



City of Avondale

City Council Meeting

Monday, May 6, 2024

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

Dale Nannenga, Deputy City Manager | Nicholle Harris, City Attorney

Marcella Sarmiento, City Clerk

City Council Chamber

11465 West Civic Center Drive

Avondale, AZ 85323

Watch a City Council Meeting Online

Visit the link below to watch a City Council meeting live online:

<https://www.avondaleaz.new.swagit.com/views/540/>

Please note, the live stream will not be monitored by staff; therefore, anyone wishing to address the City Council shall appear in person to speak.



City Council Meeting
Notice & Agenda
Monday, May 6, 2024

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

ALAMAR COMMUNITY FACILITIES DISTRICT BOARD MEETING
5:30 PM

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

CALL TO ORDER BY THE DISTRICT CHAIR

1. ROLL CALL BY THE DISTRICT CLERK

2. MINUTES

The District Board will consider a request to approve the June 5, 2023 Alamar Community Facilities District Board meeting minutes. The Board will take appropriate action.

3. CFD RESOLUTION 1-2024 - ADOPTION OF THE ALAMAR COMMUNITY FACILITIES DISTRICT FISCAL YEAR 2025 TENTATIVE BUDGET

The District Board will consider a request to adopt CFD Resolution 1-2024, setting forth the fiscal year 2024-2025 tentative budget and authorize the Chairperson or District Manager, District Attorney and District Clerk to execute the necessary documents. The Board will take appropriate action.

4. ADJOURNMENT

CITY COUNCIL REGULAR MEETING
Convene immediately following the 5:30 pm Alamar Community Facilities District Board Meeting

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. PRESENTATION ITEMS (DISCUSSION ONLY)

a. RECOGNITION OF FIRE AND MEDICAL CITIZEN'S ACADEMY GRADUATES

City Council will recognize the recent graduates of the Fire and Medical Citizen's Academy. This item is for discussion only.

b. PROCLAMATION - ECONOMIC DEVELOPMENT, TOURISM, AND SMALL BUSINESS MONTH

City Council will present a proclamation recognizing the month of May 2024 as Economic Development, Tourism, and Small Business Month. This item is for discussion only.

c. MARVIN ANDREWS FELLOW RECOGNITION

City Council will recognize the contributions Dillard Collier has made as a Marvin Andrews Fellow with the City of Avondale. This item is for discussion only.

d. PROCLAMATION - NATIONAL WATER SAFETY MONTH

City Council will present a proclamation recognizing May 2024 as Water Safety Month. This item is for discussion only.

e. REPORTS FROM THE CITY MANAGER

3. UNSCHEDULED PUBLIC APPEARANCES (Time is limited per person. Please state your name.)

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 April 8, 2024 and April 22, 2024 City Council meeting minutes. The Council will take appropriate action.

b. VEHICLE PURCHASE BUDGET AND AWARD AUTHORITY

City Council will consider a request to: (a) approve a budget amendment in the amount \$432,500 from the Unanticipated Revenue line item for the purpose of ordering replacement vehicles scheduled for FY2025; (b) authorize administrative award authority for the outlined vehicle purchases; and (c) authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

c. RESOLUTION 1041-0524 – TERMINATION OF AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF TOLLESON FOR THE DEANNEXATION AND ANNEXATION OF VAN BUREN STREET RIGHT-OF-WAY

City Council will consider a request to adopt Resolution 1041-0524, authorizing the termination of an Intergovernmental Agreement with the City of Tolleson for the deannexation and annexation of the eastbound lanes of Van Buren Street right-of-way from 99th Avenue to 107th Avenue and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

d. RESOLUTION 1042-0524 - INTERGOVERNMENTAL AGREEMENT (IGA) WITH MARICOPA COUNTY FOR GIS DATA AND IMAGERY SERVICES

City Council will consider a request to adopt Resolution 1042-0524, authorizing an Intergovernmental Agreement (IGA) between the partnering agencies of the City of Avondale and Maricopa County and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

e. ORDINANCE 2009-0524 - AMENDING THE CITY OF AVONDALE CITY CODE, CHAPTER 17, PARKS AND RECREATION, SECTION 17-5, PERTAINING TO OPERATION OF DRONES AT FESTIVAL FIELDS PARK.

