



City of Avondale

City Council Online Meeting

Monday, September 20, 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

Cherlene Penilla, Assistant City Manager

Tracy Stevens, Deputy City Manager | Lindsey Duncan, Deputy City Manager

Nicholle Harris, City Attorney | Marcella Carrillo, City Clerk

Online Meeting

Join the meeting and view presentations: <https://avondaleaz.zoom.us/j/99706985158>

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Join the meeting with audio only: Call 301-715-8592 (meeting ID: 997 0698 5158)



City Council Online Meeting Notice & Agenda Monday, September 20, 2021

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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 a request to speak to PublicComment@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

(Time is limited per person. Please state your name.)

3. PRESENTATION ITEMS

a. LEGISLATIVE PROCLAMATION - 75TH ANNIVERSARY

City Council will accept a proclamation from the Legislative District 19 delegation. This item is for discussion only.

b. PROCLAMATION HONORING LEGISLATIVE DISTRICT 19 DELEGATION

City Council will present a proclamation to honor Avondale's state legislators for their leadership during the First Regular Session of the 55th Legislature.

c. PROCLAMATION RECOGNIZING KEN GALICA

City Council will present a proclamation to Ken Galica, Division Lead Planner, recognizing him for his fifteen years of loyal and dedicated service to the City of Avondale. 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 July 5, 2021 City Council meeting minutes. The Council will take appropriate action.

b. APPOINTMENT OF MEMBERS TO THE CITY'S BOARDS, COMMISSIONS AND COMMITTEES

City Council will consider a request to approve the recommendations for the appointment of members of the City's Boards, Commissions and Committees. The Council will take appropriate action.

c. FISCAL YEAR 2022 MID-YEAR BUDGET ADJUSTMENTS

City Council will consider a request to: (a) approve FY2022 mid-year supplemental budget requests as summarized in the attached report; (b) authorize the necessary budget amendments from contingency appropriation budgets; (c) amend awarding authority based off the attached report; (d) modify the interfund transfer schedule; and (e) authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

d. PUBLIC ART FUND APPROPRIATION OF \$50,000 FOR A SIGNATURE PUBLIC ART PIECE AT ALAMAR PARK.

City Council will consider a request to approve an additional appropriation of \$50,000 from the Public Art Fund for a public art piece at Alamar Park in partnership with Brookfield Residential and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

e. CREATE A BLVD COMMERCIAL BUILDING CAPITAL IMPROVEMENT PROJECT (CIP) PROJECT AND AUTHORIZE THE NECESSARY BUDGET TRANSFER AND AWARDED AUTHORITY.

City Council will consider a request to: (a) create a new CIP project for a new commercial building and associated necessary infrastructure improvements in the BLVD area; (b) authorize a budget transfer in the amount of \$5,500,000 from General Fund Contingency to the newly created BLVD Building account, to fund the design and construction; (c) adjust the interfund schedule; (d) authorize staff to take the necessary action to complete the budget transfer, and; (e) authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The council will take appropriate action.

f. REVOCABLE LICENSE AGREEMENT WITH ADELANTE HEALTH CARE, INC (WIC)

City Council will consider a request to approve an amended Revocable License Agreement with Adelante Health Care, Inc (WIC) and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

g. FOURTH AMENDMENT TO THE EMPLOYMENT AGREEMENT WITH CHARLES A. MONTOYA

City Council will consider a request to approve the 4th amendment to the Employment Agreement with Charles A. Montoya and authorize the Mayor and Council to execute the necessary documents. The Council will take appropriate action.

h. RESOLUTION 1072-0921 - ALTERNATIVE EXPENDITURE LIMITATION - PERMANENT BASE ADJUSTMENT

City Council will consider a request to adopt Resolution 1072-0921, proposing to submit to the qualified electors at the August 2, 2022 election a question to provide for a \$10,408,000 permanent adjustment to the base expenditure limitation, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take the appropriate action.

i. RESOLUTION 1073-0921 - INTERGOVERNMENTAL AGREEMENT WITH CITY OF PHOENIX FOR TRAINING SERVICES

City Council will consider a request to adopt Resolution 1073-0921 authorizing an Intergovernmental Agreement (IGA) with the City of Phoenix to provide fire and medical service training 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 2045-0921 - DEDICATION OF A PERPETUAL EASEMENT TO THE UNITED STATES OF AMERICA - ON THOMAS ROAD, WEST OF 99TH AVENUE

City Council will consider a request to adopt Ordinance 2045-0921 dedicating a Perpetual Easement to the United States of America (USA) on Thomas Road west of 99th Avenue and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take the appropriate action.

