

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
January 24, 2022

A **Regular Meeting** of the City Council of the City of Avondale, Arizona was convened at 11465 Civic Center Drive in open and public session at 6:01 p.m.

Mayor Kenn Weise led the Pledge of Allegiance, followed by a moment of silent reflection in remembrance of the police officers who have lost their lives over the past week.

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

Note: Council Member Conde attended the meeting through an online meeting platform.

Members Absent: None.

Other Municipal Officials Present: Cherlene Penilla, Acting 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; Tony Corsi, Fire & Medical Director; Memo Espinoza, Police Chief; Joel Evans, Facilities Director; Keith Fallstrom, Interim Finance and Budget Director; Bryan Hughes, Parks and Recreation Director; Craig Jennings, Judge; Chris Lopez, Neighborhood and Family Services Director; Kevin Murphy, Development and Engineering Services Director; Dale Nannenga, Public Safety Chief; Marshall Pimentel, Intergovernmental Affairs Administrator; Jeffrey Scheetz, Chief Information Officer; and Pier Simeri, Marketing and Public Relations Director.

Audience: Approximately 30 members of the public were present.

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

2. UNSCHEDULED PUBLIC APPEARANCES

None.

3. PRESENTATION ITEMS

a. EXCEPTIONAL STUDENT OF AVONDALE RECOGNITION (AVI STAR STUDENT)

City Council recognized the following Avondale students from schools located in Avondale for their character and achievement. This item was for discussion only.

- Elle Ewell, Arizona Agribusiness and Equine Center (AAEC)- Estrella Mountain
- Lavinia Chavez, Avondale Elementary School District
- Brinley Raser, Litchfield Elementary School District
- Josiah Sumare, Littleton Elementary School District
- Oscar Urquijo Guerrero, Pendergast Elementary School District
- Laura Sanchez Cardenas, Tolleson Union High School District

b. PROCLAMATION HONORING THE LIFE OF MAYOR GEORGIA LORD

City Council issued a proclamation to honor the life of Mayor Georgia Lord. 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. Vice Mayor Malone requested agenda item 5g and 5h be pulled for separate consideration.

Having no additional requests from Council, motion was made by Vice Mayor Malone, seconded by Council Member Pineda, to approve the Consent Agenda with the exception of agenda items 5g and 5h.

Upon vote, the motion carried unanimously 6 to 0.

Council Member Conde	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) November 1, 2021, (b) November 15, 2021, and (c) December 13, 2021.

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

City Council recommended 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 authorized the City Clerk to execute the necessary documents.

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

City Council recommended 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 authorized the City Clerk to execute the necessary documents.

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

City Council recommended 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 authorized the City Clerk to execute the necessary documents.

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

City Council recommended 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 authorized the City Clerk to execute the necessary documents.

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

City Council recommended 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 authorized the City Clerk to execute the necessary documents.

g. FUNDING REQUEST FOR THE BLVD PARKING GARAGE

This item was pulled from the consent agenda for further discussion. Item is listed below in more detail.

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

This item was pulled from the consent agenda for further discussion. Item is listed below in more detail.

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

City Council adopted Resolution 1001-0122, approving the organization chart for the City and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

j. RESOLUTION 1002-0122 - SIGNATURE AUTHORITY FOR RISK MANAGER TO SIGN THE INDUSTRIAL COMMISSION OF ARIZONA (ICA) EXEMPTION FORM

City Council adopted 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.

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

City Council adopted Resolution 1003-0122, approving the Maricopa County Multi-Jurisdictional Hazard Mitigation 2021 Plan and authorized the Mayor or City Manager, and City Clerk to execute the necessary documents.

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

City Council adopted 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 authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

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

City Council adopted 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 authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

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

City Council adopted 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 authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

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

City Council approved 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.

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

City Council approved 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 FOLLOWING ITEMS WERE PULLED FROM THE CONSENT AGENDA TO
BE VOTED ON SEPERATELY:

g. FUNDING REQUEST FOR THE BLVD PARKING GARAGE

City Council considered 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.

Vice Mayor Malone asked how many visitors come through the American Sports Center (ASC) complex on an annual basis. Cherlene Penilla, Acting City Manager, said over 300,000 people visit the ASC annually with an average annual revenue of approximately \$2 million over the last seven years. Prior to COVID-19, in 2019 there were 500,000 customers. The parking lot will help in terms of the significant visitor volumes.

Mayor Weise added that when the Sports Center was originally built, the parking lot in front was intended to be a temporary lot, with knowledge that a parking garage would eventually be necessary.

Vice Mayor Malone moved 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; Council Member Kilgore seconded the motion.

Upon vote, the motion was carried unanimously 6 to 0.

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

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

City Council considered 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) authorized a budget adjustment from General Fund contingency.

