



City of Avondale

City Council Online Meeting

Monday, December 13, 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, December 13, 2021

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SPECIAL MEETING 6:00 PM

CALL TO ORDER BY MAYOR

1. ROLL CALL BY THE CITY CLERK

2. PRESENTATION ITEMS

a. PROCLAMATION - HONORING OUTGOING COUNCIL MEMBER

City Council will present a Proclamation honoring Pat Dennis for her service to the community as an elected Council Member. This item is for discussion only.

b. PROCLAMATION - HONORING OUTGOING PARKS AND RECREATION ADVISORY BOARD MEMBERS

City Council will present a Proclamation honoring Katherine Hall and Glen Hein for their service to the community on the Parks and Recreation Advisory Board. This item is for discussion only.

c. AVONDALE EDGE - GOLDEN PROSPECTOR AWARD

City Council will recognize the Avondale EDGE team for being presented with a Golden Prospector Award by the Arizona Association for Economic Development. This item is for discussion only.

3. MINUTES

City Council will consider a request to approve the October 25, 2021 City Council meeting minutes. The Council will take appropriate action.

4. ADJOURNMENT

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. 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. BUDGET ADJUSTMENT FOR FLEET SERVICE LIFT PURCHASE

City Council will consider a request to approve a \$24,000 increase to the administrative award authority for the Fleet Mobile Vehicle Lift Project (22155), a budget transfer in the amount of \$24,000 from the Fleet Operating Budget to the Fleet Capital Budget to fully fund the project (M0166), and authorize the Mayor, or City Manager and City Clerk, to execute the necessary documents. The Council will take appropriate action.

b. MID-YEAR POSITION ADDITIONS AND BUDGET ADJUSTMENTS

City Council will consider a request to: (a) authorize ten new, full-time equivalent (FTE) positions: two Municipal Security Officers; one Public Safety Lieutenant; one Associate Engineer; one Senior Permit Technician; one Engineering Inspector; one Fire Inspector; and one Interdepartmental Homeless Operations Team (IHOT) consisting of one Operations Coordinator; one Outreach Specialist; and one Mental Health Technician; (b) authorize the budget adjustments necessary to fund the positions; and (c) authorize an adjustment the capital improvement carryover. The Council will take appropriate action.

c. SERIES 12 RESTAURANT LIQUOR LICENSE - PANADERIA LA CENTRAL LLC

City Council will consider a request to recommend approval to the Arizona Department of Liquor License and Control of an application for a Series 12 Restaurant Liquor License submitted by Theresa June Morse for the sale of alcohol at Panaderia La Central LLC, located at 725 North Central Avenue in Avondale and authorize the Mayor and City Clerk to execute the necessary documents. The Council will take appropriate action.

d. 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.

e. APPOINTMENT OF CHAIR AND VICE CHAIR TO THE PLANNING COMMISSION AND BOARD OF ADJUSTMENT

City Council will consider a request to: (a) appoint Christopher Thompson as the Chair of the Planning Commission and Lisa Osborne as the Vice Chair of the Planning Commission for the remainder of the 2022 calendar year; and (b) appoint Carolyn Jones as the Chair of the Board of Adjustment and Maxine White as the Vice Chair of the Board of Adjustment for the 2022 calendar year . The Council will take appropriate action.

f. ORDINANCE 2063-1221 - FIRST AMENDMENT TO LEASE AGREEMENT - PHOENIX CHILDREN'S HOSPITAL, INC.

City Council will consider a request to adopt Ordinance 2063-1221, approving the First Amendment to the Lease Agreement between the City of Avondale and Phoenix Children's Hospital, Inc. and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

g. COST SHARE AGREEMENT WITH THE SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT (SRP) TO COMPLETE A FEASIBILITY STUDY OF BARTLETT DAM MODIFICATION ALTERNATIVES.

