



City of Avondale

City Council Meeting

Monday, July 10, 2023

Mayor and Council

Kenneth Weise, Mayor

Mike Pineda, Vice Mayor

Tina Conde, Council Member | Curtis Nielson, Council Member

Veronica Malone, Council Member | Gloria Solorio, Council Member

Max White, Council Member

Administration

Ron Corbin, City Manager

Cherlene Penilla, Assistant City Manager | Tracy Stevens, Assistant 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, July 10, 2023

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 submit a Request to Speak online at <http://www.avondaleaz.gov/requesttospeak> prior to consideration of that agenda item.

REGULAR MEETING

6:00 PM

Physical Access to the Council Chambers will be available 30 minutes prior to the meeting.

CALL TO ORDER BY MAYOR PLEDGE OF ALLEGIANCE & MOMENT OF REFLECTION

1. ROLL CALL BY THE CITY CLERK

2. UNSCHEDULED PUBLIC APPEARANCES

3. PRESENTATION ITEM

a. PROCLAMATION - PARK AND RECREATION MONTH

The Mayor and City Council will read a proclamation recognizing July 2023, as Park and Recreation Month. This item is for discussion only.

b. EMPLOYEE ANNOUNCEMENT - DEPARTMENT OF ECONOMIC DEVELOPMENT & TOURISM

City Council will recognize Cheryl Covert, Deputy Director, who recently earned the designation of Certified Economic Developer (CECd). 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 June 5, 2023 City Council meeting minutes. The Council will take appropriate action.

b. FINAL PLAT FOR TRACT MM, FULTON HOMES ACCLAIM – PHASE 1A – APPLICATION PL-22-0250 - NORTHWEST CORNER OF 99TH AVENUE AND THOMAS ROAD

City Council will consider a request by G Garrett of EPS Group, Inc., on behalf of the property owner Fulton Homes Acclaim Community Association, for approval of a Re-Plat of Tract MM, which dedicates an additional 4 feet of right-of-way along Thomas Road, to create 5 feet of right-of-way, as a part of a previously platted 1.82 acres of undeveloped land and authorize the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents. The Council will take appropriate action.

c. SERIES 10 (BEER AND WINE STORE) LIQUOR LICENSE FOR QUICK STOP SHOP

City Council will consider a request to recommend approval to the Arizona Department of Liquor License and Control of a Series 10 (Beer and Wine Store) Liquor License submitted by Jeffrey Craig Miller for the sale of beer and wine at Quick Stop Shop located at 127 West Main Street and authorize the City Clerk to execute the necessary documents. The Council will take appropriate action.

d. RESOLUTION 1042-0723 - INTERGOVERNMENTAL AGREEMENT WITH FIRST THINGS FIRST - SERVICES AT THE AVONDALE RESOURCE CENTER

City Council will consider a request to adopt Resolution 1042-0723, approving an Intergovernmental Agreement with the Southwest Maricopa Regional Partnership Council of the Arizona Early Childhood Development and Health Board, doing business as First Things First to receive \$250,000 in funding for services at the City of Avondale Family Resource Center for fiscal year 2023-2024 and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

e. RESOLUTION 1043-0723 - CANVASS OF ELECTION, PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM LOCAL FIRE BOARD ELECTION

City Council will consider a request to adopt Resolution 1043-0723, declaring and adopting the results of the June 15, 2023 Local Board Election, electing Westley Tank as a Board Member to the Public Safety Personnel Retirement System Fire Board 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 1044-0723 - INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY LIBRARY DISTRICT FOR LIBRARY ASSISTANCE PROGRAM

City Council will consider a request to adopt Resolution 1044-0723, approving the Intergovernmental Agreement with the Maricopa County Library District for the Library Assistance Program and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

g. ORDINANCE 2045-0723 - FOURTH AMENDMENT TO THE OFFICE LEASE AGREEMENT WITH PHOENIX SPEEDWAY

City Council will consider a request to adopt Ordinance 2045-0723, approving the Fourth Amendment to the Office Lease Agreement with Phoenix Speedway, LLC and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

5. REGULAR AGENDA

a. PUBLIC HEARING AND ORDINANCE 2046-0723 - FRANCIS AND SONS EXPRESS CAR WASH – REZONE – APPLICATION PL-22-0308

City Council will hold a public hearing and consider a request to adopt Ordinance 2046-0723, a request by Mr. Brian Greathouse of Burch & Cracchiolo, on behalf of property owner F&S Oil III, LLC to rezone approximately 1.29 acres of land located approximately 288 feet west of the southwest corner of McDowell Road and 107th Avenue from Freeway Commercial (C-3) to a Planned Area Development (PAD) and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

b. QUARTERLY BUDGET TRANSFERS

City Council will consider requests to: (a) approve quarterly budget transfers as summarized in the attached Exhibit A; (b) amend awarding authority based off the attached report; and (c) authorize the Mayor or City Manager and City Clerk to execute the necessary documents. 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 Secretaria de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos días hábiles antes de la junta del Concejo.

CITY COUNCIL REPORT

SUBJECT: Proclamation - Park and Recreation Month

MEETING DATE: 7/10/2023

TO: Mayor and Council

FROM: Bryan Hughes, Parks and Recreation Director

THROUGH: Tracy Stevens, Assistant City Manager, (623) 333-1014

REVIEWED: Ron Corbin, City Manager, (623) 333-1011

STRATEGIC PLAN:

Diverse Recreation and Entertainment Opportunities – Avondale provides residents with the ability to connect with amenities, businesses, and their community, enhancing the opportunity to live, work, and enjoy a healthy, active, and affordable lifestyle.

Natural Resources and Open Spaces – Avondale recognizes the value of its natural resources and promotes environmental sustainability and conservation in its operations, activities, and planning.

PURPOSE:

The Mayor and City Council will read a proclamation recognizing July 2023, as Park and Recreation Month. This item is for discussion only.

BACKGROUND:

Since 1985, people in the United States have celebrated Park and Recreation Month in July to promote building strong, vibrant and resilient communities through the power of parks and recreation and to recognize the more than 160,000 full-time park and recreation professionals — along with hundreds of thousands of part-time and seasonal workers and volunteers — that maintain our country's local, state and community parks.

Through efforts by the National Recreation and Parks Association (NRPA), the U.S. House of Representatives passed an official resolution for Park and Recreation Month in 2009, and introduced the resolution in 2017 and 2018.

Park and recreation agencies across the nation are recognizing the month with summer programs, events, contests, commemorations and celebrations.

The services that park and recreation professionals provide are vital for our communities — from protecting open spaces and natural resources to helping fight obesity and providing activities and resources for all people. Park and Recreation Month encourages everyone to reflect on the exponential value park and recreation professionals bring to communities.

DISCUSSION:

This year's theme — “Where Community Grows” — celebrates the vital role park and recreation professionals

play in bringing people together, providing essential services and fostering the growth of our communities.

As part of Park and Recreation Month, NRPA is celebrating Park and Recreation Professionals Day on Friday, July 21. This is a day to celebrate all the dedicated professionals who build strong, vibrant and resilient communities through the power of parks and recreation.

BUDGET IMPACT:

No budget impact.

RECOMMENDATION:

The Parks and Recreation Department appreciates the Mayor reading the proclamation for Park and Recreation Month.

Contact person for document distribution:

Avondale
PARKS & RECREATION
D E P A R T M E N T

PROCLAMATION

Designation of July as Park and Recreation Month

WHEREAS parks and recreation is an integral part of communities throughout this country, including Avondale, Arizona; and

WHEREAS parks and recreation promotes health and wellness, improving the physical and mental health of people who live near parks; and

WHEREAS parks and recreation promotes time spent in nature, which positively impacts mental health by increasing cognitive performance and well-being, and alleviating illnesses such as depression, attention deficit disorders, and Alzheimer's; and

WHEREAS parks and recreation encourages physical activities by providing space for popular sports, hiking trails, swimming pools and many other activities designed to promote active lifestyles; and

WHEREAS parks and recreation is a leading provider of healthy meals, nutrition services and education; and

WHEREAS park and recreation programming and education activities, such as out-of-school time programming, youth sports and environmental education, are critical to childhood development; and

WHEREAS parks and recreation increases a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS parks and recreation is fundamental to the environmental well-being of our community; and

WHEREAS our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS Avondale recognizes the benefits derived from parks and recreation resources.

NOW THEREFORE, I, Kenneth Weise, by virtue of the authority vested in me as Mayor of the City of Avondale, Arizona, do hereby recognize July as Park and Recreation Month in Avondale.

Attest:

Mayor

City Clerk

CITY COUNCIL REPORT

SUBJECT: Minutes

MEETING DATE: 7/10/2023

TO: Mayor and Council

FROM: Marcella Carrillo, City Clerk

THROUGH: Cherlene Penilla, Assistant City Manager

REVIEWED: Ron Corbin, City Manager, (623) 333-1011

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area: Connected Community - Avondale will work directly and closely with our communities to develop programs and infrastructure that connect residents to the city's resources, the region, and each other. The approval of this agenda item provides residents with access to a previous meeting's minutes. The meeting minutes provide another outlet for residents to connect with the City Council.

PURPOSE:

City Council will consider a request to approve the June 5, 2023 City Council meeting minutes. The Council will take appropriate action.

BACKGROUND:

Pursuant to Arizona Revised Statute §§ 38-431.01(B), the City must provide written minutes of all City Council meetings.

DISCUSSION:

City Council held a meeting and the attached minutes have been prepared for approval.

BUDGET IMPACT:

This item has no budget impact.

RECOMMENDATION:

Staff recommends City Council approve the attached meeting minutes.

Contact person for document distribution: Chris Pierson

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
CITY COUNCIL CHAMBER
June 05, 2023

A **Special Meeting** of the City Council of the City of Avondale, Arizona was convened at 11465 West Civic Center Drive in open and public session at 5:38 p.m.

Members Present: Mayor Kenn Weise; Vice Mayor Mike Pineda; Council Members Tina Conde, Veronica Malone, Gloria Solorio and Max White.

Members Absent (Excused): Council Member Curtis Nielson.

Other Municipal Officials Present: Ron Corbin, City Manager; Tracy Stevens, Assistant City Manager; Nicholle Harris, City Attorney; Marcella Carrillo, City Clerk; Liz Barker Alvarez, Intergovernmental Affairs Administrator; Kirk Beaty, Public Works Director; Ken Chapa, Economic Development Services Director; Barbara Coppage, City Auditor; Memo Espinoza, Police Chief; Bryan Hughes, Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Dale Nannenga, Public Safety Chief; Jodie Novak, Development Services Director; Larry Rooney, Fire Chief; Jeffrey Scheetz, Chief Information Officer; Pier Simeri, Marketing and Public Relations Director; Aric Stewart, Engineering Director; and Renee Weatherless, Finance and Budget Director.

Audience: Approximately fifteen members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. PRESENTATION ITEMS (DISCUSSION ONLY)

a. EMPLOYEE INTRODUCTION & ANNOUNCEMENTS (DISCUSSION ONLY)

The following employees were introduced to City Council.

Development Services Department

- Joshua Orton, Senior Planner

Information Technology Department

- Alex Pitre, IT Assistant
- Michaelle Thickett, IT Security Analyst

Engineering Department

- David Boltz, Engineering Inspector
- Veanette Hanson, Eng. Project Manager
- Katie Hein, Associate Engineer
- Alfredo Macedo, Traffic Operations Tech.
- Lana Nabaty, Project Manager-CIP
- Albert Vizcarra, Traffic Signal Technician

Office of Public Safety

- Noelle Boltz, Municipal Security Officer

Public Works

- Robert Perez, Sr. Business Systems Analyst

b. RECOGNITION OF THE FIRE AND MEDICAL CITIZEN ACADEMY GRADUATES

The City Council and Fire Chief Rooney recognized the 2023 Fire and Medical Department Citizen Academy Graduates. This item was for discussion only.

3. ADJOURNMENT

There being no further business before the Council, Council Member White moved to adjourn the Special Meeting; Council Member Malone seconded the motion.

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

Council Member Conde	Aye
Council Member Malone	Aye
Council Member Solorio	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

Meeting adjourned at 5:56 p.m.

A **Regular Meeting** of the City Council of the City of Avondale, Arizona was convened at 11465 West Civic Center Drive in open and public session at 6:03 p.m.

Mayor Kenn Weise led the Pledge of Allegiance, followed by a moment of silent reflection.

Members Present: Mayor Kenn Weise; Vice Mayor Mike Pineda; Council Members Tina Conde, Veronica Malone, Gloria Solorio and Max White.

Members Absent (Excused): Council Member Curtis Nielson.

Other Municipal Officials Present: Ron Corbin, City Manager; Tracy Stevens, Assistant City Manager; Nicholle Harris, City Attorney; Marcella Carrillo, City Clerk; Liz Barker Alvarez, Intergovernmental Affairs Administrator; Kirk Beaty, Public Works Director; Ken Chapa, Economic Development Services Director; Barbara Copping, City Auditor; Memo Espinoza, Police Chief; Bryan Hughes, Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Dale Nannenga, Public Safety Chief; Jodie Novak, Development Services Director; Larry Rooney, Fire Chief; Jeffrey Scheetz, Chief Information Officer; Pier Simeri, Marketing and Public Relations Director; Aric Stewart, Engineering Director; and Renee Weatherless, Finance and Budget Director.

Audience: Five members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. UNSCHEDULED PUBLIC APPEARANCES

None.

3. PRESENTATION ITEMS (DISCUSSION ONLY)

a. PROCLAMATION - JUNETEENTH DAY OF OBSERVANCE

City Council presented a Proclamation recognizing Juneteenth Day of Observance.

Council Member White provided a brief historic overview of Juneteenth Day. The City's first Juneteenth event is scheduled for June 15th at the Avondale Resource Center.

Mayor Weise read the proclamation.

b. PUBLIC WORKS DEPARTMENT AWARD

Public Works Department presented Mike Yracheta as the Operations Supervisor of the Year for 2023 as awarded by the AZ Water Association.

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 White, seconded by Council Member Conde, to approve the Consent Agenda.

Upon vote, the motion carried unanimously 6 to 0.

Council Member Conde	Aye
Council Member Malone	Aye
Council Member Solorio	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

a. MINUTES

City Council approved the May 1, 2023 City Council meeting minutes.

b. CONTRIBUTIONS ASSISTANCE PROGRAM FISCAL YEAR 2023-2024 FUNDING RECOMMENDATIONS

City Council approved the funding recommendations (as listed below) made by the City Council Subcommittee for distribution of the proposed \$200,000 Contributions Assistance Program fund and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

1. A New Leaf - \$10,000
2. Agua Fria Food Bank - \$8,000
3. Arizona Service Project - \$12,000
4. Avondale Firefighter Charities - \$5,000
5. Avondale Police Association - \$5,000
6. AZ Community Impact - \$5,000
7. Boys & Girls Clubs of the Valley - \$8,000
8. Bridges Reentry Inc - \$3,000
9. Community Bridges - \$8,000
10. Diana Gregory Outreach - \$5,000
11. Dress for Success Phoenix - \$2,500
12. Goodyear Pebble Creek Rotary Found. - \$1,250
13. Helping Children Succeed in School Foundation - \$2,000
14. Helping Families in Need - \$10,000
15. Homeless Youth Connection - \$3,400
16. Jobs for Arizona Graduates - \$10,000
17. Junior Achievement of Arizona - \$3,000
18. Lutheran Social Services- \$8,000
19. Mercy House Community Center - \$8,000
20. Mission of Mercy - \$7,500
21. New Life Center - \$10,000
22. Phoenix Rescue Mission - \$8,000
23. Project Kiks - \$2,000
24. Raising Special Kids - \$8,000
25. Read Better Be Better - \$7,600
26. Sounds of Autism - \$2,250
27. Southwest Lending Closet - \$10,000
28. Southwest Valley YMCA- \$5,000
29. St. Mary's Food Bank Alliance - \$5,000
30. The Opportunity Tree - \$5,000
31. Top Dawg Wrestling Club - \$2,500
32. Trellis - \$5,000
33. Westside Recreation - \$5,000

c. ADOPTION OF THE FISCAL YEAR 2024 PENSION FUNDING POLICY

City Council adopted an updated Pension Funding Policy for Fiscal Year 2024 and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

d. RESOLUTION 1027-0623 - DESIGNATION OF CHIEF FISCAL OFFICER FOR THE ANNUAL EXPENDITURE LIMITATION REPORT (AELR)

City Council adopted Resolution 1027-0623, designating Renee Weatherless as the Chief Fiscal Officer for the submittal of the AELR and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

e. RESOLUTION 1028-0623 - COMPREHENSIVE FINANCIAL POLICIES

City Council adopted Resolution 1028-0623, adopting Comprehensive Financial Policies and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

f. RESOLUTION 1029-0623 - FISCAL YEAR 2024 PROPOSED FEE CHANGES

City Council adopted Resolution 1029-0623, approving the Fiscal Year 2024 proposed fee changes and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

g. RESOLUTION 1030-0623 – AMENDMENT NO. 3 TO THE INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA GAME AND FISH COMMISSION FOR THE COMMUNITY FISHING PROGRAM

City Council adopted Resolution 1030-0623 authorizing Amendment No. 3 to the Intergovernmental Agreement with the Arizona Game & Fish Commission to extend the Community Fishing Program by one year, and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

h. ORDINANCE 2037-0623 - PUBLIC UTILITY EASEMENTS FOR DUTCH BROS.

City Council adopted Ordinance 2037-0623 accepting the dedication of two (2) public utility easements for public use and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

i. ORDINANCE 2038-0623 – ABANDONMENT OF A PUBLIC WATERLINE EASEMENT

City Council adopted Ordinance 2038-0623 authorizing the abandonment of a public waterline easement located generally south of Buckeye Road and east of Dysart Road, and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

j. ORDINANCE 2039-0623 – ABANDONMENT OF A PUBLIC WATER AND SEWER EASEMENT

City Council adopt Ordinance 2039-0623 authorizing the abandonment of a public water and sewer easement located generally south of Buckeye Road and east of Dysart Road, and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

k. MUNOZ - RE-PLAT – PL-22-0356

City Council approved a request by Raymond Munoz III, (on behalf of the property owners Raymond Munoz Jr, Jenny Munoz, Danny Pina, and Rosemary Munoz), for approval of a Re-Plat and authorized the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents.

5. REGULAR AGENDA

a. PUBLIC HEARING - CONDITIONAL USE PERMIT FOR FRANCIS AND SONS EXPRESS CAR WASH – APPLICATION PL-21-0330

City Council held a public hearing and considered a request by Mr. Brian Greathouse, Burch & Cracchiolo, for approval of a Conditional Use Permit (CUP) and authorize the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents.

Catherine Lorbeer, Deputy Director of Planning, provided an overview of the site details with the property located at the southwest corner of Indian School Road and Dysart Road and consisting of three vacant parcels totaling 3.72 acres. Surrounding uses and site photographs were reviewed. In the General Plan, the site is designated Local Commercial within the zoning district of Palm Valley PAD. Under the PAD and C-2 zoning, both self-service and full-service car washes require a condition use permit. The applicant intends to operate an express car wash with automated pay stations, which is intended to be operated as a self-service car wash. The design includes a conveyor-style washing tunnel with a five-minute washing cycle and self-service vacuuming stations. The schedule is planned to be daily from 6 a.m. to 9 p.m. The conceptual plan and elevations were reviewed.

Five findings are required in order to meet the conditions of the conditional use permit:

1. Consistent with General Plan 2030, and North Avondale Specific Plan
2. Compatible with existing land uses
3. Suitable size to accommodate use and meet all required development standards
4. Adequate access to public streets and capacity to accommodate traffic generated by proposed use
5. Adequate conditions in place to mitigate any potential adverse effects

All required notifications have been completed. Three residents of Litchfield Park provided feedback, one during the neighborhood meeting on September 29, 2022, one via email and one phone call. Concerns raised included noise, traffic, drainage and need for a carwash. The Planning Commission held its public hearing on April 19th with no public speakers and recommended approval subject to six conditions.

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.

Mayor Weise noted the odd shape of the property, wherein the drainage canal occupies much of the space and access is limited. Francis & Sons has represented the community well through other facilities. The need and location for this business seem appropriate.

Vice Mayor Pineda asked whether attendants will be present during operating hours. Ms. Lorbeer confirmed that there are typically two to three employees present to assist customers as needed. Vice Mayor Pineda commented that the other locations have been well maintained and provide a safe environment.

Council Member Conde asked about management of noise levels. Ms. Lorbeer stated that the site plan includes a six-foot wall to assist with noise mitigation and the entrance and exit of the drive thru. Applicant representative, Brian Greathouse with Burch & Cracchiolo stated that issues with loud music playing are addressed by onsite staff.

Council Member White inquired about water use levels. Mr. Greathouse stated that carwash operations typically save water when compared to having residents wash vehicles in their driveways. Carwash businesses use technologies to recycle and reuse water. Kirk Beaty, Public Works Director, added that the City encourages the use of carwashes as opposed to washing in home driveways. The water is recycled and once drained; it enters the wastewater reclamation facility.

Council Member White moved to approve Application PL-21-330 Francis and Sons Car Wash, a request for a Conditional Use Permit to allow a self-service car wash in the Palm Valley Planned Area Development (PAD), subject to the six conditions of approval as listed in the staff report; Vice Mayor Pineda seconded the motion.

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

Council Member Conde	Aye
Council Member Malone	Aye
Council Member Solorio	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

b. PUBLIC HEARING AND ORDINANCE 2040-0623 - ZONING ORDINANCE TEXT AMENDMENT - §28-8 (CONDITIONAL USE PERMITS) AND §28-91 (THE BLVD) – APPLICATION PL-23-0070

City Council held a public hearing and considered approval of a staff-initiated request to adopt Ordinance 2040-0623, approving text amendments to the Zoning Ordinance and authorize the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents.

Catherine Lorbeer, Deputy Director of Planning, stated that the text amendment is intended to streamline the process for a conditional use permit (CUP) review and approval. The proposed changes will make the process clear and effective and benefit the development community by eliminating the second public hearing, which adds to the overall review and approval time.

Proposed section changes were presented.

- Revises the process so CUPs may be reviewed and acted on by the Planning Commission;
- Adds text to retain jurisdiction over CUPs after approval, which provides legal basis for enforcement action;
- Clarifies revocation when CUPs are in violation of code;
- Adds a process for appeals to City Council; and
- Modifies references in The BLVD zoning district to be compatible with Section 28-8 changes.

All required notifications were completed, and no public comments were received. The Planning Commission approved the Amendment at its public hearing on April 19, 2023. At that time, the Planning Commission asked how the process would be streamlined. Staff explained that by eliminating the second step of CUP automatically going to a City Council public hearing, the overall review and approval process would take less time to reach a decision. The Planning Commission's action, whether it is to approve or deny a project, would be final unless the decision were appealed to City Council.

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 Malone asked about the reduction in time frame that will result in elimination of the second approval step. Ms. Lorbeer stated that the process between Planning Commission action and inclusion on a City Council agenda is approximately six weeks.

Council Member Solorio moved to adopt Ordinance 2040-0623, approving text amendments to the Zoning Ordinance and authorize the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents; Vice Mayor Pineda seconded the motion.

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

Council Member Conde	Aye
Council Member Malone	Aye
Council Member Solorio	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

Note from the City Clerk: Items 5c and 5d were presented together.

c. PUBLIC HEARING - RESOLUTION 1031-0623 - UPDATING WATER AND SEWER RATES

City Council held a public hearing and considered a request to adopt Resolution 1031-0623, modifying water and sewer rates to become effective January 1, 2024 and January 1, 2025 and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Aaron White, Senior Budget Analyst of the Finance & Budget Department, stated that this item was brought to City Council on April 3rd for consideration and possible adoption of a notice of intent to increase water and sewer rates. This evening's agenda item will consist of a public hearing on the rate increases.

The rate increase proposals were provided:

Water:

- 2.65 percent increase January 1, 2024
- 2.65 percent increase January 1, 2025
- Applies to all rate classes
- Average monthly bill impact January 1, 2024 - \$0.84

Sewer:

- 7.0 percent increase January 1, 2024
- 7.0 percent increase January 1, 2025
- Applies to all rate classes
- Average monthly bill impact January 1, 2024 - \$2.80

Solid Waste:

- \$1.50 increase July 1, 2023
- \$1.50 increase July 1, 2024
- \$2.50 increase for 2 trash can service
- Average monthly bill impact July 1, 2023 - \$1.50

A sample combined utility bill reflected the proposed changes was reviewed. Public outreach actions were discussed, including: Social media; utility bill insert, Rave Magazine; email to HOAs; presentation to the Citizens Water Academy; Front Counter information; press release. Public notice requirements have been fulfilled, per state statute and specific actions were reviewed. A comparison of rates to other Valley cities was given. Next steps were reviewed.

Mayor Weise opened the public hearing and received one request to speak.

Bino Alexion, resident of the City of Avondale, expressed concern about the rate increases and noted the high expense of the full-color inserts included in the utility bill. Smaller rate increases are significant to senior citizens on tight budgets.

Mayor Weise closed the public hearing and opened the floor for comments from Council.

Council Member Malone asked whether notifications are provided online as to the rate increases. Mr. White stated that there is a black banner on the top of the website that announces the fee changes.

Council Member Conde suggested that those who call the City expressing difficulty being able to pay their utility fees be provided with resources to assist them.

Mayor Weise commented that decisions to institute increases are never easy. In normal times, there would typically be a smaller increase; however, the current record inflation rates, increased labor, and equipment supplies necessitated the change. He agreed that resources should be offered for those who struggle with these expenses.

Council Member Solorio shared the concerns expressed regarding cost of living challenges for elderly residents. Assistance information should be readily available.

Council Member White suggested that the City take a mindful, sustainable approach wherever possible, including ensuring that utility inserts are recyclable and readable.

Ron Corbin, City Manager, commented that utility personnel make regular referrals to Neighborhood and Family Services to provide financial assistance to those in need. He noted that staff will do better in the future in regard to the flyer.

Vice Mayor Pineda noted the importance of getting ahead of rates by instituting small incremental rate increases.

Mayor Weise recommended staff add an alert within the online bills alerting the public of the rate increase.

Council Member White moved to adopt Resolution 1031-0623, modifying water and sewer rates to become effective January 1, 2024 and January 1, 2025 and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents; Council Member Conde seconded the motion.

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

Council Member Conde	Aye
Council Member Malone	Abstain (<i>a vote in the affirmative</i>)
Council Member Solorio	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

d. RESOLUTION 1032-0623 - UPDATING THE SANITATION (SOLID WASTE) FEE SCHEDULE

Council Member White moved to adopt Resolution 1032-0623, approving a sanitation (solid waste) rate schedule and setting an effective date, and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents; Vice Mayor Pineda seconded the motion.

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

Council Member Conde	Aye
Council Member Malone	Abstain (<i>a vote in the affirmative</i>)
Council Member Solorio	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

Note from the City Clerk: Items 5e and 5f were presented together.

e. PUBLIC HEARING - FISCAL YEAR 2024 FINAL BUDGET

City Council held a public hearing to receive comment on the final budget for fiscal year 2023-2024 (FY 2024).

Renee Weatherless, Director of Finance & Budget, stated that the final budget for Fiscal Year 2024 is \$464,896,600. The budget calendar was reviewed, with the last steps to adopt the final budget this evening and then to come back at the next meeting to set the property tax levy.

The total expenditure budget has not increased or decreased from the tentative budget, however, there have been adjustments, including: Final class and compensation refinements - \$229,700; Adjustments in carryover - \$80,000; and Opioid Settlement fund - \$200,000.

Other documents attached for this agenda item include administrative awards over \$50,000, schedule of interfund transfers, schedule of interfund loans, and a 5-year capital improvement plan.

Ongoing revenue and expenditures included in the budget are balanced. One-time expenditures exceed revenues as a result of investments in capital structure. Property tax levy adoption is scheduled for June 26, 2023. For Fiscal Year 2024, the combined level is \$8.5 million with the combined rate at \$1.4595. When compared to last year, the rate is decreasing, but the levy is increasing. Property tax by jurisdiction was reviewed.

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. There were no comments from Council.

f. PUBLIC HEARING - TRUTH IN TAXATION HEARING AND RESOLUTION 1033-0623 SETTING FORTH THE INTENT TO RAISE THE PROPERTY TAX LEVY

City Council held a public hearing and considered a request to adopt Resolution 1033-0623 setting forth the City's intent to levy primary property taxes in the amount of \$0.6373 per hundred (\$100) of assessed valuation and secondary property taxes in the amount of \$0.8222 per hundred (\$100) of assessed valuation and set the property tax adoption for June 26, 2023 and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Mayor Weise opened the public hearing and did not receive any requests to speak. Mayor Weise closed the public hearing, opened the floor for comments from Council and did not receive any comments from Council.

Council Member Solorio moved to adopt Resolution 1033-0623 setting forth the City's intent to levy primary property taxes in the amount of \$0.6373 per hundred (\$100) of assessed valuation and secondary property taxes in the amount of \$0.8222 per hundred (\$100) of assessed valuation and set the property tax adoption for June 26, 2023 and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents; Vice Mayor Pineda seconded the motion.

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

Council Member Conde	Aye
Council Member Malone	Aye
Council Member Solorio	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

6. ADJOURNMENT

There being no further business before the Council, Council Member Solorio moved to adjourn the Regular Meeting; Council Member White seconded the motion.

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

Council Member Conde	Aye
Council Member Malone	Aye
Council Member Solorio	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

Meeting adjourned at 7:02 p.m.

A **Special Meeting** of the City Council of the City of Avondale, Arizona was convened at 11465 West Civic Center Drive in open and public session at 7:02 p.m.

Members Present: Mayor Kenn Weise; Vice Mayor Mike Pineda; Council Members Tina Conde, Veronica Malone, Gloria Solorio and Max White.

Members Absent (Excused): Council Member Curtis Nielson.

Other Municipal Officials Present: Ron Corbin, City Manager; Cherlene Penilla, Assistant City Manager; Tracy Stevens, Assistant City Manager; Nicholle Harris, City Attorney; Marcella Carrillo, City Clerk; Liz Barker Alvarez, Intergovernmental Affairs Administrator; Kirk Beaty, Public Works Director; Margaret Carey, Deputy City Clerk; Ken Chapa, Economic Development Services Director; Barbara Coppage, City Auditor; Memo Espinoza, Police Chief; Joel Evans, Facilities Director; Bryan Hughes, Parks and Recreation Director; Craig Jennings, Judge; Chris Lopez, Neighborhood and Family Services Director; Andy Mesquita, Human Resources Director; Dale Nannenga, Public Safety Chief; Jodie Novak, Development Services Director; Abril Ruiz-Ortega, Court Administrator; Larry Rooney, Fire Chief; Jeffrey Scheetz, Chief Information Officer; Pier Simeri, Marketing and Public Relations Director; Aric Stewart, Engineering Director; and Renee Weatherless, Finance and Budget Director.

Audience: Approximately five members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. RESOLUTION 1034-0623 - SETTING FORTH THE FINAL BUDGET FOR FISCAL YEAR 2023-2024

Council Member Solorio moved to adopt Resolution 1034-0623, approving the final budget for fiscal year 2023-2024 (FY2024) in the amount of \$464,896,600 and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents; Council Member White seconded the motion.

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

Council Member Conde	Aye
Council Member Malone	Aye
Council Member Solorio	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

3. ADJOURNMENT INTO EXECUTIVE SESSION

There being no further business before the Council, Council Member Malone moved to adjourn the Special Meeting and hold an executive session pursuant to Ariz. Rev. Stat. § 38--431.03(A)(1) for discussion of the employment evaluations and salaries of: (a) the City Attorney and (b) the City Auditor; Council Member Solorio seconded the motion.

Upon vote, the motion was carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Malone	Aye
Council Member Solorio	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

Meeting adjourned at 7:05 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 5th day of June 2023. 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

CITY COUNCIL REPORT

SUBJECT: Final Plat for Tract MM, Fulton Homes Acclaim – Phase 1A – Application PL-22-0250
- Northwest Corner of 99th Avenue and Thomas Road

MEETING DATE: 7/10/2023

TO: Mayor and Council

FROM: Jodie Novak, Development Services Director

THROUGH: Tracy Stevens, Assistant City Manager, (623) 333-1014

REVIEWED: Ron Corbin, City Manager, (623) 333-1011

STRATEGIC PLAN:

STRATEGIC OUTCOME AREA: Creative and Sustainable Community Development

STRATEGY: Maintain and expand quality infrastructure and improve connectivity to city amenities.