Vice Mayor Malone asked for confirmation that the purchase is a result of COVID-19. Dale Nannenga, Public Safety Chief, stated that the program was utilized for several years and was brought back for COVID. This would prevent having to have four employees out answering calls. Two would go out and reduce their exposure

in the community. They would also respond to lower priority calls to make other trucks more available for service.

Vice Mayor Malone asked about staffing levels. Tony Corsi, Fire & Medical Director, stated that a meeting recently took place to finalize the decisions. There will be two teams of two firefighters, which will be stationed out of 175. One team will work from Sunday to Wednesday with the other working Wednesday through Saturday. Each team will have a training day every other week.

Vice Mayor Malone asked about the potential of rotating out of 24 hours a day and seven days a week, due to the amount of calls being received within the CAD system. Mr. Corsi stated that this has been discussed; however, they have not decide to proceed at that manner as of yet.

Vice Mayor Malone asked if the low acuity response team will only be servicing the City of Avondale and community members of Avondale and whether this will work on the CAD system. Mr. Corsi stated the low acuity unit will only respond within Avondale City limits for basic life support calls. There are a few exceptions that the mutual aid CAD system allows for. If the unit is located directly across jurisdictional lines to an active emergency, they may send the unit. Vice Mayor Malone asked about the number of community members served by the unit. Mr. Corsi said that the far south station has the most service, followed by the far northeast station. He estimates up to 1,600 to 2,000 calls per year for the low acuity unit.

Vice Mayor Malone moved 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; Council Member Pineda seconded the motion.

Upon vote, the motion was carried unanimously 6 to 0.

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

5. REGULAR AGENDA

a. ANNUAL COMPREHENSIVE FINANCIAL REPORT - FISCAL YEAR 2021

City staff presented 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.

Keith Fallstrom, Interim Finance and Budget Director, stated that an annual financial audit is required by law, both in City Charter and Arizona Revised Statute. Other purposes include ensuring accurate financial statements, review of internal controls, and implementation of new standards. The Annual Comprehensive Financial Report (ACFR) contains basic financial statements, management discussion and additional information. The City received an unmodified opinion, which is a clean opinion and the best possible opinion for the City. Unmodified means that the auditor has confidence that the financial statements are representative of the City's financial position and are accurate for decision makers. The net position for government increased by 7.1 percent from fiscal year 2020 to 2021 and has a net position almost \$1.3 billion. Over \$1 billion of this is in investment and capital assets. There is \$73.9 million of restricted dollars earmarked for certain purposes such as water and sewer. Unrestricted funds are available in the amount of \$1.2 million. The General Fund net position increased by 47.7 percent with an ending net position at \$87.6 million. Categories were reviewed.

The management letter lists items that did not rise to the level of being a finding but are items that can be improved upon. There was one recommendation to improve employee access control. Staff is in the process of continuing to improve these procedures. The communication with governance is a letter for the Mayor, City Council, and City Management, covering the following topics: Changes in accounting policies; describe estimates; describes interaction with staff; uncorrected and corrected misstatements and findings/issues referenced.

For the Highway User Revenue Fund (HURF), statute requires auditors to ensure appropriate spending of the funds received. No issues were noted. The audit is required to indicate that the City is complying with Section 41-1494 which states the following:

- Do not require an employee to engage in training, orientation or therapy that presents any form of blame or judgment on the basis of race, ethnicity or sex.
- Do not use public monies for training, orientation or therapy that presents any form of blame or judgment on the basis of race, ethnicity or sex.

Mr. Fallstrom introduced Ann Fang, CPA with CliftonLarsonAllen LLP, the agency that performed the audit. She stated that the audit begins with various meetings with management, City personnel and Council Members. Specific audit areas of focus are determined. Once completed, an auditor's opinion will be provided. She provided an overview of the various letters and reports provided in conjunction with the auditor's opinion.

In response to a question from Vice Mayor Malone, Mr. Fallstrom stated that this was the complete audit for Fiscal Year 2021, the process will repeat in late August.

In response to a question from Council Member Nielson, Ms. Fang noted that most processes are now handled in a paperless fashion.

Note from the City Clerk: Items 5b and 5c were presented together and voted on individually.

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

City Council held a public hearing and considered 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 amended 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.

Eric Fitzer, Planning Manager, Development and Engineering Services, provided an overview of the site location, attributes, and current zoning. The site is approximately 28.53 acres and was annexed in 1976. The property is undeveloped and currently being farmed. The zoning is Agricultural (AG) and the General Plan Land Use Designation is Urban Residential (UR). The property is located within the Freeway Corridor with access points off Fairway Drive and the I-10 Freeway. The proposed development includes approximately 450,260 square foot distribution and warehouse facility with offices located in each corner. A loading dock will be located on both the north and south sides of buildings. The development includes 320 parking spaces, 110 trailer spaces, and a 10-foot-high masonry screen wall along both truck courts.