City Council will consider a request to approve a Cost Sharing Agreement with the Salt River Project (SRP) to share in the total cost of performing a feasibility study to evaluate options that will replace lost volume due to sedimentation in the Horseshoe and Bartlett Reservoirs on the Verde River and increase new average annual yield space which could result in potential water deliveries, to be used for Long Term Storage Credits or Off-Project use within Avondale, and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

h. RESOLUTION 1097-1221 - AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT FOR WASTE COLLECTION AND TRANSPORTATION MUTUAL AID WITH PARTICIPATING ARIZONA CITIES AND TOWNS TO INCLUDE THE SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY

City Council will consider a request to adopt Resolution 1097-1221, approving the Amendment to the Intergovernmental Agreement (IGA) for Waste Collection and Transportation Mutual Aid with participating Arizona cities and towns to include the Salt River Pima-Maricopa Indian Community (SRPMC or Community) and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

i. RESOLUTION 1098-1221 - SECOND AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA GAME AND FISH COMMISSION TO EXPAND THE COMMUNITY FISHING PROGRAM

City Council will consider a request to adopt Resolution 1098-1221, authorizing a Second Amendment to the Intergovernmental Agreement with the Arizona Game and Fish Commission to expand the Community Fishing Program, and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

j. RESOLUTION 1099-1221 - INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY FOR THE INSTALLATION OF STREETLIGHTS ON INDIAN SPRINGS ROAD FROM 143RD AVE TO THE GILA RIVER BRIDGE

City Council will consider a request to: (a) adopt Resolution 1099-1221 authorizing an Intergovernmental Agreement (IGA) with Maricopa County for the installation of streetlighting on Indian Springs Road from 143rd Avenue to the Gila River Bridge; (b) create a new CIP project for streetlighting on Indian Springs Road from 143rd Avenue to the Gila River Bridge and; (c) authorize the Mayor, the City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

k. RESOLUTION 1100-1221 - GRANT-IN-AID AGREEMENT WITH TOHONO O'ODHAM NATION

City Council will consider a request to adopt Resolution 1100-1221, accepting a Grant-In-Aid Agreement with the Tohono O'odham Nation in the amount of \$51,322 and authorize and direct 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. The Council will take appropriate action.

l. RESOLUTION 1101-1221 - BIENNIAL GRANT FUNDING AGREEMENT WITH THE ARIZONA SPORTS AND TOURISM AUTHORITY

City Council will consider a request to adopt Resolution 1101-1221, accepting a Biennial Grant with the Arizona Sports and Tourism Authority in the amount of \$162,500 and authorize and direct 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. The Council will take appropriate action.

m. RESOLUTION 1102-1221 - AUTHORIZING GRANT ACCEPTANCE FROM GOVERNOR'S OFFICE OF HIGHWAY SAFETY FOR DUI/IMPAIRED DRIVING ENFORCEMENT OVERTIME

City Council will consider a request to adopt Resolution 1102-1221, authorizing a grant provided by the Governor's Office of Highway Safety (GOHS) in the amount of \$20,000, which will support the Police Department's funding of Personnel Services (Overtime), and Employee Related Expenses to enhance DUI/Impaired Driving Enforcement Overtime throughout the City of Avondale and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

n. RESOLUTION 1103-1221 AND 1104-1221 - CANVASS OF ELECTION, PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM LOCAL BOARD ELECTIONS

City Council will consider a request to adopt Resolution 1103-1221, declaring and adopting the results of the Local Board Election held on November 18, 2021, electing Evan Titterington as a Board Member to the Public Safety Personnel Retirement System Local Fire Board; and adopt Resolution 1104-1221, declaring and adopting the results of the Local Board Election held on November 18, 2021, electing Ryan Myers as a Board Member to the Public Safety Personnel Retirement System Local Police Board and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

o. RESOLUTION 1105-1221 - RESOLUTION 1106-1221 - RESOLUTION 1107-1221 - BOARD & COMMISSION BYLAW CHANGES

City Council will consider a request to adopt: (a) Resolution 1105-1221, amending the bylaws of the Municipal Arts Commission; (b) Resolution 1106-1221, amending the bylaws of the Neighborhood and Family Services Commission; and (c) Resolution 1107-1221, amending the bylaws of the Sustainability Commission (Energy, Environment, and Natural Resources Commission) and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

p. ORDINANCE 2064-1221 - AVONDALE CITY CODE AMENDMENT - CHAPTER 24 – WATER, SEWERS AND SEWAGE DISPOSAL - RELATING TO MUNICIPAL WATER SYSTEM