City Council will consider a request to adopt Ordinance 2009-0524, Amending the City of Avondale City Code, Chapter 17, Parks and Recreation, Section 17-5, pertaining to operation of drones at Festival Fields Park 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 RESOLUTION 1043-0524 - HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH - MAJOR GENERAL PLAN AMENDMENT - APPLICATION PL-23-0299

City Council will hold a public hearing and consider a request to adopt Resolution 1043-0524, approving a request by Carolyn Oberholtzer of Bergin, Frakes, Smalley, and Oberholtzer, PPLC for a major General Plan amendment for Hermosa Ranch Technology Campus North, an approximately 239 gross acre planned technology campus with a data center and related employment uses located at the southwest corner of Avondale Boulevard and Lower Buckeye Road and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The proposed major General Plan amendment, if approved, will amend the General Plan 2030 Land Use Map designations for the property from Medium Density Residential and Estate/Low Density Residential to Business Park. The amendment will also expand the existing Local Commercial land use area. The Council will take appropriate action.

b. PUBLIC HEARING AND ORDINANCE 2010-0524 - HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH - REZONING - APPLICATION PL-23-0300

City Council will hold a public hearing and consider a request to adopt Ordinance 2010-0524, approving a request by Carolyn Oberholtzer with Bergin, Frakes, Smalley and Oberholtzer PLLC to rezone approximately 239 gross acres located at the southwest corner of Avondale Boulevard and Lower Buckeye Road and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The proposal would change the zoning from Diamond P Ranch Planned Area Development (PAD), Fleming Farms Planned Area Development (PAD) and Agricultural (AG) to Hermosa Ranch Technology Campus - North Planned Area Development (PAD) to allow for a data center, technology campus, and local commercial development. The Council will take appropriate action.

c. PUBLIC HEARING - RESULTS OF BIENNIAL AUDIT OF DEVELOPMENT IMPACT FEES

City Council will hold a public hearing on the development impact fee biennial certified audit, as required by A.R.S. 9-463.05. This item is for a public hearing and discussion only.

d. RESOLUTION 1044-0524 - ADOPTION OF THE FISCAL YEAR 2025 TENTATIVE BUDGET

City Council will consider a request to adopt Resolution 1044-0524, setting forth the fiscal year (FY) 2025 tentative budget and establishing the city's annual expenditure limitation and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

e. AVONDALE'S PUBLIC TRANSIT PROGRAM UPDATE

City Council will receive an update from the Public Works Department on the current status and recent developments within Avondale's Public Transit Program, including upcoming projects and initiatives. This item is for discussion only.

6. SUMMARY OF CURRENT EVENTS FROM MAYOR, VICE MAYOR, AND COUNCIL MEMBER
(5 minutes)

7. ADJOURNMENT INTO EXECUTIVE SESSION

City Council will consider a request to adjourn the Regular Meeting and hold an executive session pursuant to (i) Ariz. Rev. Stat. § 38--431.03(A)(1) for discussion of the employment evaluation and salary of the City Manager and (ii) Ariz. Rev. Stat. § 38--431.03(A)(3) for discussion with the City Attorney or attorneys for the City for legal advice concerning the legal requirements of the Arizona State Retirement System.

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 video. Personas con necesidades especiales de accesibilidad, incluyendo personas con impedimentos de vista u oido, o con necesidad de impresion grande o interprete, deben comunicarse con la Secretaria de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos dias habiles antes de la junta del Concejo.

SUBJECT: Minutes

MEETING DATE: 5/6/2024

TO: Board Members

FROM: Marcella Sarmiento, District Clerk

THROUGH: Dale Nannenga, Deputy District Manager, (623) 333-1017

PURPOSE:

The District Board will consider a request to approve the June 5, 2023 Alamar Community Facilities District Board meeting minutes. The Board will take appropriate action.

BACKGROUND:

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

DISCUSSION:

The District Board held a meeting and the attached minutes have been prepared for approval.

BUDGET IMPACT:

This item has no budget impact.

RECOMMENDATION:

Staff recommends the District Board will consider a request to approve the June 5, 2023 Alamar Community Facilities District Board meeting minutes.