The minor GPA request is to amend the General Plan land use designation from Urban Residential (UR) (30-plus dwellings per acre) to Business Park (BP) to facilitate development of a light industrial commerce park development. The BP designation allows for large scale campus development that provides abundant employment opportunities. The minor General Plan Amendment analysis was provided.

The rezoning request is to rezone from AG to Planned Area Development (PAD). Proposed uses are as a commerce park with warehouse and distribution facilities; distribution of products; professional offices; motion picture production studio; sale of products manufactured or assembled onsite; warehousing; wholesaling. The development will consist of a mix of CP and A-1 development standards with requested modifications.

Staff believes the PAD will be in conformance with the requested General Plan land use, will result in compatible land use relationships, provides a buffer of trees to the residential area to the north and along Corporate Drive and nearby commerce parks. The proposed plan offers employees refuge areas and advances the goals in the Freeway Corridor

Specific Plan. Adequate public infrastructure to support the proposed development either presently exists or will be constructed by the developer.

Mr. Fitzer noted that all required public notifications were completed. There were no attendees at the neighborhood meeting, two comments on aVOICE, and no other formal comments. The Planning Commission recommend approval on November 15, 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 Nielson asked for clarification on the entrances. Mr. Fitzer identified the entrances on the map and noted that Corporate Drive also provides access.

Council Member Conde inquired about the comments received through aVOICE. Mr. Fitzer stated that one comment was regarding industrial uses along the Freeway Corridor. The other was in favor of the overall project as the project would add jobs.

Council Member Nielson moved to adopt Resolution 1005-0122 approving Application PL-21-0113 Fairway Commerce Center, a request for a Minor Amendment to the General Plan 2030 Land Use Map changing the land use designation from Urban Residential to Business Park; Vice Mayor Malone seconded the motion.

Upon vote, the motion was carried unanimously 6 to 0.

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

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

City Council held a public hearing and considered 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.

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.

Vice Mayor Malone moved to adopt Ordinance 2003-0122 approving Application PL-21-0112 Fairway Commerce Center PAD, a request 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 Fairway Commerce Center PAD, subject to six (6) recommended conditions of approval as listed in the staff report; Council Member Kilgore seconded the motion.

Upon vote, the motion was carried unanimously 6 to 0.

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

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

City Council held 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 was for discussion and public hearing only.

Eric Fitzer, Planning Manager, Development and Engineering Services, stated the purpose of the item is to conduct a public hearing on the proposed annexation of approximately 4.11 acres of land generally located approximately 1,203 southwest of the southwest corner of Buckeye Road and El Mirage. No action is required at this time and adoption of the annexation ordinance will be considered on February 7th, 2022. The site location details were reviewed. There are two subsequent applications, one for rezoning and one for a General Plan amendment. There is one owner, Mattfeld Holdings. Current County zoning is Rural-43. Avondale's equivalent zoning is Rural Residential, RR-43. The minor General Plan Amendment will be from Medium Density Residential (MDR) and rezoning to PAD for 22.6 acres (of which the 4.11 acres is included) in process and scheduled for February 7, 2022. A blank petition has been filed and all notifications have been completed.

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.

Vice Mayor Malone identified construction north of the property and inquired on access points to the development. Mr. Fitzer stated that as part of the development plan there is an access point to Buckeye Road as well as a secondary emergency ingress and egress to Buckeye Road. These are currently under review under a separate application.

Council Member Pineda asked if a product has been identified. Mr. Fitzer said that the proposal in the future will be for single family rental units.

Mayor Weise added that the property has some challenges with the tank farms; remediation will have to take place. It assumed that the Phase I environmental has or will be completed. Mr. Fitzer confirmed this understanding and added that more information will be provided at a future date.

Note from the City Clerk: Items 5e, 5f, and 5g were presented together and voted on individually.

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

City Council held a public hearing and considered 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. The General Plan 2030 Land Use Map designations for the property will be amended from Estate Low Density Residential to Medium Density Residential.

Eric Fitzer, Planning Manager, Development and Engineering Services, stated that the purpose of this item is to review a proposed Major General Amendment (GPA), annexation and rezone for the proposed Shadow Ridge Development, conduct separate public hearings for each item and take action on each item on this item. The site location and surrounding areas were reviewed. It is approximately 118.4 gross acres, currently located in Maricopa County pending annexation request. Council authorized to proceed on October 25th, with the public hearing for discussion on November 15th. The Planning & Zoning Commission recommended approval on November 17, 2021. The zoning is R1-6 RUPD in the County. A background of the zoning history was provided. The land will be assigned the City equivalent of R1-6 zoning upon annexation. The General Plan land use designation is Estate Low Density Residential (ELDR).

