

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
ONLINE MEETING
August 23, 2021

A **Special 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 6:01 p.m. All participants attended by phone or video.

Mayor Kenn Weise led the Pledge of Allegiance followed by a moment of silent reflection in remembrance of service members in Afghanistan, citizens, and those seeking freedom in the United States.

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

Members Absent: None.

Other Municipal Officials Present: Charles Montoya, City Manager; Cherlene Penilla, Assistant City Manager; Lindsey Duncan, Deputy City Manager; Nicholle Harris, City Attorney; Marcella Carrillo, City Clerk; Kirk Beaty, Public Works Director; Ken Chapa, Economic Development Services Director; Keith Fallstrom, Interim Finance and Budget Director; Bryan Hughes, Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Darcy Lowery, Interim Human Resource Director; Kevin Murphy, Development and Engineering Services Director; Dale Nannenga, Police Chief; Marshall Pimentel, Intergovernmental Affairs Administrator; Jeffrey Scheetz, Chief Information Officer; and Pier Simeri, Marketing and Public Relations Director.

Audience: Approximately fifteen members of the public were present.

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

2. UNSCHEDULED PUBLIC APPEARANCES

None.

3. INTRODUCTION OF NEW EMPLOYEE

Kirk Beaty, Public Works Director, introduced the new Water Resource Manager, Jennifer Davidson. This item was 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.

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 Pineda, seconded by Council Member Dennis, 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 following City Council meeting minutes: (a) May 17, 2021, (b) June 7, 2021, (c) June 21, 2021, and (d) June 22, 2021.

b. BUDGET CARRYOVER AND ACCOUNTING ADJUSTMENTS

City Council approved a request to adjust the FY2021 and FY2022 budgets to adjust the FY2022 carryover appropriations and improve financial reporting.

c. FUNDING REQUEST FOR THE BLVD WATER FEATURES PROJECT

City Council approved a request to provide funding in the amount of \$300,000 from General Fund Contingency to pay for a Splash Pad and Additional Landscape scope, to fund construction, and authorized staff to take the necessary action to complete the budget amendment.

d. GENERAL FUND CONTINGENCY REQUEST FOR ECONOMIC OPPORTUNITIES FUND

City Council approved a transfer of appropriation in the amount of \$1,600,000 to the Economic Opportunities Fund from the General Fund Contingency to support the City's and the Economic Development Department's fiscal year initiatives, increase awarding authority, and modify the interfund transfer schedule and authorized the City Manager, City Attorney, and City Clerk to execute the necessary documents.

e. COST PARTICIPATION AGREEMENT WITH THE SALT RIVER PROJECT FOR A TEMPORARY DEVIATION FOR OPERATION OF THE ROOSEVELT DAM FLOOD CONTROL SPACE.

City Council approved a Cost Sharing Agreement with the Salt River Project (SRP) to develop a Temporary Deviation Plan for operation of the Roosevelt Dam Flood Control Space, and receive potential water deliveries as a result of this Plan, to be used for Long Term Storage Credits and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

f. LIQUOR LICENSE - SERIES 10 (BEER AND WINE STORE) FOR HOME 2 SUITES BY HILTON

City Council recommended approval to the Arizona Department of Liquor License and Control of a Series 10 (Beer and Wine Store) Liquor License submitted by Sanat B. Patel for the sale of beer and wine at Home 2 Suites by Hilton located at 10275 West McDowell Road and authorized the City Clerk to execute the necessary documents.

g. RESOLUTION 1059-0821 - PUBLIC ART MASTER PLAN

City Council adopted Resolution 1059-0821, approving an update to the Avondale Public Art Master Plan as recommended by the Avondale Municipal Art Committee and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

h. RESOLUTION 1060-0821 - UPDATING THE SANITATION (SOLID WASTE) FEE SCHEDULE

City Council adopted Resolution 1060-0821, approving a sanitation (solid waste) rate schedule and setting an effective date, and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

i. RESOLUTION 1061-0821 - ADOPTION OF FEE SCHEDULE FOR FACILITY RENTALS

City Council adopted Resolution 1061-0821, approving a fee schedule for the Avondale Visitor and Conference Center, which is scheduled to open in January 2022, and the recently opened Arizona Complete Health Avondale Resource Center and authorized the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents.