PURPOSE:

City Council will consider a request by G Garrett of EPS Group, Inc., on behalf of the property owner Fulton Homes Acclaim Community Association, for approval of a Re-Plat of Tract MM, which dedicates an additional 4 feet of right-of-way along Thomas Road, to create 5 feet of right-of-way, as a part of a previously platted 1.82 acres of undeveloped land and authorize the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

The subject property is approximately 1.82 acres in size and includes Tract MM of the Fulton Homes Acclaim – Phase 1A Plat (Exhibit A). The property was annexed as part of a larger annexation on October 2, 1989, and was assigned Agricultural (AG) zoning with the annexation (Ordinance No. 469).

In January 2001, the property was rezoned from Agricultural (AG) to Community Commercial (C-2). The property was rezoned in October 2020, this time to Planned Area Development (PAD) (Exhibit B) and the Fulton Home Acclaim PAD Narrative was adopted. Along with the adopted PAD, an amendment was made to the General Plan to change the land use from Mixed Use and Freeway Commercial to Medium Density Residential (Exhibit C). The Medium Density Residential land use provides for a suburban lifestyle with planned detached single-family residential communities with larger setbacks and neighborhood facilities. Churches, parks, trails and other open space amenities, and public facilities are permitted.

The approved final plat adjacent to Tract MM will accommodate 142 single-family residential homes with lot sizes ranging from 4,140 to 7,500 square feet. Access to the property is exclusively located off the north side of Thomas Road.

The existing uses and zoning of surrounding properties include:

NORTH: General Plan Designation - Medium High Density Residential; Zoning - Parkside Village Planned Area Development; vacant

EAST: City of Phoenix; vacant

SOUTH: General Plan Designation - Open Space; Zoning - Special Use District; cemetery

WEST: General Plan Designation - Medium Density Residential; Zoning - Fulton Homes Acclaim Planned Area Development; vacant.

SUMMARY OF REQUEST:

The applicant is requesting approval of the Final Plat for Tract MM, Fulton Homes Acclaim – Phase 1A (Exhibit D). The proposed re-plat dedicates an additional four (4) feet of right-of-way for the purpose of adding 5 feet of right-of-way which will accommodate a right-turn deceleration lane westbound along Thomas Road to go northbound on 101st Avenue into the residential subdivision. The overall size of the re-platted parcel is approximately 1.793 acres or 78,332 square feet. The right-of-way total will be 60 feet in width to accommodate the turn lane and 55 feet in width beyond that (22 feet on the north side and 33 feet on the south side of the right-of-way).

PUBLIC PARTICIPATION:

Public notification is not required for Re-Plat applications.

PLANNING COMMISSION ACTION:

The Planning Commission does not review Re-Plat applications.

ANALYSIS:

The proposed Re-Plat has been reviewed by the City's contracted Registered Land Surveyor and the document has been confirmed as geometrically accurate and in conformance with Arizona Statutes governing the subdivision of real property.

The proposed Re-Plat is in conformance with the City of Avondale Zoning Ordinance and Subdivision Regulations.

DISCUSSION:

1. The proposed Re-Plat is in conformance with the City of Avondale Zoning Ordinance and Subdivision Regulations.
2. The conditions of approval are reasonable to ensure conformance with the provisions as outlined in the Avondale Zoning Ordinance and all other applicable City codes, ordinances, and policies.

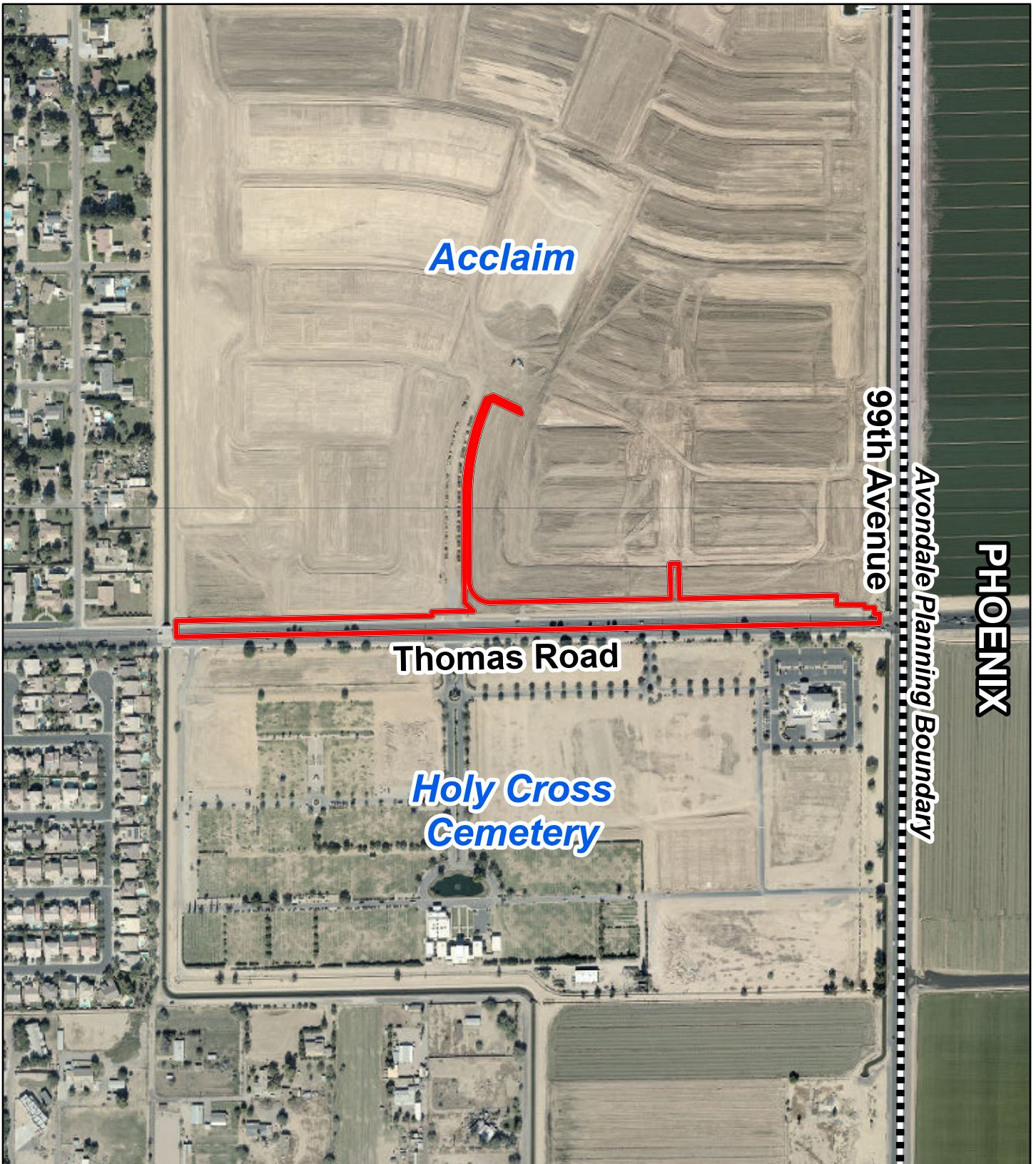
BUDGET IMPACT:

No budget impacts.

RECOMMENDATION:

Staff recommends that City Council approve Application PL-22-0250 Final Plat Tract MM, Fulton Homes Acclaim – Phase 1A, subject to the following condition of approval: The recorded plat shall be in conformance with the Re-Plat submitted electronically March 27, 2023, and provided in Exhibit D.

Contact person for document distribution: Joshua Orton

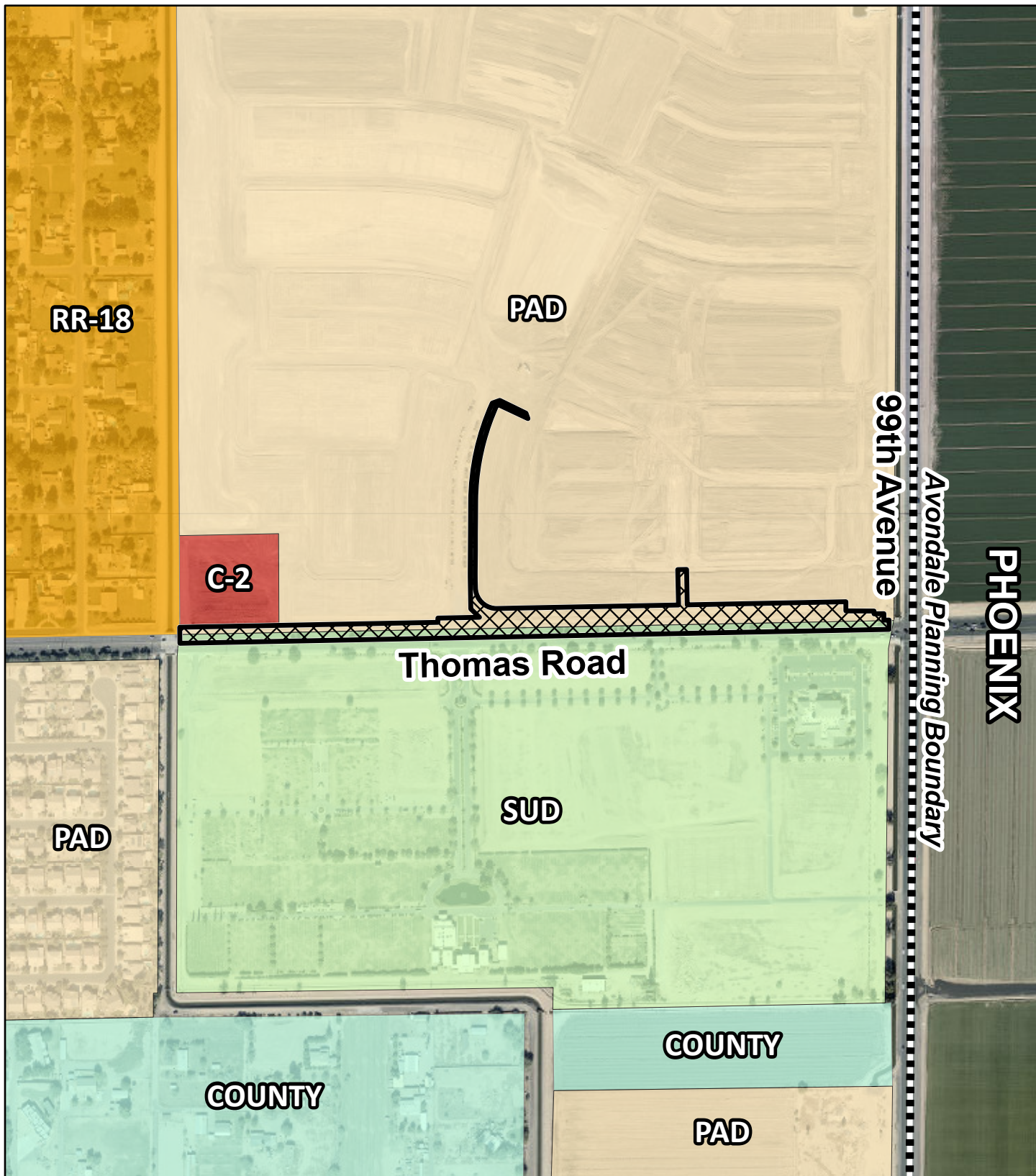


Aerial Map

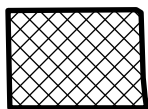


Subject Property

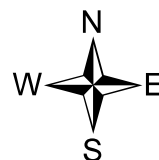


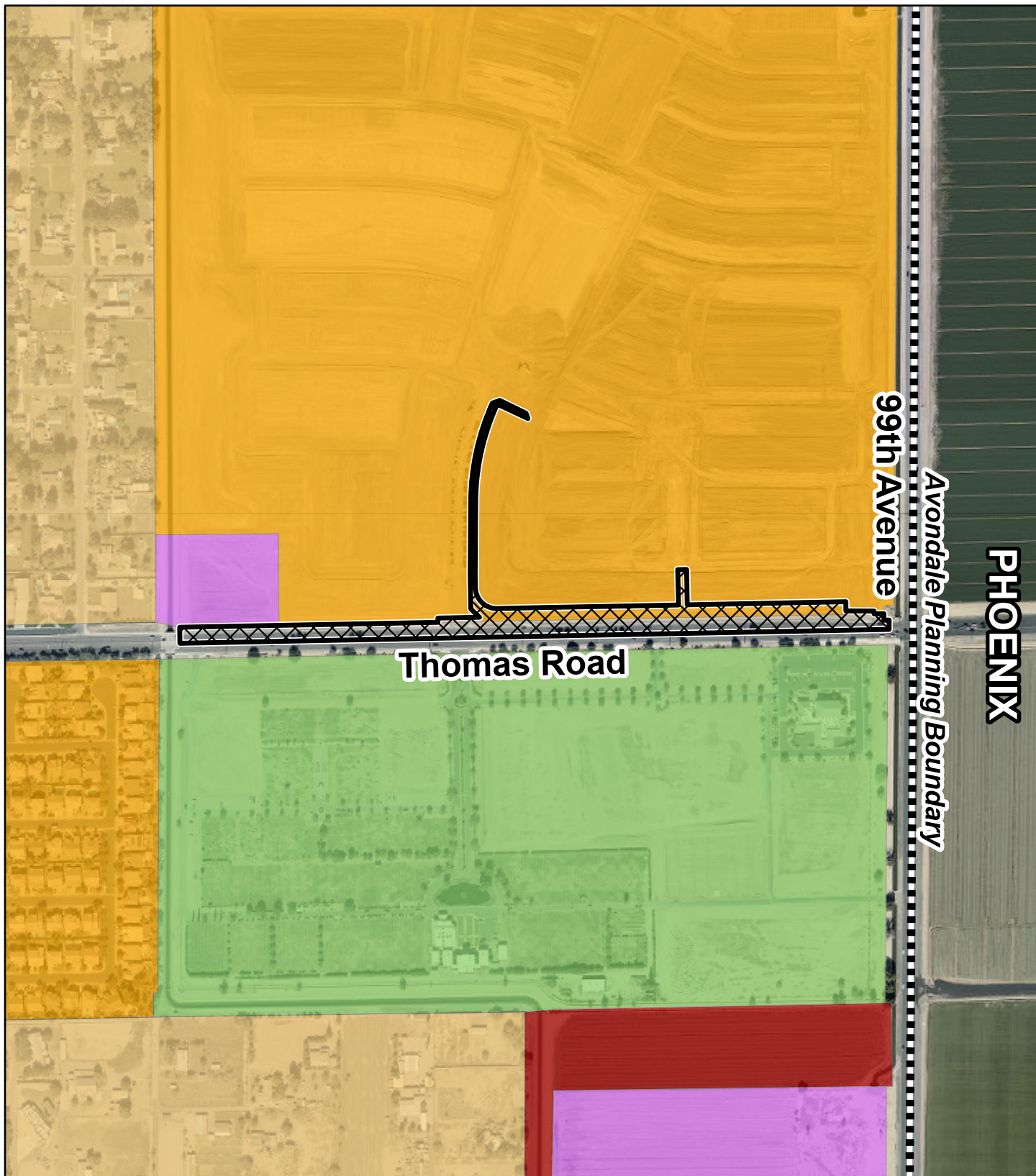


Zoning Vicinity



Subject Property

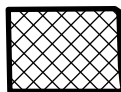




General Plan Land Use



- Estate/Low Density Residential
- Medium Density Residential
- Mixed Use
- Open Space and Parks
- Urban Commercial



Subject Property

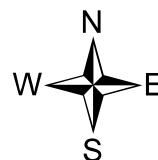


Exhibit D

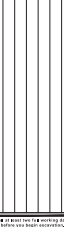
Electronically received 3/27/23

1130 N. Alma School Rd. Suite 120
Phoenix, AZ 85015
T: 480.503.2260 F: 480.805.1799
www.ebsiengineering.com



Project: "Tract MM, Fulton Homes Acclaim - Phase 1A"
AVONDALE, ARIZONA
Final Plat of

Revisions:



Drawn by: LPT
Reviewed by: MCP



Job No.

20-0146

REPLAT

Sheet No.

2

of 2

LEGEND

● FOUND MONUMENT, AS NOTED
○ CORNER OF SUBDIVISION
○ BRASS CAP TO BE SET AT CONSTRUCTION
M.C.R. MARICOPA COUNTY RECORDER
MCHD MARICOPA COUNTY HIGHWAY DEPARTMENT
PUE PUBLIC UTILITY EASEMENT
RLS REGISTERED LAND SURVEYOR
R/W RIGHT-OF-WAY
SVTE SIGHT VISIBILITY TRIANGLE EASEMENT (33' X 33')
* FULTON HOMES ACCLAIM PHASE 1A, BOOK 1635 OF MAPS, PAGE 09, M.C.R.

BOUNDARY LINE
RIGHT OF WAY LINE
PARCEL LINE
SECTION LINE
CENTER LINE ROAD
PUBLIC UTILITY EASEMENT LINE
SIGHT VISIBILITY TRIANGLE EASEMENT LINE
EASEMENT LINE

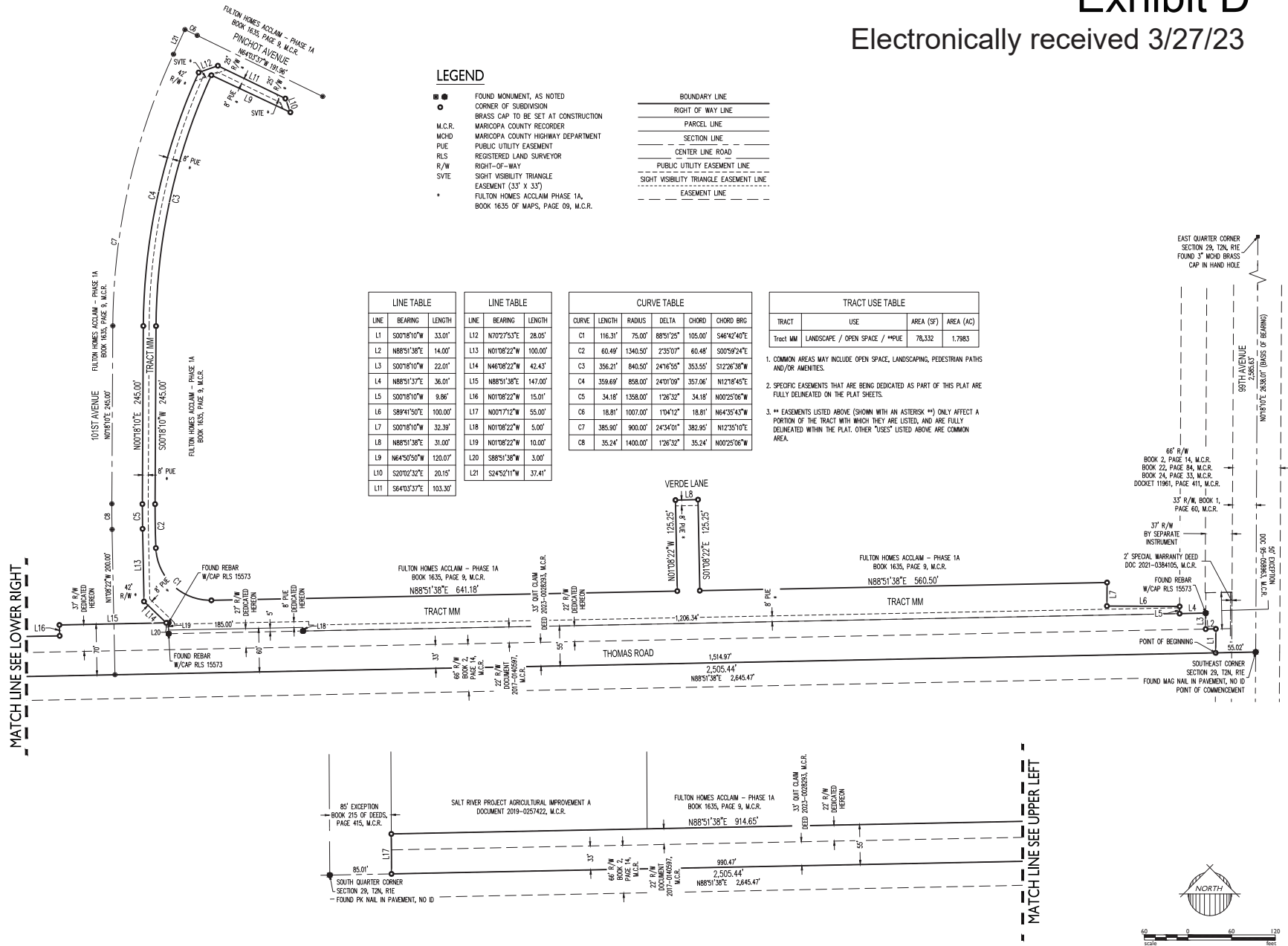
LINE	BEARING	LENGTH
L1	S007°18'10"W	33.01'
L2	N88°51'38"E	14.00'
L3	S007°18'10"W	22.01'
L4	N88°51'37"E	36.01'
L5	S007°18'10"W	9.86'
L6	S89°41'50"E	100.00'
L7	S007°18'10"W	32.39'
L8	N88°51'38"E	31.00'
L9	N64°50'50"W	120.07'
L10	S20°02'32"E	20.15'
L11	S64°03'37"E	103.30'

LINE	BEARING	LENGTH
L12	N70°27'53"E	28.05'
L13	N01°08'22"W	100.00'
L14	N46°08'22"W	42.43'
L15	N88°51'38"E	147.00'
L16	N01°08'22"W	15.01'
L17	N00°17'12"W	55.00'
L18	N01°08'22"W	5.00'
L19	N01°08'22"W	10.00'
L20	S88°51'38"E	3.00'
L21	S24°52'11"W	37.41'

CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BRG
C1	116.31'	75.00'	88°51'25"	105.00'	S46°42'40"E
C2	60.49'	1340.50'	2°35'01"	60.48'	S00°59'24"E
C3	356.21'	840.50'	24°16'55"	353.55'	S12°26'38"W
C4	359.69'	858.00'	24°01'09"	357.06'	N12°18'45"E
C5	34.18'	1358.00'	1°28'32"	34.18'	N00°25'06"W
C6	18.81'	1007.00'	1°04'12"	18.81'	N64°35'43"W
C7	385.90'	900.00'	24°34'01"	382.95'	N12°35'10"E
C8	35.24'	1400.00'	1°26'32"	35.24'	N00°25'06"W

TRACT	USE	AREA (SF)	AREA (AC)
Tract MM	LANDSCAPE / OPEN SPACE / PUE	78,332	1.7983

- COMMON AREAS MAY INCLUDE OPEN SPACE, LANDSCAPING, PEDESTRIAN PATHS AND/OR AMENITIES.
- SPECIFIC EASEMENTS THAT ARE BEING DEDICATED AS PART OF THIS PLAT ARE FULLY DELINEATED ON THE PLAT SHEETS.
- ** EASEMENTS LISTED ABOVE (SHOWN WITH AN ASTERISK **) ONLY AFFECT A PORTION OF THE TRACT WITH WHICH THEY ARE LISTED, AND ARE FULLY DELINEATED WITHIN THE PLAT. OTHER "USES" LISTED ABOVE ARE COMMON AREA.



CITY COUNCIL REPORT

SUBJECT: Series 10 (Beer and Wine Store) Liquor License for Quick Stop Shop

MEETING DATE: 7/10/2023

TO: Mayor and Council

FROM: Marcella Carrillo, City Clerk, (623) 333-1214

THROUGH: Cherlene Penilla, Assistant City Manager, (623) 333-1015

REVIEWED: Ron Corbin, City Manager, (623) 333-1011

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Diverse Recreation and Entertainment Opportunities – Avondale provides residents with the ability to connect with amenities, businesses, and their community, enhancing the opportunity to live, work, and enjoy a healthy, active, and affordable lifestyle.

The approval of this agenda item will promote Avondale community's social connectivity by providing a new social environment for family and friends. This item will increase visitor traffic to Avondale's local businesses.

PURPOSE:

City Council will consider a request to recommend approval to the Arizona Department of Liquor License and Control of a Series 10 (Beer and Wine Store) Liquor License submitted by Jeffrey Craig Miller for the sale of beer and wine at Quick Stop Shop located at 127 West Main Street and authorize the City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

Quick Stop Shop is an existing establishment located at 127 West Main Street in Avondale (near Buckeye Road and Central Avenue). The Arizona State Statute requires all series 10 liquor licenses to be separated by a minimum of 300 feet from K-12 schools or fenced recreational areas that are part of a school building. There are no schools or fenced recreational areas associated with schools located within 300 feet of the Quick Stop Shop.

The General Plan designates the property as Local Commercial and the current zoning is Community Commercial (C-2). The use of the property as a convenience store is consistent with the Zoning Ordinance.

On June 11, 2022, City Council recommended approval of a liquor license; however, the business is re-applying as there has been a change in ownership.

DISCUSSION:

As required by state law and city ordinance, the application was posted for the required period of time. The Police, Fire & Medical, Development & Engineering Services and Finance Departments have reviewed the

application and are recommending approval.

BUDGET IMPACT:

The liquor license application fee of \$250 has been paid.

RECOMMENDATION:

Staff is recommending approval of 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 Jeffrey Craig Miller for the sale of beer and wine at Quick Stop Shop located at 127 West Main Street and authorize the City Clerk to execute the necessary documents.

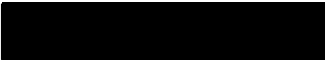
Contact person for document distribution: Maria James

State of Arizona
Department of Liquor Licenses and Control

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Local Governing Body Report

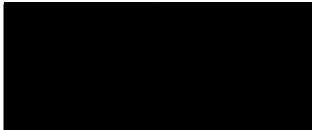
LICENSE

Number:	Type:	010 BEER AND WINE STORE
Name:	QUICK STOP SHOP	
State:	Pending	
Issue Date:	Expiration Date:	
Original Issue Date:		
Location:	127 W MAIN STREET AVONDALE, AZ 85323 USA	
Mailing Address:	 USA	
Phone:	(623)213-7703	
Alt. Phone:		
Email:	LIQUORLICENSE@AZLIC.COM	

AGENT

Name:	JEFFREY CRAIG MILLER
Gender:	Male
Correspondence Address:	
Phone:	
Alt. Phone:	
Email:	LIQUORLICENSE@AZLIC.COM

OWNER

Name:	DD LIQUOR STORE, LLC
Contact Name:	JEFFREY MILLER
Type:	LIMITED LIABILITY COMPANY
AZ CC File Number:	State of Incorporation:
Incorporation Date:	
Correspondence Address:	
Phone:	
Alt. Phone:	
Email:	LIQUORLICENSE@AZLIC.COM

Officers / Stockholders

Name:
DAVID LEE NITZ
JACOB DAVID NITZ

Title:
President
JOB #198646

% Interest:
100.00

DD LIQUOR STORE, LLC - President

Name: DAVID LEE NITZ
Gender: Male
Correspondence Address:

Phone:
Alt. Phone:
Email:

DD LIQUOR STORE, LLC - JOB #198646

Name: JACOB DAVID NITZ
Gender: Male
Correspondence Address:

Phone:
Alt. Phone:
Email:

APPLICATION INFORMATION

Application Number: 198646
Application Type: New Application
Created Date: 05/26/2022

QUESTIONS & ANSWERS

010 Beer and Wine Store

- 1) Are you applying for an Interim Permit (INP)?
Yes
A Document of type INTERIM PERMIT (INP) NOTARY PAGE is required.
- 2) Provide name, address, and distance of nearest school and church.
(If less than one (1) mile note footage)
MICHAEL ANDERSON SCHOOL- 2405 FT
45 S 3RD AVE AVONDALE, AZ 85323

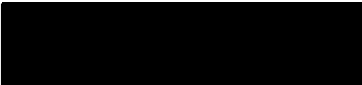
TEMPLE OF FIATH CHURCH- 1690 FT
201 E MAIN ST AVONDALE AZ 85323
- 3) Are you one of the following? Please indicate below.
Property Tenant
Subtenant
Property Owner
Property Purchaser
Property Management Company
Property Tenant
- 4) Is there a penalty if lease is not fulfilled?
Yes
What is the penalty?
STILL OWE TERM
- 5) Is the Business located within the incorporated limits of the city or town of which it is located?
Yes
- 6) What is the total money borrowed for the business not including the lease?
Please list each amount owed to lenders/individuals.
S MAIN STREET LLC- \$85,000.00
10602 W ZAK RD TOLLESON, AZ 85353
- 7) Is there a drive through window on the premises?
No
- 8) Does the establishment have a patio?
No
- 9) Is your licensed premises now closed due to construction, renovation or redesign or rebuild?
No

State of Arizona
Department of Liquor Licenses and Control

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Local Governing Body Report

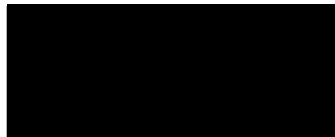
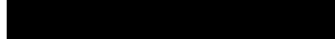
LICENSE

Number:	INP070018908	Type:	INP INTERIM PERMIT
Name:	QUICK STOP SHOP		
State:	Active		
Issue Date:	05/31/2022	Expiration Date:	09/13/2022
Original Issue Date:	05/31/2022		
Location:	127 W MAIN STREET AVONDALE, AZ 85323 USA		
Mailing Address:			
Phone:	(623)213-7703		
Alt. Phone:			
Email:	LIQUORLICENSE@AZLIC.COM		

AGENT

Name:	JEFFREY CRAIG MILLER
Gender:	Male
Correspondence Address:	
Phone:	
Alt. Phone:	
Email:	LIQUORLICENSE@AZLIC.COM

OWNER

Name:	DD LIQUOR STORE, LLC
Contact Name:	JEFFREY MILLER
Type:	LIMITED LIABILITY COMPANY
AZ CC File Number:	State of Incorporation:
Incorporation Date:	
Correspondence Address:	
Phone:	
Alt. Phone:	
Email:	LIQUORLICENSE@AZLIC.COM

Officers / Stockholders

Name:
DAVID LEE NITZ
JACOB DAVID NITZ

Title:
President
JOB #198646

% Interest:
100.00

DD LIQUOR STORE, LLC - President

Name: DAVID LEE NITZ
Gender: Male
Correspondence Address:

Phone:
Alt. Phone:
Email:

DD LIQUOR STORE, LLC - JOB #198646

Name: JACOB DAVID NITZ
Gender: Male
Correspondence Address:

Phone:
Alt. Phone:
Email:

APPLICATION INFORMATION

Application Number: 198647
Application Type: New Application
Created Date: 05/26/2022

QUESTIONS & ANSWERS

INP Interim Permit

- 1) Enter License Number currently at location
010070012134
- 2) Is the license currently in use?
Yes
- 3) Will you please submit section 5, page 6, of the license application when you reach the upload page?
Yes
A Document of type INTERIM NOTARY PAGE is required.

STATE OF ARIZONA
DEPARTMENT OF LIQUOR LICENSES
AND CONTROL
ALCOHOLIC BEVERAGE LICENSE

BWSTER
License 010070012134

Issue Date: 12/8/2021

Expiration Date: 12/31/2022

Issued To:

[REDACTED]

Location:

S & S QUICK STOP SHOP
127 W MAIN STREET
AVONDALE, AZ 85323
USA

Mailing Address:

[REDACTED]

USA



EXP 12/31/2022

POST THIS LICENSE IN A CONSPICUOUS PLACE

22 MAY 31 11:47 AM '22

22 MAY 31 11:48 PM 148

SECTION 5 Interim Permit

If you intend to operate business while the application is pending, you will need an interim permit pursuant to A.R.S. §4-203.01. For approval of an interim permit:

- There **must** be a valid license of the same series issued to the current location you are applying for, **OR**
- A Hotel/Motel license is being replaced with a restaurant license pursuant to A.R.S. §4-203.01 (A)

1. Enter license number currently at the location: 010070012134

2. Is the license currently in use? ☒ Yes ☐ No If no, how long has it been out of use? _____

NOTARY	
I (Print Full Name) <u>Saleh Nasrigh</u>	hereby declare that I am the Agent, Current Owner, or Controlling Person on the stated license and location.
Signature: _____	State of <u>Arizona</u> County of <u>Maricopa</u>
My Commission Expires on: <u>7/30/2024</u>	The foregoing instrument was acknowledged before me this <u>31st</u> Day of <u>May</u> , <u>2022</u>
	Signature of Notary _____

SECTION 6 Background Check

EACH PERSON LISTED MUST SUBMIT A QUESTIONNAIRE, FINGERPRINT CARD, AND \$22 PROCESSING FEE PER CARD.

