. Baltierrez stated that staff met with the agency to discuss its progress and they are ahead of schedule on expenditures and achieving goals.

Council Member Nielson expressed appreciation to staff regarding monitoring process and use of funds. The main objective is to ensure programs benefit the citizens of Avondale. He recommended simplifying the language in the application documents for ease of use and understanding.

Council Member Dennis recommended an increase in the overall budget for fiscal year 2022, as the City continues to grow. She agreed with the staggered terms concept for the Council Subcommittee members. Mr. Montoya agreed that it is a good idea to look at a general growth increase.

Council Member Kilgore thanked staff for the presentation. This is an excellent program, where Avondale gives back and pays forward to residents and organizations in the community in areas that are not normally seen in the public. During his time on Council, the program has been a phenomenal way for the City to impact the community. He noted back to a time when he was first appointed to Council. He reached out to a community member and recommended they apply for the program, which resulted in them being awarded funds to start their homeless initiative.

Council Member Pineda noted that recipients are appreciative of the program. Reporting helps in tracking data and impacts. He would appreciate a formula for an annual increase. Mr. Montoya stated that the Council Subcommittee should add the annual increase as a regular step in its processes.

Vice Mayor Malone stated that she has participated in the subcommittee since the beginning of her time on Council and that taking care of the community gives her great satisfaction. Maricopa County Community College representatives have highly praised Neighborhood and Family Services staff for their help, as well as Council Member Pineda for making them aware of the program. She has enjoyed seeing the efforts of the agencies.

Mayor Weise commented that the program was born out of the love and passion that Council at the time felt for the community. The passion and dedication have continued.

6. ADJOURNMENT

There being no further business before the Council, Council Member Conde moved to adjourn the Regular Meeting; Council Member Dennis seconded the motion.

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

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

Meeting adjourned at 8:36 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 5th day of April 2021. I further certify that the meeting was duly called and held, and that the quorum was present.

Marcella Carrillo, City Clerk

Date Approved by City Council