



City of Avondale
City Council Meeting
Monday, December 5, 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
Gloria Solorio, Council Member

Administration

Ron Corbin, City Manager

Cherlene Penilla, Assistant City Manager | Tracy Stevens, 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, December 5, 2022

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

A reception for outgoing Council Member Bryan Kilgore will be held at 5:00 P.M. in the lobby of City Hall. The Avondale City Council will be in attendance at the reception; no City business will be conducted.

**SPECIAL MEETING
5:30 PM**

CALL TO ORDER BY MAYOR

1. ROLL CALL BY THE CITY CLERK

2. PROCLAMATION - HONORING OUTGOING COUNCIL MEMBER KILGORE

The City Council will present a Proclamation honoring Bryan Kilgore for his service to the community as both a past Vice Mayor and Council Member. This item is for discussion only.

3. CITIZEN LEADERSHIP ACADEMY

The 2022 Avondale Citizens Leadership Academy graduates will be recognized for completion of the program. This item is for discussion only.

4. EMPLOYEE INTRODUCTIONS

Various Public Works department employees will be introduced to the City Council. This item is for discussion only.

5. ADJOURNMENT

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. PRESENTATIONS

a. DIGITAL CITIES AWARD PRESENTATION

City Council will receive an update from staff on the 2022 Digital Cities Awards competition, recognizing Avondale as the 1st place finisher. 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 November 7, 2022 City Council meeting and the November 7, 2022 Joint City Council and Planning Commission meeting minutes. The Council will take appropriate action.

b. 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 Larry White as the Vice Chair of the Planning Commission for the remainder of the 2023 calendar year; and (b) appoint Carolyn Jones as the Chair of the Board of Adjustment and Kenneth Shoaff as the Vice Chair of the Board of Adjustment for the 2023 calendar year . The Council will take appropriate action.

c. REAPPOINTMENT OF MEMBERS TO THE CITY'S BOARDS, COMMISSIONS AND COMMITTEES

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

d. SETTLEMENT AGREEMENT AND PAYMENT FOR THE CLAIM OF JAMES HOLLAND, SR.

City Council will consider a request to approve the settlement agreement with the heirs of James Holland, Sr. in the amount of \$2,000,000 and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

e. FIRE, EMERGENCY MEDICAL, AND RESCUE RESPONSE AGREEMENT WITH AMERICAN MEDICAL RESPONSE (FORMERLY KNOWN AS RURAL/METRO) FIRE DEPARTMENT

City Council will consider a request to approve the Fire, Emergency Medical, and Rescue Response Agreement with American Medical Response (formerly known as Rural/Metro) Fire Department in the unincorporated areas of 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.

f. RESOLUTION 1078-1222 - INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION (ADOT) FOR CITYWIDE EMERGENCY VEHICLE PREEMPTION (EVP)

City Council will consider a request to adopt Resolution 1078-1222 authorizing an Intergovernmental Agreement with the Arizona Department of Transportation (ADOT) for the citywide Emergency Vehicle Preemption project allowing ADOT to oversee the procurement and installation of project devices, and authorize the Mayor or City Manager, City Attorney and City Clerk, to execute the necessary documents. The Council will take appropriate action.

g. RESOLUTION 1079-1222 - APPROVING AN INTERGOVERNMENTAL AGREEMENT - AUTOMATIC AID SYSTEM

Staff requests that the City Council adopt Resolution 1079-1222 approving an Intergovernmental Agreement with Phoenix and 22 other valley jurisdictions relating to the Regional Metropolitan Phoenix Fire Service Automatic Aid System with an effective date of December 20, 2022, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

h. ORDINANCE 2066-1222 ABANDONMENT OF PUBLIC DRAINAGE EASEMENT

City Council will consider a request to adopt Ordinance 2066-1222 authorizing the abandonment of a public drainage easement located generally south of The Boulevard (formerly City Center Drive), and east of Avondale Boulevard, and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

i. ORDINANCE 2067-1222 – SOUTHWEST GAS EASEMENT FOR THE AVONDALE AQUATIC CENTER

City Council will consider a request to adopt Ordinance 2067-1222 authorizing the granting of a natural gas easement to Southwest Gas (SW Gas) in connection with the Avondale Aquatic Center Project and authorize the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents. The Council will take appropriate action.