j. RESOLUTION 1062-0821 – INTERGOVERNMENTAL AGREEMENT WITH AGUA FRIA UNION HIGH SCHOOL DISTRICT #216 FOR A SCHOOL RESOURCE OFFICER

City Council adopted resolution 1062-0821 authorizing an Intergovernmental Agreement between the Agua Fria Union High School District #216 and the City of Avondale to share the cost of providing a School Resource Officer (SRO) during the 2021/2022 school year and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

k. RESOLUTION 1063-0821 – INTERGOVERNMENTAL AGREEMENT WITH AMERICAN CHARTER SCHOOLS FOUNDATION, ESTRELLA HIGH SCHOOL FOR A SCHOOL RESOURCE OFFICER

City Council adopted Resolution 1063-0821 authorizing an Intergovernmental Agreement between the American Charter Schools Foundation and the City of Avondale to share the cost of providing a School Resource Officer (SRO) during the 2021/2022 school year and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

I. RESOLUTION 1064-0821 – INTERGOVERNMENTAL AGREEMENT WITH TOLLESON UNION HIGH SCHOOL DISTRICT #216, LA JOYA/WESTVIEW FOR A SCHOOL RESOURCE OFFICER

City Council adopted Resolution 1064-0821, authorizing an Intergovernmental Agreement between the Tolleson Union High School District #214 and the City of Avondale to share the cost of providing a School Resource Officer (SRO) during the 2021/2022 school year and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

m. RESOLUTION 1065-0821 – INTERGOVERNMENTAL AGREEMENT WITH TOLLESON UNION HIGH SCHOOL DISTRICT #216, WEST POINT FOR A SCHOOL RESOURCE OFFICER

City Council adopted Resolution 1065-0821, authorizing an Intergovernmental Agreement between the Tolleson Union High School District #214 and the City of Avondale to share the cost of providing a School Resource Officer (SRO) during the 2021/2022 school year and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

n. RESOLUTION 1066-0821 - OUTDOOR RECREATION LEGACY PARTNERSHIP GRANT FOR THE AQUATIC CENTER PROJECT

City Council adopted Resolution 1066-0821, authorizing the application and acceptance of an Outdoor Recreation Legacy Partnership Fund grant from Arizona State Parks and Trails in the amount of \$5,000,000 for the Avondale Aquatic Center Project and authorized and directed staff to take all steps necessary to cause the execution of the Agreement and to take all steps necessary to carry out the purpose and intent of this Resolution.

o. RESOLUTION 1067-0821 - LAND AND WATER CONSERVATION FUND GRANT FOR THE CIVIC CENTER PARK PROJECT AND A GENERAL FUND CONTINGENCY REQUEST

City Council adopted Resolution 1067-0821 authorizing the application and acceptance of a Land and Water Conservation Fund grant from Arizona State Parks and Trails in the amount of \$1,000,000 for the Civic Center Park Project and authorized and directed staff to take all steps necessary to cause the execution of the Agreement, to take all steps necessary to carry out the purpose and intent of this Resolution, and to transfer from General Fund Contingency the amount necessary for the City's funded portion of the project if the grant is awarded.

p. RESOLUTION 1068-0821 - WELL SHARING AND WATER TRANSPORTATION AGREEMENT AND INTERIM OPERATING AGREEMENT FOR ALAMAR

City Council adopted Resolution 1068-0821, authorizing the Agreement with the Alamar Community Association, Inc. (HOA) for well sharing and water transportation and an Interim Operating Agreement with the Alamar Community Association, Inc. and Brookfield Lakin, LLC and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

q. ORDINANCE 2033-0821 - LEASE AGREEMENT WITH DESERT TAP LLC DBA: TAP2

City Council adopted Ordinance 2033-0821, approving the Lease Agreement with Desert Tap LLC DBA: Tap2 for the property located at 745 North 114th Avenue, Suite 101, and authorized the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents.