1. If the applicant is an entity, and not an individual, answer questions 1a-b.

a) Date Incorporated/Organized: _____ State where Incorporated/Organized: _____

b) AZ Corporation or AZ L.L.C. File No: _____ Date authorized to do business in AZ: _____

2. List any individual or entity that owns a beneficial interest of 10% or more and/or controls the applicant or licensee. If the applicant is owned by another entity, attach an organizational chart showing the ownership structure. Attach additional sheets as needed. Disclose all controlling persons and members, shareholders or general partners who own a beneficial interest of 10% or more of the applicant or licensee.

Last	First	Middle	Title	%Owned	Mailing Address	City	State	Zip

(Attach additional sheet if necessary)

SECTION 7 Probate, Receiver, Bankruptcy Trustee, Assignment, or Divorce Decree of an existing liquor license A.R.S. §4-204

EACH PERSON LISTED MUST SUBMIT A QUESTIONNAIRE, FINGERPRINT CARD, AND \$22 PROCESSING FEE PER CARD.

1. Current Licensee's Name: _____

(Exactly as it appears on the license) Last First Middle

2. Assignee's Name: _____

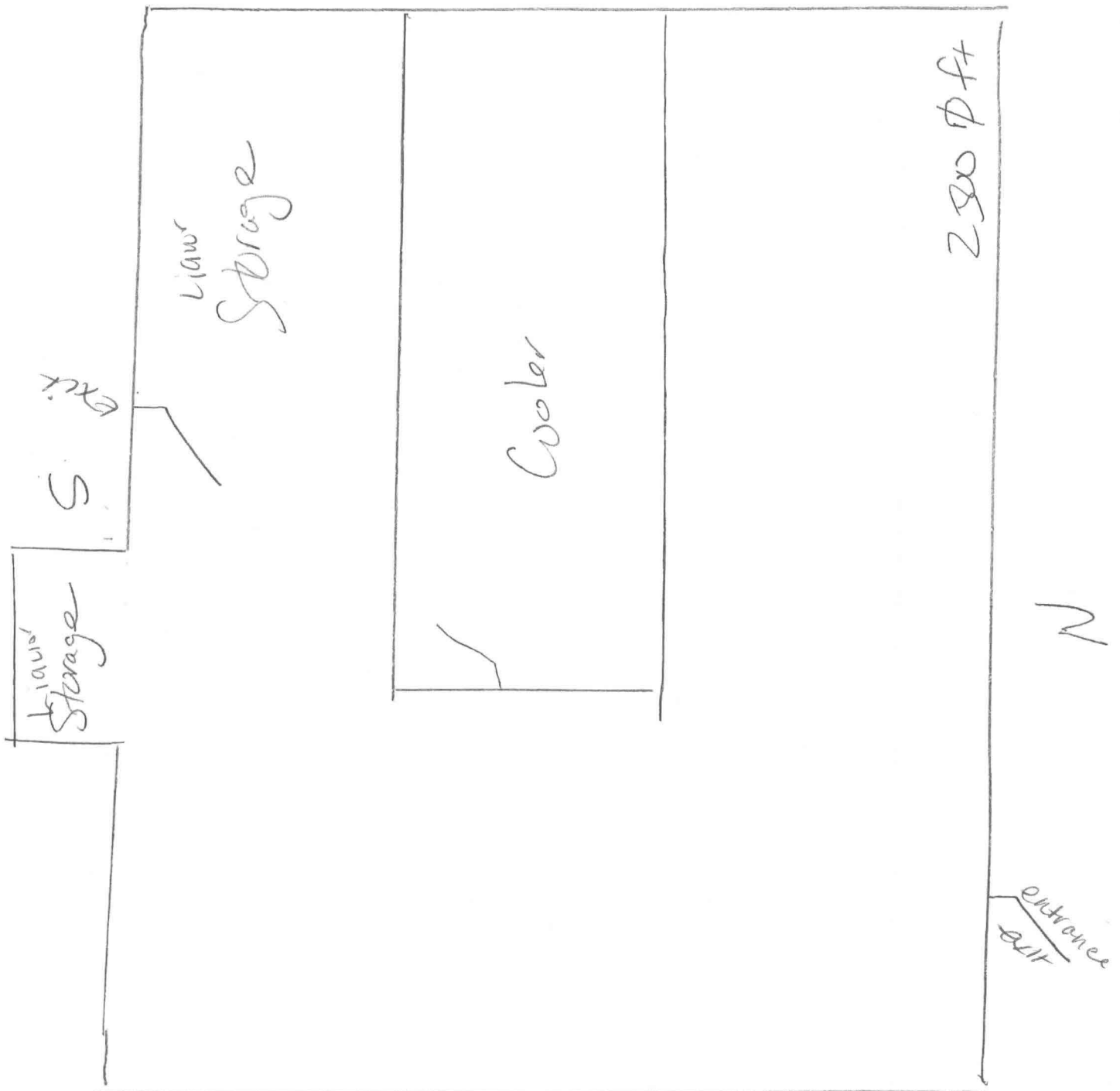
Last First Middle

3. License Number: _____

ATTACH A COPY OF THE DOCUMENT THAT SPECIFICALLY ASSIGNS THE LIQUOR LICENSE TO THE ASSIGNEE.

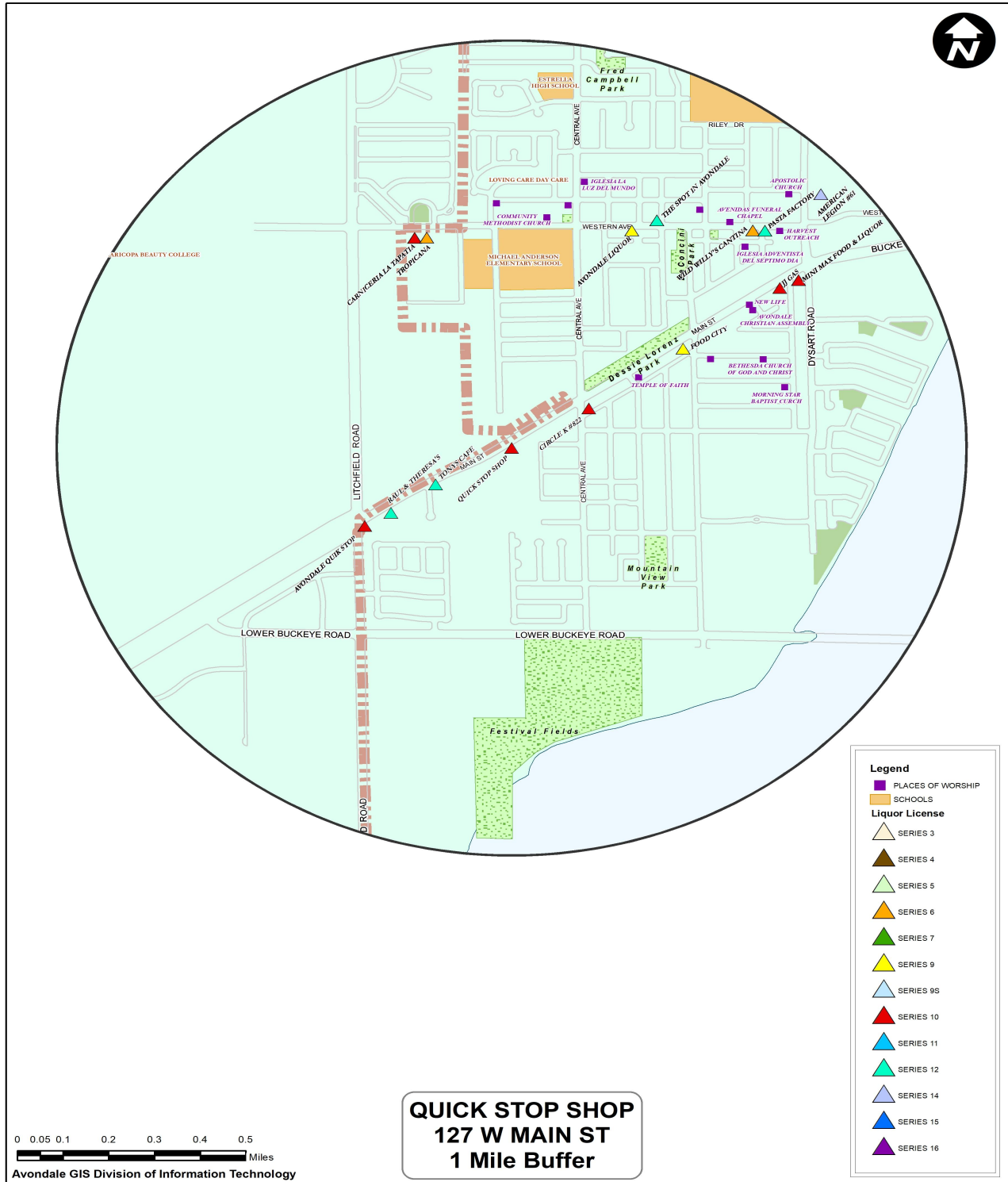
22 MAY 26 1997 Lic. PM 4 107

3



4

GIS MAP



LICENSE REVIEW FORM

Type of License	Series 10- Beer and Wine
Applicant's Name	Jeffrey Craig Miller
Business Name	Quick Stop Shop
Business Address	127 W Main St. Avondale, AZ 85323
Department Comments	
There is nothing in this application to indicate the application and license would not be approved by the Arizona Department of Liquor Licenses and Control. Furthermore, a check of local records did not indicate any issues or concerns with the applicants that would pertain to obtaining this approval.	
☒ Police Department	☐ Fire Department
☐ Development Services	☐ Finance Department
☒ Approved	☐ Denied
<u>Mathew Hintz</u> Mathew Hintz (Jun 13, 2023 13:00 PDT)	Public Safety Lieutenant
E-Signature	Title
Mathew Hintz	Jun 13, 2023
Name	Date

This license is scheduled for the City Council Meeting on: **July 10, 2023**

Please complete form by: **July 3 ,2023**

LICENSE REVIEW FORM

Type of License	Series 10- Beer and Wine
Applicant's Name	Jeffrey Craig Miller
Business Name	Quick Stop Shop
Business Address	127 W Main St. Avondale, AZ 85323
Department Comments	
No comments	
☐ Police Department ☒ Fire Department	
☐ Development Services ☐ Finance Department	
☒ Approved ☐ Denied	
 Jason Napier (Jun 13, 2023 06:51 PDT)	Fire Marshal
E-Signature	Title
Jason Napier	Jun 13, 2023
Name	Date

This license is scheduled for the City Council Meeting on: **July 10, 2023**

Please complete form by: **July 3, 2023**

LICENSE REVIEW FORM

Type of License	Series 10- Beer and Wine
Applicant's Name	Jeffrey Craig Miller
Business Name	Quick Stop Shop
Business Address	127 W Main St. Avondale, AZ 85323
Department Comments	
All business license requirements have been met.	
☐ Police Department	☐ Fire Department
☐ Development Services	☒ Finance Department
☒ Approved	☐ Denied
<u><i>Audrey Tijerina</i></u> Audrey Tijerina (Jun 12, 2023 17:48 PDT)	Customer Service Representative
E-Signature	Title
<u>Audrey Tijerina</u>	<u>Jun 12, 2023</u>
Name	Date

This license is scheduled for the City Council Meeting on: July 10, 2023

Please complete form by: July 3, 2023

LICENSE REVIEW FORM

Type of License	Series 10- Beer and Wine
Applicant's Name	Jeffrey Craig Miller
Business Name	Quick Stop Shop
Business Address	127 W Main St. Avondale, AZ 85323
Department Comments	
The General Plan designates the property as Local Commercial, the current zoning is Community Commercial (C-2). Use of the property as a convenience store is consistent with the City of Avondale Zoning Ordinance.	
☐ Police Department	☐ Fire Department
☒ Development Services	☐ Finance Department
☒ Approved	☐ Denied
 _____ E-Signature	City Clerk for the Planning Division _____ Title
Marcella Carrillo _____ Name	Jun 7, 2023 _____ Date

This license is scheduled for the City Council Meeting on: July 10, 2023

Please complete form by: July 3, 2023

CITY COUNCIL REPORT

SUBJECT: Resolution 1042-0723 - Intergovernmental Agreement with First Things First - Services at the Avondale Resource Center

MEETING DATE: 7/10/2023

TO: Mayor and Council

FROM: Christopher Lopez, Neighborhood & Family Services Director

THROUGH: Cherlene Penilla, Assistant City Manager, (623) 333-1015

REVIEWED: Ron Corbin, City Manager, (623) 333-1011

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Areas:

- Community Oriented Lifelong Learning Opportunities- Avondale will continue to provide programs and services that support the academic success of children entering kindergarten.
- Public Health and Safety- Avondale will continue to provide an array of education and health programs for families with children from birth to five years of age.

The approval of this agenda item provides residents with access to an array of education and health programs for families with children from birth to five years of age.

PURPOSE:

City Council will consider a request to adopt Resolution 1042-0723, approving an Intergovernmental Agreement with the Southwest Maricopa Regional Partnership Council of the Arizona Early Childhood Development and Health Board, doing business as First Things First to receive \$250,000 in funding for services at the City of Avondale Family Resource Center for fiscal year 2023-2024 and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

The Arizona Early Childhood Development and Health Board, known as First Things First, is an Arizona State agency established by voter initiative to support a voluntary system of early care and education. The objective is to provide an array of education and health programs for families with children from birth to five years of age. The Southwest Maricopa Regional Partnership Council represents Avondale and the surrounding communities and is charged with making strategy and funding recommendations to the First Things First Board.

The Arizona Complete Health Avondale Resource Center (formerly known as Care1st Resource Center) provides services to residents in the Southwest Valley and surrounding areas. This has been made possible through an innovative public and private partnership between Care1st Health Plan Arizona, Inc., First Things First (FTF) and the City of Avondale. The initial Intergovernmental Agreement was established with First Things First in April of 2009. The City provided a 6,000 square foot facility, Care1st provided funding for

renovations and operations and First Things First provided programming funding for families with children from birth to age five. Several non-profit organizations have been provided space in the center in exchange for providing services.

In January 2021, The City relocated the resource center to a newly built facility. This was made possible by an \$11.7 million capital investment from the City of Avondale. The new facility is a 30,000 square foot multi-generational center providing services to individuals and families from cradle to cane. The center provides parenting activities that aim to increase the family's knowledge of child development, health and promising parenting practices for families with children from birth to age five, as well as referral services that address individual family needs. The center is a one-stop hub for health and human services in the Southwest Valley.

Core services offered:

- Parenting activities, classes related to social-emotional, cognitive, physical, language development, early literacy, supportive parenting skills, school readiness, child safety, and discipline.
- Developmental, hearing and vision screenings.
- Dental screenings.
- Health insurance, nutritional and cash assistance enrollment.
- Women, infants and children nutritional benefit enrollment, education and support.
- Economic support/family stability programs.

DISCUSSION:

The scope of work for the Intergovernmental Agreement addresses the priority areas of the Regional Council and enhances the services provided at the Arizona Complete Health Avondale Resource Center. The Center connects families to services that support parents with early childhood care and education, housing and health service information, provides referrals for families and also conducts outreach efforts to educate the public and organizations that serve families at the center. Avondale staff are required to provide a minimum of 240 parenting activities annually. The grant agreement provides an award amount of \$250,000. The City's Intergovernmental Agreement with First Things First will be effective July 1, 2023 through June 20, 2024 with an option to renew for up to three (3) additional one (1) year terms.

BUDGET IMPACT:

No matching funds are required to receive this financial support, and the general fund will not be impacted. Grant appropriations are included in the FY2024 adopted budget.

RECOMMENDATION:

Staff recommends City Council approve an Intergovernmental Agreement with Southwest Maricopa Regional Partnership Council of the Arizona Early Childhood Development and Health Board, d/b/a First Things First to receive \$250,000 in funding.

Contact person for document distribution: Jerie Guajardo

RESOLUTION NO. 1042-0723

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, APPROVING THE INTERGOVERNMENTAL AGREEMENT WITH FIRST THINGS FIRST; RELATING TO SERVICES AT THE CITY OF AVONDALE FAMILY RESOURCE CENTER.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The Intergovernmental Agreement with the Southwest Maricopa Regional Partnership Council of the Arizona Early Childhood Development and Health Board, d/b/a First Things First; relating to services at the City of Avondale Family Resource Center (the “Agreement”) for fiscal year 2023-2024 is hereby approved in substantially the form and substance attached hereto as Exhibit A and incorporated herein by reference.

SECTION 2. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to cause the execution of the Agreement and to take all steps necessary to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, July 10, 2023.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 1042-0723

[Agreement]

See following pages.

Government Agreement Summary	
GRA Number: GRA-RC007-24-1210-01	Region/Funding Source: Southwest Maricopa
Grantee Information: City of Avondale Chris Lopez clopez@avondale.org 623-333-2719	
Strategy: Family Resource Centers	Funding Available: \$250,000
Target Service Units Strategy: Family Resource Centers Number of Parenting Activities Conducted: 240	
Brief Description: The intent of the Family Resource Centers strategy is to provide prenatal families and families with children birth to age 5 in the Southwest Maricopa Region with a welcoming, safe, and accessible community hub that offers flexible, multi-generational, family-focused, and culturally responsive information, resources, and services covering a wide range of topics in the City of Avondale.	
Required Data Template Training The grantee is required to participate in data template training. Further instruction will be provided closer to grant start date.	
Grant Term/Estimated Start Date: The estimated grant term is July 1, 2023 through June 30, 2024, unless terminated, cancelled or extended.	Contact Information: Michelle Neitch Fiscal Specialist First Things First Email: mneitch@firstthingsfirst.org Phone: (602) 771-5079

GOVERNMENT AGREEMENT

GRA-RC007-24-1210-01

**Between The
Arizona Early Childhood Development and Health Board
Southwest Maricopa Regional Partnership Council
(First Things First)
And
City of Avondale
(Grantee)**

I. Purpose

The intent of the Family Resource Centers strategy is to provide prenatal families and families with children birth to age 5 in the Southwest Maricopa Region with a welcoming, safe, and accessible community hub that offers flexible, multi-generational, family-focused, and culturally responsive information, resources, and services covering a wide range of topics in the City of Avondale.

II. Term, Renewal

The term of this Agreement is July 1, 2023 through June 30, 2024. The parties may renew this Agreement for up to three (3) additional twelve (12) month extensions (including lesser parts thereof).

III. Description of Services

- A. Families are the single most important factor in promoting the optimal development of their young child and are best supported when neighborhoods and communities have adequate and accessible resources and services to meet their needs. Families need a community location to access resources, information, referrals and concrete support, as well as increase their confidence in parenting and knowledge about the development of their children.
- B. Family Resource Centers provide services for families with pregnant mothers and families with children birth to age five that build on parental resilience, knowledge of parenting and child development, social connections, social and emotional competence of children, and concrete supports. These factors are characteristics or strengths of individuals, families, communities or societies that act to mitigate risks and promote positive well-being and healthy development. The intent of the strategy is to provide welcoming, safe, and accessible local community hubs that provide flexible, multi-generational, family-focused, and culturally responsive information, resources, and services covering a wide range of topics.

IV. GRANTEE'S Responsibilities

The Grantee will:

- A. Prior to entering into this Agreement, have completed and submitted to First Things First for review and approval the following forms and documents:
 - 1. Agency/Organization Profile
 - 2. Personnel - Program Personnel Table and Program Organization Chart
 - 3. Budget - Line-Item Budget and Budget Narrative
 - 4. Fiscal Information - Funding Sources and Financial Controls

The completed forms and documents comprise part of this Agreement.

- B. In providing programming described in Sections III and IV.A, the Grantee will act in accordance with the Description of Services, the approved budget, the Scope of Work (Exhibit A), Guidance Materials and Required Documents (Exhibit B), and the Data Security, Submission and Suppression Guidelines and Requirements for Collaborators (Exhibit C).
- C. Coordinate and collaborate with all First Things First grant recipients, as collaboration is critical to developing a seamless service delivery system for children and families.
- D. Submit timely the reports described in Section VI.

V. Reimbursement/Payment

- A. First Things First will pay the Grantee on a cost-reimbursement basis for expenses approved in the budget, up to \$250,000, on the terms described in this Section.
- B. Payment is conditioned upon First Things First's receipt of timely, accurate and complete (i) reimbursement documents, (ii) Program Narrative Reports and (iii) Data Submission Reports submitted via the First Things First Partner Grant Management System (PGMS). Payments will be made only for those services performed or goods received.
- C. The Grantee will submit reimbursement requests at least quarterly, though not more frequently than monthly. **The Grantee must submit a final reimbursement request marked "final" no more than forty-five (45) days after the Agreement term end date.** The Grantee must pay, accrue or obligate expenses eligible for reimbursement by the Agreement term end date. Final payment is conditioned upon receipt of all fiscal, programmatic, and data reports required of the Grantee under this Agreement. Requests for reimbursement received later than forty-five (45) days after the Agreement end date will not be paid.

- D. The Grantee will only use funds provided under this Agreement to fulfill the Grantee's responsibilities under this Agreement. Any questions regarding the appropriate use of the funds will be resolved by mutual agreement between the parties.
- E. If the Grantee receives reimbursement for expenditures that are disallowed by an audit exception by First Things First, the state or the federal government, the Grantee will promptly repay the funds to First Things First.

VI. Quarterly Program Narrative and Data Submission Reporting Requirements

- A. At a minimum, the Grantee will submit quarterly one Program Narrative Report and one Data Submission Report by the 20th of the month following the quarter via PGMS. Failure to submit timely reports will result in suspension of reimbursement. The reports will contain the information deemed necessary by First Things First.
- B. Program Narrative and Data Submission Reports are due:

1 st Quarter (July 1 - September 30)	Due: October 20
2 nd Quarter (October 1 - December 31)	Due: January 20
3 rd Quarter (January 1 - March 31)	Due: April 20
4 th Quarter (April 1 - June 30)	Due: July 20
- C. When a report due date falls on a weekend or holiday, the reports are due the following business day.
- D. If the Grantee provides services to more than one First Things First region (multi-regional strategies), the Grantee will collect, store and report the data for the Data Submission Reports separately for each region served.

VII. Agreement Administration and Operations

- A. Working on Tribal Land. If the Grantee performs any work under this Agreement on sovereign land of a tribe, the Grantee must comply with any requirements of the tribe in relation to essential functions of the grant operation, including data collection. It is a material requirement of this Agreement that the Grantee follow all First Things First tribal policies and procedures including the Tribal Data Policy as applicable, obtain all appropriate parental consents and obtain appropriate tribal approvals as designated by tribal authorities, which approval may include a requirement to participate in cultural education and community orientation classes.
- B. Advertising, Publishing and Promotion of Agreement. The Grantee will not use, advertise or promote information for commercial benefit concerning this grant without the prior written approval of First Things First.

- C. Review of Printed Materials. First Things First must review and approve all Grantee publications and/or media funded or partially funded through this Agreement for compliance with this Agreement. The Grantee will submit to First Things First via PGMS all print and electronic materials related to the programs and services funded under this Agreement before publicly distributing those materials so that First Things First may first review and approve prior to release. If deemed necessary by First Things First, the Grantee will revise the materials as indicated by First Things First before publicly distributing the materials. First Things First will have full and complete rights to reproduce, duplicate, disclose, perform, and otherwise use all materials prepared under this Agreement.
- D. Acknowledgment of FTF Funding. The Grantee will recognize First Things First as a funding source of programs and services funded in whole or part under this Agreement in all publicly distributed print or electronic materials related to those programs and services. The Grantee will make this recognition in a manner described in First Things First's most current protocol and style guide. First Things First will post any updates to the protocol and style guide under the Grantee Resources section of PGMS. The Grantee will also recognize First Things First as a funding source of programs and services funded in whole or part under this Agreement in all formal oral presentations and media interviews related to those programs and services.
- E. Public Awareness Efforts. The Grantee will consult with First Things First in the planning of public awareness/marketing strategies, such as websites, advertising or media campaigns, related to the programs or services funded under this Agreement.
- F. Ownership of Materials and Data. Any materials and data required to be collected, delivered or created under this Agreement, including but not limited to reports, computer programs and other deliverables are the sole property of the State (First Things First). The Grantee will not use or release these materials or data without the prior written consent of First Things First. The Grantee is not entitled to a patent or copyright on these materials and data and may not transfer the patent or copyright to anyone else.
- G. Ownership of Intellectual Property. First Things First will be the owner (for and on behalf of the State of Arizona) of any and all intellectual property, including but not limited to copyright, invention, trademark, trade name, service mark and/or trade secrets, created or conceived in the course of carrying out this Agreement and any related subcontract or subgrant ("Intellectual Property"). The parties agree that the Intellectual Property will be considered a work made for hire under the U.S. Copyright Act to the extent applicable. To the extent the Intellectual Property is not a work made for hire, the Grantee hereby transfers all of its ownership of the Intellectual Property to First Things First. First Things First will own the entire right, title and interest to the Intellectual Property throughout the world. The Grantee will notify First Things First, within thirty (30) days, of the creation of any Intellectual Property by it, its subcontractor or its subgrantee. The Grantee, on behalf of itself

and any subcontractors and subgrantees, agrees to execute all documents necessary to assure ownership of the Intellectual Property vests in First Things First and will take no affirmative action that might have the effect of vesting all or part of the Intellectual Property in any other entity. The Grantee and its subcontractors and subgrantees will not disclose inventions or trade secrets covered by this paragraph to any entity not the State without the express written authorization of First Things First.

VIII. General Terms

- A. FTF Grants Uniform Terms and Conditions. First Things First's Grants Uniform Terms and Conditions (revision date October 2019) are hereby incorporated by reference into this Agreement as if fully set forth herein. Copies of this document are available by emailing the First Things First Procurement Specialist, grants@azftf.gov.
- B. Mandated Reporting of Child Abuse and Neglect. The Grantee will ensure that all employees, contractors and volunteers report child injuries, abuse, neglect and other reportable offenses, if and as required by A.R.S. § 13-3620 or 18 U.S.C. § 1169(a). The federal law is limited to incidents on federally recognized tribal lands. To help comply with this provision, the Grantee may need to provide professional development or information to staff concerning signs and symptoms of child abuse and neglect, laws and procedures for reporting suspected child abuse or neglect, whether and how to inform parents about a report and following up with the Department of Child Safety.
- C. Non-Availability of Funds. In accordance with A.R.S. § 35-154, if First Things First's performance under this Agreement depends on the appropriation of funds by the Arizona Legislature, and if the Legislature fails to appropriate the funds necessary for performance, then First Things First may provide written notice of this to the Grantee and terminate this Agreement without further obligation of First Things First. Appropriation is a legislative act and is beyond the control of First Things First.
- D. Capital Expenditures. Certain capital expenditures with a cost totaling \$20,000 or more may be subject to First Things First's Capital Expenditure Policy regarding construction, renovation, real property and vehicles. This Capital Expenditure Policy (revision date December 2019) is incorporated by reference into this Grant Agreement as if fully set forth herein. Copies of this document are available by emailing the First Things First Procurement Specialist, grants@azftf.gov.
- E. Sectarian Purposes. Funds provided under this Agreement may not be expended for any sectarian purpose or activity, including religious worship or instruction, except as consistent with the First Amendment of the United States Constitution. The Grantee will implement the programs or services funded under this Agreement consistent with the First Amendment as well. With respect to these programs or services, the Grantee also will not discriminate against any program or service beneficiary or applicant on the basis of religion. First Things First reserves the right

to verify or monitor compliance with this paragraph. The Grantee will repay any funds awarded under this Agreement that the Grantee spends in violation of this paragraph.

IX. State and Federal Mandated Terms

- A. Non-Discrimination. In accordance with State Executive Orders 2023-01 and 2009-09, the Grantee will not discriminate in employment based on race, color, sex, pregnancy, childbirth or medical conditions related to pregnancy or childbirth, political or religious affiliation or ideas, culture, creed, social origin or condition, genetic information, sexual orientation, gender identity or expression, national origin, ancestry, age, disability, military service or veteran status, or marital status; however, this requirement does not affect the applicability of federal and state law exemptions contemplated by the Executive Orders. The provisions of Executive Order 2009-09 are incorporated herein by reference into this Agreement as if fully set forth herein. The Grantee will also comply with all other applicable state and federal statutes, regulations and executive orders concerning non-discrimination practices, including the Americans with Disabilities Act and Federal Executive Order No. 13279 – Equal Protection of the Laws for Faith-Based and Community Organizations.
- B. Records. Pursuant to A.R.S. § 8-1174, the Grantee will retain and will contractually require each subcontractor and subgrantee to retain all books, accounts, reports, files and other records (“records”) relating to the Agreement for a period of five years after the completion of the Agreement. All records will be subject to inspection and audit by the State (including First Things First) and by an independent auditor at all reasonable times. Upon request, the Grantee will produce the records at First Things First’s main office in Phoenix, Arizona.

Notwithstanding the foregoing paragraph, pursuant to 2 C.F.R. § 200.333, if the grant includes federal pass-through funds, then the Grantee will retain and will contractually require each subcontractor and subgrantee to retain all records pertaining to the federal pass-through funds for a period of three years from the date of submission of the final expenditure report and until any litigation, claims or audit findings involving the records have been resolved and final action taken. All such records will be accessible and subject to audit in accordance with 2 C.F.R. § 200.336. This paragraph does not apply to a grantee, subgrantee or subcontractor that is a federal agency.

X. Relationship of Parties

The Grantee under this Agreement is an independent contractor. Neither party to this Agreement shall be deemed to be the employee or agent of the other party.

XI. Indemnification

- A. Not State Agency. This paragraph applies if the Grantee is not a department, agency, board, commission or university of the State. Each party (as "Indemnitor") agrees to defend, indemnify, and hold harmless the other party (as "Indemnitee") from and against any and all claims, actions, liabilities, damages, losses, costs or expenses (including reasonable attorneys' fees) (hereinafter collectively referred to as "Claims") arising out of bodily injury of any person (including death) or property damage, but only to the extent that such Claims which result in vicarious/derivative liability to the Indemnitee are caused by the act, omission, negligence, misconduct, or other fault of the Indemnitor including its officers, officials, agents, employees or volunteers. The State of Arizona, Early Childhood Development and Health Board (First Things First) is self-insured per A.R.S. § 41-621.
- B. Patent and Copyright. The Grantee will indemnify and hold harmless the State against any liability, including costs and expenses, for infringement of any patent, trademark or copyright arising out of grant performance or use by the State of materials furnished or work performed under this Agreement. The State will reasonably notify the Grantee of any claim for which it may be liable under this paragraph. This paragraph does not apply if the Grantee is insured pursuant to A.R.S. § 41-621.
- C. Subcontractors. The Grantee will contractually require its subcontractors and subgrantees, if any, to defend, indemnify and hold harmless the State of Arizona and its departments, agencies, boards, commissions, universities, officers, officials, agents and employees ("State") from and against any and all Claims (including court costs, attorneys' fees, and costs of claim processing, investigation and litigation) for bodily injury or personal injury (including death), or loss or damage to tangible or intangible property caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of the subcontractor or subgrantee or any of its owners, officers, directors, agents, employees, volunteers, or subcontractors. This indemnity will include any claim or amount arising out of or recovered under the Workers' Compensation Law or arising out of the failure of the subcontractor or subgrantee to conform to any federal, state or local law, statute, ordinance, rule, regulation, or court decree. It is the specific intention of the parties that the State will, in all instances, except for Claims arising solely from the negligent or willful acts or omissions of the State, be indemnified by the subcontractor or subgrantee from and against any and all Claims. It is agreed that the subcontractor or subgrantee will be responsible for primary loss investigation, defense and judgment costs where this indemnification is applicable. The subcontractor or subgrantee will agree to waive all rights of subrogation against the State for losses arising from the work performed by the subcontractor or subgrantee for the State.

XII. Insurance.

The Grantee will provide a Certificate of Self-Insurance. The Certification will be sent directly to First Things First, Fiscal Specialist, 4000 N. Central, Suite 800, Phoenix, Arizona 85012. If the Grantee is a department, agency, board, commission or university

of the State of Arizona, then the Certificate of Self-Insurance requirement does not apply.

In addition, the Grantee will contractually require its subcontractors to procure and maintain until all of its obligations have been discharged or satisfied, including any warranty periods under this Agreement, insurance against claims for injury to persons or damage to property which may arise from or in connection with the performance of the work by the subcontractor and its owners, officers, directors, agents, employees, or volunteers. The insurance policies will be in accordance with recommendations of the Risk Management Division of the Arizona Department of Administration, including its published Insurance Modules, and in consultation with First Things First.

XIII. Termination Upon 30 Days Notice

In addition to the termination provisions incorporated by reference, either party may terminate the Agreement for any or no reason by giving at least thirty (30) days written notice of termination to the other party. If the Grantee requests termination under this provision, the Grantee will cooperate with reasonable requests from First Things First to decrease services and costs related to the Agreement.