MINUTES OF THE ALAMAR COMMUNITY FACILITIES DISTRICT BOARD MEETING
CITY OF AVONDALE, ARIZONA
June 05, 2023

A **Regular Meeting** of the Alamar Community Facilities District Board of the City of Avondale, Arizona was convened at 11465 West Civic Center Drive in open and public session at 5:32 p.m.

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

Members Absent (Excused): Board Member Curtis Nielson.

Other Municipal Officials Present: Ron Corbin, District Manager; Tracy Stevens, Assistant District Manager; Nicholle Harris, District Attorney; Marcella Sarmiento, District Clerk; Liz Barker Alvarez, Intergovernmental Affairs Administrator; Kirk Beaty, Public Works Director; Ken Chapa, Economic Development Services Director; Barbara Copping, District 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 DISTRICT CLERK

2. PUBLIC HEARING - PROPOSED FISCAL YEAR 2024 BUDGET AND TAX LEVY

The District Board held a public hearing to receive comments on the property tax levy and final budget for the fiscal year 2024 (FY2024).

Renee Weatherless, District Treasurer, stated that the budget includes planned debt issuance, with repayment derived from a secondary property tax of \$3.85 per \$100 net assessed valuation. The primary property tax is set at the maximum per statute of \$0.30 per \$100 net assessed valuation for operations and maintenance of the Community Facilities District, for a total \$4.15 tax rate. The total budget is \$4.6 million, balanced with resources and expenditures.

Chair Weise opened the public hearing and did not receive any requests to speak. Chair Weise closed the public hearing and received no comments from the Board.

3. PUBLIC HEARING AND CFD RESOLUTION 4-2023 – AUTHORIZING AND RATIFYING THE GIVING OF NOTICE OF HEARING WITH RESPECT TO APPROVING A FEASIBILITY REPORT AND AUTHORIZING THE SALE AND ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES 2023 OF THE DISTRICT

The Board held a public hearing on a Feasibility Report for projects, the construction of which is to be financed with proceeds of sale of general obligation bonds; (b) considered a request to adopt CFD Resolution 4-2023; authorizing and ratifying the giving of Notice of Hearing with respect to approving a Feasibility Report and approving such Feasibility Report, authorizing all matters necessary to sell and issue General Obligation Bonds for the Alamar Community Facilities District not to exceed \$3,250,000 in aggregate principal; and (c) authorize the District Manager and District Treasurer to determine certain matters related thereto.

Renee Weatherless, District Treasurer, provided a brief overview of the CFD. The community facility district was established on May 21, 2018 and included 1,086 acres and up to 4,036 housing units. Voters authorized up to \$70 million in GO Bonds on November 13, 2018. The developer has sold 1,293 residential lots to builders and the builders have sold more than 550 lots to homebuyers. There is a limit of \$0.30/\$100 NAV for Primary Property Tax for operation and maintenance of CFD and a limit of \$3.85/\$100 NAV for Secondary Property Tax for GO bond debt service. The bonds reimburse developers for public infrastructure. The plan is to issue debt until buildout. In Fiscal Year 2020, the City issued \$15,980 in GO bonds. In Fiscal Year 2023, the City issued \$3.6 million in GO bonds. Tonight, the request is for authorization to sell up to \$3.25 million of general obligation bonds with anticipated rates between 3 and 5 percent.

Chair Weise opened the public hearing and did not receive any requests to speak. Chair Weise closed the public hearing and received no comments from the Board.

Board Member Solorio moved to adopt CFD Resolution 4-2023; authorizing and ratifying the giving of Notice of Hearing with respect to approving a Feasibility Report and approving such Feasibility Report, authorizing all matters necessary to sell and issue General Obligation Bonds for the Alamar Community Facilities District not to exceed \$3,250,000 in aggregate principal; and authorized the District Manager and District Treasurer to determine certain matters related thereto; Board Member White seconded the motion.

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

Board Member Conde	Aye
Board Member Malone	Aye
Board Member Solorio	Aye
Board Member White	Aye
Vice Chairperson Pineda	Aye
Chairperson Weise	Aye

4. ADJOURNMENT

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

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

Board Member Conde	Aye
Board Member Malone	Aye
Board Member Solorio	Aye
Board Member White	Aye
Vice Chairperson Pineda	Aye
Chairperson Weise	Aye

Meeting adjourned at 5:37 p.m.

