



City of Avondale
City Council Meeting
Monday, January 24, 2022

Mayor and Council

Kenneth Weise, Mayor

Veronica Malone, Vice Mayor

Tina Conde, Council Member | Bryan Kilgore, Council Member
Curtis Nielson, Council Member | Mike Pineda, Council Member
Vacant, Council Member

Administration

Cherlene Penilla, Acting City Manager

Tracy Stevens, Deputy City Manager | Lindsey Duncan, Deputy City Manager
Nicholle Harris, City Attorney | Marcella Carrillo, City Clerk

City Council Chambers

11465 West Civic Center Drive
Avondale, AZ 85323



City Council Meeting
Notice & Agenda
Monday, January 24, 2022

CITY COUNCIL CHAMBERS | 11465 WEST CIVIC CENTER DRIVE | AVONDALE, AZ 85323

Request to Speak: Anyone wishing to address the Council regarding items listed on the agenda or under unscheduled public appearance should complete Request to Speak online at www.avondaleaz.gov/RequestToSpeak prior to consideration of that agenda item.

**REGULAR MEETING
6:00 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. EXCEPTIONAL STUDENT OF AVONDALE RECOGNITION (AVI STAR STUDENT)

City Council will recognize Avondale students from schools located in Avondale for their character and achievement. This item is for discussion only.

b. PROCLAMATION HONORING THE LIFE OF MAYOR GEORGIA LORD

City Council to issue a proclamation to honor the life of Mayor Georgia Lord. 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 following City Council meeting minutes: (a) November 1, 2021, (b) November 15, 2021, and (c) December 13, 2021. The Council will take appropriate action.

b. SERIES 6 (BAR) LIQUOR LICENSE - CLUB SANTA FE (OWNER TRANSFER)

City Council will consider a request to recommend approval to the Arizona Department of Liquor License and Control of an application for a Series 6 Bar Liquor License submitted by Jeffrey Miller for the sale of alcohol at Club Santa Fe, located at 10907 West Buckeye Road in Avondale and authorize the City Clerk to execute the necessary documents. The Council will take appropriate action.

c. SERIES 9 (LIQUOR STORE) LIQUOR LICENSE - FOOD CITY #83 (OWNER TRANSFER)

City Council will consider a request to recommend approval to the Arizona Department of Liquor License and Control of an application for a Series 9 (Liquor Store) Liquor License submitted by Michael Basha for the sale of alcohol at Food City #83, located at 323 East Main Street in Avondale and authorize the City Clerk to execute the necessary documents. The Council will take appropriate action.

d. SERIES 9 (LIQUOR STORE) LIQUOR LICENSE - FOOD CITY #93 (OWNER TRANSFER)

City Council will consider a request to recommend approval to the Arizona Department of Liquor License and Control of an application for a Series 9 (Liquor Store) Liquor License submitted by Michael Basha for the sale of alcohol at Food City #93, located at 1450 North Dysart in Avondale and authorize the City Clerk to execute the necessary documents. The Council will take appropriate action.

e. SERIES 10 (BEER AND WINE STORE) LIQUOR LICENSE - FAMILY DOLLAR #31787

City Council will consider a request to recommend approval to the Arizona Department of Liquor License and Control of an application for a Series 10 (Beer and Wine Store) Liquor License submitted by Carlos Favela for the sale of alcohol at Family Dollar #31787, located at 12214 West Lower Buckeye Road in Avondale and authorize the City Clerk to execute the necessary documents. The Council will take appropriate action.

f. SERIES 12 (RESTAURANT) LIQUOR LICENSE - TACOS CHILANGO

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 Anthony Ortiz for the sale of alcohol at Tacos Chilango, located at 1573 North Dysart Road, B2 in Avondale and authorize the City Clerk to execute the necessary documents. The Council will take appropriate action.

g. FUNDING REQUEST FOR THE BLVD PARKING GARAGE

City Council will consider a request to provide funding in the amount of \$1,000,000 from General Fund Contingency to pay for escalation in material and labor costs, to fund construction, and to authorize staff to take the necessary action to complete the budget amendment. The Council will take appropriate action.