XIV. Notices

The Grantee will address all notices related to this Agreement to:

First Things First
Finance Division
4000 N. Central Avenue, Suite 800
Phoenix, AZ 85012

First Things First will address all notices related to this Agreement to:

City of Avondale
995 E. Riley Dr.
Avondale, AZ 85323

XV. Grantee Assurances

Grantee's Authorized Official to initial the following:

GENERAL

_____ To adhere to the most current version of the Standards of Practice documents (available at <http://www.firstthingsfirst.org/grants/strategy-toolkit>)

_____ To adhere to the Data Security Submission and Suppression Guidelines and Requirements for Collaborators, as applicable.

_____ To review and adhere to the First Things First Grants Uniform Terms and Conditions. Copies of this document are available by emailing grants@azftf.gov.

_____ To accept funds and administer the programs in accordance with all applicable federal and state

statutes and regulations and Grant Agreement requirements.

- _____ To maintain internal controls, including policies and procedures, for assuring compliance with applicable cost principles and other Grant Agreement requirements.
- _____ To follow established personnel policies related to salary scales and fringe benefits.
- _____ To use the State of Arizona Travel Policy on rate limitations for mileage, lodging, and meals (<https://gao.az.gov/travel/welcome-gao-travel>) for both in-state and out-of-state travel.
- _____ To use generally accepted accounting principles (GAAP).
- _____ To perform required financial and compliance audits in accordance with federal law and guidelines, including the Single Audit Act and 2 CFR Part 200.
- _____ To maintain documentation for employees working across multiple funding sources to ensure the amount of time charged to each employee does not exceed 100%.
- _____ To have fiscal control and fund accounting procedures in place to ensure proper disbursement of and accounting for any funds paid to subcontractors.
- _____ To maintain enrollment and participate in e-verify, if an employer.
- _____ To maintain a system of contract administration to ensure conformance with the Grant Terms and Conditions.

PROGRAMMATIC

- _____ To use proven, effective and/or evidence based programs.
- _____ To maintain the personnel qualifications outlined in the Standards of Practice with subsequent hires.
- _____ To comply with any applicable federal, state, and local health and safety requirements that apply to the facilities used for a program.
- _____ To actively participate in the Quality Assurance process, including assessments.
- _____ To coordinate, to the extent possible, with other programs in the same geographic area that serve similar target populations.
- _____ To coordinate with First Things First during the length of the program period.
- _____ To acknowledge funding from FTF in publicly-distributed materials in compliance with FTF's brand guidelines and submit such materials in advance for review.
- _____ To consult with FTF in the planning of public awareness/marketing strategies such as websites, advertising or media campaigns.

EVALUATION

- _____ To provide regular and timely reporting and to participate in all pertinent First Things First research and evaluation efforts.
- _____ To review the data requirements document required for the strategy(ies) and adhere to the requirements therein, found on the First Things First website, <https://www.firstthingsfirst.org/strategy-toolkit/>
- _____ If an evaluation outcome study or an implementation study has been completed on the proposed program, a copy of the study and its findings will be submitted to First Things First.
- _____ If funds are being requested to conduct an evaluation study, approval by First Things First Research and Evaluation team will be obtained prior to implementation.
- _____ If the evaluation study will include a tribal community, approval by First Things First Research and Evaluation team and Tribal Affairs division will be obtained prior to implementation.

XVI. Authority to Execute this Agreement

Each individual executing this Agreement represents and warrants that the individual is duly authorized to do so.

XVII. In Witness Whereof

The parties hereto agree to carry out the provisions of this Agreement.

**FOR AND BEHALF OF
City of Avondale**

Name
Title

Date

**FOR AND BEHALF OF THE
Arizona Early Childhood Development
And Health Board**

Josh Allen
CFO/COO

Date

Government Agreement Attachments and Exhibits

Attachment A	Agency/Organization Profile
Attachment B	Personnel - Program Personnel Table/Program Organization Chart
Attachment C	Budget - Line Item Budget and Budget Narrative
Attachment D	Fiscal Information - Funding Sources and Financial Controls
Exhibit A	Scope of Work
Exhibit B	Guidance Materials and Required Documents
Exhibit C	Data Security, Submission and Suppression Guidelines and Requirements for Collaborators

Attachment A

Agency/Organization Profile

A. Grantee Information:

Agency/Organization: City of Avondale				
Contact Person: Jerie Guajardo			Email: cjuajrdo@avondaleaz.gov	
Title/Position: Family Services Manager			Phone: 623-333-2718	
Address: 995 E. Riley Dr.				
City: Avondale			State: AZ	Zip: 85323
County: Maricopa				
Employer Identification Number (EIN): 86-6000233				
Agency Classification:		☐ State Agency	☐ County Government	☒ Local Government
☐ Tribal	☐ Faith Based	☐ Non Profit	☐ Charitable	☐ Private Organization
Have you conducted business with First Things First using this EIN within the last year?				☒ Yes ☐ No
<i>If not or if there has been address or EIN changes, please go to:</i> https://gao.az.gov/sites/default/files/GAO-W-9_072815-S%26S%26A.pdf and download the State of Arizona Substitute W-9 Form, and submit with your application.				
Approximate federal funding (from a federal source) to be received in current fiscal year?				\$
Agency's fiscal year-end date:		Jun 30 th		
Agency's accounting method:		☐ Cash ☒ Accrual		
Does your organization undergo an annual independent audit in accordance with 2 CFR Part 200, Subpart F?				☒ Yes ☐ No
Contact information for firm conducting agency audit:				
Name of audit firm:		Clifton, Larson, Allen LLP		
Address:	20 E. Thomas Rd., Suite 2300; Phoenix, AZ 85210			
Phone:	602.266.2248			

B. Program Details:

Program Name: Arizona Complete Health Resource Center- Avondale Family Education and Resource Program (AFERP)

(The specific name of the program if different from the name of the strategy, organization, or model. If none, then enter N/A)

Program Model: Family Resource Center

(The specific name of the program model that has been proposed. If none, then enter N/A)

Geographic Area and/or Target Population: Southwest Maricopa County/ Expectant parents and families with children birth to five

Brief Program Description (250 words or less):

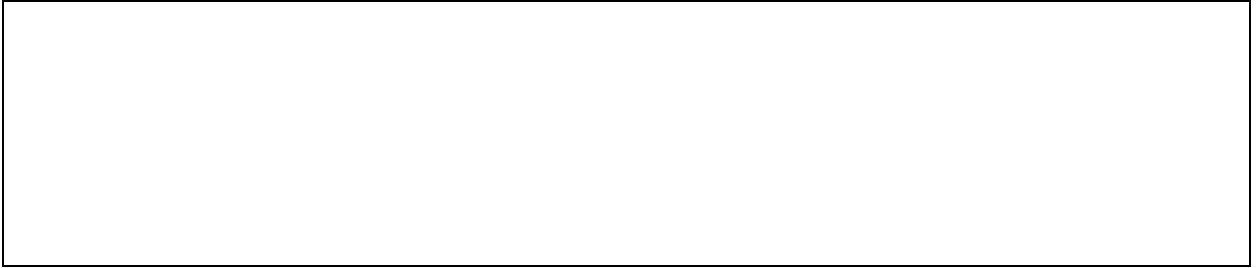
The Arizona Complete Health Avondale Resource Center (formerly known as Care1st Resource Center) provides services to residents in the Southwest Valley and surrounding areas, was made possible through an innovative public and private partnership between Care1st Health Plan Arizona, Inc., First Things First (FTF) and the City of Avondale. In operation since April 2009, the City provided a 6,000 Sqft. facility, Care1st provided funding for renovations and operations and First Things First provided funding for programming for families with children birth to age five. Several non-profit organizations were provided space in the center in exchange for providing services.

In January 2021, The City relocated the resource center to a newly built facility. This was made possible by an \$11.7M capital investment from the City of Avondale. The new facility is a 30,000 Sqft. multi-generational center providing services to individuals and families from cradle to cane.

The center provides parenting activities tha aim to increase familes knowledge of child development, health and promising parenting practices for families with children birth to age five, as well as referral services that address individual family needs. The center is a one stop hub for health and human services in the Southwest Valley.

Core services offered:

- Parenting activities, classes related to social-emotional, cognitive, physical, language development, early literacy, supportive parenting skills, school readiness, child safety, and discipline.
- Developmental, hearing and vision screenings.
- Dental screenings.
- Health insurance, nutritional and cash assistance enrollment.
- Women, Infant and Children nutritional benefit enrollment, education and support.
- Economic supports/family stability programs.



Strategy and Proposed Service Units

Strategy: Family Resource Centers

Number of Parenting Activities Conducted: 240

C. Contact Information:

The First Things First Partner Grant Management System (PGMS) has four contact slots per contract. The same person may be assigned to more than one slot.

Main Contact: is responsible for the overall program and will have access to all financial, programmatic, and data reports in PGMS.

Finance Contact: is responsible for the submission of reimbursement requests through PGMS and will have access to budget and reimbursement information in PGMS.

Program Contact: is responsible for program implementation and will have access to the program and data reports in PGMS.

Evaluation Contact: is responsible for the program evaluation and data collection activities and will have access to only the data reports in PGMS.

PGMS Contacts		
Main Contact		
	Name: Jerie Guajardo	Email: ciguajardo@avondaleaz.gov
	Title/Position: Family Services Manager	Phone: 623-333-2717
	Physical Address (if different than the agency address): 995 E Riley Dr. Avondale, Az, 85323	
Program Contact		
	Name: VACANT	Email:
	Title/Position:	Phone:
	Physical Address (if different than the agency address):	
Finance Contact		
	Name: Dborah Carreon	Email: dcarreon@avondaleaz.gov
	Title/Position: Accountant	Phone: 623.333.2021
	Physical Address (if different than the agency address): 11465 W. Civic Center Dr. Suite 250 Avondale, Az 85323	
Evaluation Contact		
	Name: Christopher Lopez	Email: clopez@avondaleaz.gov
	Title/Position: Neighborhood and Family Services Director	Phone: 623.333.2711
	Physical Address (if different than the agency address): 995 E Riley Dr. Avondale, Az, 85323	

Attachment B - Personnel

Program Personnel Table

In the following table, provide a list of all personnel or positions that will be **fully or partially funded** through the program (listed under Personnel Services/Salaries in the budget) and the Full-Time Equivalent (FTE) for each position. For Key Personnel positions to be hired (TBH), describe the desired background/experience/degrees and field of study - and for all Key Personnel positions, indicate whether personnel meet the staffing qualifications in the Standards of Practice (SOP).

Key Personnel - those individuals directly responsible for program implementation/services and are fully or partially funded through the proposed program.				
Name/ Position Title	Background/Expertise* Must include qualifications that align with the Standards of Practice (SOP)	Key Roles and Responsibilities	Meets the SOP Staffing Qualifications Yes/No**	FTEs funded through the program
<i>Jerie Guajardo/Family Services Manager</i>	Jerie has 24 years of experience working with children, youth, families and communities. Experience includes behavioral health, counseling, case management, education, program development and youth development. Holds a Bachelor of Science degree in Human Services with an emphasis in early childhood education and management.	Manage the Family Services Division which includes the Arizona Complete Health Avondale Resource Center and directly supervises both FTF funded staff members	Yes	0.0
<i>Anthony Quezada Family Education Assistant</i>	Anthony currently holds a Bachelor of Arts in Psychology with a focus on Family and Human Development. Anthony has been working with families with children ages 0-5 for 4 years. He has experience working with children ages 3-5 and developing curriculums that are developmentally and age appropriate. Anthony facilitated classrooms of 18 children, supporting children develop their social emotional skills through play, learning and modeling. He also supported parents by holding monthly parent meetings to discuss children's progress in the classroom and guided parents how they can extend their child's learning at home by providing weekly activities for families to complete. Anthony was responsible for completing ASQ's as well as hearing and vision screenings.	The Family Support Assistant provides outreach for the Care1st Avondale Resource Center and early childhood program coordination in the Resource Center and in the First Things First, Southwest Maricopa Region. Duties include building partnerships with early childhood and community service providers, assisting residents in finding and applying for services, referrals to community resources, and collaborating within the city departments, local schools, libraries and community organizations. Essential duties will include: Coordinating early childhood programming at the Resource Center and in the community. Collaborating with service providers, schools, and libraries to provide community awareness for early childhood topics. Provides a culturally diverse, family-centered environment that provides information and referral services to residents of the community. Assists with providing accurate and timely data reporting to First Things First		1.0

		and other funders. Provides support to other related department projects and activities. Assists with obtaining financial support which strengthen and expand existing Avondale Resource and Housing Center services.		
To Be Hired (TBH) Family Education Specialist	Staff are required to have a minimum of a high school diploma (associates degree preferred) and at least two (2) years' experience in related work with families. Staff must have knowledge of the surrounding community and the available resources families need to support children's health and development. Bilingual in English and Spanish is preferred.	Conducts outreach to external agencies (non-profit, governmental, school districts, child care centers, etc.) providing services to families with children 0 to 5 years of age, with an emphasis on those funded by First Things First. Assures that external agencies are aware of the Family Resource Center and that staff at the Resource Center is familiar with the gamut of services available to families with young children. Develops and maintains regular system of communication with external agencies and facilitates use of the Center by those agencies. Works closely and in conjunction with a variety of community leaders, healthcare providers, educational institutions, and other organizations to develop and maintain strong understanding and support of program initiatives. Coordinates early childhood programming, parent resources and events at the Resource Center. Works with families with young children to help them access services through the Resource Center and other human services providers. Implements and facilitates developmental and sensory screenings, car seat education classes, and parent education workshops. Facilitates parent/family referrals to First Things First-funded agencies and other agencies providing services to		1.0

		families with young children. Provides extra support for families with young children in special need of assistance in accessing services to support their needs. Collects and reports data to First Things First and other funding partners. Is responsible for submitting grant applications and renewals to First Things First. Manages the First Things First budget and expenditures.		
Additional Personnel - those individuals funded through the proposed program but who do not directly implement or have direct program oversight of the program.				
<i>Example: Roberta Johnson/Executive Director</i>				.05
Program Total:				

* Resumes and/or job descriptions for key personnel may be requested at any time but unless otherwise indicated, they do not need to be submitted.

** By signing this document, I assure that all key personnel meet the Personnel/Staff Qualifications outlined in the FTF Standards of Practice or if any personnel do not meet the Staff Qualification standards, and this application is awarded, a *Request for Exemption from Staff Qualifications* will be submitted and approved by FTF prior to hire.

Name/Title

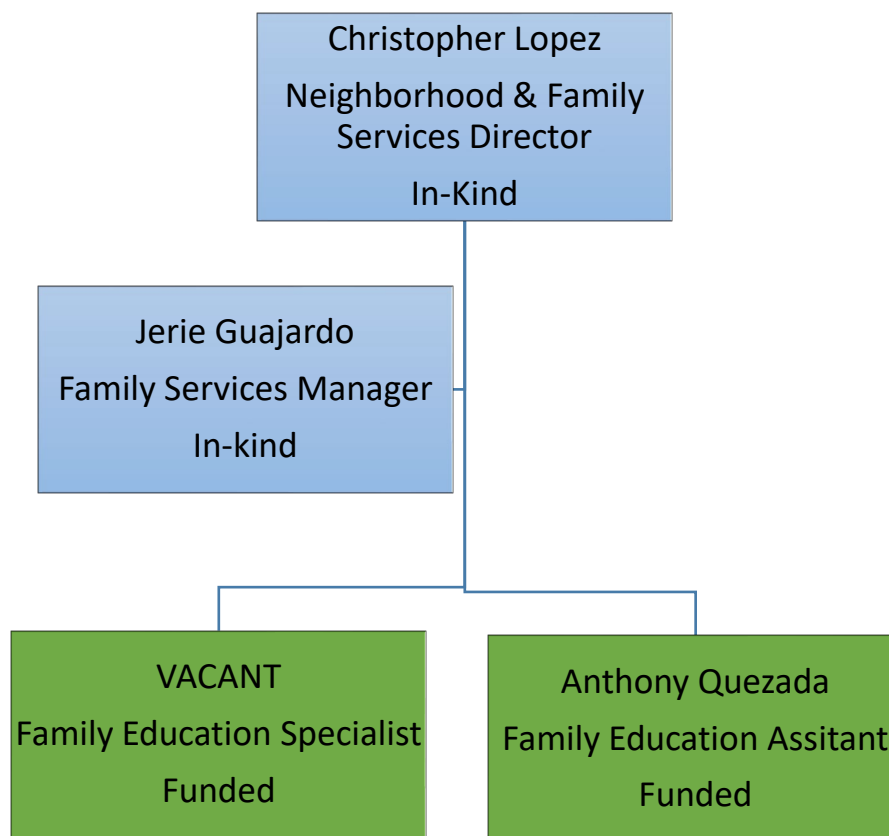
Date

Attachment B - Personnel

Program Organization Chart

For all of the personnel or positions that will be fully or partially funded through the proposed program, provide a program organizational chart that illustrates the hierarchy of positions/responsibilities specific to the proposed program.

Example:



Attachment C - Budget

SFY24 Line-Item Budget

Budget period: July 1, 2023 – June 30, 2024

Budget Category	Line Item Description	Requested Funds	Total Cost
PERSONNEL SERVICES		Personnel Services Sub Total	\$131,287.47
Salaries	Family Education Specialist- 1.0 FTE	\$70,926.71	
	Family Education Assistant- 1.0 FTE	\$60,360.76	
EMPLOYEE RELATED EXPENSES		Employee Related Expenses Sub Total	\$37,400
Fringe Benefits or Other ERE	Family Education Specialist	\$20,900.00	
	Family Education Assistant	\$16,500.00	
PROFESSIONAL AND OUTSIDE SERVICES		Professional & Outside Services Sub Total	\$18,612.53
Contracted Services	Avondale Family Education & Resources (AFERP)	\$18,621.53	
TRAVEL		Travel Sub Total	\$11,500
In-State Travel	Professional Development		
Out-of-State Travel	Professional Development	\$11,500	
AID TO ORGANIZATIONS OR INDIVIDUALS		Aid to Organizations or Individuals Sub Total	\$0
Subgrants or Subcontracts to organizations/agencies/entities			
OTHER OPERATING EXPENSES		Other Operating Expenses Sub Total	\$51,200.00
• Telephones/Communications Services	Cell Phone Stipend	\$1,200	
• Internet Access			
• General Office Supplies		\$2,500	
• Food		\$3,000	
• Rent/Occupancy			
• Utilities			
• Furniture		\$1,000	
• Postage			
• Dues/Subscriptions	FRN Dues	\$500	
• Advertising	Outreach Materials	\$5,000	
• Printing/Copying	Outreach Materials	\$2,000	
• Equipment Maintenance			
• Professional Development (Staff Training, Conferences, Workshops, Training Fees for Staff)	Staff Training	\$3,500	
• Insurance			
• Program Materials		\$12,000	
• Program Supplies		\$17,000	
• Scholarships			
• Program Incentives		\$3,500	
NON-CAPITAL EQUIPMENT		Non-Capital Sub Total	\$0
Equipment \$4,999 or less in value			
SUBTOTAL DIRECT PROGRAM COSTS:			\$0
ADMINISTRATIVE/INDIRECT COSTS		Total Admin/Indirect	\$
Indirect/Admin Costs		\$	\$
TOTAL		\$250,000	\$250,000

Authorized Signature _____ Date _____

SFY24 Budget Narrative

The budget narrative should provide a clear and concise description of how amounts were determined, including calculations, for each proposed line item in the Line-Item Budget. If a budget category does not apply, either leave blank or delete the category.

Personnel Services: *Include information such as position title(s), name of employee (if known), salary, time to be spent on this program (hours or %), number of months assigned to this program, etc. Explain how the salary rate for each position was determined. If salaries are expected to increase during the program year, indicate the percentage increases for each position and justify the percent of the salary increase.*

Family Education Specialist: This is a twelve-month position and is currently vacant it represents 1.0 full-time equivalent (FTE) which will be 100% dedicated to First Things First programming. A total of \$70,926.71 is budgeted for the next fiscal year which includes a 8% pay grade increase. The City of Avondale strives to provide competitive wages and account for cost of living increases as well performance-based merit increases. If available in the budget the City of Avondale had historically provided up to a 5% increase each year. This past Fiscal year the City conducted a class and compensation study and decided to provide a 8% increase to ensure that positions were brought up to market rate.

Family Education Assistant: This is a twelve-month position and is currently filled by Anthony Quezada it represents a 1.0 full-time equivalent (FTE) which will be 100% dedicated to First Things First programming. A total of \$60,360.76 is budgeted for the next fiscal year which includes a 8% pay grade increase. The City of Avondale strives to provide competitive wages and account for cost of living increases as well performance-based merit increases. If available in the budget the City of Avondale had historically provided up to a 5% increase each year. This past Fiscal year the City conducted a class and compensation study and decided to provide a 8% increase to ensure that positions were brought up to market rate.

Employee Related Expenses: *Include a benefit percentage and what expenses make up employee benefit costs. Indicate any special rates for part-time employees, if applicable. Explain how the benefits for each position were determined. If using a fringe benefit rate, explain how this percentage is justified or approved by your agency/organization.*

Family Education Specialist: Actual benefit costs were used to estimate expenses for the next grant period. The components included are Health, Dental, OASDI, Medicare, Disability, Retirement and Life Insurance for a total of \$20,900. This amount is based on the City of Avondale calculation of employee related expenses.

Family Education Assistant: Actual benefit costs were used to estimate expenses for the next grant period. The components included are Health, Dental, OASDI, Medicare, Disability, Retirement and Life Insurance for a total of \$16,500. This amount is based on the City of Avondale calculation of employee related expenses.

Professional and Outside Services: *If professional consultants/services costs are proposed in the budget, define how the costs for these services were determined and the justification for the services related to the program. Explain how all contracts will be procured.*

Avondale Family Education and Resource Program (AFERP): A total of \$18,612.53 is budgeted for program services around the delivery of resources, referrals and parenting activities for families with children birth to age five. The amount was determined based on past experiences in hiring qualified consultants for services of a similar nature. The types of workshops and services provided include but are not limited to early language and literacy, discipline, brain development, kindergarten readiness, health, nutrition and child safety (ex. Raising A Reader and Arizona Science Center). All contractors will be subject to the First Things First Standards of Practice and contracts will be established through the City of Avondale's procurement policies and procedures.

Travel: *Separate in-state and out-of-state travel. Include a detailed breakdown of hotel, transportation, meal costs, etc. Indicate the location(s) of travel, the justification for travel, how many employees will attend and how the estimates have been determined. Applicants **must** use the State of Arizona Travel Policy on rates limitations for mileage, lodging, and meals (<https://gao.az.gov/travel/welcome-gao-travel>) for both in-state and out-of-state travel.*

This will include hotel, transportation and meal cost for the NAEYC Conference for both First Things First funded staff and the Family Services Manager who manages this contract in the total dollar amount of \$11,500.

Aid to Organizations or Individuals: *In the event that this application represents collaboration and you will be utilizing subcontractors (including subgrantees) to perform various components of the program, include a list of subcontractors, programmatic work each subcontractor will perform, and how costs for each subcontractor are determined.*

N/A

Other Operating Expenses: *Explain each item to be purchased, how the costs were determined and justify the need for the items. All purchases should be made through competitive bid or using established purchasing procedures. Items can only be categorized in the following line items: Telephones /Communications Services, Internet Access, General Office Supplies, Food, Rent/Occupancy, Utilities, Furniture, Postage, Software (including IT supplies), Dues/Subscriptions, Advertising, Printing/Copying, Equipment Maintenance, Professional Development (Staff Training, Conferences, Workshops, and Training Fees for Staff), Insurance, Program Materials, Program Supplies, Scholarships, and Program Incentives.*

Telephones/Communications Services: This line will be used to cover a \$100 a month cell phone stipend for the Family Education Specialist. This position holds supervisory responsibility and will be required to use their personal cell phone for work related purposes.

General Office Supplies: This line item will provide for office items generally used, including business card

holders, pens/pencils, paper clips, paper goods, desk organizers/storage, highlighters, clipboards, correction tape, personal protection equipment (gloves, mask, face shields, etc.), hand sanitizer, disinfectant spray for a total of \$2,500. This amount is based on the current actual costs of these supplies.

Food - Meetings Expenses/Food: This line item will provide for meeting expenses, primarily for community events, workshops, and support groups, and networking, partner meetings held at the Resource Center for a total of \$3,000.

Furniture: This line will be utilized to purchase child and family appropriate furniture as well as to replace any damaged pieces of child and family furniture.

Advertising – Marketing/Advertising: A total of \$5,000 is budgeted to purchase collateral materials for outreach and promotion of the Resource Center. The budget amount is based on the contracted rate with the printer under contract with the City of Avondale.

Dues/Subscriptions: This line item will be used to cover the cost associated with AzDN membership.

Professional Development/Staff Training: A total of \$3,500 is budgeted for registration fees for the First Things First Summit in August 2023, the NAEYC conference as well as any miscellaneous professional development and training opportunities that may become available during the fiscal year. Two (2) FTE, FTF-funded City of Avondale/Resource Center staff and the Family Services Manager who manages this contract will attend the FTF Summit and any additional training opportunities. This amount will also include the cost of recertification for the National Child Passenger Safety Certification of one (1) FTF-funded staff and any additional certifications that become available during the fiscal year.

Program Materials: A total of \$12,000 is budgeted to purchase materials for workshops, events and programs aimed at promoting early childhood health, development and safety. The funds will cover child safety/health items such as car seats, parent workshops consumables (workbooks, completion certificates, hand-out materials, etc.), personal hygiene items such as diapers/pull-ups, wipes, and personal hygiene products (baby wash, lotion, hand soap, shampoo, feminine hygiene products, etc.) and decorations and crafting supplies for parenting activities and events.

Program Supplies – Educational/Other Supplies: A total of \$17,000 is budgeted to purchase age-appropriate educational items and program supplies for families and children to use while visiting and/or attending events at the Resource Center. Items to be purchased include developmental and sensory toys/manipulatives including blocks, puzzles, dolls/puppets, art supplies (crayons, markers, child scissors, child aprons, activity books, construction paper, pom poms, glitter, paper plates, ribbons, streamers, stickers, etc.) and serving utensils (such as spoons, forks, napkins, trays, cups and containers).

Program Incentives: A total of \$3,500 is budgeted to purchase incentives for participation in workshops, events and programs held at the Resource Center. Incentives will include books, developmental, educational, and personal hygiene items such as diapers/pull-ups, wipes, and personal hygiene products (baby wash, lotion, hand soap, shampoo, feminine hygiene products, etc.). Families who attend activities and programs will be able to access these services. This will serve the dual purpose of outreach and awareness for the Resource Center as well as promoting early literacy and early childhood development.

Non-Capital Equipment: *For items with a unit cost less than \$5,000 and an initial estimated useful life beyond a single year, explain each item to be purchased, how the costs were determined and justify the need for the items. All purchases should be made through competitive bid or using established purchasing procedures. For example, items such as computers, printers, projectors, etc. each with a unit cost less than \$5,000.*

Administrative/Indirect Costs: *Administrative costs are general or centralized expenses of overall administration of an agency/organization that receives grant funds and does not include particular program costs. Such costs are generally identified with the agency/organization's overall operation and are further described in 2 CFR 220, 2 CFR*

225, and 2 CFR 230.

Indirect costs are costs of an organization that are not readily assignable to a particular program, but are necessary to the operation of the organization and the performance of the program. The cost of operating and maintaining facilities, depreciation, and administrative salaries are examples of the types of costs that are usually treated as indirect.

Applicants must list either Option A or Option B and provide proper justification for expenses included:

- ☐ **Option A - Administrative Costs:** *with proper justification, applicants may include an allocation for administrative costs for up to 10% of the total direct costs requested of the grant request. Administrative costs may include allocable direct charges for: costs of financial, accounting, auditing, contracting or general legal services; costs of internal evaluation, including overall management improvement costs; and costs of general liability insurance that protects the agency/organization(s) responsible for operating a program, other than insurance costs solely attributable to the program. Administrative costs may also include that portion of salaries and benefits of the program's director and other administrative staff not attributable to the time spent in support of a specific program.*

OR

- ☐ **Option B - Federally Approved Indirect Costs:** *If your agency/organization has a federally approved indirect cost rate agreement in place, applicants may include an allocation for indirect costs for up to 10% of the direct costs. **Applicants must provide a copy of their federally approved indirect cost rate agreement.***

Authorized Signature _____ Date _____

Attachment D- Fiscal Information

Funding Sources and Financial Controls

- A. **Funding Sources.** In the following table, identify other funding/resources (including federal, state, local and private funding) that the agency/organization will leverage to achieve the objectives of the proposed program. First Things First (FTF) funding can be used to enhance or expand the program funded by these additional funds, but FTF funding cannot supplant or be used to replace any existing state or federal funding for early childhood development and health programs.

Type of Funding (federal, state, local, private) and Agency/Organization Received From:	Brief Description of How the Funding Helps Achieve the Program Objectives	Amount
Arizona Complete Health	These funds support the operational costs of the Resource Center (ex. Electricity, water, security, maintenance)	\$340,304.15
Total:		\$340,304.15

B. **Financial Controls.**

Grantees will be expected to follow generally accepted accounting principles and be consistent with policies, regulations, and procedures that apply uniformly to all costs charged and expended by their agency/organization - across all funding sources.

Describe the financial controls and accountability measures the agency/organization will employ for the use of FTF funding for the proposed program.

The City of Avondale adheres to U.S. generally accepted accounting principles (GAAP) as prescribed by the Governmental Accounting Standards Board (GASB). City management has also established a comprehensive internal control framework for the City of Avondale to follow. The First Things First grant is accounted for in the City's grant fund under its' own division code. All First Things First grant activity is monitored closely by the management of the Neighborhood and Family Services department and the Financial Services department of the City of Avondale to ensure all applicable State and local laws and regulations are followed.

Authorized Signature _____ Date _____

Exhibit A – Scope of Work

Statement of Need

Families are the single most important factor in promoting the optimal development of their young child and are best supported when neighborhoods and communities have adequate and accessible resources and services to meet their needs. Families need a community location to access resources, information, referrals and concrete support, as well as increase their confidence in parenting and knowledge about the development of their children.

The Southwest Maricopa Region has prioritized family support services due to the number of families experiencing poverty and grandparents raising grandchildren, as well as, the high percentage of children living in single-parent households. In an effort to increase the availability of and access to high quality family support services for families and recognize the regions' strong sense of community, the regional council elected to fund the Family Resource Centers strategy.

A copy of the region's current Regional Needs and Assets Report can be found at:

<http://www.firstthingsfirst.org/regions/find-your-region>

Description of Strategy

Family Resource Centers provide services for families with pregnant mothers and families with children birth to age five that build on parental resilience, knowledge of parenting and child development, social connections, social and emotional competence of children, and concrete supports. These factors are characteristics or strengths of individuals, families, communities or societies that act to mitigate risks and promote positive well-being and healthy development. The intent of the strategy is to provide welcoming, safe, and accessible local community hubs that provide flexible, multi-generational, family-focused, and culturally responsive information, resources, and services covering a wide range of topics.

The Avondale Family Resource Center will be located at 995 E. Riley Dr., Avondale AZ 85323 and will operate within the following hours: Monday to Friday 8am to 5pm and on various evenings and weekends to best accommodate the needs of families.

Services must be flexible to respond to the wide spectrum of needs of the diverse families in the community. Staff must provide responsive and relevant information, resources, referrals to services, and parenting activities in response to families' individual and unique needs.

Collaboration and coordination with key community partners and services is critical to the implementation of the strategy. The grant partner must establish, strengthen and maintain relationships with community partners that can positively impact the success of the program. Through this coordination, Family Resource Centers work to avoid fragmentation and increase accessibility of services for families.

The Avondale Family Resource Center will offer at least 240 parenting over the course of the state fiscal year. Parenting activities are group-based opportunities for families that are designed to increase awareness about the core areas of family support and to facilitate the healthy physical, social/emotional, cognitive, and early literacy development of young children.

Parenting activities must be offered by Family Resource Center staff or by inviting other community partners to facilitate parenting activities not already offered or accessible in the community.

Implementation of the Family Resource Centers strategy requires these main elements:

- Establishment of a community hub (physical location)

- Provide information, resources and referrals
- Deliver parenting activities

The grant partner may choose to provide on-site child care for families to remove barriers to attendance at parenting activities. See the On-Site Child Care Policy for implementation requirements linked in the Guidance Materials section of the Agreement.

For the complete implementation requirements, see the Family Resource Centers Standards of Practice linked in the Guidance Materials section of the Agreement.

Family Resource Center staff must actively participate in an established family resource center focused network that supports best practice and effective service delivery through meeting attendance and related functions.

