

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
CITY COUNCIL CHAMBER
July 10, 2023

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 6:00 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, Curtis Nielson, and Max White.

Members Absent (Excused): Council Members Veronica Malone and Gloria Solorio.

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; Ken Chapa, Economic Development Services Director; Barbara Coppage, City Auditor; Memo Espinoza, Police Chief; Joel Evans, Facilities Director; Bryan Hughes, Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Andy Mesquita, Human Resources 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. UNSCHEDULED PUBLIC APPEARANCES

Jeff Uber, resident, expressed his appreciation to all of Avondale first responders, Police Department, and Police Chief for their work in Old Town Avondale.

3. PRESENTATION ITEM

a. PROCLAMATION – PARK AND RECREATION MONTH

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

b. EMPLOYEE ANNOUNCEMENT - DEPARTMENT OF ECONOMIC DEVELOPMENT & TOURISM

City Council recognized Cheryl Covert, Assistant Director of Economic Development and Tourism, who recently earned the designation of Certified Economic Developer (CEcD). This item was for discussion only.

4. CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

Mayor Weise asked if any Council Member wished to have an item removed from the Consent Agenda. Having no requests from Council, motion was made by Council Member White, seconded by Council Member Nielson, to approve the Consent Agenda.

Upon vote, the motion carried unanimously 5 to 0.

Council Member Conde	Aye
Council Member Nielson	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

a. MINUTES

City Council approved the June 5, 2023 City Council meeting minutes.

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

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

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

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

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

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

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

f. RESOLUTION 1044-0723- INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY LIBRARY DISTRICT FOR LIBRARY ASSISTANCE PROGRAM

City Council adopted Resolution 1044-0723, approving the Intergovernmental Agreement with the Maricopa County Library District for the Library Assistance Program and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

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

City Council adopted Ordinance 2045-0723, approving the Fourth Amendment to the Office Lease Agreement with Phoenix Speedway, LLC and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

5. REGULAR AGENDA

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

City Council held a public hearing and considered 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.

Michelle Simerdla, Senior Planner with Development Services, stated the purpose of the agenda item is to review a proposed rezone, conduct a public hearing, and act on the item. The site is located just west of the southwest corner of McDowell Road and 107th Avenue. It is approximately 1.29 acres and it was annexed in 2003. Surrounding uses were reviewed.

The General Plan designation is Freeway Commercial, which is a category that allows for a broad range of non-residential uses. The site was part of a larger rezoning in 2022, when it was rezoned from AG to C-3. The site is surrounded by C-3 and Planned Area Development (PAD) zoning districts. The request is to rezone the site from Freeway Commercial to PAD that allows for C-2 uses with the addition of permitting a self-service car wash without approval of a Conditional Use Permit. A car wash is planned for the site that has a conveyor style washing tunnel where customers will remain in their vehicle through the car wash process which is about 5 minutes starting at automated pay stations and exiting to the north of the building. It also includes self-vacuuming and cleaning areas with the hours of operation being daily from 7 am to 9 pm.

The conceptual plan and building elevations were reviewed. The proposed zoning of PAD and the requested uses align with the Freeway Commercial General Plan designation. The project does further goals in the General Plan and Freeway Corridor Specific Plan which includes prioritizing the City's appearance from the I-10 Freeway. The project is compatible with surrounding land uses and provides an adequate buffer to the closest residential properties.

The project will generate traffic that is consistent with the uses in the area and the site does have sufficient access on McDowell Road. The C-2 uses, and the proposed self-service car wash use is appropriate for the site. The project will meet the C-2 Community Commercial development standards.

All required notifications were completed for the project. The neighborhood meeting was held online on May 18th on Zoom with zero attendees aside from the applicant's team, City Staff, and 1 Council Member. There was 1 comment in support of the project on the City's Avondale Connect platform and no additional comments or questions. The Planning Commission voted 4-0 on June 21st to recommend approval of the rezoning.

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

Mayor Weise spoke on his experience with cars playing loud music and how the facilities ask the customers to lower their music.

Council Member Conde moved to adopt Ordinance 2046-0723, 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 5 recommended conditions of approval as listed in the staff report; Council Member Nielson seconded the motion.

Upon vote, the motion was carried unanimously 5 to 0.

Council Member Conde	Aye
Council Member Nielson	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

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

b. QUARTERLY BUDGET TRANSFERS

City Council considered 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. Renee Weatherless, Director of Finance & Budget, presented the following quarterly budget transfers:

Fire and Medical Department

During the budget process for fiscal year 2023, it was identified that the way the salaries were calculated was incorrect, so staff were aware that the personnel budget was going to be underbudgeted by \$1.6 million. Due to vacancy and other savings, this full amount would not be needed, and staff would bring it back for a budget request. This amount was included in the projections; however, staff failed to communicate this to City Council.

Public Art

The budget was not created with the knowledge of transferring the responsibility from the Marketing & Public Relations Department to the Parks and Recreation Department; therefore, the budget request is to transfer the funds from one department to another.

Mountain View Community Center

Some of the funds were allocated from the parking lot to the building during the budget discussions; however, it was later determined that additional work needs to be completed. Staff are requesting \$235 thousand for additional work related to drainage, removal/replacing parking, new curb/gutters, and better circulation. The total project will be a total of \$4,283,000 with a transfer from savings in the Recharge Park design project.

Dysart Road Sewer – Riley to Corral

First, the request includes a correction of the total project budgeted on the CIP recommendation report that was included within the fiscal year 2024 adopted budget package. The fiscal year 2024 budget book will reflect a revised total project budget of \$5,133,000. Second, the request includes additional funding of \$500,000 for unforeseen soil conditions. A budget transfer is being requested from projected savings in the Dysart Road Sewer – Corral to Lower Budget Road project.

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

Upon vote, the motion was carried unanimously 5 to 0.

Council Member Conde	Aye
Council Member Nielson	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

6. ADJOURNMENT

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

Upon vote, the motion was carried unanimously 5 to 0.

Council Member Conde	Aye
Council Member Nielson	Aye
Council Member White	Aye
Vice Mayor Pineda	Aye
Mayor Weise	Aye

Meeting adjourned at 6:41 p.m.


Kenn Weise (Aug 22, 2023 06:53 PDT)

Kenn Weise, Mayor

CERTIFICATION AND ATTESTATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Council of the City of Avondale held on the 10th day of July 2023. I further certify that the meeting was duly called and held, and that the quorum was present.



Marcella Carrillo, City Clerk

August 21, 2023

Date Approved by City Council

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