r. ORDINANCE 2034-0821 - LEASE AGREEMENT WITH WEST VALLEY INSTITUTE LLC DBA AVEDA INSTITUTE OF AVONDALE

City Council adopted Ordinance 2034-0821, approving the Lease Agreement with West Valley Institute LLC dba Aveda Institute of Avondale for the properties located at 775 North 114th Avenue and 745 North 114th Avenue, Suite 102, and authorized the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents.

s. ORDINANCE 2035-0821 - CITY CODE AMENDMENT - CHAPTER 20 AND CHAPTER 23 RELATING TO THE POLICE DEPARTMENT AND TRAFFIC

City Council adopted Ordinance 2035-0821, amending Avondale City Code Chapter 20, Police Department, Article 1, Section 20-7 and deleting Chapter 23, Traffic, Article II, Administration and Enforcement Section 23-29, authority to direct traffic relating to traffic direction and enforcement and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

t. ORDINANCE 2036-0821 - ACCEPTING DONATION OF REAL PROPERTY FOR PUBLIC USE FOR THE BLVD WATER FEATURES

City Council adopted Ordinance 2036-0821, authorizing the acceptance of real property located at the southeast corner of Avondale Boulevard and The BLVD for public use and authorized the Mayor or City Manager, City Attorney and City Clerk to take all steps to execute the necessary documents to carry out this purpose.

u. ORDINANCE 2037-0821 - GRANTING AN ELECTRICAL EASEMENT TO SALT RIVER PROJECT (SRP) FOR THE NEW FIRE STATION NO. 175

City Council adopted Ordinance 2037-0821, granting an Electrical Easement to Salt River Project for the new Fire Station No. 175 and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

v. ORDINANCE 2038-0821 - SRP BLANKET EASEMENT FOR SRP FOR THE BLVD WATER FEATURES

City Council adopted Ordinance 2038-0821, granting a Blanket Easement to the Salt River Project for the new BLVD Water Features and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

w. AUTHORIZATION TO PROCEED WITH ANNEXATION – CLEARSKY REHABILITATION HOSPITAL OF AVONDALE – APPLICATION PL-21-0124

City Council approved a request by Mr. Danny Banks, ClearSky Health, to authorize the annexation process of approximately 7.11 acres located at the southwest corner of McDowell Road and 109th Avenue.

x. FINAL PLAT FOR AVONDALE COMMERCE PARK PH II - APPLICATION PL-21-0036

City Council approved a request by Mr. James A. Brucci, Hunter Engineering, for approval of Application PL-21-0036 Avondale Commerce Park Phase II Final Plat on 40.03 gross acres of property located at the northwest corner of 101st Avenue and Van Buren Street. The proposed Final Plat will dedicate public utility easements, sidewalk easement, and right-of-way.

y. FINAL PLAT FOR MGN1, BEING A REPLAT OF AVONDALE CITY CENTER PHASE 2 LOT 8, FOR THE BLVD WATER FEATURE - APPLICATION PL-21-0091

City Council approved a Final Plat for MGN1 being a Replat of Avondale City Center Phase 2 Lot 8, approximately 4.099 acres of private property located at the southeast corner of Avondale Boulevard and The BLVD.

z. FINAL PLAT FOR RIVER RUN - APPLICATION PL-20-0134

City Council approved a request by Mr. Jeff Giles, Clouse Engineering, Inc., for approval of a Final Plat for River Run, approximately 14.52 gross acres located west of the southwest corner of Thomas Road and 119th Avenue. Consistent with the Preliminary Plat approved by City Council in November 2019, the proposed Final Plat will create 103 single-family residential lots.

5. ADJOURNMENT

There being no further business before the Council, Council Member Nielson moved to adjourn the Work Session meeting; Council Member Kilgore 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 6:05 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 7:00 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; Cherlene Penilla, Assistant City Manager; Tracy Stevens, Deputy City Manager; Lindsey Duncan, Deputy City Manager; Nicholle Harris, City Attorney; Marcella Carrillo, City Clerk; Kirk Beaty, Public Works Director; Ken Chapa, Economic Development Services Director; Fallstrom, Interim Finance and Budget Director; Bryan Hughes, Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Darcy Lowery, Interim Human Resource Director; Kevin Murphy, Development and Engineering Services Director; Dale Nannenga, Police Chief; Marshall Pimentel, Intergovernmental Affairs Administrator; Jeffrey Scheetz, Chief Information Officer; and Pier Simeri, Marketing and Public Relations Director.