A **Special Meeting** of the Alamar Community Facilities District Board of the City of Avondale, Arizona was convened at 11465 West Civic Center Drive in open and public session at 5:37 p.m.

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

Members Absent (Excused): Board Member Curtis Nielson.

Other Municipal Officials Present: Ron Corbin, District Manager; Tracy Stevens, Assistant District Manager; Nicholle Harris, District Attorney; Marcella Sarmiento, District Clerk; Liz Barker Alvarez, Intergovernmental Affairs Administrator; Kirk Beaty, Public Works Director; Ken Chapa, Economic Development Services Director; Barbara Coppage, District 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 DISTRICT CLERK

2. CONSENT AGENDA

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

Chair Weise asked if any Board Member wished to have an item removed from the Consent Agenda. Having no requests from the Board, motion was made by Board Member Conde, seconded by Board Member Malone, to approve the Consent Agenda.

Upon vote, the motion carried unanimously 6 to 0.

Board Member Conde	Aye
Board Member Malone	Aye
Board Member Solorio	Aye
Board Member White	Aye
Vice Chairperson Pineda	Aye
Chairperson Weise	Aye

a. MINUTES

The District Board approved the May 1, 2023 Alamar Community Facilities District Board meeting minutes.

b. CFD RESOLUTION 2-2023 - SETTING FORTH THE FINAL BUDGET FOR FISCAL YEAR 2024

The District Board adopted CFD Resolution 2-2023 approving the final budget for fiscal year 2024 (FY2024) and authorized the District Chair or District Manager and District Clerk to execute the necessary documents.

c. CFD RESOLUTION 3-2023 - SETTING THE PROPERTY TAX LEVY FOR THE FISCAL YEAR ENDING JUNE 30, 2024

The District Board adopted CFD Resolution 3-2023 levying upon the assessed valuation of the property within the Alamar Community Facilities District subject to ad valorem taxation a certain sum upon each one hundred (\$100.00) of valuation for the fiscal year ending June 30, 2024.

3. ADJOURNMENT

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

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

Board Member Conde	Aye
Board Member Malone	Aye
Board Member Solorio	Aye
Board Member White	Aye
Vice Chairperson Pineda	Aye
Chairperson Weise	Aye

Meeting adjourned at 5:37 p.m.

Kenn Weise, Chairperson

CERTIFICATION AND ATTESTATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Alamar Communities Facilities District Board Meetings 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 Sarmiento, District Clerk

SUBJECT: CFD Resolution 1-2024 - Adoption of the Alamar Community Facilities District
Fiscal Year 2025 Tentative Budget

MEETING DATE: 5/6/2024

TO: Board Members

FROM: Renee Weatherless, Director of Finance & Budget

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

PURPOSE:

The District Board will consider a request to adopt CFD Resolution 1-2024, setting forth the fiscal year 2024-2025 tentative budget and authorize the Chairperson or District Manager, District Attorney and District Clerk to execute the necessary documents. The Board will take appropriate action.

BACKGROUND:

The adoption of the tentative budget will set the maximum limit of expenditures for FY2025. The total budget may be reduced prior to the final adoption, but cannot be increased. The tentative budget for the district must be approved by resolution on or before July 15.

DISCUSSION:

Per A.R.S 48-716, on or before July 15, the district treasurer shall prepare a proposed budget for the ensuing fiscal year for the district board's approval. Public notice is required at least 10 days before the tentative budget. Public notice will be published per the requirements of A.R.S. 48-715. The final budget shall be adopted before October 1.

BUDGET IMPACT:

This action will set the maximum expenditure limit for FY2025. Revisions can be made to decrease, but not increase the total expenditure amount for the final budget.

RECOMMENDATION:

Staff recommends adoption of a resolution setting forth the FY2025 tentative budget and annual expenditure limitation and authorize staff to proceed with required publications.

CFD RESOLUTION 1-2024

A RESOLUTION OF THE DISTRICT BOARD OF THE ALAMAR COMMUNITY FACILITIES DISTRICT, SETTING FORTH THE TENTATIVE BUDGET AND ESTABLISHING THE EXPENDITURE LIMITATION FOR LAKIN COMMUNITY FACILITIES DISTRICT FOR FISCAL YEAR 2024-2025.