Target Population and Geographic Area to Serve

The target population for the Family Resource Center Strategy is prenatal families and families with children birth to age five living in or accessing services in the City of Avondale. Outreach and recruitment must include families who are experiencing poverty, single-parent households, teen parents and grandparents raising grandchildren. The identified location of the Avondale Family Resource Center is located at 995 East Riley Drive Avondale, Arizona.

Southwest Maricopa Regional Partnership Council provides services within the communities of Arlington, Avondale, Buckeye, Dateland, Gila Bend, Goodyear, Litchfield Park, Palo Verde, Tolleson and Tonopah. The region also includes ZIP codes: 85139, 85322, 85323, 85326, 85333, 85337, 85338, 85340, 85343, 85353, 85354, 85392, 85395 and 85396 in Maricopa County. The region does not include the portion of Tohono O'odham Nation or Gila River Indian Community.

A map and description of the First Things First regions can be found at:

<http://www.firstthingsfirst.org/regions/find-your-region>

Units of Service and FTF Data Requirements

Units of Service

A **Unit of Service** is used for contractual monitoring purposes, and is specific to each FTF strategy. It is composed of a number and a description of that number. A Unit of Service can be a target population and/or a service or product that a grant partner is expected to serve or deliver during the year as part of their contract. The strategy-specific unit of service name and definition for this strategy can be found below:

Service Unit Name: Number of Parenting Activities Conducted

Service Unit Definition: Total (cumulative) number of parenting activities conducted by the end of the state fiscal year.

In an FTF contract, the following types of Service Units are considered:

Contracted Service Unit (CSU): The number that the grant partner must meet/maintain each State Fiscal Year (SFY) throughout the contract period.

CSU Name and Number/Range (if applicable):

- Number of Parenting Activities Conducted: 240

Actual Service Units (ASU): At specific intervals during contract implementation, FTF grant partners are required to submit data related to the service unit they are actually reaching, the **Actual Service Unit (ASU)**. This data is used to monitor progress toward meeting or maintaining the **CSU** recorded in the contract. The **ASU**, along with other reporting requirements, demonstrates that the program is being implemented in compliance with contract requirements.

FTF Data Requirements

FTF requires grant partners to submit data on their programmatic strategy implementation in compliance with the Standards of Practice. Data submission is required on a quarterly basis for the majority of the contracts. Additionally, grant partners may also be required to submit semi-annual or annual outcome data, participant-level data, or participate in an FTF-funded study as part of their contractual requirements at varying times during the grant cycle. Grant partners should **refer to the Guidance Materials section of this Agreement for the link** to the FTF Data Reporting Requirements for the specific strategy. Additionally, the FTF Data Reporting Requirements document will provide details on the format, frequency, and location of data submission.

Expectation of use of data system, once available: First Things First is exploring a data system for grant partners implementing the Family Resource Centers strategy to collect, store, track, and report family-level data in an effort to understand how family resource centers are benefiting families in alignment with the Theory of Change. If a data system is identified for the Family Resource Centers during the course of the contracted service period, each successful applicant will be required to use and enter required data into the identified data system.

Programmatic Narrative Report

FTF requires grantees to submit narrative reports on their programmatic strategy implementation in compliance with the Standards of Practice and Scope of Work. Narrative report submission is required on a quarterly basis for the majority of contracts. Narrative reports provide an opportunity for grant partners to provide context for their quarterly data, to share concerns or barriers, to share success stories, provide additional information not collected in the quarterly data report and any other information as required in the Scope of Work.

SFY24 Guidance Materials and Required Documents

Documents referenced below can be accessed on the First Things First website, <https://www.firstthingsfirst.org/strategy-toolkit/> by selecting the **Family Support and Literacty** goal area and then selecting the “View” button next to the **Family Resource Centers** strategy. If there is difficulty in accessing any of the documents, email the name of the document and the Agreement number to grants@azftf.gov for assistance.

- Family Resource Centers Standards of Practice
- Family Resource Centers Theory of Change
- Family Resource Centers FTF Data Reporting Requirements
- On-Site Child Care Policy
- Child Welfare Policy

Data Security, Submission and Suppression Guidelines and Requirements for Collaborators

Background

The purpose of the Arizona Early Childhood Development and Health Board (First Things First - FTF) is to aid in the creation of a system that offers opportunities and support for families and communities in the development of all children, so they can grow up healthy and ready to succeed. Our work is accountable and transparent to decision-makers and the citizens of Arizona. Collaboration and direct funding of grantees to undertake work on behalf of the children and families of Arizona is fundamental to the purpose and mission of FTF. Submission and reporting of data related to funded work is an important part of ensuring accountability and maximum positive impact for young children.

Scope

This Data Security, Submission and Suppression Guidelines and Requirements for Collaborators pertains to data collected by or shared with a grantee, governmental entity, or vendor ("collaborator") while assisting with an FTF needs and assets report, conducting an FTF-funded program or service, or performing research services on behalf of FTF.

Data Security Policy

Collaborators must ensure that the data is maintained in a secure manner. Collaborator data is likely to contain highly sensitive information on individuals, their education and their health. Therefore, all collaborators must have a data security policy in force that identifies how the organization ensures that data is protected in all its forms, during all phases of its life cycle, from inappropriate access, use, modification, disclosure, or destruction. FTF has the right to review and request changes to a collaborator's policy. All collaborators subject to HIPAA, FERPA, tribal law, or other data regulation are required to comply with those laws.

Data Classification

FTF classifies data by three levels:

- **Public data**
- **Limited distribution data**
- **Confidential data**

Public data is data that is readily available in the public sphere, such as websites, publications, or other widely used sources. Public data includes both data published by FTF (e.g., needs and assets reports and impact reports) and data that has been officially released by an organization and is able to be located and verified by any interested party utilizing the complete citation (e.g., census data). Public data also includes aggregated data, except where the aggregated data constitutes limited distribution data.

Limited distribution data is aggregated data that does not identify individuals, but which may be of sufficiently small cell size that its dissemination poses a reasonable risk to the anonymity of any individual. Limited distribution data may be subject to HIPAA, FERPA, tribal law, or other data regulation.

Confidential data is non-public data that identifies individuals or is governed by agreements or laws that limit its viewing, analysis, or dissemination. Confidential data may also include confidential business information. Confidential data may be subject to HIPAA, FERPA, tribal law, or other data regulation.

Data Submission to FTF

FTF wants to ensure that resources allocated have maximum impact for the benefit of children and families. To ensure this accountability, FTF has established data reporting requirements for collaborators. All collaborators will regularly submit reports as identified in their contract with FTF.

Collaborators Conducting an FTF-Funded Program or Service

Collaborators may submit **public data** and **limited distribution data** to FTF through the FTF Partner Grant Management System (PGMS). Subsequent to the award of a contract, FTF will provide the collaborator with general training on login and navigation within PGMS. With this login, the collaborator will be able to manage its contract information. FTF will also provide additional training on strategy-specific data submission requirements. Because PGMS is located in a secure extranet environment, collaborators using PGMS for data submission are not required to undertake additional security measures related to their data submission above those identified in the general and strategy-specific data submission orientations (password and login security, guidelines for upload of narrative and other reports).

Collaborators submitting **public data**, **limited distribution data** and/or **confidential data** may submit their data, with an agreement between the collaborator and FTF, through an established secure web service or FTP (File Transfer Protocol) site via the internet, rather than a PGMS web-based entry form. Collaborators that submit data through the secure web service must submit data within the established data structures and format, follow all login procedures, submit a formal data change request form if needed, and ensure that confidential data may not be intercepted or viewed at any time by parties other than the collaborator and FTF. Additionally, collaborators must ensure that throughout the reporting and submission process that the data is secured and that any confidential data is encrypted and/or de-identified.

Collaborators Assisting with a Needs and Assets Report or Performing Research Services on Behalf of FTF

Collaborators usually submit their data to FTF through an established secure web service or FTP (File Transfer Protocol) site. Collaborators must follow the more specific data submission requirements in their contracts with FTF. To the extent a contract does not provide more specific submission requirements, collaborators must seek and receive approval of their data submission method from FTF.

All Collaborators

All collaborators must be prepared for FTF review of client-level data (e.g., child-level, professional-level, or early care and education provider-level) during on-site visits. Additionally, FTF data reporting requirements may include submission of client-level data. Collaborators agree to allow FTF to access such data. Should

the data be subject to HIPAA, collaborators agree to enter into FTF's HIPAA Business Associate or Data Use Agreement as appropriate.

Beneficiary Permission for FTF Review

When a collaborator plans to obtain first-hand data from an individual, such as when conducting a program, providing a service, or conducting in-person research, the collaborator must inform the individual of FTF's reporting requirements. For instance, if the collaborator uses an enrollment form, the form should include the following statement: "I grant permission to [collaborator's name] to release my background, service, and impact related information to the Arizona Early Childhood Development and Health Board, also known as First Things First, which is funding this program or service." The collaborator warrants to FTF that prior to entering into the Agreement for FTF funding it has appropriately enquired and satisfied itself that it has the ability and authority comply with the requirements of this section.

Data Suppression Guidelines for Publications

Confidential and limited distribution data must not appear in publications. When a publication includes aggregate data, any limited distributed data must be suppressed. The statistical cutoff procedures help ensure that aggregated data does not put at risk the anonymity of any individual. FTF's intent is to avoid the possibility of inadvertently reporting personally identifiable information.

For data related to social service and early education programming, limited distribution data refers to counts of fewer than ten, excluding counts of zero (i.e., all counts of one through nine). Examples of social service and early education programming include the number of children served in TANF, AzMerit scores, and the number of children served with an IEP.

For data related to health or developmental delay, limited distribution data refers to counts of fewer than six, excluding counts of zero (i.e., all counts of one through five). Examples of health or developmental delay include the number of children without health insurance and the number of newborns admitted to an ICU.

Third-Party Sharing

Collaborators must not share collected data with individuals or parties other than FTF or the collaborator's contractor approved by FTF (see Collaborator Contractors section) or use the collected data for a non-FTF purpose without the prior written consent of FTF, except as follows. A collaborator that is an affiliate of an evidence-based model may share data with the organization that oversees the model as required by that organization. A collaborator providing a program or service under a grant from an entity other than FTF, such as the federal government, may share data with the other funding entity directly tied to that funding grant. Notwithstanding the foregoing, no data collected from tribal lands may be shared or used with any third-party without the appropriate tribal approvals and no data may be shared or used in violation of law.

Collaborator Contractors

All collaborators must contractually require any contractor used by them to assist with the collection, maintenance, submission, analysis or publication of data to comply with these Data Security, Submission and Suppression Guidelines and Requirements for Collaborators. In addition, collaborators must obtain advance written approval from FTF before using a contractor for any of these purposes.

Tribal Data

FTF recognizes Arizona tribes as sovereign nations that have the right to regulate research and data collection on their tribal lands. To this end, FTF is committed to obtaining all appropriate tribal approvals for data collection, analysis and reporting. Accordingly, collaborators must only collect, use and share data from tribal land with appropriate tribal approvals, which approval may require participation in cultural education and community orientation classes, and in accordance, as applicable, with FTF's Tribal Data Policy.

In the case of collaborators conducting an FTF-funded program or service, collaborators are responsible for obtaining the appropriate tribal approvals unless FTF notifies a collaborator in writing that FTF has already obtained the approvals. FTF Regional Directors and Tribal Affairs staff can provide support to collaborators in identifying and navigating each tribe's process and protocols.

In the case of collaborators assisting with a needs and assets report or performing research services on behalf of FTF, FTF staff will take the lead in securing appropriate tribal approvals for data collection. Collaborators need to assist FTF in this process as requested by FTF, which includes providing information and documentation requested by a tribe. Collaborators must not begin collecting data before necessary tribal approvals are obtained.

Compliance

The collaborator acknowledges that failure to comply with any requirement of these Data Security, Submission and Suppression Guidelines and Requirements for Collaborators constitutes a material breach of the Agreement.

FTF's own Data Security Policy & Procedures and Tribal Data Policy may be viewed on the FTF website at <http://www.firstthingsfirst.org/grants/grantee-resources>.

Revised December 2017

CITY COUNCIL REPORT

SUBJECT: Resolution 1043-0723 - Canvass of Election, Public Safety Personnel Retirement System Local Fire Board Election

MEETING DATE: 7/10/2023

TO: Mayor and Council

FROM: Marcella Carrillo, City Clerk

THROUGH: Cherlene Penilla, Assistant City Manager, (623) 333-1015

REVIEWED: Ron Corbin, City Manager, (623) 333-1011

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area: Connected Community - Avondale will work directly and closely with our communities to develop programs and infrastructure that connect residents to the city's resources, the region, and each other.

PURPOSE:

City Council will consider a request to adopt Resolution 1043-0723, declaring and adopting the results of the June 15, 2023 Local Board Election, electing Westley Tank as a Board Member to the Public Safety Personnel Retirement System Fire Board and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

On May 1, 2023, a Notice of Election was sent to all eligible employees and physically posted at all Fire & Medical Department facilities. From May 1, 2023 through May 31, 2023, Notices of Interest were accepted through the City Clerk's Office.

On June 5, 2023, ballots were prepared and distributed to all eligible members of the Public Safety Personnel Retirement System local fire board. Completed ballots were due back to the City Clerk's Office on June 15, 2023. On June 20, 2023, ballot counts for the election were conducted and election results were tallied using a two-person tally board from the City Clerk's Office.

DISCUSSION:

Pursuant to A.R.S. §38-893, each city or town participating in the Public Safety Personnel Retirement System (PSPRS) must establish a five (5) person Local Board, of which two are employees elected by secret ballot by members employed by the appropriate employer. The local board elections are conducted in accordance with Administrative Policy 65 - Public Safety Board Elections for Employees. Elected member terms are staggered and elections are held in odd-numbered years.

It is hereby found, determined and declared of record that Westley Tank received the majority of votes cast at the Election for the office of PSPRS Local Fire Board Member.

BUDGET IMPACT:

There is no fiscal impact related to the local board elections.

RECOMMENDATION:

Staff recommends City Council adopt a Resolution declaring and adopting the results of the Local Board Election held on June 15, 2023, electing Westley Tank as a Board Member to the Public Safety Personnel Retirement System Local Fire Board.

Contact person for document distribution: Marcella Carrillo; Chris Pierson; Kathy Reyes; Rosa Villasenor

RESOLUTION NO. 1043-0723

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, CANVASSING AND ADOPTING THE RESULTS OF THE PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM LOCAL FIRE BOARD ELECTION HELD ON JUNE 15, 2023.

WHEREAS, the City of Avondale (the “City”), Arizona, held an election on June 15, 2023 (the “Election”) for the election of one Public Safety Personnel Retirement System (PSPRS) Local Fire Board Member; and

WHEREAS, the Election returns, which include (i) the number of votes received by each candidate and (ii) the titles of the offices voted for and the names of each person voted for to fill each office, are attached hereto as Exhibit A and incorporated herein by reference, and have been presented for canvass by the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The total number of eligible voters for the Fire – PSPRS Local Board Election was 84; the total number of ballots cast at the Election, as shown in the Election returns, was 69; the total rate of return was 82%.

SECTION 3. The votes cast for the candidates for Board Member of the Fire – PSPRS Local Board were as follows:

Kevin Commisso	5
Bryan DePauw	26
Marlin Nightengale	7
Westley Tank	27
Ryan Tussing	4

SECTION 4. It is hereby found, determined and declared of record that Westley Tank

(i) received the majority of votes cast at the Election for the office of Fire – PSPRS – Local Board Member and (ii) shall be issued a certificate of election.

SECTION 5. This Resolution shall be in full force and effect immediately upon its adoption; a certified permanent copy of which shall be filed with the City Clerk, who shall maintain it as a permanent record.

SECTION 6. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, July 10, 2023.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION 1043-0723

Election Returns

Board Member - Fire – Public Safety Personnel Retirement System (PSPRS) Local Board

Kevin Commisso	5	7%
Bryan DePauw	26	38%
Marlin Nightengale	7	10%
Westley Tank	27	39%
Ryan Tussing	4	6%
Total ...	69	100.00%



OFFICE OF THE CITY CLERK FORM OF TALLY LIST

We hereby certify the following to be a true tally of the votes for the candidates and offices shown. The election closed on the 15th day of June 2023 in the City of Avondale, Maricopa County, Arizona. The tally results are listed below.

- ☐ Corrections Officers Retirement Plan (CORP) Board
- ☒ Fire – Public Safety Personnel Retirement System (PSPRS) Board
- ☐ Police – Public Safety Personnel Retirement System (PSPRS) Board

Names of Candidate(s)	Total Votes
<u>Employee Representative</u>	
Kevin Commisso	5
Bryan DePauw	26
Marlin Nightengale	7
Westley Tank	27
Ryan Tussing	4
Total	69
For Representative In: City of Avondale Fire – Public Safety Personnel Retirement System Board (PSPRS)	

We further certify that the total votes outline above are the total number of votes received by each candidate in the election.

Signatures

Tally Board: Kelvin Johnson
Kelvin Johnson (Jun 20, 2023 17:59 PDT)

June 20, 2023
Date

Tally Board: mcas

June 20, 2023
Date

CITY COUNCIL REPORT

SUBJECT: Resolution 1044-0723 - Intergovernmental Agreement with Maricopa County Library District for Library Assistance Program

MEETING DATE: 7/10/2023

TO: Mayor and Council

FROM: Bryan Hughes, Parks & Recreation Director

THROUGH: Tracy Stevens, Assistant City Manager, (623) 333-1014

REVIEWED: Ron Corbin, City Manager, (623) 333-1011

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Community-Oriented Lifelong Learning Opportunities - Avondale will continue to foster an environment where education is a defining value and learning opportunities abound for residents of all ages.

The approval of this agenda item will foster Avondale as an environment where education is valued and learning opportunities are made available and accessible to residents and the surrounding community. This item will increase patron traffic and use of Avondale's public libraries.

PURPOSE:

City Council will consider a request to adopt Resolution 1044-0723, approving the Intergovernmental Agreement with the Maricopa County Library District for the Library Assistance Program and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

On July 1, 2001, the City of Avondale entered into an Intergovernmental Agreement (IGA) with the Maricopa County Library District (MCLD) authorizing a Reciprocal Borrowing Program. This agreement stipulated that in return for providing library services to County residents who were not residents of Avondale, MCLD would pay the City a set dollar amount for each non-resident registered for an Avondale Public Library card. On May 7, 2018, the City of Avondale passed Resolution 3443-518 which implemented the Library Assistance Program (LAP) which made changes to how funds were allocated, not only based on the number of outside residents registered, but included calculations on the assessed property value as well.

DISCUSSION:

LAP allocates funds to local library jurisdictions for purchasing library materials through vendors on contract with MCLD. Participation in the LAP requires libraries to provide any eligible Maricopa County resident a library card with all regular rights and privileges free of charge. LAP offers an allotment for library materials to participating libraries through a program managed by MCLD. Libraries in the program order library materials

through vendors on contract with MCLD, with MCLD managing invoices and payment for all materials.

LAP authorizes participating municipalities to purchase library materials in an amount determined by the percentage of assessed valuation (40% of the allocation) and the percentage of cards issued for the use of its library and library services by Non-Residents of the City who are entitled to the benefits of the MCLD (60% of the allocation). Under this Intergovernmental Agreement with MCLD, the term will extend from July 1, 2023 to June 30, 2028.

The City has been a recipient of MCLD library assistance funds since 2001. Allocations are calculated using figures that fluctuate annually. The following is the LAP distribution for Avondale over the past three years:

- Fiscal Year 2020 - 21 **\$53,792**
- Fiscal Year 2021 - 22 **\$53,792**
- Fiscal Year 2022 - 23 **\$58,047**

All funds are used to purchase library materials with approximately 80% of the funds used for media and 20% used for books.

BUDGET IMPACT:

The estimated allocation for Fiscal Year 2023 - 2024 is \$60,736. The assessed valuation equals \$18,259 and cards issued to non-residents equals \$42,478. Staff will purchase library materials directly through MCLD library materials contracted vendors not to exceed the allotment of \$60,736. To add the necessary appropriation to spend the revenue from the IGA, staff will need to process a budget transfer from the Unanticipated Revenue Line Item.

RECOMMENDATION:

Staff recommends that City Council adopt a Resolution approving the Intergovernmental Agreement between the City of Avondale and the Maricopa County Library District for the Library Assistance Program and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Contact person for document distribution: Edith Baltierrez, Corey Larriva, Bryan Hughes, Chris Lopez

RESOLUTION NO. 1044-0723

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, APPROVING THE INTERGOVERNMENTAL AGREEMENT WITH THE MARICOPA COUNTY LIBRARY DISTRICT RELATING TO THE LIBRARY ASSISTANCE PROGRAM.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The Intergovernmental Agreement with the Maricopa County Library District, relating to the City's participation in the library assistance program (the "Agreement") is hereby approved substantially in the form and substance attached hereto as Exhibit A and incorporated herein by this reference.

SECTION 2. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to cause the execution of the Agreement and to take all steps necessary to carry out the purpose and intent of this Resolution.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, July 10, 2023.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 1044-0723

[Agreement]

See following pages.

INTERGOVERNMENTAL AGREEMENT BETWEEN THE MARICOPA COUNTY LIBRARY DISTRICT AND THE CITY OF AVONDALE FOR THE LIBRARY ASSISTANCE PROGRAM

Agenda # _____

The governing bodies of the CITY OF AVONDALE (hereinafter "City") and the Maricopa County Library District (hereinafter "Library District") authorize and approve this Intergovernmental Agreement ("Agreement") to be effective on the 1st of July, 2023 for provision of certain library services and reimbursements.

WHEREAS A.R.S. §§ 48-3901 and 11-903 allow a City to elect to become a part of, or participate in a county library district, which is a political taxing subdivision of this state for purposes of providing library services to district residents;

WHEREAS the City is a member of the Library District program and wishes to participate in the Library Assistance Program of the Library District;

WHEREAS, pursuant to A.R.S. § 9-411 et seq., the City has established and provided for a City library and library facilities and services which are owned and funded by the City and its governing body;

WHEREAS, the Library District has established a Library Assistance Program for the benefit of its members in order to expand the availability of Library Services;

WHEREAS, the City and the Library District are authorized to act and enter into this intergovernmental agreement regarding the Library Assistance Program pursuant to A.R.S. § 11-952; and

WHEREAS the City wishes to have its municipal library participate in and benefit from the Library Assistance Program through library materials assistance, provision of Integrated Library System, materials sharing, access to digital resources, inter-system delivery service and Summer Reading Program resources.

NOW, THEREFORE, in consideration of the covenants hereinafter set forth, the parties agree as follows:

SECTION I - OBLIGATIONS OF THE CITY

1. **Services Offered.** The City shall provide the following library services to persons who are Non-Residents of that City but entitled to the benefits of the Library District (hereinafter referred to as "Non-Residents" to the same extent and pursuant to the same rules and regulations as the City provides these facilities and services to City residents. "Non Residents" as used in this Agreement means only those persons entitled to Library District benefits, and does not include other non-residents. The services include access to and use of City library facilities, materials and services.

2. Accounting and Documentation. The City agrees to identify Non-Residents utilizing the services listed in paragraph 1 hereof and provide within thirty-one (31) days after the end of each calendar year an accounting and documentation as described in Attachment "A" to this Agreement.

3. Sharing of Materials. The City agrees to allow additional Software (Inn-Reach) to search the library catalogue and request materials to be shared with other library systems within Maricopa County. Policies and procedures associated with this program are decided by a committee with representatives from every library system in Maricopa County. This program will be referred to as MAX (Maricopa Access) for the purposes of identification within the agreement and in communications.

SECTION II - OBLIGATIONS OF THE LIBRARY DISTRICT

1. Library Materials Assistance

a. Allotment to City. The Library District shall make an allotment to the City based on the percentage of the assessed valuation from the preceding February State Abstract and on the percentage of gross cards issued to Non-Residents of the City that are entitled to the benefits of the Library District. This allotment will be a not to exceed amount at a library materials vendor that is on contract with the Library District. The allotment will be calculated as follows:

- i. Assessed Value Allocation (40% of Total) — The sum total of primary net assessed value for all participating municipal libraries will be calculated. Then, the percentage for each municipality will be calculated using the aforementioned total. Forty percent (40%) of the total allocated for the Library Assistance Program will be multiplied by each municipal percentage to find the individual assessed value allocation.
- ii. Cards Issued Allocation (60% of Total) — Each Library will submit to the Library District accounting and documentation as required in Section This will be submitted on or before January 31 of each year, for the CALENDAR YEAR. The submissions will be totaled and the percentage for each participating municipality will be calculated. The Allocation for each library system will be calculated by multiplying their percentage times 60% of the funding available for the Library Assistance Program.

b. Vendor and Account Set Up. The Library Assistance Program accounts will be set up for each participating library system as follows:

- i. Library materials purchase only;
- ii. Library District contracted vendors;
- iii. Accounts set up at vendor through Library District only; and
- iv. Up to two (2) vendors.

2. Integrated Library System

- a. Cloud Hosting – Hosting of the integrated library system by provider
- b. Public Core Bundle Licenses – necessary base licenses for use of integrated library system by city library system as determined by Library District
- c. Staff Licenses – required licenses for staff to use integrated library system
- d. Additional software, features and support may be purchased by the City to enhance the City operations

3. Materials Sharing (MAX)

- a. Provision of the operating software, Inn-Reach, including Installation, configuration, and any maintenance.
- b. Provision of a courier service to move the materials to assigned locations within Maricopa County within an agreed upon timeline and via the request of the Maricopa County resident.

4. Digital Resources

- a. Funds the Maricopa County share of the Statewide access to online databases and electronic resources.
- b. Purchases digital resources for the participating public libraries in Maricopa County.

5. Inter-System Delivery Services – library materials and resources moved between the various system by Library District courier or delivery service.

6. Summer Reading Program

- a. Summer Reading Program Software
- b. Training & Support
- c. Events
- d. Countywide Reading Incentives
- e. Prize Books

SECTION III - OTHER TERMS AND CONDITIONS

- 1. Term. This Agreement shall terminate June 30, 2028, unless sooner terminated by the parties hereto and is renewable only upon written amendment executed by both parties.
- 2. Termination. Either party may terminate this Agreement upon 90 days' notice to the other party.

3. Severability and Savings. If any part of this Agreement is held to be invalid or unenforceable, such holding will not affect the validity or enforceability of any other part of this Agreement so long as the remainder of the Agreement is reasonably capable of completion without inequity to the party(ies). If any part of this Agreement is held to be invalid or unenforceable, such holding and any actions taken subsequent thereto shall not require a return or reimbursement, nor affect in any way, the receipt or expenditure by the City, of tax revenues paid or payable as of the date of such holding pursuant to this or any similar Agreement. The provision of this Agreement for payment of funds by the Library District shall be effective when funds are appropriated for purposes of this Agreement and are actually available for payment. The Library District shall be the sole judge and authority in determining the availability of funds under this Agreement and the Library District shall keep the City fully informed as to the availability of funds for its program.
4. Entire Agreement Supersedes Any Other. This Agreement comprises the entire agreement of the parties and supersedes any and all other agreements or understandings, oral and written, whether previous to the execution hereof or contemporaneous herewith.
5. Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Arizona and the laws, rules and regulations of the City and the Library District.
6. Cancellation. The parties hereto acknowledge that this Agreement is subject to cancellation pursuant to A.R.S. 5 38-511.
7. E-Verify. The parties verify compliance with the requirements in A.R.S. 5 41-4401 and A.R.S. 5 23-214.
8. Indemnification. Each party (as 'indemnitor') agrees to indemnify, defend, and hold harmless the other party (as 'indemnitee') from and against any and all claims, losses, liability, costs, or expenses, including reasonable attorney's fees, (hereinafter collectively referred to as 'claims') arising out of bodily injury of any person (including death) or property damage, but only to the extent that such claims which result in vicarious/derivative liability to the indemnitee are caused by the act, omission, negligence, misconduct, or other fault of the indemnitor, its officers, officials, agents, employees, or volunteers.
9. Records. The Library District will comply with A.R.S. § 41-151.22 regarding the confidentiality of the user records it receives pursuant to this Agreement.
10. Boycott of Israel. Each party certifies that it is not currently engaged in, and for the duration of this Agreement agrees not to engage in, a boycott of Israel as defined in A.R.S. 5 35-393.
11. Uyghur Forced Labor
Each Party warrants and certifies that for the duration of the Agreement that it will not use any contractors, subcontractors or suppliers that use the forced labor or any goods or services produced by the forced labor of ethnic Uyghurs in the People's Republic of China. If a Party becomes aware during the term of the Agreement that any contractors, subcontractors or suppliers are not in compliance with this paragraph, the Party shall notify the other Party within five business days after becoming aware of the noncompliance. Upon failure of the Party to provide a written certification that the Party has remedied the noncompliance within one hundred eighty (180) days after notifying the other Party of its noncompliance, this Agreement shall terminate unless the Term of this Agreement shall end prior to said one hundred eighty (180) day period. A.R.S. § 35-394

IN WITNESS WHEREOF, the CITY OF AVONDALE and the MARICOPA COUNTY LIBRARY DISTRICT have executed this Agreement effective on the date first above written.

CITY OF _____ MARICOPA COUNTY LIBRARY DISTRICT

By: _____

City Manager

City of Avondale

By: _____

Chairman, Board of Directors

Maricopa County Library District

ATTEST:ATTEST:

By: _____

City Clerk

Date

By: _____

Clerk of the Board Date

In accordance with A.R.S, Section 11-952, the foregoing Agreement has been reviewed by the undersigned counsel who has determined that it is in proper form and within the power and authority granted under the laws of the State of Arizona.

By: _____

Attorney

City of _____

By: _____

Attorney

Maricopa County Library District

ATTACHMENT A

INTERGOVERNMENTAL AGREEMENT BETWEEN THE MARICOPA COUNTY LIBRARY DISTRICT AND THE CITY OF AVONDALE FOR THE 2023 - 2028 LIBRARY ASSISTANCE PROGRAM POLICY AND PROCEDURES

Policy:

Any resident of Maricopa County may obtain a free library card from a participating library upon presentation of current identification and proof of residence. Any borrower participating in this project must conform to the rules, policies, and regulations of the library from which the materials are borrowed, Non-Resident library cards will be issued from January 1 through December 31 each fiscal year covered by the Agreement.

Procedures:

- A. Issuance of a Non-Resident Library Card.
 - a. A resident of Maricopa County must present current identification and proof of residence, Resident is defined as any individual showing proof of residence, business ownership or property ownership in Maricopa County. Visitors who are in Maricopa County for less than a month do not qualify as residents.
 - b. A card will be given with an expiration date, which is one year from date of issue.
- B. Statistical Reporting.
 - a. In order to be eligible for the Library Assistance Program, each participating library must submit an Annual Non-Resident Report to the Library District by January 31 for the prior calendar year. The report must provide the following information for each borrower:
 - i. Name
 - ii. Street Address
 - iii. City/Town and ZIP code of residence
 - iv. Date of registration/renewal
 - v. Card number
 - b. This information can be a computer report prepared by the City Library automation system.
 - c. Additionally, a summary sheet totaling the number of Non-Resident library cards issued per Municipality/Unincorporated County for the year submitted must be included.
 - d. The County will prepare and distribute an annual statistical report

CITY COUNCIL REPORT

SUBJECT: Ordinance 2045-0723 - Fourth Amendment to the office lease agreement with Phoenix Speedway

MEETING DATE: 7/10/2023

TO: Mayor and Council

FROM: Kenneth Chapa, Director of the Office of Economic Development & Tourism

THROUGH: Cherlene Penilla, Assistant City Manager

REVIEWED: Ron Corbin, City Manager, (623) 333-1011

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Creative and Sustainable Community Development - Avondale is committed to creating a sense of place, a community of residents, and local businesses unified by pride and common values.
-

PURPOSE:

City Council will consider a request to adopt Ordinance 2045-0723, approving the Fourth Amendment to the Office Lease Agreement with Phoenix Speedway, LLC and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

The City of Avondale and Phoenix Speedway, LLC entered a 15-year office lease on December 16, 2003, in the city-owned building at 125 S Avondale Blvd. Suite 200, approximately 12,904 square feet, with a base rent of \$20.25 per square foot and a periodic 3% rent increase.

Phoenix Speedway, LLC (the tenant) entered into a first amendment to the lease on September 30, 2005, to lease an additional 2,626 square feet located adjacent to their space on the second floor of the building, now totaling 15,530 square feet with a base rent of \$20.30 per square foot with all other lease terms remaining the same.

The tenant entered a second amendment on November 19, 2013, reducing the base rent to \$16.08 per square foot with a periodic 3% rent increase due to market conditions.