h. FUNDING REQUEST AND BUDGET ADJUSTMENT FOR A LOW ACUITY UNIT VEHICLE PURCHASE

City Council will consider a request to (a) fund the purchase of a vehicle for the recently created Low Acuity Unit in the Fire and Medical Department, and (b) authorize a budget adjustment from General Fund contingency. The Council will take appropriate action.

i. RESOLUTION 1001-0122 - ORGANIZATION CHART FOR THE CITY OF AVONDALE

City Council will consider a request to adopt Resolution 1001-0122, approving the organization chart for the City 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 1002-0122 - SIGNATURE AUTHORITY FOR RISK MANAGER TO SIGN THE INDUSTRIAL COMMISSION OF ARIZONA (ICA) EXEMPTION FORM

City Council will consider a request to adopt Resolution 1002-0122, authorizing the Risk Manager to sign the Industrial Commission's Request for Exemption Form on behalf of the City for the annual self-insured Workers' Compensation program renewal. The Council will take appropriate action.

k. RESOLUTION 1003-0122 ADOPTION OF THE MARICOPA COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

City Council will consider a request to adopt Resolution 1003-0122, approving the Maricopa County Multi-Jurisdictional Hazard Mitigation 2021 Plan and authorize the Mayor or City Manager, and City Clerk to execute the necessary documents. The Council will take appropriate action.

l. RESOLUTION 1004-0122- APPROVAL OF 2021-2022 HOME CONSORTIUM INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY

City Council will consider a request to adopt Resolution 1004-0122, authorizing an amendment to the Intergovernmental Agreement with Maricopa County to allow the City to receive an allocation of Federal funding under the HOME Investment Partnership Program in the amount of \$211,296 for the 2021-2022 fiscal year and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

m. ORDINANCE 2001-0122 - GRANTING AN EASEMENT TO ARIZONA PUBLIC SERVICE FOR ELECTRIC VEHICLE CHARGING STATIONS

City Council will consider a request to adopt Ordinance 2001-0122, authorizing the dedication of a utility easement to Arizona Public Service for the purpose of installing electrical lines and other related appurtenances for electric vehicle charging stations at the AZ Complete Health Avondale Resource Center, and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

n. ORDINANCE 2002-0122 - FIRST AMENDMENT TO LEASE AGREEMENT - NEW PENNY CAFE

City Council will consider a request to adopt Ordinance 2002-0122, approving the First Amendment to the Lease Agreement between the City of Avondale and Queendom Concepts, LLC, dba New Penny Cafe, and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

o. ELISEO BRINKER WAREHOUSE – MINOR LAND DIVISION – APPLICATION PL-21-0275

City Council will consider a request by Michael Mosharrafa, Mutual Development Partners, LLC, on behalf of the property owner SCD Avondale LLC, for approval of a Minor Land Division (MLD) which dedicates an eight (8) foot Public Utility Easement (PUE). The approximately 5.17 acre site is located approximately 70 feet north of the northeast corner of Eliseo C. Felix Jr. Way and Brinker Drive. The Council will take appropriate action.

p. GUARDIAN STORAGE – RE-PLAT – APPLICATION PL-21-0284

City Council will consider a request by Guardian Storage III, on behalf of the property owner Little Guy Investments, for approval of a Re-Plat which shifts the property lines of two (2) parcels and dedicates an eight (8) foot Public Utility Easement along both Indian School Road and Osborn Road. The approximately 3.12 acre site, which consists of two (2) parcels, is located at the southwest corner of Indian School Road and Osborn Road. The Council will take appropriate action.