Audience: Approximately fifteen members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. REGULAR AGENDA (PUBLIC HEARING ITEMS)

2a. PUBLIC HEARING - ORDINANCE 2039-0821 - ALP INDUSTRIAL PARK REZONING FROM COMMUNITY COMMERCIAL (C-2) TO GENERAL INDUSTRIAL (A-1) - APPLICATION PL-21-0050

City Council held a public hearing and considered a request to adopt Ordinance 2039-0821, approving a request by Jinia Sarker, Cawley Architects to rezone 2.67 gross acres of land located approximately 430 feet south of the southwest corner of Eliseo C. Felix Jr. Way and Van Buren Street from Community Commercial (C-2) to General Industrial (A-1). Light industrial, office, and indoor auto body repair uses are proposed.

Michelle Simerdla, Senior Planner for Development and Engineering Services, provided an overview of the property details and surrounding property uses for a proposal to construct the following two buildings:

- Building A: 17,580 square feet, including a mezzanine for each suite
- Building B: 14,690 square feet, with potential to expand to 18,350 square feet with a mezzanine for each suite

There will be a total of 11 suites with uses including light industrial, office, and indoor auto body repair. The site plan, architecture, and building elevations were reviewed. Staff is in support of the project as it conforms to the General Plan Land Use Map designation of Industrial. Industrial uses may be more viable on the site than commercial as the site has remained vacant since 1960. The proposed rezoning will result in development that is compatible with and complementary to existing uses in area. Adequate infrastructure does exist for the project. The development will conform to A-1 development standards as well as the requirements in the Commercial and Industrial Design Manual. All required notifications have been completed and the Planning Commission recommended unanimous approval on July 21, 2021.

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 Conde spoke positively on the contemporary design and spoke words of appreciation for residents submitting feedback on the project. Council Member Dennis asked whether the designated auto body location could be moved or expanded, if needed in the future. Ms. Simerdla confirmed that any uses allowed in the General Industrial District would be permitted. All repairs would continue to be done indoors. Council Member Nielson thanked staff for the project, noting the site remained vacant since the 1960s. Council Member Pineda stated the project is comparable to the area and was glad to see the area be filled in. Council Member Kilgore and Vice Mayor Malone did not have any questions or comments.

Mayor Weise stated there is currently a shortage in the City for these types of uses. The most significant issue for vehicle body and mechanical work is the noise level. Having enclosed locations is a great idea; however, going forward with developments such as these, the City should consider allowing the agents to lease out buildings to businesses they feel is the best fit and make the most sense.

Council Member Conde moved to adopt Ordinance 2038-0821, approving Application PL-21-0050, subject to two (2) recommended conditions of approval; 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

Note from the City Clerk: Items 2b and 2c were presented together and voted on individually.

2b. PUBLIC HEARING - ORDINANCE 2040-0821 – MAJOR AMENDMENT TO AVONDALE AUTOMALL PLANNED AREA DEVELOPMENT (PAD) – APPLICATION PL-21-0047

City Council held a public hearing and considered a request to adopt Ordinance 2040-0821, approving a request by Mr. Paul E. Gilbert, Beus Gilbert McGroder PLLC, for a Major Amendment to the Avondale Automall Planned Area Development (PAD) to revise the permitted uses to allow, subject to approval of a Conditional Use Permit, an automotive dealership selling used vehicles only on approximately 9.11 acres at the northeast corner of 107th Avenue and Roosevelt Street, provided that the used automotive dealership has a minimum consolidated annual revenue of \$500 million dollars and maintains a minimum of 140 vehicles on display at all times on the Avondale Automall property. The request will revise permitted uses within the PAD for only the 9.11-acre subject property, Assessor Parcels 102-54-045D and 102-54-101; used automotive dealerships will remain prohibited within the remainder of the Automall except where a 2020 PAD Amendment allowed for the use on an adjoining property. A request for approval of a Conditional Use Permit for a proposed AutoNation used automotive dealership on the subject property will be considered separately; approval of the PAD Amendment is required for the Commission to consider the requested Conditional Use Permit.