j. ORDINANCE 2068-1222 - LOWER BUCKEYE ROAD RIGHT-OF-WAY ANNEXATION

City Council will consider a request to adopt Ordinance 2068-1222 authorizing the annexation of a portion of Lower Buckeye Road right-of-way from 4th Street to Litchfield Road and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

k. AVONDALE COMMONS – FINAL PLAT - APPLICATION PL-22-0221

City Council will consider a request by Nicholas Maxwell, of Coe and Van Loo Consultants, Inc., on behalf of property owner Overland Group for approval of a Final Plat – Avondale Commons located at the northwest corner of McDowell Road and Avondale Boulevard. The proposed Final Plat splits a 24.68 gross acre parcel into seven (7) lots, dedicates an eight (8) foot Public Utility Easement along both Avondale Boulevard and McDowell Road, and dedicates 0.56 acres of right-of-way along both streets. The Council will take appropriate action.

5. REGULAR AGENDA

a. PUBLIC HEARING – STONECREEK ANNEXATION– APPLICATION PL-22-0234

City Council will hold a public hearing regarding a request by Clayton Corwin, StoneCreek Company, (on behalf of the property owner Stead Family PVHCMF Charitable Remainder Unitrust) to annex approximately 18.9 acres of land located approximately 1,280 feet west of the southwest corner of 107th Avenue and McDowell Road. This item is for discussion and public hearing only; no action is required.

b. PUBLIC HEARING AND RESOLUTION 1076-1122 – THREE RIVERS RANCH MAJOR GENERAL PLAN AMENDMENT – APPLICATION PL-22-0050

City Council will hold a public hearing and consider a request to adopt Resolution 1076-1122, approving a request by Alex Hayes of Withey Morris PLC for a Major Amendment to the Avondale General Plan 2030 Land Use Map for Three Rivers Ranch, a proposed 193.98 gross acre planned development west of the intersection of Broadway Road and Dysart Road. The proposed Major General Plan Amendment, if approved, will amend the General Plan 2030 Land Use Map designations for the property from Estate/Low Density Residential and Mixed-Use to Medium Density Residential and Medium/High Density Residential. The Council will take appropriate action.

c. PUBLIC HEARING AND ORDINANCE 2064-1122 – THREE RIVERS RANCH ANNEXATION – APPLICATION PL-22-0111

City Council will hold a public hearing and consider a request to adopt Ordinance 2064-1122, approving a request by Mr. Alex Hayes of Withey Morris PLC to begin the annexation process of approximately 196.89 acres located west of the intersection of Broadway Road and Dysart Road. The Council will take appropriate action.

d. PUBLIC HEARING AND ORDINANCE 2065-1122 – THREE RIVERS RANCH REZONING TO PLANNED AREA DEVELOPMENT (PAD) – APPLICATION PL-22-0110

City Council will hold a public hearing and consider a request to adopt Ordinance 2065-1122, approving a request by Alex Hayes of Withey Morris PLC to rezone approximately 193.98 acres located west of the intersection of Broadway Road and Dysart Road from Rural Residential (RR-43) to Planned Area Development (PAD). The proposed Three Rivers Ranch PAD is planned for the development of 530 single-family residential detached home lots, 120 townhomes (attached single-family residential homes), and 311 multi-family residential apartment units (1- and 2-story individual casita style apartment units). The Council will take appropriate action.

e. COUNCIL APPOINTMENTS TO THE AUDIT COMMITTEE

City Council will consider a request to appoint the following individuals to the Audit Committee: a) A member of City Council with a term to expire on December 31, 2023; b) A member of City Council with a term to expire on December 31, 2024; c) A member of City Council with a term to expire on December 31, 2025; d) Norma Pacheco with a term to expire on December 31, 2024; e) Michael McGee with a term to expire on December 31, 2025; f) Renee Weatherless, Finance and Budget Director, as a non-voting member; and g) appoint Ron Corbin, City Manager, as a non-voting member. The Council will take appropriate action.

6. ADJOURNMENT INTO EXECUTIVE SESSION

City Council will consider a request to adjourn the Regular Meeting and hold an executive session pursuant to Ariz. Rev. Stat. § 38-431.03 (A)(3) and (A)(4), discussion with the City Attorney or attorneys for the City for legal advice concerning contemplated or pending litigation and to instruct the City Attorney and attorneys for the City on such litigation for the claim of Samuel and Javier Castaneda.

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 Secretaria de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos días hábiles antes de la junta del Concejo.