WHEREAS, on May 21, 2018, the Mayor and Council of the City of Avondale, Arizona (the “City”), adopted Resolution No. 3453-518 forming Alamar Community Facilities District (“ACFD”), a community facilities district in accordance with ARIZ. REV. STAT. § 48-701 et seq., as amended; and

WHEREAS, ACFD is a special purpose district for purposes of Article IX, Section 19, of the Arizona Constitution, a tax-levying public improvement district for the purposes of Article XIII, Section 7, of the Arizona Constitution, and a municipal corporation for all purposes of ARIZ. REV. STAT. Title 35, Chapter 3, Articles 3, 3.1, 3.2, 4 and 5, as amended, and (except as otherwise provided in ARIZ. REV. STAT. § 48-708(B), as amended) is considered to be a municipal corporation and political subdivision of the State of Arizona, separate and apart from the City; and

WHEREAS, a primary purpose for creating ACFD was to finance certain public infrastructure needed for the development known as “Alamar Park” through assessment of ad valorem taxes on all real and personal property within ACFD; and

WHEREAS, in accordance with ARIZ. REV. STAT. §§ 48-716 and 48-723, as amended, the District Treasurer of ACFD has submitted to the District Board of ACFD a proposed budget for Fiscal Year 2022-2023 which includes statements and estimates of the operation and maintenance expenses of ACFD, the costs of capital improvements to be financed by the authorized ad valorem tax levy, and the amount of all other expenditures for public infrastructure and enhanced municipal services proposed to be paid from the tax levy; and

WHEREAS, the District Board of ACFD desires now to approve said tentative budget for the Fiscal Year 2024-2025, to publish notice of having filed the required statements and estimates, and to set a date (and publish notice thereof) for a public hearing to receive comment on the tentative budget.

NOW, THEREFORE, BE IT RESOLVED BY THE DISTRICT BOARD OF THE ALAMAR COMMUNITY FACILITIES DISTRICT as follows:

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

SECTION 2. The statements and schedules attached hereto as Exhibit A and incorporated herein by reference are hereby adopted as the District's official tentative budget for the fiscal year beginning July 1, 2024, and ending June 30, 2025, including the establishment of the expenditure limitation for such fiscal year.

SECTION 3. The public hearing date of June 3, 2024, beginning at or after 6:00 p.m. at the City of Avondale City, Council Chambers, 11465 W. Civic Center Drive, Avondale, Arizona, is hereby set to consider said tentative budget (including, but expressly not limited to, consideration of those portions of the statements), and a notice shall be published once in a newspaper of general circulation no later than ten (10) days prior to said hearing date.

SECTION 4. The District Board Chairman, the District Manager, the District Clerk and the District 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 District Board of the Alamar (formerly Lakin) Community Facilities District on May 6, 2024.

Kenneth N. Weise, Chairman District Board
Alamar Community Facilities District

ATTEST:

Marcella Sarmiento, District Clerk
Alamar Community Facilities District

APPROVED AS TO FORM:

Nicholle Harris, District Attorney
Alamar Community Facilities District

EXHIBIT A
TO
CFD RESOLUTION 1-2024

[Statements and Schedules]

See following pages.

Alamar Community Facilities District
Summary Schedule of estimated revenues and expenditures/expenses
Fiscal year 2025