Ken Galica, Division Lead Planner for Development and Engineering Services, provided an overview of the site details, history, and surrounding uses. The General Plan designates the property as Business Park, which is the General Plan designation for corporate commerce type of uses. The proposed dealership is required to have a consolidated annual revenue of \$500 million and always maintain a minimum of 140 vehicles on display. The terms are identical to what the Council approved last year for Echo Park. Auto Nation specializes in the sales of nearly new or preowned, high quality vehicles. The intent is to utilize the existing dealership facility as well as develop additional vehicle inventory space on the undeveloped property. Hours of operation will be from 8:30 a.m. to 9:00 p.m., seven days per week. Access points and planned building refurbishments were reviewed. Staff believe the PAD amendment will result in compatible land use. The facility will be a revenue-generating use in a dealership that has been vacant since 2017. The conditional use permit and analysis is very similar with General Plan consistency and compatible with and comparable to those existing uses. The site plan meets all requirements for parking, setbacks, and landscaping. The site has adequate access. All required notifications were completed, and the Planning Commission recommended approval on June 16, 2021.

Mayor Weise opened the public hearing and received two Requests to Speak. Paul Gilbert with Beus Gilbert McGroder PLLC stated the presentation was complete and accurate and did not have anything additional to add.

Member of the public, Ken Martin asked whether the City is proactive in conducting studies in terms of infrastructure. Mayor Weise directed staff from the Planning Department to contact Mr. Martin and address his comment. Ms. Carrillo asked Mr. Martin to email PublicComment@AvondaleAZ.gov so a member of the team can discuss his inquiry.

Mayor Weise closed the public hearing and opened the floor for comments from Council. Mayor Weise commented on the importance of the City having a full auto-mall, which sends a strong message about Avondale's ability to attract businesses.

Council Member Conde concurred with the comments made by Mayor Weise. She noted the importance of having a used dealership that is of high quality.

Council Member Kilgore expressed his appreciation to the Planning Commission for their advice and hard work.

Council Member Dennis inquired about access to Roosevelt Street from the area designated in purple. Mr. Galica said there is no access to Roosevelt Street and a vehicle would come down from 105th Avenue and enter from Dealer Drive or use the entrance from 107th Avenue. Council Member Dennis expressed concern regarding traffic circulation, especially with the presence of large trailers hauling vehicles onto the site. Mr. Montoya stated that there is a planned traffic light at Roosevelt Street and 107th in the near future, which would be the opportune time to make additional connections. In response to a question from Council Member Dennis, Mr. Montoya stated he believed the traffic light at 107th Avenue and Roosevelt Street is in next year's CIP budget.

Mr. Montoya added that the Littleton School District is planning a school site on the west side of 107th Avenue and Roosevelt Street and a warehouse development is planned to the north; therefore, roadway improvements will be necessary.

Council Member Nielson concurred with Council Member Dennis regarding access concerns. Mr. Montoya added that the City is working with Department of Transportation (ADOT) and Maricopa Association of Governments (MAG) on expansion of the turn lanes for 107th Avenue.

Council Member Pineda stated he was pleased to see the vacant areas be filled with a quality dealership.

Vice Mayor Malone concurred with the comments and questions made by the other Council Members.

Council Member Dennis moved to adopt Ordinance 2040-0821, approving Application PL-21-0047 Avondale, a request for a Major Amendment to the Avondale Automall Planned Area Development, subject to 3 conditions of approval as listed in the staff report; Council Member Conde 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

2c. PUBLIC HEARING – CONDITIONAL USE PERMIT FOR AUTONATION USED AUTOMOTIVE DEALERSHIP – APPLICATION PL-21-0049

City Council held a public hearing and consider a request by Mr. Paul E. Gilbert, Beus Gilbert McGroder PLLC, for approval of a Conditional Use Permit (CUP) to allow an AutoNation used automotive dealership to operate on approximately 9.11 acres at the northeast corner of 107th Avenue and Roosevelt Street, Assessor Parcels 102-54-045D and 102-54-101. The proposed AutoNation would occupy a currently vacant dealership facility consisting of two (2) buildings totaling 10,895 square feet in area, surrounding paved area to be used for parking and display of the dealership's vehicle inventory, and a currently undeveloped portion of land abutting Roosevelt Street that would be improved to accommodate additional inventory parking and display. A request for approval of a Major Planned Area Development (PAD) Amendment revising the Avondale Automall PAD's permitted uses to allow a used automotive dealership on the property subject to Conditional Use Permit approval was considered separately.