City Council will consider a request to adopt Ordinance 2064-1221, amending City Code Chapter 24 – Water, Sewers and Sewage Disposal, Article II – Municipal Water System and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

q. ORDINANCE 2069-1221 – ABANDONMENT OF A PORTION OF ROOSEVELT STREET RIGHT-OF-WAY

City Council will consider a request to adopt Ordinance 2069-1221, authorizing the abandonment of a portion of Roosevelt Street right-of-way located between Park Avenue and 112th Drive and authorize the Mayor or City Manager, City Clerk and City Attorney to execute the necessary documents. Council will take appropriate action.

r. ORDINANCE 2070-1221 – SALE OF REAL PROPERTY LOCATED AT THE SOUTHEAST CORNER OF PARK AVENUE AND ROOSEVELT STREET

City Council will consider a request to adopt Ordinance 2070-1221 authorizing the sale of approximately 16,486 square feet of real property located at the southeast corner of Park Avenue and Roosevelt Street, Avondale, AZ Assessor Parcel Number 102-57-258 and a portion of right-of-way (ROW) of Roosevelt Street (4,285 square feet) abandoned per Ordinance 2069-1221, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

s. AUTHORIZATION TO PROCEED WITH ANNEXATION – THE RESIDENCES AT THE AGUA FRIA - APPLICATION PL-21-0191

City Council will consider a request by Adam Baugh, Withey Morris PLC, on behalf of property owner Mattfeld Holdings LLC to begin the annexation process of approximately 4.11 acres located approximately 1203 feet southwest of the southwest corner of Buckeye Road and El Mirage Road. The Council will take appropriate action.

t. LIV AVONDALE - MINOR LAND DIVISION - APPLICATION PL-21-0261

City Council will consider a request by Mr. Dan Mann of 3 Engineering, on behalf of property owner Mark Hamilton, for approval of Application PL-21-0261 LIV Avondale Minor Land Division (MLD), on 15.58 gross acres of property located at the southwest corner of Roosevelt Street and Avondale Boulevard, subject to one (1) condition of approval as listed in the staff report. The proposed MLD will dedicate public right-of-way along Avondale Boulevard, Roosevelt Street and 117th Avenue, associated public utility easements along both and abandonment of a drainage easement along Avondale Boulevard. This MLD will facilitate the development of the site with a multi-family residential development and coffee shop, which is in Site Plan and Design Review. The Council will take appropriate action.

4. REGULAR AGENDA

a. PUBLIC HEARING AND ORDINANCE 2065-1221 – CLEARSKY REHABILITATION HOSPITAL OF AVONDALE ANNEXATION – APPLICATION PL-21-0124

City Council will hold a public hearing and consider a request to adopt Ordinance 2065-1221, approving a request by Mr. Danny Banks, ClearSky Health, to annex approximately 7.11 acres located at the southwest corner of McDowell Road and 109th Avenue, PL-21-0124 Project ClearSky Annexation and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

b. PUBLIC HEARING AND ORDINANCE 2066-1221 - CLEARSKY REZONING FROM COMMUNITY COMMERCIAL (C-2) TO FREEWAY COMMERCIAL (C-3) – APPLICATION PL-21-0149

City Council will hold a public hearing and consider a request by Robert George, DPS Design, on behalf of property owner ClearSky Health of West Valley Property Company LLC, to adopt Ordinance 2066-1221, rezoning approximately 6.6 gross acres of land located at the southwest corner of McDowell Road and 109th Avenue from Community Commercial (C-2) to Freeway Commercial (C-3) to allow for the development of a rehabilitation hospital. The rezoning request applies to 6.6 gross acres inclusive of the 6.12-acre subject property and the half width of the adjacent McDowell Road right-of-way. There is a concurrent request to annex the property into Avondale's city limits. The Council will take appropriate action.