k. ORDINANCE 2046-0921 - DEDICATION OF A PERPETUAL EASEMENT TO THE UNITED STATES OF AMERICA - ALONG THE WEST SIDE OF 99TH AVENUE AND SOUTH OF THOMAS ROAD

City Council will consider a request to adopt Ordinance 2046-0921 dedicating a Perpetual Easement to the United States of America (USA) along the west side of 99th Avenue and South of Thomas Road (also known as Holy Cross) and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take the appropriate action.

l. ORDINANCE 2047-0921 - FIRST AMENDMENT TO LEASE AGREEMENT - ARIZONA INSTITUTE LLC DBA AVEDA INSTITUTE AVONDALE

City Council will consider a request to adopt Ordinance 2047-0921, approving the First Amendment to Lease Agreement with Arizona Institute LLC dba Aveda Institute Avondale for the properties located at 775 North 114th Avenue and 745 North 114th Avenue, Suite 102, and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

m. ORDINANCE 2048-0921 - AVARI APARTMENTS LIMITED AND TEMPORARY FIRE ACCESS EASEMENT AGREEMENT

City Council will consider a request to adopt Ordinance 2048-0921 accepting a Limited and Temporary Fire Access Easement Agreement through PCCP CS Empire Avondale LLC's parcels to the Avari Apartments parcel under construction along the west side of Avondale Boulevard and north of Van Buren Street and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take the appropriate action.

n. ORDINANCE 2049-0921 - AMENDING THE AVONDALE CITY CODE, CHAPTER 10, FIRE PREVENTION AND PROTECTION

City Council will consider a request to adopt Ordinance 2049-0921, amending the City of Avondale Code, Chapter 10-2, appointment of Fire Chief and Firefighters, and Chapter 20, Police Department, Article I, in general, Section 20-2; appointment of officers, relating to the administration of The Fire Department and Police Department and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

5. REGULAR AGENDA

a. PUBLIC HEARING AND RESOLUTION 1074-0921- NORTON CIRCLE - MINOR GENERAL PLAN LAND USE MAP AMENDMENT – APPLICATION PL-19-0182

City Council will hold a public hearing and consider a City-initiated request to adopt Resolution 1074-0921, approving a Minor Amendment to the Avondale General Plan 2030 Land Use Map for 5.70 acres of property located at the southwest corner of 4th Avenue and Norton Street (a private street). The subject property is developed with Norton Circle, a 46-unit multi-family residential community owned and operated by the Housing Authority of Maricopa County (HAMC). Approval of the proposed Minor General Plan Amendment will amend the land use designation of the property from Medium High Density Residential (MHDR) to High Density Residential (HDR); the HDR land use designation allows for development of patio homes, apartments, condominiums, or townhomes with a density ranging between 12 and 30 dwelling units per acre. Approval of the Minor General Plan Amendment will facilitate redevelopment of the site with a new 100-unit multi-family apartment complex that will continue to be owned and operated by HAMC. An application rezoning the property to R-4 (Multi-Family Residential) will be considered separately. The Council will take appropriate action.

b. PUBLIC HEARING AND ORDINANCE 2050-0921 - NORTON CIRCLE - REZONING FROM MANUFACTURED HOME PARK (MH) TO MULTI-FAMILY RESIDENTIAL (R-4) - APPLICATION PL-19-0183

City Council will hold a public hearing and consider a City-initiated request to adopt Ordinance 2050-0921 to rezone approximately 5.70 gross acres of land located at the southwest corner of 4th Avenue and Norton Street (a private street) from Manufactured Home Park (MH) to Multi-Family Residential (R-4). The subject property is developed with Norton Circle, a 46-unit multi-family residential community owned and operated by the Housing Authority of Maricopa County (HAMC). Approval of the proposed rezoning will facilitate redevelopment of the site with a new 100-unit multi-family apartment complex that will continue to be owned and operated by HAMC. A separate application for a Minor General Plan Amendment, changing the land use designation of the property from Medium High Density Residential to High Density Residential, will be considered separately. Maricopa County and its agencies are statutorily exempt from City zoning regulations but are proceeding with the proposed applications in cooperation with the City of Avondale. The Council will take appropriate action.

c. PUBLIC HEARING AND RESOLUTION 1075-0921 - PARKSIDE - MINOR GENERAL PLAN LAND USE MAP AMENDMENT – APPLICATION PL-20-0308