Fiscal year	S c h		Funds							
			General Fund	Special Revenue Fund	Debt Service Fund	Capital Projects Fund	Permanent Fund	Enterprise Funds Available	Internal Service Funds	Total all funds
2024	Adopted/adjusted budgeted expenditures/expenses*	E 1	0	136,334	466,289	4,000,000	0	0	0	4,602,623
2024	Actual expenditures/expenses**	E 2	0	36,334	443,091	2,954,650	0	0	0	3,434,075
2025	Beginning fund balance/(deficit) or net position/(deficit) at July 1***		0	0	0	0	0	0	0	0
2025	Primary property tax levy	B 4	0	49,555						49,555
2025	Secondary property tax levy	B 5			635,956					635,956
2025	Estimated revenues other than property taxes	C 6	0	100,000	0	0	0	0	0	100,000
2025	Other financing sources	D 7	0		0	2,500,000	0	0	0	2,500,000
2025	Other financing (uses)	D 8	0	0	0	0	0	0	0	0
2025	Interfund transfers in	D 9	0	0	0	0	0	0	0	0
2025	Interfund Transfers (out)	D 10	0	0	0	0	0	0	0	0
2025	Line 11: Reduction for fund balance reserved for future budget year expenditures									
	Maintained for future debt retirement									0
	Maintained for future capital projects									0
	Maintained for future financial stability									0
	Maintained for future retirement contributions									0
										0
2025	Total financial resources available	12	0	149,555	635,956	2,500,000	0	0	0	3,285,511
2025	Budgeted expenditures/expenses	E 13	0	149,555	635,956	2,500,000	0	0	0	3,285,511

Expenditure limitation comparison

1	Budgeted expenditures/expenses
2	Add/subtract: estimated net reconciling items
3	Budgeted expenditures/expenses adjusted for reconciling items
4	Less: estimated exclusions
5	Amount subject to the expenditure limitation
6	EEC expenditure limitation or voter-approved alternative expenditure limitation

	2024	2025
1	\$ 4,602,623	\$ 3,285,511
2	4,602,623	3,285,511
3	\$ 4,602,623	\$ 3,285,511
4	\$	\$

☐ The city/town does not levy property taxes and does not have special assessment districts for which property taxes are levied. Therefore, Schedule B has been omitted.

* Includes expenditure/expense adjustments approved in the current year from Schedule E.

** Includes actual amounts as of the date the proposed budget was prepared, adjusted for estimated activity for the remainder of the fiscal year.

*** Amounts on this line represent beginning fund balance/(deficit) or net position/(deficit) amounts except for nonspendable amounts (e.g., prepaids and inventories) or amounts legally or contractually required to be maintained intact (e.g., principal of a permanent fund). See the Instructions tab, cell C17 for more information about the amounts that should and should not be included on this line.

Alamar Community Facilities District
Tax levy and tax rate information
Fiscal year 2025

	<u>2024</u>	<u>2025</u>
1. Maximum allowable primary property tax levy. A.R.S. §42-17051(A)	\$ _____	\$ _____
2. Amount received from primary property taxation in the current year in excess of the sum of that year's maximum allowable primary property tax levy. A.R.S. §42-17102(A)(18)	\$ _____	
3. Property tax levy amounts		
A. Primary property taxes	\$ 36,334	\$ 49,555
Property tax judgment	_____	_____
B. Secondary property taxes	466,289	635,956
Property tax judgment	_____	_____
C. Total property tax levy amounts	\$ 502,623	\$ 685,511
4. Property taxes collected*		
A. Primary property taxes		
(1) Current year's levy	\$ 36,334	
(2) Prior years' levies	_____	
(3) Total primary property taxes	\$ 36,334	
B. Secondary property taxes		
(1) Current year's levy	\$ 466,289	
(2) Prior years' levies	_____	
(3) Total secondary property taxes	\$ 466,289	
C. Total property taxes collected	\$ 502,623	
5. Property tax rates		
A. City/Town tax rate		
(1) Primary property tax rate	0.3000	0.3000
Property tax judgment	_____	_____
(2) Secondary property tax rate	3.8500	3.8500
Property tax judgment	_____	_____
(3) Total city/town tax rate	4.1500	4.1500
B. Special assessment district tax rates		
Secondary property tax rates—As of the date the proposed budget was prepared, the city/town was operating <u>one</u> special assessment districts for which secondary property taxes are levied. For information pertaining to these special assessment districts and their tax rates, please contact the city/town.		

* Includes actual property taxes collected as of the date the proposed budget was prepared, plus estimated property tax collections for the remainder of the fiscal year.