The tenant entered a third amendment on February 27, 2023, extending the expiration date of the lease from August 31, 2023, to August 31, 2024.

The current lease is set to expire on August 31, 2024. The tenant was planning to vacate the space at the end of the lease and consolidate its office operations at the Phoenix Raceway Campus located at 7602 Jimmie Johnson Dr., Avondale, AZ 85323. However, due to various market factors that have delayed construction, the

tenant has requested this fourth amendment to extend the lease term until December 31, 2027, allowing them more time to develop their on-track facilities. Currently, the tenant is paying \$19.30 per square foot until August 31, 2023. This fourth amendment increases the monthly base rent by \$1.00 per square foot yearly, with the final base rate equalling \$24.30 per square foot. The amendment permits the city to waive the early termination penalty if Phoenix Speedway relocates its facilities to office space within the City of Avondale and provides at least one hundred and twenty (120) days' notice. If the tenant terminates without proof of relocating to a facility within Avondale, they must pay at least six months' base rent to the City upon termination.

DISCUSSION:

Phoenix Speedway LLC is requesting a multi-year extension to the current lease. The monthly base rent will increase by \$1.00 per square foot each year and provides the City the option to waive termination fees if the tenant locates their facilities to another location in Avondale prior to the end of the term. All other lease terms remain the same, with the new term expiring on December 31, 2027.

BUDGET IMPACT:

The city will receive monthly rental income equalling approximately: \$315,259 in year 1, \$330,789 in year two, \$346,319 in year three, \$361,849 in year four, and \$377,379 in year five (9/1/2027 - 12/31/2027).

RECOMMENDATION:

Staff recommends approval of the fourth amendment to the lease agreement with Phoenix Speedway LLC.

Contact person for document distribution: Kenneth Chapa, Cheryl Covert

ORDINANCE NO. 2045-0723

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, APPROVING THE FOURTH AMENDMENT TO THE OFFICE LEASE AGREEMENT BETWEEN THE CITY OF AVONDALE AND PHOENIX SPEEDWAY, LLC.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The Fourth Amendment to the Office Lease Agreement between the City of Avondale and Phoenix Speedway, LLC (the “Fourth Amendment”) is hereby approved in substantially the form and substance attached hereto as Exhibit A and incorporated herein by reference.

SECTION 2. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps and to execute all documents necessary to carry out the purpose and intent of this Ordinance.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, July 10, 2023.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
ORDINANCE NO. 2045-0723

[Fourth Amendment]

See following pages.

**FOURTH AMENDMENT
TO
OFFICE LEASE AGREEMENT
BETWEEN
THE CITY OF AVONDALE
AND
PHOENIX SPEEDWAY, LLC**

THIS FOURTH AMENDMENT TO OFFICE LEASE AGREEMENT (this "Fourth Amendment") is entered into as of the Effective Date, by and between the City of Avondale, an Arizona municipal corporation (the "Landlord") and Phoenix Speedway, LLC (f/k/a Phoenix Speedway Corp.), a Delaware limited liability company (the "Tenant"). Landlord and Tenant are referred to collectively as the "Parties." The "Effective Date" shall be the date upon which the last of the Landlord and Tenant execute this Fourth Amendment.

RECITALS

A. Landlord, as successor in interest, and Tenant entered into that certain Office Lease Agreement dated December 16, 2003, as amended by that certain First Amendment dated September 30, 2005, as amended by the certain Second Amendment dated November 19, 2013, and as amended by that certain Third Amendment dated February 27, 2023 (collectively, the "Lease"), regarding that certain real property generally located at the southeast corner of Avondale Boulevard and Coldwater Springs in Avondale, Arizona. Unless otherwise defined, all capitalized terms shall have the meaning set forth in the Lease.

B. The Parties desire to amend the Lease as set forth in this Fourth Amendment.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants set forth herein and the faith full performance thereof and for other good and valuable consideration, the receipt of which are hereby acknowledged, the Parties hereby agree to amend the Lease as follows:

1. Accuracy of Recitals. The Parties hereby acknowledge the accuracy of the Recitals which are incorporated herein by this reference.

2. Amendment to Lease. The Lease is hereby amended as follows:

(a) The Basic Lease Information as it relates to the "Term" is hereby deleted in its entirety and replaced as follows:

"The term shall commence on September 1, 2004, which is the Commencement Date and expire on December 31, 2027, subject to adjustment and earlier termination as provided in Sections 30 and 31 of the Lease."

(b) The Basic Lease Information as it relates to the “Base Rent,” Paragraph 1 is hereby deleted and replaced as follows:

“Base Rent shall be the following amounts for the following periods of time:

Lease Month	Annual Base Rent Per Rentable Square Foot (not including Rent Tax)
Effective Date – 8/31/2023	\$19.30
9/1/2023 – 8/31/2024	\$20.30
9/1/2024 – 8/31/2025	\$21.30
9/1/2025 – 8/31/2026	\$22.30
9/1/2026 – 8/31/2027	\$23.30
9/1/2027 – 12/31/2027	\$24.30

(c) Section 30 of the Lease is hereby deleted and replaced as follows:

30. Right to Terminate. Tenant shall have the right, to be exercised on not less than one hundred twenty days prior written notice, to terminate this Lease; provided, however, as a condition to the effectiveness of such termination, Tenant shall pay to Landlord, an amount equal to six months Base Rent (the “Early Termination Fee”). In the event Tenant relocates to an office space located in the City of Avondale, Landlord will waive the Early Termination Fee. Tenant must provide Landlord with documentation confirming new office space location in the City of Avondale.

3. Memorandum of Lease Acknowledgement. Tenant hereby acknowledges that in accordance with ARIZ. REV. STAT. § 42.6202(C), Landlord will record a memorandum of the Lease and this Fourth Amendment in the Maricopa County Recorder’s Office.

4. Effect of Amendment. Except as specifically modified by this Fourth Amendment, the Lease remains in full force and effect and is in all events ratified, confirmed and approved.

5. Conflicting Terms. In the event of any inconsistency, conflict or ambiguity among the terms of this Fourth Amendment and the Lease, the documents shall govern in the order listed herein.

6. Non-Default. By executing this Fourth Amendment, the Tenant affirmatively asserts that (i) the City is not currently in default, nor has been in default at any time prior to this Fourth Amendment, under any of the terms or conditions of the Lease and (ii) any and all claims, known and unknown, relating to the Lease and existing on or before the date of this Fourth Amendment are forever waived.

7. Counterparts. This Fourth Amendment may be executed in multiple counterparts, each of which shall be deemed to be an original, but all of which, together, shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties hereto have executed this Second Amendment as of the last date set forth under the signatures of the Parties below.

“LANDLORD”

CITY OF AVONDALE, an
Arizona municipal corporation

Ron Corbin, City Manager

Date: _____

ATTEST:

Marcella Carrillo, City Clerk

ACKNOWLEDGMENT

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

This instrument was acknowledged before me on _____, 2023,
by Ron Corbin, the City Manager of the CITY OF AVONDALE, an Arizona municipal
corporation, on behalf of the City of Avondale.

Notary Public in and for the State of Arizona

(affix notary seal here)

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

“TENANT”

Phoenix Speedway, LLC, a Delaware
limited liability company

By: [Signature]

Name: Latasha Causey

Title: President

Date: 6.21.23

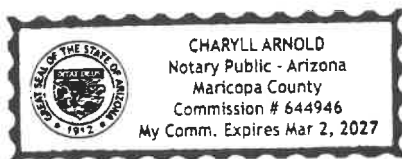
ACKNOWLEDGMENT

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

This instrument was acknowledged before me on June 21, 2023,
by Latasha Causey, as the President of PHOENIX SPEEDWAY, LLC, a Delaware limited
liability company, on behalf of the company.

[Signature]
Notary Public in and for the State of Arizona

(affix notary seal here)



CITY COUNCIL REPORT

SUBJECT: Public Hearing and Ordinance 2046-0723 - Francis and Sons Express Car Wash – Rezone – Application PL-22-0308

MEETING DATE: 7/10/2023

TO: Mayor and Council

FROM: Jodie Novak, Development Services Director

THROUGH: Tracy Stevens, Assistant City Manager, (623) 333-1014

REVIEWED: Ron Corbin, City Manager, (623) 333-1011

STRATEGIC PLAN:

STRATEGIC OUTCOME: Creative and Sustainable Community Development.

STRATEGY: Maintain and expand quality infrastructure and improve connectivity to city amenities.

PURPOSE:

City Council will hold a public hearing and consider a request to adopt Ordinance 2046-0723, a request by Mr. Brian Greathouse of Burch & Cracchiolo, on behalf of property owner F&S Oil III, LLC to rezone approximately 1.29 acres of land located approximately 288 feet west of the southwest corner of McDowell Road and 107th Avenue from Freeway Commercial (C-3) to a Planned Area Development (PAD) and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

The approximately 1.29-acre subject property consists of one (1) vacant parcel located approximately 288 feet west of the southwest corner of McDowell Road and 107th Avenue, Assessor Parcel Number 102-56-580 (Exhibit A). The site has approximately 180 feet of frontage on McDowell Road.

The subject property is designated by the General Plan 2030 Land Use Map as Freeway Commercial (Exhibit C). This category allows for a broad range of non-residential uses and development flexibility by promoting community-wide and regional retail, medical, office, higher educational complexes, hospitality, sports and family entertainment, commercial complexes, and service destinations to a larger trade area. It offers amenities such as attractive streetscapes, pedestrian activity connections, and efficient circulation.

This site is also within the Freeway Corridor Specific Plan area, which supplements the zoning classifications, development standards, and requirements of the Avondale General Plan and the Avondale Zoning Ordinance.

The site was rezoned from Agricultural (AG) to C-3 in 2022 as part of a greater 7.37 gross-acre project. The purpose of the C-3 district is to promote freeway-oriented services and products with a community-wide to regional trade area while avoiding the disruption of less intensive commercial activities.

The C-3 district does not permit self-service car washes, which is the proposed use for the site. A self-service car wash is defined in Avondale's Zoning Ordinance as the following: a facility for cleaning the exterior and

interior of motor vehicles. Self-service means that the owner/operator either uses equipment such as a wash wand to wash the vehicle manually or remains in the vehicle while automated equipment in a tunnel design washes the exterior of the vehicle. In both types of self-service, the owner/operator of the vehicle cleans the interior of the vehicle and no employees of the facility touch the vehicle except potentially to pre-scrub the exterior prior to it entering the wash tunnel. The C-3 district only permits full-service car washes with approval of a Conditional Use Permit, defined in the Zoning Ordinance as the following: a facility for cleaning the exterior and interior of motor vehicles where employees clean the interior and exterior of the vehicle, either by hand or using automated equipment, prior to returning the vehicle to the owner/operator.

The existing uses and zoning of surrounding properties include:

NORTH OF MCDOWELL ROAD: A medical office complex and a pharmacy and convenience store zoned Garden Lakes PAD.

EAST: Vacant land zoned Freeway Commercial (C-3) approved for a gas station with a convenience store.

SOUTH: Vacant land zoned C-3.

WEST: Multi-story medical office building zoned AKOS PAD.

SUMMARY OF REQUEST:

The applicant is requesting approval of a Rezone of the subject property from Freeway Commercial (C-3) to a Planned Area Development (PAD) that allows for Community Commercial (C-2) uses with the addition of a self-service car wash on a site located west of the southwest corner of McDowell Road and 107th Avenue (Exhibit D). The purpose of the C-2 district is to accommodate the development of commercial complexes providing goods and services to a community-wide trade area. As previously mentioned, the C-3 zoning district does not permit self-service car washes. The C-2 zoning district does permit self-service car washes with approval of a Conditional Use Permit. This request would downzone the site from C-3 to C-2 and add the use of a self-service car wash as a permitted use (no Conditional Use Permit required).

The planned hours of operation for the car wash are 7:00 AM to 9:00 PM and the facility is planned to have a maximum of two-four (2-4) employees on site. The car wash will be designed with a conveyor style tunnel. The customer will remain in their vehicle starting at the automated pay station at the south end of the site and exiting at the north end of the site through the tunnel. Vacuums will be provided to the east and north of the tunnel. Two (2) canopies will be provided over the vacuums to the east of the tunnel.

Access to the site will be from a shared driveway on McDowell Road that allows for right-in/right-out movements. Traffic will not be able to exit westbound on McDowell Road. This site will also provide access to future commercial development to the south.

Parking will comply with the City's Zoning Ordinance requirement of one (1) space per the maximum number of employees on-site, plus (1) additional ADA accessible space.

The preliminary architecture and site design meets the City's Commercial and Industrial Design Manual guidelines and will be further reviewed administratively through a Site Plan and Design Review application.

PUBLIC PARTICIPATION:

A virtual Neighborhood Meeting to discuss the proposal with neighboring property owners and other interested parties was held at 6:00 P.M. on Thursday, May 18, 2023, via Zoom. All required notifications for the neighborhood meeting were completed in accordance with notice requirements.

In addition to City Staff and the applicant's team, one (1) Council member attended the virtual meeting. See Exhibit H for the Neighborhood Meeting Summary.

There was a comment in support of the project received on the City's Avondale Connect digital forum. No additional public comments have been received to date.

All required notifications for the Planning Commission and City Council public hearings were completed in accordance with notice requirements.

PLANNING COMMISSION ACTION:

On June 21, 2023, the Planning Commission conducted a public hearing on the rezoning. The Commission had no questions or comments and there were no speakers on the item. The Commission voted 4-0 to recommend approval of the rezoning.

ANALYSIS:

General Plan and Freeway Corridor Specific Plan

The General Plan designation of the property is Freeway Commercial. This category allows for a broad range of non-residential uses and development flexibility by promoting community-wide and regional retail, medical, office, higher educational complexes, hospitality, sports and family entertainment, commercial complexes, and service destinations to a larger trade area. It offers amenities such as attractive streetscapes, pedestrian activity connections, and efficient circulation. The uses permitted in the C-2 district as well as a self-service car wash align with this designation since it permits a broad range of non-residential uses. The car wash would serve consumers residing in adjacent residential neighborhoods and the public traveling along the I-10 Freeway and McDowell Road corridor.

Additionally, the proposed PAD furthers several goals in the General Plan, and advances multiple objectives in the Freeway Corridor Specific Plan, most notably:

General Plan 2030

- **“Land Use Goal 3 Policy D: Ensure adequate transitions and/or buffers are provided when adjacent land uses vary in character and intensity.”** *This site has a landscape setback in excess of 30 feet wide along McDowell Road and landscaping along the west and south of the site, which will act as a buffer to adjacent uses. To the east of the site will be the shared drive aisle for the car wash and a future QuikTrip gas station.*
- **“Economic Vitality Goal 3 Policy D. Support new development that accommodates business attraction opportunities.”** *Approval of this project will support this new development, bringing jobs and sales tax revenue to the City.*
- **“Economic Vitality Goal 5: Encourage and facilitate small/local business development and diversity.”** *A local business, Francis and Sons, will be able to develop on this site.*

Freeway Corridor Specific Plan

- **“Objective #1: Prioritize the City’s appearance from the I-10 Freeway and Loop 101 freeways, limiting heavy industrial uses and establishing strict design requirements where necessary.”** *While this site does not directly abut the I-10 Freeway, this project will follow Commercial and Industrial Design Guidelines and enhance the area. This project is not a heavy industrial use.*

Access and Circulation

The proposal will generate traffic consistent with the existing commercial uses occurring in the vicinity. Based upon review of the applicant’s Traffic Impact Analysis (TIA), the City has determined that the proposed project will function in a safe and efficient manner.

The project site is located west of the southwest corner of two (2) major arterial roadways. As previously mentioned, access to the site will be from a shared driveway on McDowell Road that allow for right-in/right-out movements. Traffic will not be able to exit westbound on McDowell Road. This site will also provide access to future commercial development to the south.

Permitted Uses

The PAD will permit the uses in the C-2 district (this includes permitted uses, uses permitted with conditions, and uses that require approval of a Conditional Use Permit) with the addition of allowing a self-service car wash (no conditional use permit required). C-2 uses are appropriate for this site, and a self-service car wash will be a compatible use given that the site’s current designation of C-3 allows for a full-service car wash with

approval of a Conditional Use Permit.

Development and Design Standards

The project is designed to achieve all requirements of the C-2 (Community Commercial) development standards and applicable requirements in Avondale's Zoning Ordinance.

DISCUSSION:

The proposed PAD rezone meets the following findings:

1. The proposed PAD is in conformance with the General Plan and applicable specific plan(s). This project is in conformance with the General Plan designation of Freeway Commercial and the Freeway Corridor Specific Plan as discussed above.

2. The proposed PAD meets the PAD requirements of the Zoning Ordinance, Subdivision Regulations, Design Manuals and other applicable regulations and requirements, unless otherwise modified by the PAD narrative. The proposed development meets the requirements of the Zoning Ordinance, Subdivision Regulations, and the Commercial and Industrial Design Manual. Aside from the addition of adding a self-service car wash, this project proposes no other changes to the uses permitted in the C-2 district.

3. That adequate public infrastructure and services exist to serve the proposed development or all necessary public infrastructure and services to serve the proposed development will be completed in connection with development within the PAD. Adequate public infrastructure to support the proposed development either presently exists or will be constructed by the developer.

4. The proposed PAD will result in compatible land use relationships within the proposed development and with adjacent properties. The zoning change will change the property's zoning designation from a more intense zoning district to a less intense zoning district. The surrounding land uses of a gas station, future commercial uses, and medical uses are compatible uses with a self-service car wash. The closest single-family residential homes (Crystal Gardens) are about 262 feet northwest of the project, to the north of McDowell Road. The landscape buffer that's in excess of 30-feet wide will provide trees and shrubs to screen the property, and a 3.5-foot-high screen wall will also be provided adjacent to parking spaces along McDowell Road. Additionally, the applicant provided a sound exhibit that demonstrated that the noise levels will range from 55 to 60 dBA (with the maximum decibel level being 55 dBA 80 feet north of the exit of the car wash) and noted that the standard environmental noise level is 70 dBA (standard car noise).

5. The development standards of the proposed PAD are consistent with or exceed the desired character of development for the area. The site will utilize the C-2 development standards, which are appropriate for the commercial character of the area and the small size of the parcel.

BUDGET IMPACT:

No budget impacts.

RECOMMENDATION:

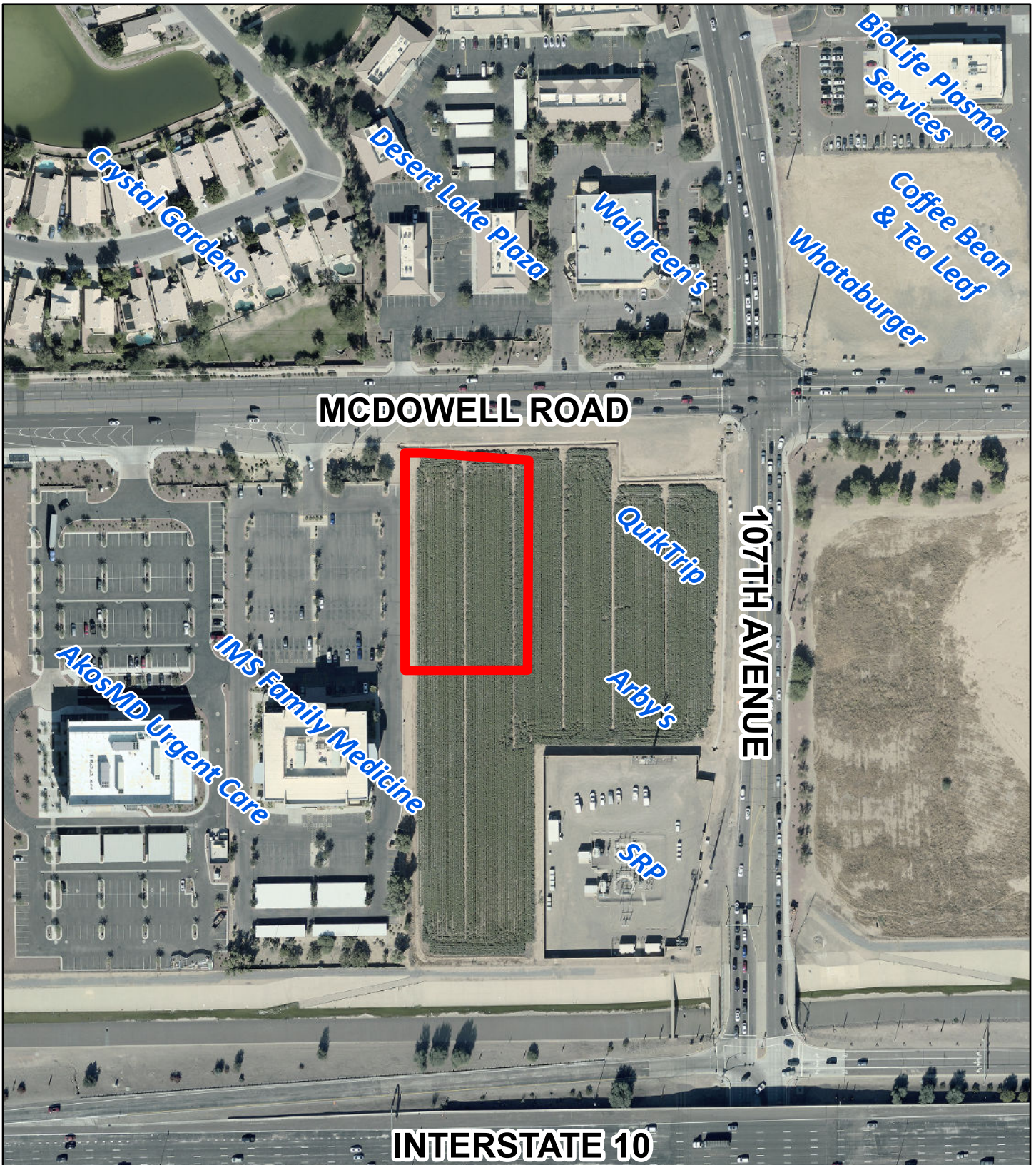
City Council will conduct a public hearing and **ADOPT** an Ordinance, approving Application PL-22-0308 Francis and Sons Car Wash, a request to rezone approximately 1.29 acres of land located approximately 288 feet west of the southwest corner of McDowell Road and 107th Avenue from Freeway Commercial (C-3) to a Planned Area Development (PAD) subject to the following five (5) conditions of approval:

1. Development shall generally conform to the Francis and Sons Car Wash PAD Narrative electronically date stamped 05/03/2023 except as modified by these conditions.
2. Vacuum canopies shall not be constructed adjacent to McDowell Road and no appurtenances shall be visible above the proposed screen wall adjacent to McDowell Road.
3. In accordance with the applicant's Sound Exhibit (Exhibit I) dated February 6, 2023, exterior noise levels from activities inside the car wash building during hours of operations shall not exceed a

maximum of sixty (60) dBA, as measured at the McDowell Road property line directly adjacent to the car wash.

4. Administrative approval of a Site Plan and Design Review application is required prior to issuance of a building permit.
5. All remaining off-site improvements shall be completed prior to the issuance of a Certificate of Occupancy.

Contact person for document distribution: Michelle Simerdla



MCDOWELL ROAD

107TH AVENUE

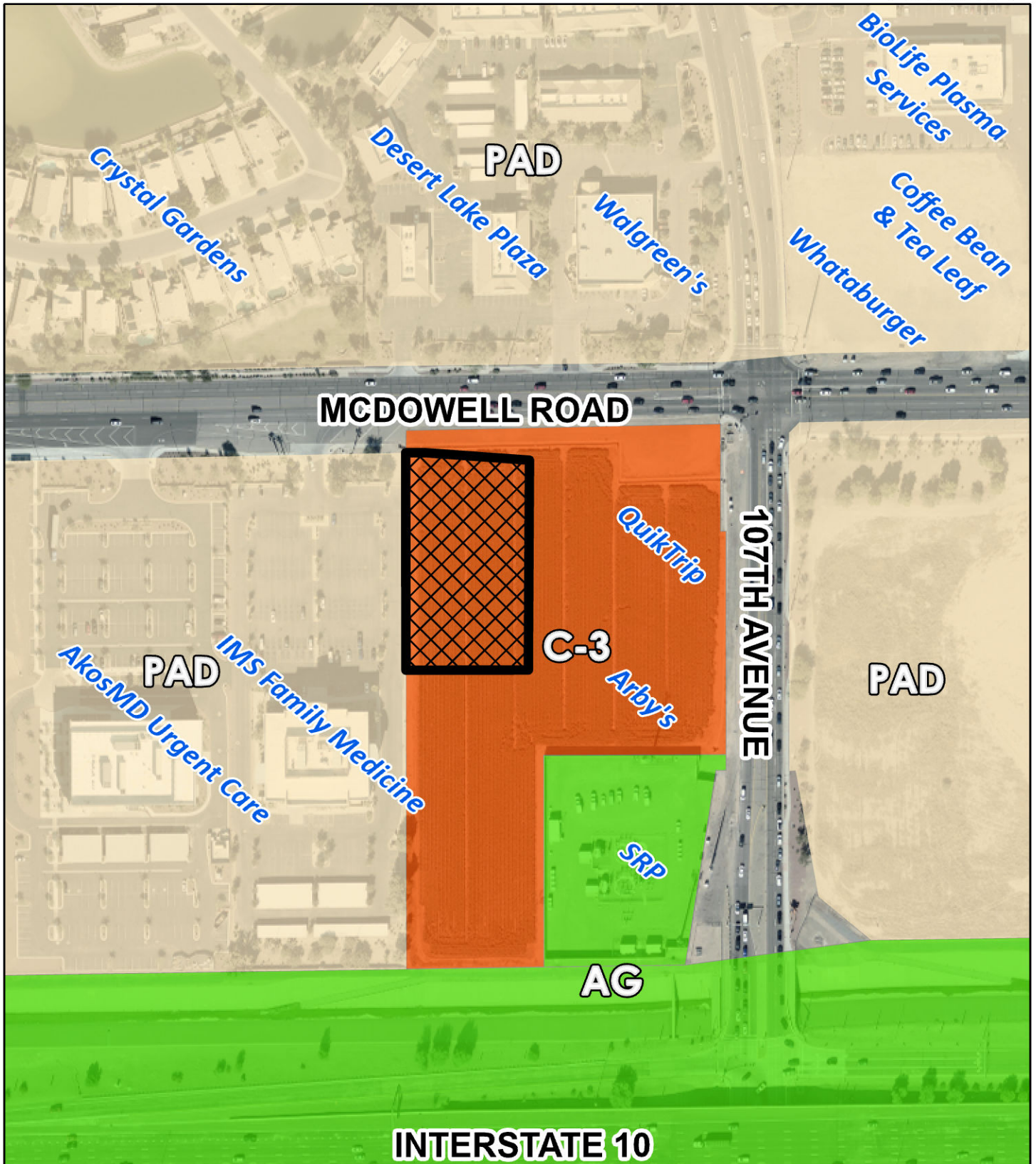
INTERSTATE 10

Aerial Map

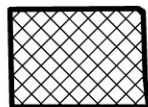


Subject Property



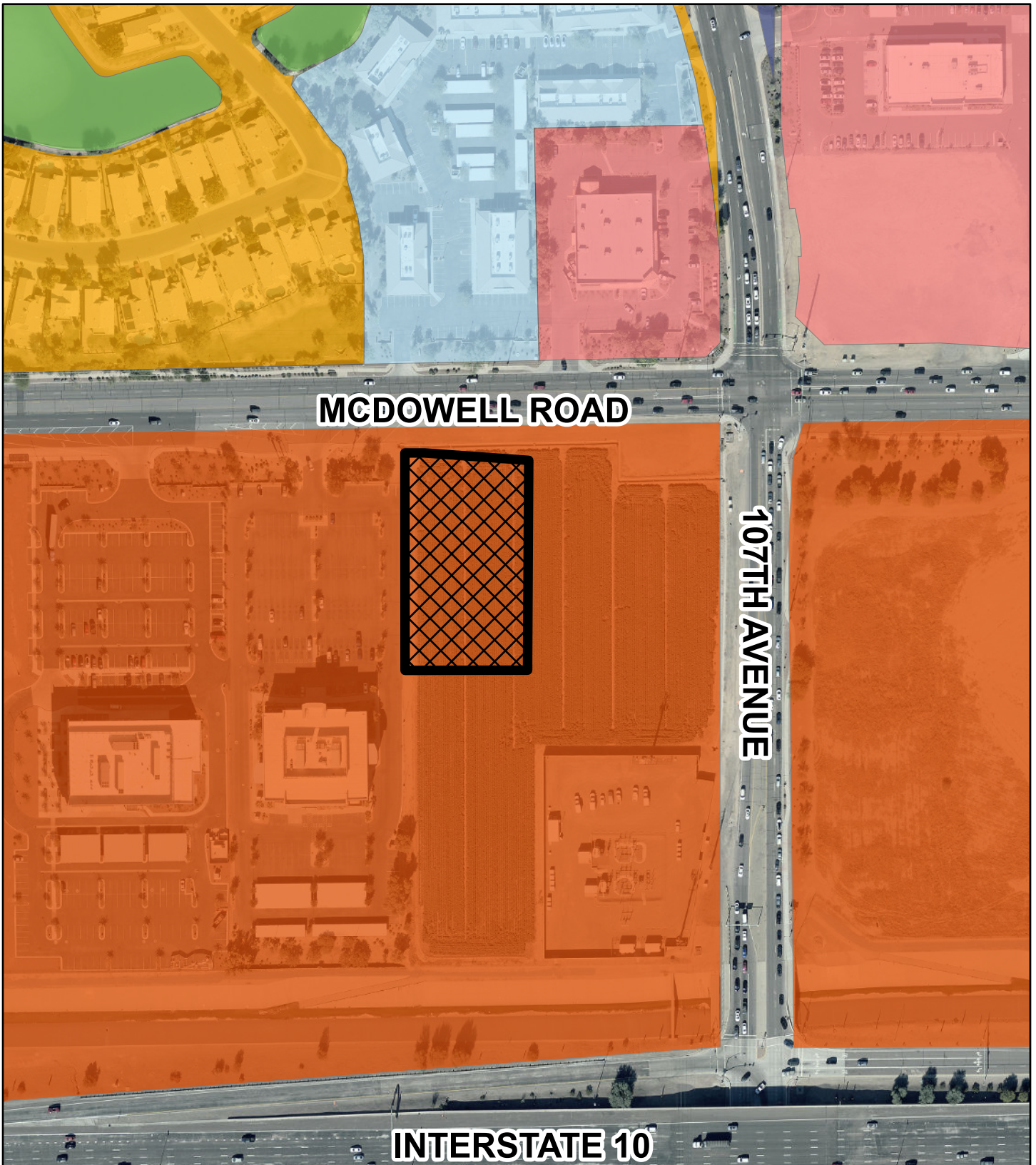


Zoning Vicinity



Subject Property





MCDOWELL ROAD

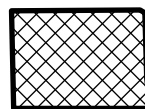
107TH AVENUE

INTERSTATE 10

General Plan Land Use



- Freeway Commercial
- Local Commercial
- Medium Density Residential
- Office
- Open Space



**Subject
Property**



Francis and Sons Express Car Wash

A Planned Area Development Narrative

Case Number: PL-22-0308

First Submittal: October 20, 2022
Second Submittal: February 6, 2023
Third Submittal: April 12, 2023
Fourth Submittal: April 27, 2023
Fifth Submittal: May 3, 2023

NARRATIVE

I. INTRODUCTION AND OVERVIEW

Francis and Sons propose an Express Car Wash on approximately 1.29 acres located west of the southwest corner of 107th Avenue and McDowell Road, APN 102-56-580 (the “Site”). The Site is currently vacant. Francis and Sons seek to develop this Site with a Self-Service Car Wash. An Aerial Map of the Site is provided at **Exhibit 1**. The Site fronts McDowell Road with a future planned QT located to the east (zoned C-3). An existing office building is located west of the Site. To the north, across McDowell Road, exists professional buildings and single-family residential homes. The property to the south is vacant (zoned C-3). The existing zoning on the Site is C-3, which permits full-service car washes subject to a Conditional Use Permit but does not permit self service car washes. This proposed PAD will result in compatible land use relationships within the proposed development and with adjacent properties given it is primarily surrounded by other commercial uses and zoning.

The Site is designated Freeway Commercial by the Avondale General Plan 2030. The property to the east, south, and west is also designed Freeway Commercial. The Freeway Commercial land use category “accommodate[s] the more intense uses of the I-10 Freeway, Loop 101, SR 30, and other future parkway corridors...This category allows for a broad range of non-residential uses.” This transit-oriented development is appropriate for this designation. Further, this proposed PAD is consistent with several goals and policies of the General Plan and the Freeway Corridor Specific Plan as detailed below.