Mayor Weise opened the public hearing and did not receive any requests to speak. Mayor Weise closed the public hearing.

Council Member Nielson moved to approve Application PL-21-0049 AutoNation, a request for a Conditional Use Permit to allow a used automotive dealership in the Avondale Automall Planned Area Development, subject to 3 conditions of approval as listed in the staff report; 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

Note from the City Clerk: Items 2d and 2e were presented together and voted on individually.

2d. PUBLIC HEARING - RESOLUTION 1069-0821 - CERRO VISTA - MINOR GENERAL PLAN AMENDMENT - APPLICATION PL-18-0079

City Council held a public hearing and considered a request to adopt Resolution 1069-0821, approving a request by Virtua Avondale Eleven Owner, LLC, for a Minor Amendment to the Avondale General Plan 2030 Land Use Map for Cerro Vista, a proposed high-density multi-family residential development with 249 units on 11.51 gross acres located approximately 500 feet east of the northeast corner of Fairway Drive and Van Buren Street. The request is to amend the General Plan Land Use Map from Urban Residential (30+ dwelling units per acre) to High Density Residential (12 to 30 dwelling units per acre). City Council will consider a concurrent request to rezone the property from Agricultural (AG) and Community Commercial (C-2) to Multi-Family Residential (R-4).

Jodie Novak, Assistant Director of Development and Engineering Services, provided an overview of the site location details, surrounding uses, access points, offsite improvements, unit details, amenities, architecture, and elevations. The proposed development is compatible with the area with available water and sewer. Offsite improvements will be necessary for project completion, which will eventually follow street connectivity in the area. The rezoning is in conformance with the General Plan, Freeway Corridor Specific Area plan, including height requirements. All required notifications have been completed. Littleton Elementary school District does not currently have adequate school facilities but is working with the developer for an impact agreement. Tolleson Unified High School does have adequate facilities. The Planning Commission recommended approval on May 19, 2021.

At the request of Mayor Weise, Ms. Novak presented the ingress and egress map.

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 Conde inquired as to effects on the new trail system on Van Buren. Ms. Novak reviewed the aerial photograph, noting a trail along Van Buren will be designed similar to what is located on the east side of Avondale Boulevard. Council Member Conde noted the project will blend well with the surrounding area and she spoke positively on the project design and the materials.

Council Member Kilgore thanked staff for helping bring the quality project to fruition.

Council Member Dennis addressed the multiuse path, noting that the ingress and egress will cross over the path. She asked about plans for signage. Ms. Novak said staff will work with the developer as part of the site plan design review component regarding design of signage. Council Member Dennis stressed the need for consistency, so that there are not

different signs and designs in various locations. She asked whether Littleton Elementary School District has completed its agreement with the developer. Ms. Novak clarified that the agreement is currently in place.

Mayor Weise asked about the possibility of utilization of lighting to distinguish paths. Mr. Montoya said staff will work with the applicant in terms of consistent blending.

Council Member Nielson inquired about funding for completion of the path. Mr. Montoya said the multi-use trail goes to the bridge, in front of the charter school. The funding came from MAG resources, but he will double-check to see how far it goes.

Council Member Pineda stated he is looking forward to this project and having appropriate residence opportunities for those living, working, and playing in the city.

Council Member Malone concurred with the questions asked regarding the trail amenities and setbacks. She stated the project is a great addition to the city.

Mayor Weise noted there is a lot of development happening in the areas surrounding this project; people who work in the area will want to live close to where they are working. He spoke positively on the project concept and design.