The Major GPA request is to amend the General Plan land use designation from ELDR to Medium Density Residential (MDR) with a proposed density of 3.6 dwelling units per acre and a total of 416 dwelling units. The Major GPA analysis was reviewed.

An annexation background was provided. There are two property owners and no adjacent right-of-way included. Avondale Boulevard is already located within the City limits. Miami Avenue will remain a MCDOT roadway. The property will be assigned to City equivalent zoning Urban Residential R1-6 upon annexation. The request is to rezone to PAD approximately 118.5 gross acres, as Shadow Ridge is in process under separate application. A blank petition has been filed and notifications have been completed. A history of the zoning background and rezone requests was provided with the revised request in December, reducing the proposed lot types from five to four and including over 20 acres of open space.

The rezone analysis was provided. The PAD will be in conformance with requested General Plan land use designation & Design Manual. The zoning is compatible with adjacent uses and adequate transition between larger lots to the north. The project includes design standards that will ensure an interesting and varied streetscape. The open space is above minimum requirements and modifications are consistent with nearby MDR developments.

Public participation was completed, including a 60-day review. No responses were received. Certificates of adequate school facilities have been received. The neighborhood meeting had two attendees. All required notifications have been completed. The suggested resolution language for each of the agenda items was read.

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 Nielson asked about water and sewer capacity. Mr. Fitzer stated that there have been reviews with multiple departments and there is concurrence that there is adequate capacity.

Council Member Pineda thanked the applicant for reconfiguring the lot sizes and limiting disruption to residents living in the county island area by constructing an entry into the development from the north.

Vice Mayor Malone thanked staff and the developer for listening to Council feedback, particularly in terms of traffic mitigation.

Mayor Weise noted that when this was discussed three months ago, there were concerns regarding the small lot sizes and their concentration. He commended the revisions that were made in such a short period of time.

Vice Mayor Malone moved to adopt Resolution 1006-0122 approving application PL-21-0021 Shadow Ridge, a request for a Major Amendment to the General Plan 2030 Land Use Map changing the Land Use designation of the property from Estate Low Density Residential (ELDR) to Medium Density Residential (MDR); Council Member Kilgore seconded the motion.

Upon vote, the motion was carried unanimously 6 to 0.

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

f. PUBLIC HEARING AND ORDINANCE 2004-0122 - SHADOW RIDGE ANNEXATION – APPLICATION PL-21-0100

City Council held a public hearing and considered 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.

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 Pineda moved to adopt Ordinance 2004-0122 annexing approximately 115.71 acres generally located at the southeast corner of Avondale Boulevard and Miami Avenue; Council Member Nielson seconded the motion.

Upon vote, the motion was carried unanimously 6 to 0.

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

g. PUBLIC HEARING - ORDINANCE 2005-0122 - SHADOW RIDGE REZONING FROM R1-6 TO PLANNED AREA DEVELOPMENT (PAD) – APPLICATION PL-21-0087

City Council held 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).

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.

Vice Mayor Malone moved to adopt Ordinance 2005-0122, approving Application PL-21-0087 Shadow Ridge, a request to rezone approximately 118.4 gross acres from Urban Residential (R1-6) to Planned Area Development (PAD), subject to nine (9) conditions listed in the staff report with an additional 10th condition; Council Member Pineda seconded the motion.

Upon vote, the motion was carried unanimously 6 to 0.

Council Member Conde	Aye
Council Member Kilgore	Aye

Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Malone	Aye
Mayor Weise	Aye

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

City Council interviewed Lisa Amos, Jerome Brownlee Jr., Gloria Solorio, and Chris Thompson as individuals interested in being appointed to fill the vacancy in the City Council due to the resignation of Council Member Pat Dennis.

i. EXECUTIVE SESSION

Council Member Kilgore moved to 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; Council Member Nielson seconded the motion.

Upon vote, the motion was carried unanimously 6 to 0.

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

The City Council took a recess at 8:15 p.m. to hold an Executive Session and reconvened in open and public session at 8:29 p.m.

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

Council Member Pineda moved to appoint Gloria Solorio to fill the vacancy in the City Council with a term expiration date of December 31, 2024; Vice Mayor Malone seconded the motion.

Upon vote, the motion was carried unanimously 6 to 0.

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

6. ADJOURNMENT

There being no further business before the Council, Vice Mayor Malone moved to adjourn the Regular Meeting; Council Member Nielson seconded the motion.

Upon vote, the motion was carried unanimously 6 to 0.

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

Meeting adjourned at 8:31 p.m.


Kenn Weise (Mar 24, 2022 18:07 PDT)
Kenn Weise, Mayor

CERTIFICATION AND ATTESTATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Council of the City of Avondale held on the 24th day of January 2022. I further certify that the meeting was duly called and held, and that the quorum was present.


Marcella Carrillo, City Clerk

03/21/2022
Date Approved by City Council