c. PUBLIC HEARING AND ORDINANCE 2067-1221 - SHADOW RIDGE ANNEXATION – APPLICATION PL-21-0100

City Council will hold a public hearing and consider a request by Ms. Cindy Paddock of HILGARTWILSON, on behalf of property owner EIEIO LLC, to adopt Ordinance 2067-1221, annexing approximately 115.71 acres generally located at the southeast corner of Avondale Boulevard and Miami Avenue, which is south of Lower Buckeye Road, into the jurisdiction of the City of Avondale. The Council will take appropriate action.

d. PUBLIC HEARING AND RESOLUTION 1108-1221 - SHADOW RIDGE – MAJOR GENERAL PLAN AMENDMENT – APPLICATION PL-21-0021

City Council will hold a public hearing and consider a request to adopt Resolution 1108-1221, approving a request by Cindy Paddock of HILGARTWILSON for a Major Amendment to the Avondale General Plan 2030 Land Use Map for Shadow Ridge, a proposed 118.4 gross acre planned development at the southeast corner of Miami Avenue and Avondale Boulevard. If approved, the General Plan 2030 Land Use Map designations for the property will be amended from Estate Low Density Residential to Medium Density Residential. The Council will take appropriate action.

e. PUBLIC HEARING - ORDINANCE 2068-1221 - SHADOW RIDGE REZONING FROM R1-6 TO PLANNED AREA DEVELOPMENT (PAD) – APPLICATION PL-21-0087

City Council will hold a public hearing and consider a request to adopt Ordinance 2068-1221, approving a request by Cindy Paddock of HILGARTWILSON for a Rezone for Shadow Ridge, a proposed 118.4 gross acre planned development at the southeast corner of Miami Avenue and Avondale Boulevard. The proposed Rezone, if approved, will change the zoning from Urban Residential (R1-6) to Planned Area Development (PAD). The Council will take appropriate action.

f. PUBLIC HEARING - RESOLUTION 1109-1221 - HERMOSA RANCH - MAJOR GENERAL PLAN AMENDMENT - APPLICATION PL-21-0001

City Council will hold a public hearing and consider a request to adopt Resolution 1109-1221, approving the Hermosa Ranch Major General Plan Amendment, a Major Amendment to the Avondale General Plan Land Use Map 2030 submitted by Carolyn Oberholtzer with Bergin, Frakes, Smalley & Oberholtzer PLLC on behalf of TGV Investments Voting Trust and Rexco DC, LLC concerning approximately 318 gross acres of land at the southwest corner of Avondale Boulevard & Lower Buckeye Road. The proposal would amend the land use designations of the area from Estate Low Density Residential, Medium Density Residential and Local Commercial to Business Park.

g. PUBLIC HEARING – RESOLUTION 1110-1221 - SOUTH AVONDALE - MAJOR GENERAL PLAN AMENDMENT - APPLICATION PL-21-0014

City Council will hold a public hearing and consider a request to adopt Resolution 1110-1221, approving a City-initiated Major General Plan Amendment to the Avondale General Plan 2030 Land Use Map for South Avondale concerning approximately 38,820 gross acres of land located south of the Sierra Estrella Mountains at the southern end of the City of Avondale's Municipal Planning Area. The proposal would amend the land use designations of the area from a Estate Low Density Residential; Open Space and Parks and; Local Commercial to Open Space and Parks; Floodway and Washes; Rural Low Density Residential; Estate Low Density Residential; Medium Low Density Residential; Medium Density Residential; Medium High Density Residential; High Density Residential; Local Commercial and Resort uses. The subject area is bounded generally by Dobbins Road on the north, Litchfield Road on the west, Patterson Road on the south, and Avondale Boulevard on the east, until the boundary widens eastward to the 67th Avenue alignment at the Ocotillo Road alignment. The Council will take appropriate action.

5. ADJOURNMENT

Council Members of the City of Avondale will attend either in person or by telephone or video 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 o por video. 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.