II. PROPOSED USES

This proposed PAD meets the PAD requirements of the zoning ordinance, subdivision regulations, design manuals, and other applicable regulations and requirements unless otherwise modified by this PAD narrative. This proposed PAD does not seek to modify development or design standards from C-2, rather the only modification is the addition of the self-service car wash use.

The Site Plan includes an Express/Self-Service Car Wash. The planned car wash model is a full-size conveyor-style tunnel with state-of-the-art cleaning equipment to provide a high-quality, convenient, Express Car Wash service to the surrounding community. In this model, the customer remains in their vehicle through the entire process starting at the automated pay stations and through the wash process. The customer will have the option to use the free self-vacuum area after their wash. This system allows for a quick process with a very affordable price structure. The car wash is entered from McDowell Road on the shared driveway between QT and the car wash Site.

The hours of operation are highest during the summer months, approximately from 7:00 am to 9:00 pm depending on the demand for service in this area. The facility will have a minimum of two and up to four employees on the Site during operational hours.

The permitted land uses on the Site shall be as follows:

1. Car Wash, self-service; defined in Avondale’s Zoning Ordinance as “[a] facility for cleaning the exterior and interior of motor vehicles. Self-service means that the owner/operator either uses equipment such as a wash wand to wash the vehicle manually or remains in the vehicle while automated equipment in a tunnel design washes the exterior of the vehicle. In both types of self-service, the owner/operator of the vehicle cleans the interior of the vehicle and no employees of the facility touch the vehicle except potentially to pre-scrub the exterior prior to its entering the wash tunnel.”
2. The permitted uses, permitted with a Conditional Use Permit, permitted with conditions, and permitted as accessory uses listed under the City’s C-2 Zoning District.

A full-service car wash is allowed with a Conditional Use Permit under the Site’s current zoning of C-3. Francis and Sons is downzoning the Site to C-2 and adding the use of a self-service car wash—currently permitted in C-2 with a Conditional Use Permit. This downzoning warrants the addition of a Self Service Car Wash use which is a less intensive use a full-service car wash allowed with a Conditional Use Permit under C-3.

III. DEVELOPMENT STANDARDS

The Development Standards for the Site shall be C-2 Zoning District Standards.

IV. GENERAL PLAN CONFORMANCE

The Site is designated Freeway Commercial—a car wash is a fitting commercial use. Further, the proposal is supported by the following goals and policies of the General Plan.

Land Use Goal 3 Policy D: *“Ensure adequate transitions and/or buffers are provided when adjacent land uses vary in character and intensity.”*

The Site fronts McDowell Road with a QT located to the east and office parking to the west. The Site utilizes extensive landscaping to help buffer the surrounding uses. Specifically, a 30-foot landscape setback exists on the Site's north side, adjacent to McDowell Road. The proposed car wash use is compatible with the other commercial developments proposed on the larger vacant overall development.

Economic Vitality Goal 3 Policy D: *“Support new development that accommodates business attraction opportunities.”*

The proposed car wash is a necessary service that provides jobs and brings revenue to the City. This proposal, and the existing location in Avondale, represents a significant investment, and Francis and Sons is excited about continuing to support the City’s goal of Economic Vitality.

Cost of Development Goal 1 Policy E: *“Encourage development that will increase the City’s sales tax revenues.”*

This car wash will increase the City’s sales tax revenue. The car wash will likely be welcomed and well used by area residents, employees in the area, and other visitors to Avondale and the surrounding area.

V. FREEWAY CORRIDOR SPECIFIC PLAN CONFORMANCE

A stated goal of the General Plan is to “Monitor the Freeway Corridor Specific Plan to protect existing and future business locations from residential encroachment.” This proposal is a commercial use compatible with the area. Further, the Site will meet the following “primary” goals of the Freeway Corridor Specific Plan.

“Enhance the City’s appearance from I-10 and the Loop 101 freeways.”

While not directly adjacent to the freeway, the Site will add to the overall visual appeal of the area with extensive landscaping and attractive architectural design.

“Provide a seamless visual transition between the City Center and Freeway Corridor areas”

The Site is designed with landscape buffering to transition between uses.

“Minimize warehouse uses that compromise the aesthetic character of the area.”

This proposal is for a commercial use and will add to the aesthetic character of the area.

VI. ARCHITECTURAL DESIGN

The architectural design shall conform to the Commercial Design Manual, as applicable. The development has been designed to be visually appealing and fit with the surrounding area. The Site will have a variety of roof heights, colors, and textures to create visual interest and be attractive to customers and passersby. The variety of heights on the roof line breaks up building massing. The proposed building—the wash tunnel—is oriented perpendicularly from McDowell Road, with the facade of the building facing neighboring sites and not the road. The design and color scheme will be fitting with the surrounding area. The Site has been designed with a mix of neutral colors—brown, tan, and brick red—with the addition of a cobalt blue color to add visual interest and depth. The Site has utilized a mixture of materials, including CMU and metal.

VII. PARKING

Parking will comply with all applicable requirements of the Zoning Ordinance. Per Avondale requirements, 1 space per the maximum number of employees on site plus 1 additional ADA accessible space is required. The Site will have a maximum of 4 employees at any one time, therefore 4 standard spaces plus 1 ADA space is required. Francis and Sons have exceeded this requirement by providing 9 standard spaces in addition to 2 ADA spaces.

VIII. CIRCULATION

Ingress is provided from McDowell Road on the shared driveway between QT and the Site. Access will lead to the pay stations, continuing west and turning into the car wash tunnel. To exit, customers will turn right into the vacuum area or exit towards the shared driveway between the Site and the QT development.

IX. LANDSCAPING

The Site will have a variety of trees, shrubs, and ground covers, adding visual appeal and attractive buffers around the Site. Landscaping is used to screen the perimeter of the Site, parking, and the exit of the car wash. Landscaping provided along street frontages, around the property perimeter, internal to the Site, and in parking areas shall conform to the standards set forth in the City's Commercial Design Manual and the City's Tree Master Plan as applicable. The Site is planned with a considerable amount of landscape area. Approximately 32.95% of the Site's area, is landscape area. This exceeds the required 20% landscaping requirement. Further, the entire building frontage has an adjacent landscape area. As required, a 30-foot landscape setback is provided adjacent to McDowell Road.

X. PERIMETER AND INTERNAL WALLS, GATES & ENTRY FEATURE DESIGNS AND MATERIALS

All perimeter and internal walls, gates, and entry feature designs and materials shall conform to the City's Commercial Design Manual.

XI. SIGNAGE

All signage will require a separate permit. Signage will be in conformance with all applicable regulations.

XII. INFRASTRUCTURE, TRASH, AND REFUSE

All requirements for water, sewer, electric, grading and drainage, and all other applicable infrastructure requirements will be conformed with. The Site will have trash enclosures with a gate, per City of Avondale Requirements. See water, sewer, and drainage reports for more information. See also section XIII below.

XIII. THE PROPOSAL IS IN COMPLIANCE WITH SECTION 603.A OF THE AVONDALE ZONING ORDINANCE

Section 603.A of the Avondale Zoning Ordinance sets forth specific findings to be addressed in a PAD application narrative. As described below, the Project meets the criteria of the required findings.

1. *The proposed PAD is in conformance with the General Plan and applicable specific plan(s).*

The Project is in conformance with the General Plan and the FCSP as discussed in detail in Sections IV and V above.

2. *The proposed PAD meets the PAD requirements of the Zoning Ordinance, Subdivision Regulations, Design Manuals and other applicable regulations and requirements, unless otherwise modified by the PAD Narrative.*

This proposed development meets the intent of the Freeway Commercial and C-2/C-3 designations by developing a necessary commercial service in an area designated for transit-oriented services. Other than permitting a Self-Service Car Wash, this PAD proposes no changes to the C-2 standards or uses. The addition of the Self-Service Car Wash use is fitting for the commercial area located in the Freeway Corridor Specific Plan area. The proposed PAD meets the PAD requirements of the Zoning Ordinance, Subdivision Regulations, Design Manual, and other applicable regulations unless otherwise modified by this PAD narrative.

3. *That adequate public infrastructure and services exist to serve the proposed development or all necessary public infrastructure and services to serve the proposed development will be completed in connection with development within the PAD.*

All infrastructure and services will be adequate for all proposed development. Per the water report, a new 1.5" domestic water service will be connected to the existing 16" water main along McDowell Road. A new 4" Fire protection line will be connected to an existing fire stub and be brought to the building fire riser. The onsite fire line is a looped fire line provided with the QT development. Per the drainage report, the drainage concepts and calculations are in conformance with the City General Engineering Requirements and Standards and the Flood Control District of Maricopa County. Onsite storm water will be retained in proposed underground retention sized for the 100-year 2-hour storm event. Per the sewer report, there is an existing sewer service stubbed to the site from an existing 8" sewer line located in the shared access road between the Site and the QT development. This development will connect to the service and extend the line to the building.

4. *The proposed PAD will result in compatible land use relationships within the proposed development and with adjacent properties.*

The proposed PAD only modifies from one commercial designation to another, the proposed PAD will therefore not disrupt the pattern of land uses. The Site fronts McDowell Road with a future planned QT located to the east. An existing office building is located west of the Site. To the north, across McDowell Road, exists professional buildings and single-family residential homes. The property to the south is vacant and zoned C-3. An Self-Service Car Wash is a compatible land use given that a full-service car wash is currently permitted with a

Conditional Use Permit and the area is commercial. This proposed development will provide a necessary service in an area that is designated for transport related services.

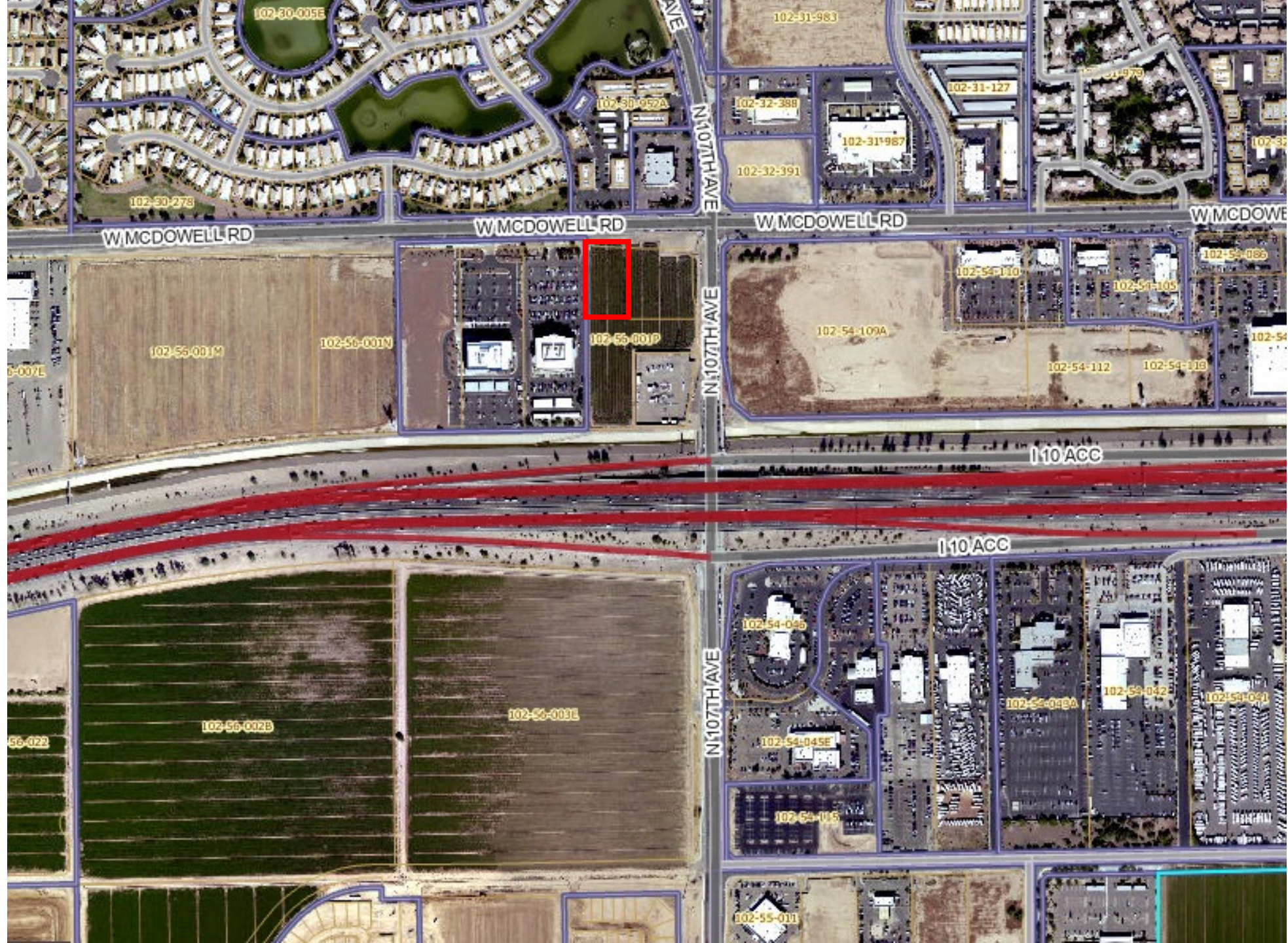
5. *The development standards of the proposed PAD are consistent with or exceed the desired character of development for the area.*

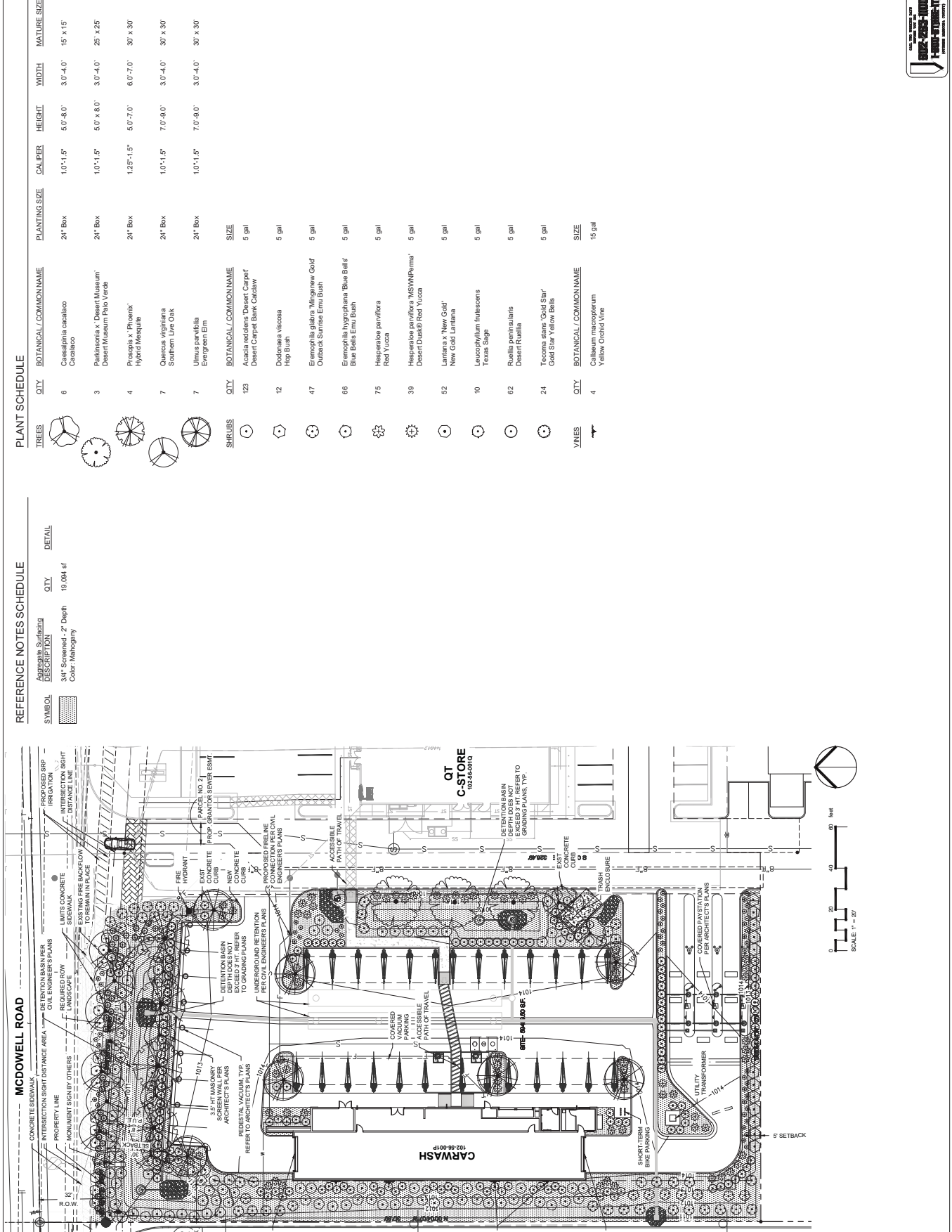
The proposed development standards are consistent with the desired character of the area. The Development standards are those that apply to the C-2 designation. The Development standards of this proposed PAD are consistent with the desired character of the development for the area given that C-2 and C-3 development standards are similar, and to the extent they are different, C-2 is less intense than the existing C-3 designation. Additionally, the character of the area remains commercial.

XIV. CONCLUSION

This PAD will facilitate the continued development of this vacant Site and provide a necessary service in a fitting area. The proposed development is consistent and compatible with the character of the surrounding area and the other commercial uses proposed on the corner of 107th Avenue and McDowell Road.

Exhibit 1





REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	QTY	DETAIL
	3/4" Screened - 2" Depth	19,094 sf	
	Color Mulch		

PLANT SCHEDULE

TREES	QTY	BOTANICAL COMMON NAME	PLANTING SIZE	CALIPER	HEIGHT	WIDTH	MATURE SIZE
	6	Ceanothus laevis	24" Box	1.0"-1.5"	5.0'-8.0'	3.0'-4.0'	15' x 15'
	3	Persea indica x 'Desert Museum'	24" Box	1.0"-1.5"	5.0' x 8.0'	3.0'-4.0'	25' x 25'
	4	Prosopis juliflora	24" Box	1.25"-1.5"	5.0'-7.0'	6.0'-7.0'	30' x 30'
	7	Quercus agrifolia	24" Box	1.0"-1.5"	7.0'-9.0'	3.0'-4.0'	30' x 30'
	7	Ulmus parviflorus	24" Box	1.0"-1.5"	7.0'-9.0'	3.0'-4.0'	30' x 30'
SHRUBS	QTY	BOTANICAL COMMON NAME	SIZE				
	123	Acacia reddiana 'Desert Carpet'	5 gal				
	12	Dodonaea viscosa	5 gal				
	47	Eremophila glabra 'Mingenev Gold'	5 gal				
	66	Eremophila hydrophana 'Blue Balls'	5 gal				
	75	Hesperaloe parviflora	5 gal				
	39	Hesperaloe parviflora 'MSWPermal'	5 gal				
	52	Lantana x 'New Gold'	5 gal				
	10	Larrea tridentata	5 gal				
	62	Ruellia brittaniana	5 gal				
	24	Tecoma stans 'Gold Star'	5 gal				
VINES	QTY	BOTANICAL COMMON NAME	SIZE				
	4	Calliandra macrocarpa	15 gal				

FRANCIS & SONS
EXPRESS
CARWASH

LANDSCAPE PLAN

ARIZONA

AVONDALE

SWC 107TH AVE AND MCDOWELL RD

PREPARED FOR

EXPRESS CARWASH

PROJECT NO.

22065

SCALE: SITE

DATE: 07/20/2022

DESIGNED BY

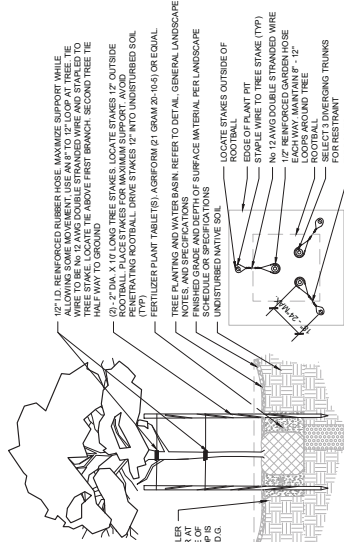
CHECKED BY

APPROVED BY

DATE: 07/20/2022

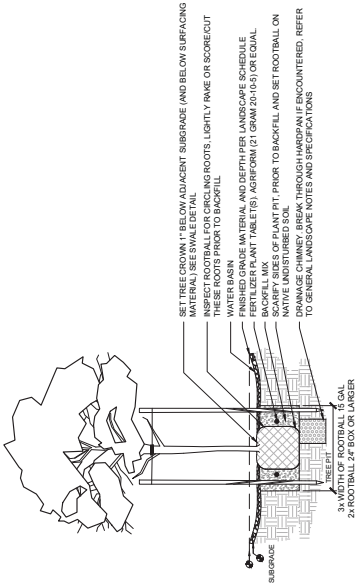
3 OF 7 SHEETS

1 TREE STAKING



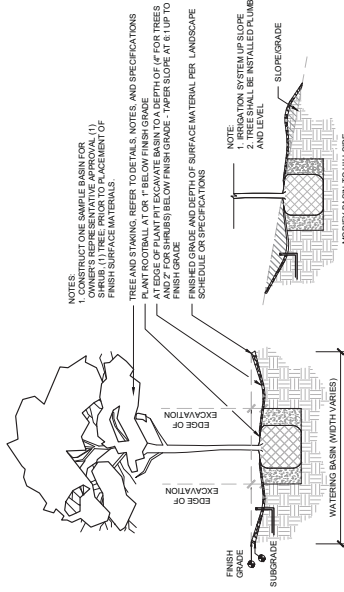
MULTI TRUNK STAKING PLAN VIEW

2 TREE PLANTING



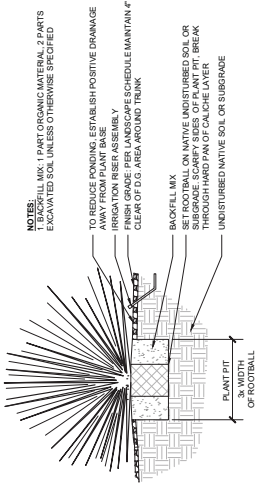
1

3 WATER BASIN TREE/SHRUB NTS



CONDITION

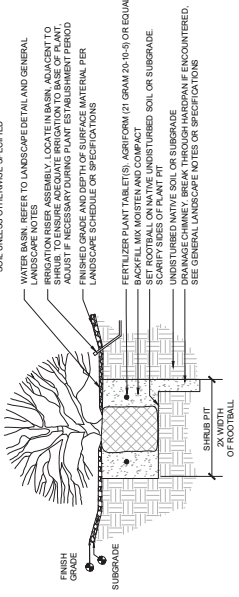
4 ACCENT PLANTING



NOTES:

TO REDUCE PONDING, ESTABLISH POSITIVE DRAINAGE
AWAY FROM PLANT BASE
IRRIGATION RISER ASSEMBLY
FINISH GRADE: PER LANDSCAPE SCHEDULE MAINTAIN 4"
CLEAR OF D.G. AREA AROUND TRUNK

5 SHRUB/GRASS PLANTING NTS

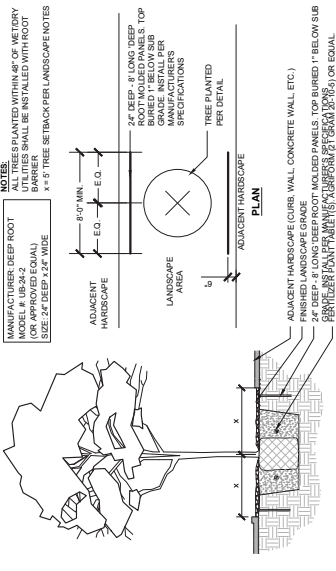


NOTES:

WATER BASIN. REFER TO LANDSCAPE DETAIL AND GENERAL LANDSCAPE NOTES
IRRIGATION RISER ASSEMBLY. LOCATE IN BASIN, ADJACENT TO SHRUB. TO ENSURE ADEQUATE IRRIGATION TO BASE OF PLANT, ADJUST IF NECESSARY DURING PLANT ESTABLISHMENT PERIOD
FINISHED GRADE AND DEPTH OF SURFACE MATERIAL PER LANDSCAPE ARCHITECT'S CONSTRUCTION NOTES

FERTILIZER PLANT TABLET(S), AGRIFORM (21 GRAM 20-10-5) OR EQUIV.
BACKFILL MIX MOISTEN AND COMPACT
SET ROOTBALL ON NATIVE UNDISTURBED SOIL OR SUBGRADE.
SCARIFY SIDES OF PLANT PIT
UNDISTURBED NATIVE SOIL OR SUBGRADE
DRAINAGE CHIMNEY. BREAK THROUGH HARDPAN IF ENCOUNTERED

6 ROOT BARRIER

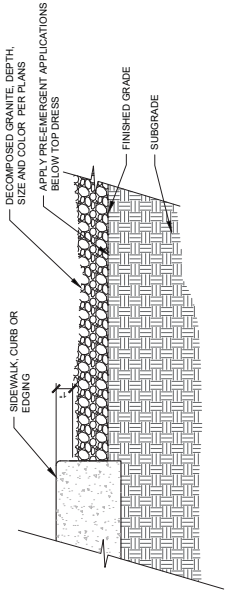


NOTES:
 MANUFACTURER: DEEP ROOT
 MODEL #: UB-24-2
 (OR APPROVED EQUAL)
 SIZE: 24" DEEP x 24" WIDE
 ALL TREES PLANTED WITHIN 48" OF WEEDY
 UTILITIES SHALL BE INSTALLED WITH ROOT
 BARRIER
 x = 5' TREE SETBACK PER LANDSCAPE NOTES

ADJACENT
HARDSCAPE

— ADJACENT HARDSCAPE (CURB, WALL, CONCRETE WALL, ETC.)
— FINISHED LANDSCAPE GRADE
— 2" DEEP - 8' LONG "DEEP ROOT" MOLDED PANELS, TOP BURIED 1" BELOW SUB
GRADE. INSTALL PER MANUFACTURER'S SPECIFICATIONS
— PERMEABLE PAVING (PERMANENTLY AGING 2" GRAM 21-10-5) OR EQUAL

7 DECOMPOSED GRANITE INSTALLATION



NOTES:

1. COMPACT SUBGRADE TO 80% AND APPLY A PREEMERGENT HERBICIDE TO THE SOIL BEFORE PLACING GRANITE AT REQUIRED DEPTH. RAKE SMOOTH, WET TO ENTIRE DEPTH, ROLL WITH A 150LB ROLLER, THEN LIGHTLY SCARIFY SURFACE WITH A LEAF RAKE. KEEP TOP OF GRANITE 1" BELOW ADJACENT WALKS, CURBS OR OTHER HARD SURFACES.
2. APPLY SECOND APPLICATION OF PREEMERGENT HERBICIDE AFTER INSTALLATION OF GRANITE.

MCDOWELL ROAD

- [illegible]

NOTE:
IN SOME CASES, IRRIGATION PIPE

- | | | | |
|-------------|--------|-------|--|
| SCHEDULE 40 | 1" | 11-15 | SIZES SHOWN ON IRRIGATION PLANS ARE LARGER THAN THE SIZE SHOWN ON PIPE SCHEDULE DUE TO HYDRAULIC LOSSES. USE PIPE SIZES AS SHOWN ON IRRIGATION PLANS WHERE APPLICABLE. |
| SCHEDULE 40 | 1-1/4" | 16-25 | |
| SCHEDULE 40 | 1-1/2" | 26-35 | |

EMITTER SCHEDULE

COMMON NAME	QRTS PER PLANT
TREES (IRRIGATED WITH 2 RZWS)	
CACALACO	12
DESERT MUSEUM PALO VERDE	12
HYBRID MESQUITE	12
RED BARK OAK	12
EVERGREEN ELM	12
SHRUBS, CARPETCOVER AND VINES	
DESERT CACTUS CATCLAW	1
HOP BUSH	1
OUTBACK SUNRISE EMU BUSH	1
RED BELL EMU BUSH	1
RED YUCCA	1
DESERT DUSK RED YUCCA	1
NEW GOLD LANTANA	1
TEXAS SAGE	1
TEXAS SUELLA	1
GOLD STAR YELLOW BELLS	1
YELLOW ORCHID VINE	1

IRRIGATION GENERAL NOTES

CONTRACTOR SHALL REVIEW AND FIELD VERIFY LAYOUT OF ALL IRRIGATION SYSTEM COMPONENTS AND HAVE THE LAYOUT APPROVED BY THE OWNER'S REPRESENTATIVE PRIOR TO STARTING INSTALLATION.

ALL PIPING AND WIRING PLACED UNDER PAVED AREAS SHALL BE PER PLAN DETAILS. SLEEVE INSTALLATIONS SHALL BE COMPLETED PRIOR TO THE START OF ANY PAVING OPERATIONS, WHERE NECESSARY, VERIFY EXISTING SLEEVE LOCATIONS AND

DETERMINE CONDITION AND COMPATIBILITY WITH DESIGN PRIOR TO THE START OF ANY OTHER WORK. SLEEVING BENEATH EXISTING PAVEMENTS SHALL BE INSTALLED BY BORING UNLESS OTHERWISE APPROVED BY THE OWNER'S REPRESENTATIVE.

PROVIDING AND INSTALLING NEW IRRIGATION SYSTEM COMPONENTS AND POINT OF CONNECTION WHICH WILL PROVIDE FULL AUTOMATIC OPERATION AND 100% COMPLETE COVERAGE TO ALL PLANTS AS INDICATED ON THE PLANS WITHOUT RUN-OFF OR OVERTHROW ONTO ANY PAVED SURFACES.

REFER TO DETAILS FOR INSTALLATION PROCEDURES.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ALL PIPING NECESSARY TO PROVIDE A COMPLETE AND FULLY

OPERATIONAL IRRIGATION SYSTEM INCLUDING ALL SUB-LATERAL PIPING, FITTINGS, AND RISERS TO EACH PLANT EMITTER AS SPECIFIED AND AS DETAILED, WHETHER OR NOT PIPING IS SHOWN ON THE PLANS.

CONTRACTOR SHALL FIELD VERIFY OPERABILITY OF EXISTING IRRIGATION SYSTEM.

0. IRRIGATION PLAN IS DIAGRAMMATIC, SOME COMPONENTS MAY BE SHOWN OUTSIDE OF LANDSCAPE AREAS FOR CLARITY ONLY. ALL PIPE AND EQUIPMENT MUST BE INSTALLED IN LANDSCAPE AREAS EXCEPT WHERE SLEEVED UNDER PAVEMENT. AVOID CONFLICTS DURING THE COURSE OF CONSTRUCTION TO KEEP EXISTING PLANTS ALIVE.

1. ALL QUANTITIES PROVIDED ARE APPROXIMATE. PROVIDE AND INSTALL ALL LENGTHS, FITTINGS, AND RISERS AS NECESSARY FROM LATERAL PIPE TO EMITTER INSTALLATION AT EACH PLANT (SEE DETAILS).

2. RECLAIMED WATER IRRIGATION SYSTEM SPRINKLER HEADS, VALVE BOXES AND COVERS AND FLOW CONTROL HANDLES ON VALVES SHALL BE PURPLE.
3. WHERE NECESSARY TO EXCAVATE ADJACENT TO EXISTING TREES, THE CONTRACTOR SHALL USE ALL POSSIBLE CARE TO AVOID

WHERE TWO (2) INCH AND LARGER ROOTS OCCUR SHALL BE DONE BY HAND. ALL ROOTS TWO (2) INCHES AND LARGER IN DIAMETER, EXCEPT DIRECTLY IN THE PATH OF PIPE OR CONDUIT, SHALL BE TUNNELED UNDER AND SHALL BE HEAVILY WRAPPED WITH BURLAP TO PREVENT SCABBING OR EXCESSIVE DRYING. WHERE A

TO PREVENT SCABBING OR EXCESSIVE SKINNING, WHEN A TRENCING MACHINE IS OPERATED CLOSE TO TREES WITH ROOTS SMALLER THAN TWO (2) INCHES IN DIAMETER, THE WALL OF THE TRENCH ADJACENT TO THE TREE SHALL BE HAND TRIMMED, MAKING CLEAN CUTS THROUGH. ROOTS ONE (1) INCH AND LARGER IN DIAMETER SHALL BE PAINTED WITH TWO (2) COATS F TREE

SEAL, OR EQUAL, TRENCHES ADJACENT TO TREE SHOULD BE CLOSED WITHIN TWENTY FOUR (24) HOURS; AND WHERE THIS IS NOT POSSIBLE, THE SIDE OF THE TRENCH ADJACENT TO THE TREE SHALL BE KEPT SHADED WITH BURLAP OR CANVAS.