Alamar Community Facilities District
Revenues other than property taxes
Fiscal Year 2025

Source of revenues	Estimated revenues 2024	Actual revenues* 2024	Estimated revenues 2025
Special revenue funds			
Contributions - Operations	\$ _____	\$ _____	\$ _____
Contributions - Capital	_____	_____	_____
Contributions - Debt	_____	_____	_____
Contingency	100,000	_____	100,000
	\$ 100,000	\$ 0	\$ 100,000
Total all funds	\$ 100,000	\$ 0	\$ 100,000

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

Alamar Community Facilities District
Other financing sources/(uses) and interfund transfers
Fiscal year 2025

Fund	Other financing 2025		Interfund transfers 2025	
	Sources	(Uses)	In	(Out)
Special revenue funds				
Bond Issuance	\$ 2,500,000	\$	\$	\$
Total special revenue funds	\$ 2,500,000	\$ 0	\$ 0	\$ 0
Total all funds	\$ 2,500,000	\$ 0	\$ 0	\$ 0

**Alamar Community Facilities District
Expenditures/expenses by fund
Fiscal year 2025**

Fund/Department	Adopted budgeted expenditures/ expenses 2024	Expenditure/ expense adjustments approved 2024	Actual expenditures/ expenses* 2024	Budgeted expenditures/ expenses 2025
Special revenue funds				
General Operations	\$ 36,334	\$	\$ 36,334	\$ 49,555
Capital	4,000,000		2,954,650	2,500,000
Capital - Finance				
Debt	466,289		443,091	635,956
Contingency	100,000			100,000
Total special revenue funds	\$ 4,602,623	\$ 0	\$ 3,434,075	\$ 3,285,511
Total all funds	\$ 4,602,623	\$ 0	\$ 3,434,075	\$ 3,285,511

* Includes actual expenditures/expenses recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated expenditures/expenses for the remainder of the fiscal year.

**Alamar Community Facilities District
Expenditures/expenses by department
Fiscal year 2025**

	Adopted budgeted expenditures/ expenses	Expenditure/ expense adjustments approved	Actual expenditures/ expenses*	Budgeted expenditures/ expenses
Department/Fund	2024	2024	2024	2025
General Operations:				
Alamar CFD Operating	\$ 36,334	\$	\$ 36,334	\$ 49,555
Capital	4,000,000		2,954,650	2,500,000
Debt	466,289		443,091	635,956
Contingency	100,000			100,000
Department total	\$ 4,602,623	\$ 0	\$ 3,434,075	\$ 3,285,511

* Includes actual expenditures/expenses recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated expenditures/expenses for the remainder of the fiscal year.

ITEM NUMBER: 2.a.

SUBJECT: Recognition of Fire and Medical Citizen's Academy Graduates

MEETING DATE: 5/6/2024

TO: Mayor and Council

FROM: Larry Rooney, Fire Chief

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

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

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Public Health and Safety - Avondale is a city where all people feel safe and secure, relying on trusted public and community-based resources.
-

PURPOSE:

City Council will recognize the recent graduates of the Fire and Medical Citizen's Academy. This item is for discussion only.

BACKGROUND:

The Fire and Medical Department has now hosted their second annual Citizen's Academy.

DISCUSSION:

Avondale's Fire and Medical (AFM) Citizen Academy is an eight-class program hosted by AFM Administration. Topics include: Emergency Operations and Safety, Community Risk Reduction, Operations, Violent Incidents, Emergency Medical Services, and Special Operations. All participants were able to earn certificates in CPR and Stop the Bleed as well.

BUDGET IMPACT:

This item is for informational purposes only.

RECOMMENDATION:

This item is for informational purposes only.

Contact person for document distribution:

ITEM NUMBER: 2.b.

SUBJECT: Proclamation - Economic Development, Tourism, and Small Business Month

MEETING DATE: 5/6/2024

TO: Mayor and Council

FROM: Ken Chapa, Economic Development and Tourism Director

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

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 present a proclamation recognizing the month of May 2024 as Economic Development, Tourism, and Small Business Month. This item is for discussion only.

BACKGROUND:

Economic Development Week was created by the International Economic Development Council (IEDC) in 2016 to increase awareness of local programs that create jobs, advance career development opportunities, and improve communities' quality of life everywhere. Over the last seven years, 450+ campaigns have been made throughout the United States and Canada. Economic Development Organizations have created millions of impressions, hundreds of news stories, blog entries, videos, events, and other activities to celebrate this time.

The U.S. Travel Association celebrates National Travel & Tourism Week (NTTW) in May, an annual industry tradition celebrating travel's value for our economy, businesses, personal well-being, and place-making initiatives.