Council Member Pineda moved to adopt Resolution 1069-0821, approving Application PL-18-0079 Cerro Vista, a request for a Minor Amendment to the General Plan 2030 Land Use Map Designation from Urban Residential to High Density Residential; 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

2e. PUBLIC HEARING - ORDINANCE 2041-0821 - CERRO VISTA REZONING FROM AGRICULTURAL (AG) & COMMUNITY COMMERCIAL (C-2) TO MULTI-FAMILY (R-4) - APPLICATION PL-18-0080

City Council held a public hearing and considered a request to adopt Ordinance 2041-0821 approving a request by Virtua Avondale Eleven Owner, LLC, to rezone 11.51 acres of land located approximately 500 feet east of the northeast corner of Fairway Drive and Van Buren Street from Agricultural (AG) and Community Commercial (C-2) to Multi-Family Residential (R-4). City Council will consider a concurrent request to amend the

General Plan Land Use Map from Urban Residential (30+ dwelling units per acre) to High Density Residential (12 to 30 dwelling units per acre). The requests will allow for the development of a 249-unit multi-family residential development at a density of approximately 23.94 dwelling units per acre.

Mayor Weise opened the public hearing and did not receive any requests to speak. Mayor Weise closed the public hearing.

Council Member Conde moved to adopt Ordinance 2041-0821, approving Application PL-18-0080 Cerro Vista, a request to rezone approximately 11.51 acres from Agricultural (AG) and Community Commercial (C-2) to Multi-Family Residential (R-4), subject to six (6) recommended conditions of approval; Council Member Nielson 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

2f. PUBLIC HEARING - RESOLUTION 1070-0821- UPDATING CITY OF AVONDALE WATER AND SEWER RATES

City Council held a public hearing and considered a request to adopt Resolution 1070-0821, modifying water and sewer rates to become effective October 1, 2021 and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Keith Fallstrom, Interim Finance and Budget Director, stated that since June, 2021, a report has been filed with the City Clerk and posted to the City website 30 days prior to the public hearing. A public notice was published in the newspaper and posted to the City website for more than 20 days prior to public hearing. The following public outreach efforts were conducted:

- Held three public meetings.
- Posted notices through the city social media account and website.
- Published an article on the front page of the West Valley View newspaper.
- Posted a bill comparison tool on the city website.
- Sent email notifications to the HOAs, Board and Commission members, and members of the Avondale Citizens Water Alliance.
- Published notices on the online payment system.
- Published notices on the paper bills.
- Published notices at the front counter where customers pay their utility bills.

Based on the rate increases, residential customers will see an approximate \$4.50 increase in October of 2021 and an additional \$4.50 increase in January of 2023. A utility bill comparison to other cities was reviewed. On October 1, 2021, the “year 1” water, wastewater, and solid waste rates would be effective. On July 1, 2022, the “year 2” solid waste rates would be effective. On January 1, 2022, the “year 2” water and wastewater rates would be effective.

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 Conde thanked staff for their public outreach efforts, noting the tools provided constituents with a better understanding of why the increases are being implemented. She noted the importance of being mindful of small increases in the future.

Council Member Kilgore did not have any questions or comments.

Council Member Dennis thanked staff for their public outreach efforts and appreciates the yearly assessment of the rates to make future rate increases more minimal.

Council Member Nielson expressed his appreciation to staff for the work that was done. He noted to assess the rates more frequently to produce the smaller increase amount.

Council Member Pineda thanked staff for the presentation and for the proactive approach to give residents the opportunity to hear the information. He concurred with Council Member Dennis’ suggestion for a yearly assessment for minimal rate increases in the future.

Vice Mayor Malone thanked staff for the presentation and consistent outreach in various methods.

Mayor Weise noted the comments by Council Member Dennis, stating a yearly assessment is needed.

Council Member Nielson moved to adopt Resolution 1070-0821, approving a rate schedule for water and wastewater user charges and setting an effective date of October 1, 2021 for the year one rates and January 1, 2023 for the year two rates; 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

3. ADJOURNMENT INTO EXECUTIVE SESSION

There being no further business before the Council, Council Member Dennis moved to adjourn the adjourn the Regular Meeting and hold an executive session pursuant to Ariz. Rev. Stat. § 38--431.03(A)(1) for discussion or consideration of the employment evaluation of the City Manager.; Council Member Conde 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 8:12 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 Special Meeting and Regular Meeting of the Council of the City of Avondale held on the 23rd day of August 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