Flow Sensor: Creative Sensor type flow sensor and ultra-lightweight measurement, 2 Irrigation control Water Meter 1"	—	Irrigation Lateral
Flow Sensor: Creative Sensor type flow sensor and ultra-lightweight measurement, 2 Irrigation control Water Meter 1"	—	Irrigation Lateral

4" SPEAR

Pipe Sleeve: PV

2" SLEEVE

Valve Color

Valve Number

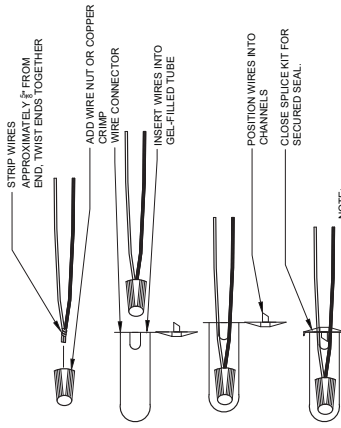
Valve Flow

Valve Size

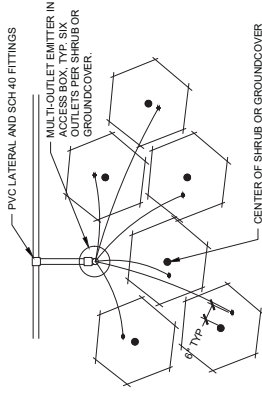


The diagram shows a cross-section of a valve assembly. It features a central vertical pipe with a valve handle on top. The handle is labeled 'Valve Number'. The pipe is surrounded by a sleeve, which is labeled 'Valve Color'. The sleeve has a '2" SLEEVE' label. The pipe itself is labeled '4" SPEAR'. The valve is labeled 'Valve Flow' and 'Valve Size'.

2. EMITTER SCHEDULE



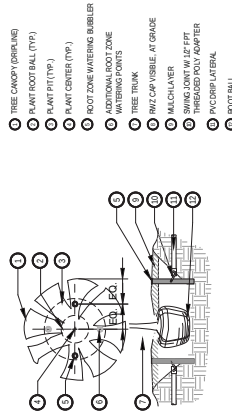
1 TYPICAL WIRE SPLICE



NOTES:

1. LENGTH OF DISTRIBUTION TUBING SHALL NOT EXCEED 5'-0". REFER TO LOCAL JURISDICTIONAL REQUIREMENTS; MAXIMUM ALLOWABLE LENGTH MAY BE LESS.
2. LAYOUT DISTRIBUTION TUBING AS SHOWN AND LOCATE DISCHARGE POINT 2" ABOVE FINISHED GRADE.

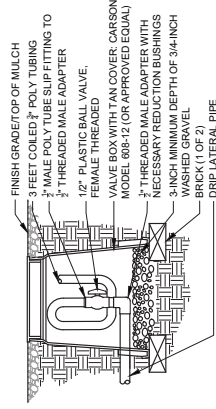
EMITTER DISTRIBUTION TUBING LAYOUT-SHRUBS



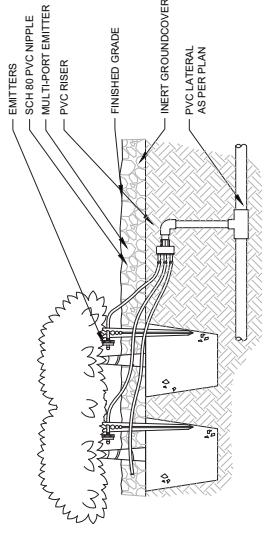
NOTE:

1. INSTALL TWO (2) RWZ CANISTERS PER ONE (1) SYMBOL SHOWN ON IRRIGATION PLAN.
2. SALVAGE TREES MAY REQUIRE UP TO FOUR (4) RWZ CANISTERS PER TREE.
3. PROVIDE WATER VIA RWZ TO PRESERVED TREES IN THE QUANTITIES IDENTIFIED ON THE PLAN.

2 ROOT ZONE WATERING



FLUSH CAP ASSEMBLY



3 MULTI-OUTLET EMITTER - SHRUB

REV	DESCRIPTION	BV	DATE	APPR	

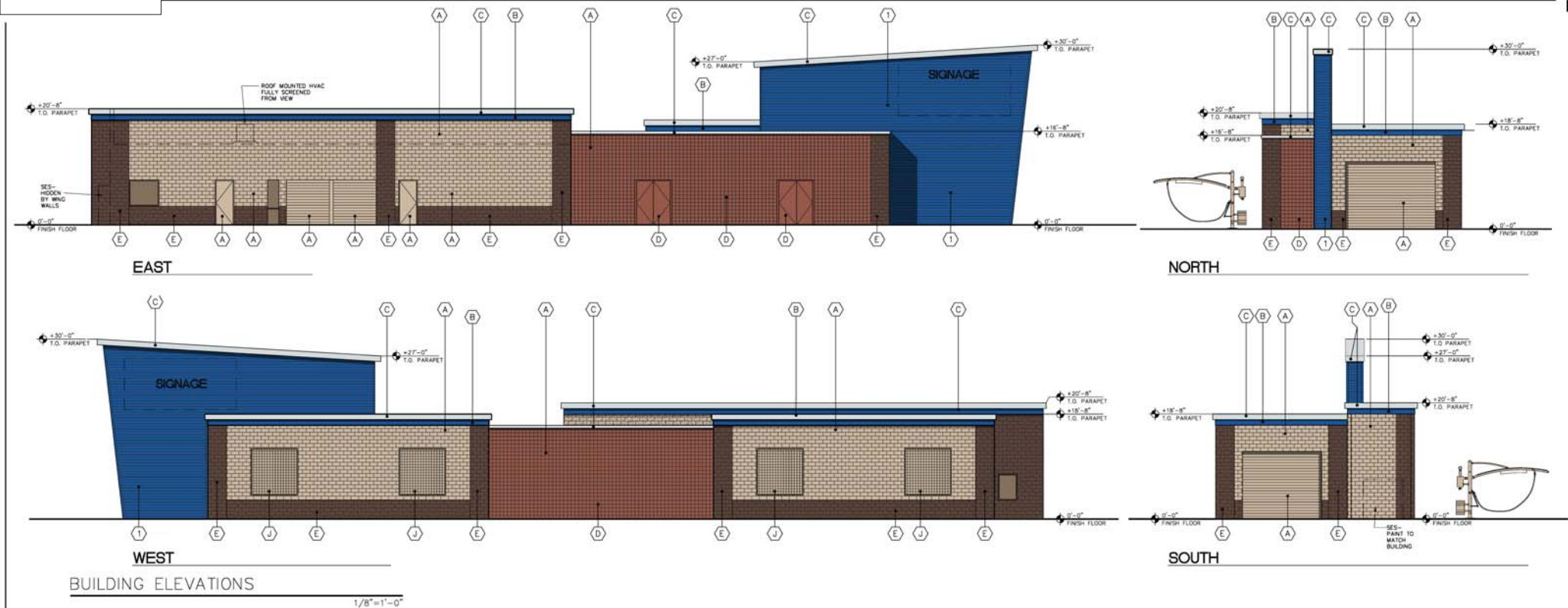
IRRIGATION DETAILS

FRANCIS & SONS
EXPRESS CARWASH
PREPARED FOR
17TH AVE AND MCDOWELL RD
ARIZONA

PROJECT NO.	22065
SCALE (H):	SEE PLAN
SCALE (V):	NONE
DRAWN BY:	JAS
DESIGN BY:	JAS
CHECK BY:	BAS
DATE:	05/23/2023



L2.52
7 OF 7 SHEETS



COLOR SCHEDULE	
STANDARD CMU & METAL DOORS	PAINTED DUNK EDWARDS BK 1139 RUSTIC TAUPE (A)
10" WIDE STANDARD CMU FASDA	PAINTED DUNK EDWARDS BK 1139 BLUE CHIP (B)
10" WIDE STANDARD CMU FASDA	PAINTED DUNK EDWARDS BK 1139 POLISH (C)
CENTERSCORE CMU	PAINTED DUNK EDWARDS BK 1139 POLISH (D)
SPLITFACE CMU	PAINTED DUNK EDWARDS BK 1139 POLISH (E)
VACUUM CANOPY	POWERM COATED TAN (F)
VACUUM CANOPY SCREEN	BLUE (G)
PANEL COVERING	METALOR (HORIZONTAL) BRILLIANT BLUE (I)
LANDSCAPE LATTICE	PAINTED DARK BRONZE (J)

NOTE: ALL WINDOW FRAMES SHALL BE ANODIZED BRONZE W/ BRONZE TINTED GLASS

Francis and Sons Express Carwash
107TH AVE + MCDOWELL RD
AVONDALE, AZ

John Reddell Architects, Inc.
Architecture Interiors Land Planning
4992 S. 158th Street Gilbert, AZ 85298
(602) 531-2854 Email: john@reddellarchitects.com

C

Date: _____
Revisions: _____

17864
JOHN B. REDDELL, JR.
ARCHITECT
STATE OF ARIZONA

05/18/2023 Francis & Sons Express Car Wash

W SWC 107th Avenue & McDowell Road

(PL-22-0308)

Neighborhood Meeting Summary

Attendees

Jeff Francis – Francis and Sons
John Reddell – Reddell Architects
Brian Greathouse – Burch & Cracchiolo
Leslie Chatburn – Burch & Cracchiolo
Michelle Simerdla, Senior Planner
Maxine White, Council Member

Neighbors Who Attended: None

Overview

On May 18, 2023 at 6:00 p.m., a virtual Neighborhood Meeting was conducted via Zoom videoconferencing. There were no neighbors who attended the meeting.

A PowerPoint presentation was made to Council Member Maxine White regarding the proposed self-service car wash which included a Site Plan and Conceptual Elevations, as well as Francis & Sons' request to downzone the Site from C-3 to PAD with C-2 less intensive uses which permits a self-service car wash subject to a Conditional Use Permit. Following the presentation, Council Member White did not have any questions and expressed her support for the proposed self-service car wash.

End of meeting.

LEGAL DESCRIPTION for zoning purposes

BEING A PORTION OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED RECORDED AS DOCUMENT NUMBER 1020-0320720 IN THE OFFICE OF THE COUNTY CLERK OF MARICOPA COUNTY, ARIZONA, TOGETHER WITH THE ALLEIGHEN HOLLOW-THAY DRIVE, A MODIFIED ROAD LOCATED WITHIN THE RIVER MESA, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT BEARS IN AT HANDELLE MARUING THE NORTHEAST CORNER OF THE SECTION 36 OF SAID SECTION 4 BEARS SOUTH 68 DEGREES 18 MINUTES WEST, A DISTANCE OF 338.91 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 06 DEGREES 13 MINUTES EAST, A DISTANCE OF 386.17 FEET;

THENCE NORTH 06 DEGREES 13 MINUTES WEST, A DISTANCE OF 386.17 FEET;

THENCE NORTH 06 DEGREES 13 MINUTES EAST, A DISTANCE OF 173.05 FEET;

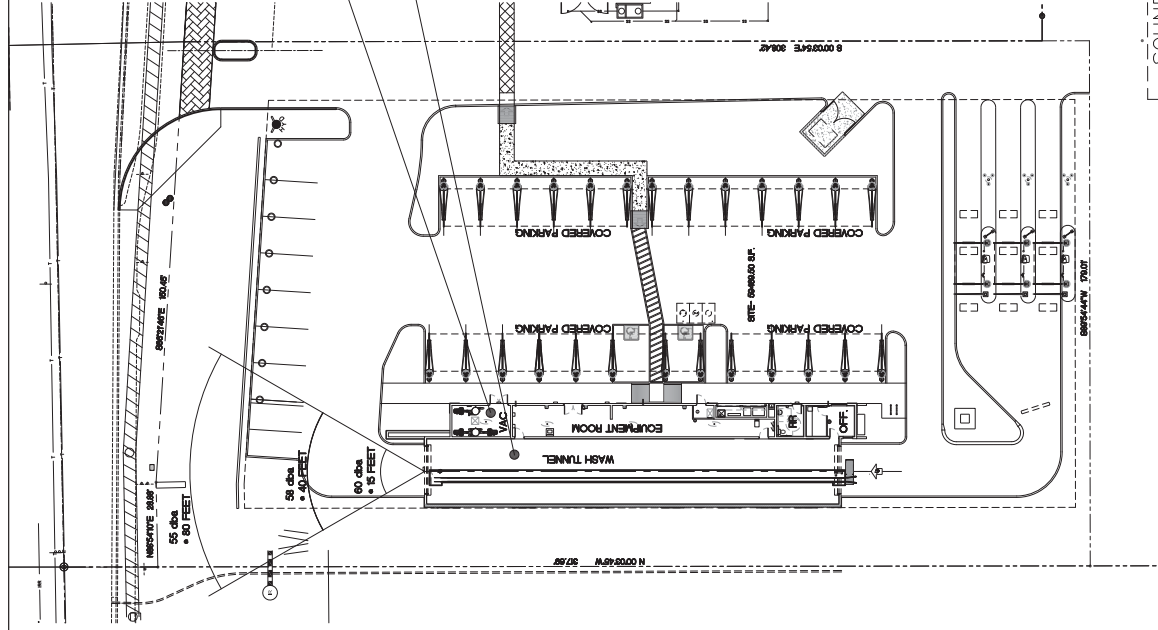
THENCE NORTH 06 DEGREES 13 MINUTES WEST, A DISTANCE OF 173.05 FEET TO THE SAND PARCEL CONTAINING 68.818 SQUARE FEET OR 1.580 ACRES MORE OR LESS.

PROJECT DESCRIPTION

THIS PROJECT IS FOR A NEW CAR WASH FOR FRANCES AND SONS EXPRESS CARWASH. THE SITE IS CURRENTLY VACANT. THIS PARCEL IS A LOT SPLIT FROM PARCEL 102-56-001L.

CITY OF AVONDALE STANDARD NOTES

- [illegible]



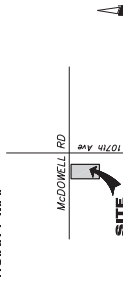
NOTE: VACUUM MOTORS ARE ENCLOSED WITHIN THE MASONRY BUILDING.

NOTE: DRYER MOTORS ARE LOCATED WITHIN THE TUNNEL STRUCTURE
ALL DRYER MOTORS SHALL BE INSTALLED WITH NOISE REDUCER AIR GATES.

NOTE: STANDARD ENVIRONMENTAL NOISE LEVEL IS 70 dBA (STANDARD CAR NOISE)

[illegible]

VICINITY MAP



PROJECT DATA:

FRANCS & SONS EXPRESS CARMASH
107th AVE. & McDOWELL ROAD
AVONDALE, AZ

OWNER: JEFF FRANCS
16414 N. 91ST STREET #102
SCOTTSDALE, AZ. 85260
480-390-9191
EMAIL: jef@francsandsons.com

ARCHITECT: JOHN REDDELL ARCHITECTS
4992 S. 198th ST.
GILBERT, AZ. 85298
602-531-2854

REQUESTED ZONING: P40

CITY CODE:

2018 IBC International Building Code
2018 IMC International Mechanical Code
2018 IRC International Residential Code
2018 EFC International Fuel Code
2018 IFCC International Fire Code
2018 IFCC International Electric Code
2010 AD

PARCEL #

SITE AREA:

A PORTION OF 102-56-001L

NET AREA: 56,220 SQ. FT. (1,291 AC)	
BUILDING AREA:	
OFFICE	3,687 S.F.
EQUIPMENT ROOM / WENDING	1,012 S.F.
OFFICE / RESTROOMS	317 S.F.
VACUUM ROOM #1	242 S.F.
TOILET BUILDING	5,258 S.F.
CANOPY AREA:	
EXPRESS PAY STATION CANOPIES	
VACUUM CANOPY #1	967 S.F.
VACUUM CANOPY #2	652 S.F.
VACUUM CANOPY #3	652 S.F.
VACUUM CANOPY #4	1,177 S.F.

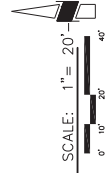
TOTAL CANOPIES	4,011	S.F.
TOTAL LANDSCAPE AREA	16.5	%
TOTAL LANDSCAPE COVERAGE	18,977	S.F.
TOTAL LANDSCAPE COVERAGE	33.77%	
PARKING LOT LANDSCAPE AREA	7,780	S.F.
PARKING LOT ASPHALT AREA	21,192	S.F.
PARKING LOT LANDSCAPE COVERAGE	33.5%	(10% REQUIRED)
BUILDING OCCUPANCY	8	
BUILDING CONSTRUCTION TYPE	V-B	
MAX. BUILDING HEIGHT:	30'-0"	

FRONT 30'-0"
REAR 5'-0"
SIDES 20'-0"

SETBACK REQ:

PARKING REQUIRED:
1 SP. PER MAX NUMBER OF EMPLOYEES ON SITE 3 PLUS 1
ADA ACCESSIBLE SPACE
4 EMPLOYEES MAX / 1 = 4.0 SP. + 1 ADA
EMPLOYEE PARKING PROVIDED: 9 PARKING SPACES + 2 ADA

SOUND EXHIBIT

Date: _____
Revisions: _____

John Reddell Architects, Inc.
Architecture Interiors Land Planning
4992 S. 158th Street Gilbert, AZ 85298
(602) 531-2854 Email: john@reddellarchitects.com

Francis and Sons Express Carwash
107TH AVE + MCDOWELL RD
Avondale, AZ

ORDINANCE NO. 2046-0723

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AMENDING THE OFFICIAL ZONING ATLAS OF THE CITY OF AVONDALE FOR APPROXIMATELY $\pm$ 1.58 ACRES GENERALLY LOCATED 288 FEET WEST OF THE SOUTHWEST CORNER OF MCDOWELL ROAD AND 107TH AVENUE, AS SHOWN IN APPLICATION PL-22-0308, AND REZONING SUCH PROPERTY FROM FREEWAY COMMERICAL (C-3) TO PLANNED AREA DEVELOPMENT (PAD).

WHEREAS, the Council of the City of Avondale (the “City Council”) desires to amend the City of Avondale Zoning Atlas (the “Zoning Atlas”), pursuant to ARIZ. REV. STAT. § 9-462.04, to change the zoning description for $\pm$ 1.58 acres generally located 288 feet west of the southwest corner of McDowell Road and 107th Avenue, shown in application PL-22-0308, from Freeway Commerical (C-3) to Planned Area Development (PAD) (the “Zoning Atlas Amendment”); and

WHEREAS, all due and proper notices of the public hearings on the Zoning Atlas Amendment held by the City of Avondale Planning Commission (the “Commission”) and by the City Council were given in the time, form and substance provided by ARIZ. REV. STAT. § 9-462.04; and

WHEREAS, on June 21, 2023, the Commission held a public hearing on the Zoning Atlas Amendment, after which hearing the Commission recommended approval; and

WHEREAS, the City Council held an additional public hearing regarding the Zoning Atlas Amendment on July 10, 2023; and

WHEREAS, in accordance with Article II, Sections 1 and 2 of the Arizona Constitution, the City Council has considered the individual property rights and personal liberties of the residents of the City before adopting this Ordinance; and

WHEREAS, the City Council has considered the probable impact of the Zoning Atlas Amendment on the cost to construct housing for sale or rent and finds that the proposed Zoning Atlas Amendment will have no probable impact on the cost to construct housing for sale or rent.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The Zoning Atlas Amendment, is hereby approved, for $\pm$ 1.58 acres generally located 288 feet west of the southwest corner of McDowell Road and 107th Avenue, as more particularly described and depicted on Exhibit A attached hereto and incorporated herein by reference, subject to the City of Avondale adopted codes, requirements, standards and regulations, and the following stipulations:

1. Development shall generally conform to the Francis and Sons Car Wash PAD Narrative electronically date stamped May 3, 2023, except as modified by these conditions.

2. Vacuum canopies shall not be constructed adjacent to McDowell Road and no appurtenances shall be visible above the proposed screen wall adjacent to McDowell Road.

3. In accordance with the applicant's Sound Exhibit (Exhibit I) dated February 6, 2023, exterior noise levels from activities inside the car wash building during hours of operations shall not exceed a maximum of sixty (60) dBA, as measured at the McDowell Road property line directly adjacent to the car wash.

4. Administrative approval of a Site Plan and Design Review application is required prior to issuance of a building permit.

5. All remaining off-site improvements shall be completed prior to the issuance of a Certificate of Occupancy.

SECTION 3. If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct and independent of all other provisions and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose and intent of this Ordinance.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona,
July 10, 2023.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Carrillo, City Clerk

APPROVED:

Nicholle Harris, City Attorney

EXHIBIT A
TO
ORDINANCE NO. 2046-0723

[Legal Description and Map]

See following pages.

**LEGAL DESCRIPTION
FOR REZONING PURPOSES
PROPOSED LOT 2
MCDOWELL RD. & 107TH AVE.
AVONDALE, ARIZONA**

January 31, 2023
Job No. P5862
Page 1 of 1

BEING A PORTION OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED RECORDED AS DOCUMENT NUMBER 2020-0302750 IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, TOGETHER WITH THE ADJACENT HALF RIGHT-OF-WAY OF MCDOWELL ROAD, LOCATED WITHIN THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE GILA & SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND BRASS CAP IN HANDHOLE MARKING THE NORTHEAST CORNER OF SECTION 6 FROM WHICH A FOUND BRASS CAP IN HANDHOLE MARKING THE NORTH QUARTER CORNER OF SAID SECTION 6 BEARS SOUTH 88 DEGREES 48 MINUTES 15 SECONDS WEST, A DISTANCE OF 2638.17 FEET;

THENCE SOUTH 88 DEGREES 48 MINUTES 15 SECONDS WEST, A DISTANCE OF 335.91 FEET TO THE **POINT OF BEGINNING**;

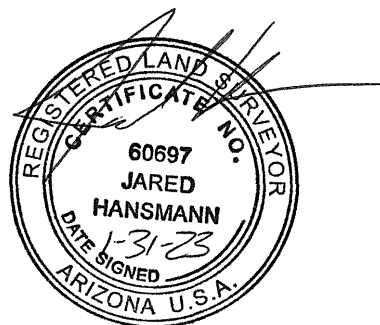
THENCE SOUTH 00 DEGREES 03 MINUTES 45 SECONDS EAST, A DISTANCE OF 386.17 FEET;

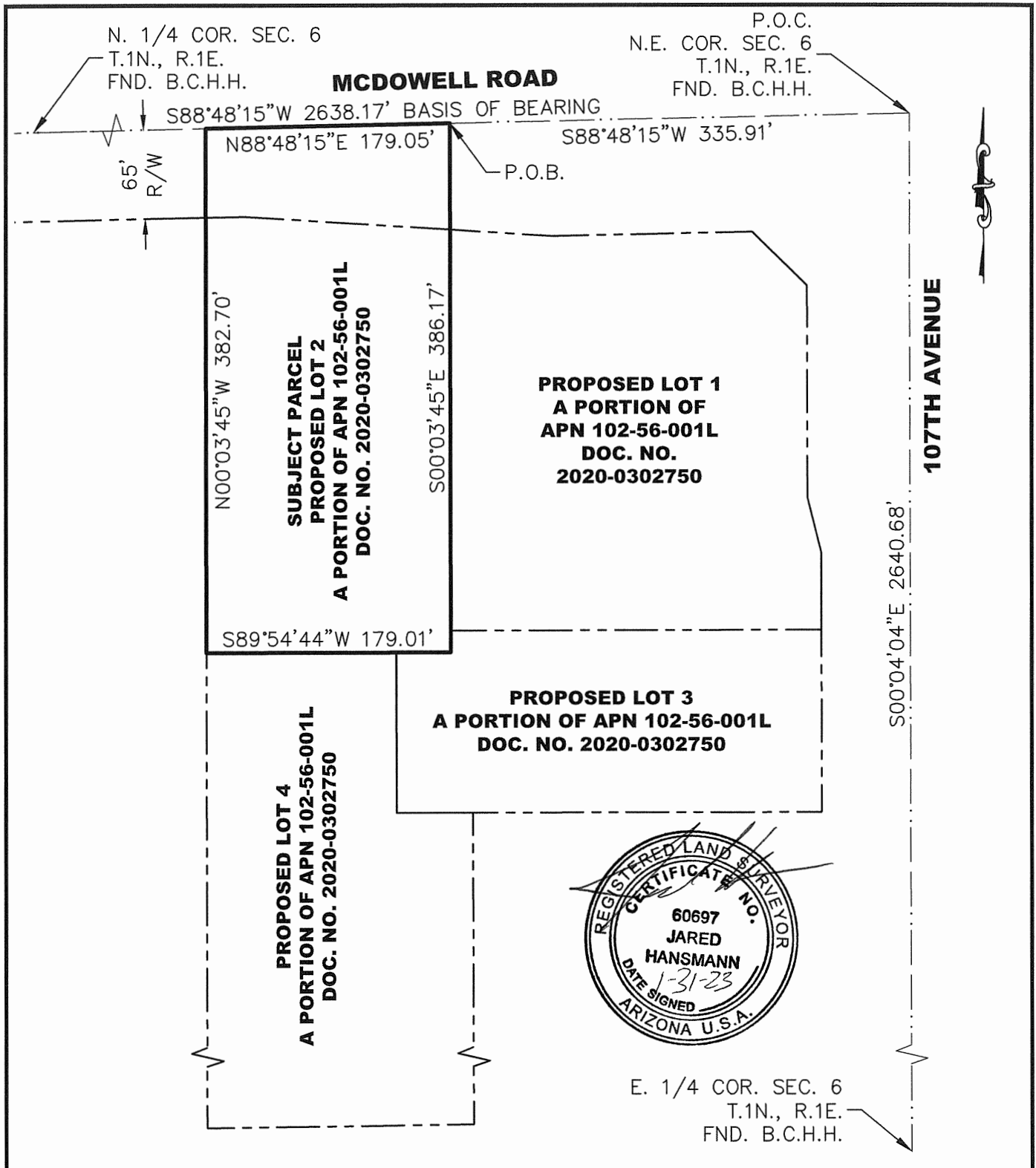
THENCE SOUTH 89 DEGREES 54 MINUTES 44 SECONDS WEST, A DISTANCE OF 179.01 FEET;

THENCE NORTH 00 DEGREES 03 MINUTES 45 SECONDS WEST, A DISTANCE OF 382.70 FEET;

THENCE NORTH 88 DEGREES 48 MINUTES 15 SECONDS EAST, A DISTANCE OF 179.05 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 68,818 SQUARE FEET OR 1.580 ACRES MORE OR LESS.





RICK
ENGINEERING COMPANY

22425 N 16TH STREET SUITE #1
PHOENIX, AZ 85024
480.922.0780

rickengineering.com

San Diego - Riverside - San Luis Obispo - Sacramento - Orange - Tucson - Phoenix - Las Vegas - Denver

**FOR ZONING PURPOSES
PROPOSED LOT 2
MCDOWELL RD. & 107TH AVE.
AVONDALE, ARIZONA**

DRAWING:	PROP LOT 2 ZONING EXH.DWG
JOB#	P5862
SCALE:	1"=100'
SHT:	1 OF 1
DRAFTER:	DSR
CHK:	JH
DATE:	1/31/23

CITY COUNCIL REPORT

SUBJECT: Quarterly Budget Transfers

MEETING DATE: 7/10/2023

TO: Mayor and Council

FROM: Renee Weatherless, Finance and Budget Director

THROUGH: Ron Corbin, City Manager, (623) 333-1011

REVIEWED: Ron Corbin, City Manager, (623) 333-1011

STRATEGIC PLAN:

Strategic Outcome Area: Creative and Sustainable Community Development

Strategy: Approving these quarterly budget transfers enables the City to apply limited resources to priorities.

PURPOSE:

City Council will consider requests to: (a) approve quarterly budget transfers as summarized in the attached Exhibit A; (b) amend awarding authority based off the attached report; and (c) authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

(a) Fire and Medical budget - Department budgets consist of personnel and non-personnel budgets. Staff found an issue in how the FY2023 personnel budget for Fire and Medical was projected after the FY2023 budget was adopted, caused by the unique character of frontline Fire positions. The projection assumed these employees would work 2080 hours annually, not 2912 hours, at their current hourly compensation, causing many of these positions to be under budgeted. If these positions had been correctly budgeted, Fire and Medical's FY2023 budget would have been approximately \$1.6 million higher. Due to anticipated vacancy savings, staff decided to wait to correct this deficiency to minimize the impact on contingencies.

(b) Transfer of Public Art to Parks and Recreation - Starting in FY2024, the Parks and Recreation Department will be working with the city's Municipal Art's Commission and managing the city's public art program.

(c) Mountain View Community Center (P0032) - This project repurposes the existing community center and has a total project budget of \$4,048,000. The parking lot improvement was an item removed from the scope of the project to get within the available budget for the project. The renovation of the parking lot is seen as a key improvement to the project for parking capacity, site drainage, and safety. To complete the parking lot improvements, the project needs \$235,000 in additional appropriation.

(d) Dysart Road Sewer Replacement - Riley to Corral (U0045) - This project replaces existing 8-inch and 10-inch diameter sewer lines in Dysart Road, between Riley Drive and Corral Street, including a portion under the railroad, with a 12-inch diameter sewer line. The total project budget approved during the FY2024 budget adoption was \$4,383,000, which did not account for a mid-year budget adjustment that was approved by City Council on September 6. In addition, the portion of work under the railroad has experienced unforeseen

conditions requiring a revised work plan and additional traffic and safety coordination.

DISCUSSION:

(a) Fire and Medical's personnel budget will be exceeded by approximately \$720,000 due to the budgeting error. If the error did not occur, Fire and Medical would have had savings in their personnel budget. Staff monitored the issue throughout the year to assess how much of a budget transfer was necessary to cover the issue. Fire and Medical does not have sufficient savings in other budget line items to cover the budget issue, so budget will need to be transferred from savings in another department's budget or from contingency, which requires City Council approval. To simplify the transaction, staff recommends using General Fund contingency to cover the issue.

(b) The FY2024 budget includes \$582,400 for public art outside of art projects tied to specific capital improvement projects. The budget for public art is currently in the Marketing and Public Relations Department and needs to transfer to Parks and Recreation, who will be managing the program starting in FY2024. The total amount budgeted for public art is not increasing or decreasing. Per the city's adopted comprehensive financial policies, transfers of budget appropriation between departments require City Council approval.

(c) To provide the budget necessary to complete the parking lot improvements to the Mountain View Community Center, staff proposes using projected savings in the conceptual design of Recharge Park (P0015) to provide the necessary budget appropriation.

(d) For the Dysart Road Sewer Replacement - Staff is requesting that City Council allow the budget to be corrected to read \$5,133,000. There is no change to the overall budget as a result of this action. In addition to the restated budget, staff is requesting a transfer in the amount of \$500,000 be made from projected savings in the Dysart Road Sewer Replacement – Corral to Lower Buckeye Project (U044).

BUDGET IMPACT:

(a) The transfer will reduce the general fund contingency appropriation for FY2023. Overall, there are savings in other areas of the city's budget and the estimated ending fund balance for FY2023 remains unchanged from the recommended budget.

(b) Moving public arts funds to Parks and Recreation will allow the department to manage the budget related to public arts. This change does not increase or decrease the budget available for public art in FY2024.

(c) Projected savings cover the budget shortage for the Mountain View Community Center.

(d) Projected savings cover the budget shortage for Dysart Road Sewer Replacement - Riley to Corral.

RECOMMENDATION:

Staff recommends that City Council authorize the budget amendments listed in the attached Exhibit A, increase the administrative authority for the projects receiving additional budget authority, and authorize the Mayor, City Manager, City Clerk and staff to execute the necessary documents.

Contact person for document distribution: Robert Baer; James Milanese

Exhibit A: Quarterly Budget Transfer Schedule - July 10, 2023

FY2023

Transfer	From Account	From Account Name	To Account	To Account Name	Amount
(a)	10190000-99000	General Fund - Contingency	10134100-50000	General Fund -Fire and Medical - Salaries	720,000

FY2024

Transfer	From Account	From Project/Fund	To Account	To Project/Fund/Dept	Amount
(b)	20717020-Various	Public Arts - Marketing and Public Relations - Various	20755003-Various	Public Arts - Parks and Recreation - Various	582,400
(c)	11055900-80000-P0015	Recharge Park Design	11055900-83000-P0032	Mountain View Community Center	235,000
(d)	54170900-86000-U0044	Dysart Road Sewer Replacement - Corral to Lower Buckeye	54170900-86000-U0045	Dysart Road Sewer Replacement - Riley to Corral	500,000