5. REGULAR AGENDA

a. ANNUAL COMPREHENSIVE FINANCIAL REPORT - FISCAL YEAR 2021

City staff will present the City's Annual Comprehensive Financial Report and the results of the annual audit for the fiscal year ended June 30, 2021. This item is for information and discussion only.

b. PUBLIC HEARING AND RESOLUTION 1005-0122– FAIRWAY COMMERCE CENTER – MINOR GENERAL PLAN AMENDMENT – APPLICATION PL-21-0113

City Council will hold a public hearing and consider a request by Carolyn Oberholtzer, of Bergin, Frakes, Smalley & Oberholtzer, PLLC, on behalf of property owner LaPour, and adopt Resolution 1005-0122, approving a Minor Amendment to the Avondale General Plan 2030 Land Use Map for Fairway Commerce Center, a proposed 28.53 gross acre commerce park development located approximately 1,026 feet north of the northeast corner of Van Buren Street and Fairway Drive. The proposed Minor General Plan Amendment, if approved, will amend the General Plan 2030 Land Use Map designation from Urban Residential to Business Park. The requested Business Park category accommodates development of campuses for light manufacturing, corporate commerce, office, research and development, limited warehouse and distribution uses, and other similar light industrial uses. The Council will take appropriate action.

c. PUBLIC HEARING AND ORDINANCE 2003-0122 – FAIRWAY COMMERCE CENTER – REZONE – APPLICATION PL-21-0112

City Council will hold a public hearing and consider a request to adopt Ordinance 2003-0122 by Carolyn Oberholtzer, of Bergin, Frakes, Smalley & Oberholtzer, PLLC, on behalf of property owner LaPour, to rezone approximately 28.53 gross acres located approximately 1,026 feet north of the northeast corner of Van Buren Street and Fairway Drive from Agricultural (AG) to Planned Area Development (PAD). The proposed Fairway Commerce Center PAD will allow a mix of light industrial, flex industrial, and commercial uses based on a mix of the City's Commerce Park (CP) and General Industrial (A-1) zoning districts. A request to change the General Plan 2030 Land Use Map designation from Urban Residential to Business Park will be considered separately. The Council will take appropriate action.

d. PUBLIC HEARING-THE RESIDENCES AT AGUA FRIA ANNEXATION - APPLICATION PL-21-0191

City Council will hold a public hearing regarding a request by Adam Baugh, Withey Morris PLC, on behalf of property owner Mattfeld Holdings LLC to annex approximately 4.11 acres located approximately 1,203 feet southwest of the southwest corner of Buckeye Road and El Mirage Road. This item is for discussion and public hearing only.

e. PUBLIC HEARING AND RESOLUTION 1006-0122 - SHADOW RIDGE – MAJOR GENERAL PLAN AMENDMENT – APPLICATION PL-21-0021

City Council will hold a public hearing and consider a request to adopt Resolution 1006-0122, 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.

f. PUBLIC HEARING AND ORDINANCE 2004-0122 - 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 2004-0122, 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.

g. PUBLIC HEARING - ORDINANCE 2005-0122 - 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 2005-0122, 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.

h. INTERVIEW OF APPLICANTS TO FILL A VACANCY IN THE CITY COUNCIL

City Council will interview individuals interested in being appointed to fill the vacancy in the City Council due to the resignation of Council Member Pat Dennis.

i. ADJOURNMENT INTO EXECUTIVE SESSION

The Council will consider a request to adjourn the Regular Meeting and hold an executive session pursuant to Ariz. Rev. Stat. § 38-431.03 (A)(1) for the purpose of discussion or consideration of appointment for the position of Council Member.

CONVENE IMMEDIATELY FOLLOWING EXECUTIVE SESSION

j. APPOINTMENT OF CANDIDATE TO FILL VACANCY IN THE CITY COUNCIL

City Council will consider a request to appoint a candidate as Council Member to fill the unexpired vacancy in the City Council. The Council will take appropriate action.

6. 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 vídeo. Personas con necesidades especiales de accesibilidad, incluyendo personas con impedimentos de vista u oído, o con necesidad de impresión grande o intérprete, deben comunicarse con la Secretaría de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos días hábiles antes de la junta del Concejo.