City Council will hold a public hearing and consider a request to adopt Resolution 1075-0921, approving a request by Mr. Johnathan Bastianelli, William Lyon Homes, Inc., for a Minor Amendment to the Avondale General Plan 2030 Land Use Map for Parkside, a proposed 137.27 net acre master planned community located approximately 600 feet south of the southwest corner of 99th Avenue and Indian School Road. The proposed Minor General Plan Amendment, if approved, will amend the land use designation of approximately 10 acres at the southeast corner of the subject property from Office/Professional to Medium High Density Residential (MHDR), a category that allows for single-family detached, single-family attached, townhomes, condominiums, patio homes, and the like with density ranging between 4.0 and 12.0 dwelling units per acre. Approval of the request will facilitate replacement of a previously planned office development with 54 additional detached single-family residential lots, increasing the total number of single-family residential lots in Parkside from 662 to 716. Related requests for a Major Amendment to the Parkside Planned Area Development (PAD) and Preliminary Plat Amendment will be considered separately. The Council will take appropriate action.

d. PUBLIC HEARING AND ORDINANCE 2051-0921 - PARKSIDE - MAJOR PLANNED AREA DEVELOPMENT (PAD) AMENDMENT - APPLICATION PL-20-0309

City Council will hold a public hearing and consider a request to adopt Ordinance 2051-0921, approving a request by Mr. Jonathan Bastianelli, William Lyon Homes, Inc., for a Major Amendment to the Parkside Planned Area Development (PAD), a proposed 137.27 net acre master planned community located approximately 600 feet south of the southwest corner of 99th Avenue and Indian School Road. The approved Parkside PAD provides for a 9.99-acre office development at the southeast corner of the site; the proposed Major PAD Amendment eliminates the planned office component, replacing that use with 54 additional detached single-family residential lots. The proposed Major Amendment also revises vehicular circulation in the southeast corner of the property, eliminating a previously planned Osborn Road alignment that will no longer be necessary given the elimination of office component. With approval of the PAD Amendment, the total number of planned single-family residential lots in Parkside will increase from 662 to 716. Related requests for a Minor General Plan Amendment and Preliminary Plat Amendment will be considered separately. The Council will take appropriate action.

e. PRELIMINARY PLAT AMENDMENT – PARKSIDE - APPLICATION PL-20-0307

City Council will consider a request by Mr. Jonathan Bastianelli, William Lyon Homes, Inc., for approval of an amended Preliminary Plat for Parkside, a proposed 716-lot single-family residential subdivision located on 137.27 net acres approximately 600 feet south of the southwest corner of 99th Avenue and Indian School Road. Related requests for a Minor General Plan Amendment and Major Planned Area Development (PAD) Amendment will be considered separately. Council will take appropriate action.

f. PUBLIC HEARING AND RESOLUTION 1076-0921 – AVONDALE COMMONS - FREEWAY CORRIDOR SPECIFIC PLAN AMENDMENT – APPLICATION PL-21-0204

City Council will hold a public hearing and consider a City-initiated request to adopt Resolution 1076-0921, approving a Freeway Corridor Specific Plan (FCSP) Amendment to increase the maximum allowed building height on approximately 25.23 acres located at the northwest corner of Avondale Boulevard and McDowell Road. Approval of the request will increase the maximum height allowed on the subject property by one (1) story, allowing for buildings with a maximum of four (4) stories to be developed on the site. A request to rezone the property to Avondale Commons Planned Area Development (PAD) will be considered separately; the proposed Avondale Commons PAD will facilitate development of the property in accordance with a mixed-use plan consisting of a 4-story, 324-unit multi-family residential complex and supportive commercial, retail, hospitality, and office uses. The Council will take appropriate action.

g. PUBLIC HEARING AND ORDINANCE 2052-0921 - AVONDALE COMMONS - REZONING FROM AGRICULTURAL (AG) TO AVONDALE COMMONS PLANNED AREA DEVELOPMENT (PAD) – APPLICATION PL-21-0072

City Council will hold a public hearing and consider a request to adopt Ordinance 2052-0921, approving a request by Mr. Shaine T. Alleman, Tiffany & Bosco, P.A., to rezone approximately 25.23 gross acres (22.60 net acres) of land located at the northwest corner of Avondale Boulevard and McDowell Road from Agricultural to Avondale Commons Planned Area Development (PAD) to allow for a mixed use development of the site with a four-story, 324-unit multi-family residential complex on 12.5 net acres and supportive commercial, retail, hospitality, and office uses on 10.1 net acres. A request for an amendment to the Freeway Corridor Specific Plan to increase the maximum allowable building height (currently limited to three stories) to four stories will be considered separately. 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.