For more than 60 years, the U.S. Small Business Administration (SBA) has celebrated National Small Businesses during May, which acknowledges the critical contributions of America's entrepreneurs and small business owners. This is when the SBA officially recognizes their hard work, ingenuity, and dedication, including their economic contributions.

The Avondale Economic Development and Tourism Department is an active member of each organization.

DISCUSSION:

The City of Avondale recognizes the month of May 2024, as Economic Development, Tourism, and Small Business Month.

BUDGET IMPACT:

This item does not have a budget impact.

RECOMMENDATION:

This item is for discussion only.

Contact person for document distribution: n/a



PROCLAMATION
ECONOMIC DEVELOPMENT, TOURISM AND
SMALL BUSINESS MONTH

May 1 - May 31, 2024

Whereas, the International Economic Development Council is the largest professional economic development organization dedicated to serving economic developers; and

Whereas, The Avondale Economic Development and Tourism Department promotes economic well-being and quality of life for their communities through engaging in activities that focus on creating, retaining, and expanding jobs that facilitate growth, enhance wealth, and provide a stable tax base, and

Whereas, the U.S. Travel Association is the national, non-profit organization representing and advocating for all components of the travel industry; and

Whereas, the City's Destination Marketing Organization, Discover Avondale, was established in 2020; and

Whereas, the City of Avondale is a premier destination for tourists and visitors, attracting over one million visitors in 2023.

Whereas, the City of Avondale, Arizona, celebrates our local small businesses and the contributions they make to our local economy and community; and

Whereas, the Avondale Economic Development and Tourism Department supports vibrant communities to enhance the quality of life for Avondale residents, creates jobs, boosts our local economy, and preserves our communities; and

NOW THEREFORE BE IT RESOLVED that the City of Avondale recognizes the month of May 2024 as Economic Development, Tourism, and Small Business Month and reminds individuals of the importance of this community celebration, which supports expanding career opportunities, supporting small businesses, and making lives better.

Attest:

Mayor

City Clerk

ITEM NUMBER: 2.c.

SUBJECT: Marvin Andrews Fellow Recognition

MEETING DATE: 5/6/2024

TO: Mayor and Council

FROM: Ron Corbin, City Manager

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

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

STRATEGIC PLAN:
Innovative Program Delivery.

PURPOSE:

City Council will recognize the contributions Dillard Collier has made as a Marvin Andrews Fellow with the City of Avondale. This item is for discussion only.

BACKGROUND:

The Marvin Andrews fellowship is designed to identify the country's most talented students aspiring to executive levels in local government. Selected fellows are Master's of Public Administration and Master's of Public Policy students who are interested in careers in local government. Fellows receive the opportunity to serve as Management Interns with cities in the Phoenix Metro Area. The City of Avondale is a long-standing supporter of the Fellowship. The City has hosted several Marvin Andrews Fellows since the program's inception in 2009. For the 2023-2024 school year, the City hosted Dillard Collier as a Marvin Andrews Fellow.

DISCUSSION:

During his time with the City, Dillard worked in a variety of departments, expanding his local government knowledge and contributing to high priority projects in the City. Dillard served on projects in the City Manager's Office, Development Services, Neighborhood and Family Services, Finance and Budget, Office of Public Safety, and Parks and Recreation Departments. Dillard made significant contributions to all departments he served in, utilizing and growing his research, project management, analytical, and community outreach skills.

We are appreciative of Dillard's hard work and dedication as a Marvin Andrews Fellow in our City. His positive attitude and passion for public service made him a wonderful addition to our City. We would like to recognize Dillard for his completion of his internship and Master's of Public Policy degree.

BUDGET IMPACT:

There is no budget impact.

RECOMMENDATION:

The City Manager's Office recommends the City Council recognizes the contributions Dillard Collier has made as a Marvin Andrews Fellow with the City of Avondale.

Contact person for document distribution: Aneyssa Romo, Torin Sadow

ITEM NUMBER: 2.d.

SUBJECT: Proclamation - National Water Safety Month

MEETING DATE: 5/6/2024

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:

This agenda item supports the following Avondale Strategic Outcome Areas:

- Innovative Program and Service Delivery - Avondale will continue to serve as a model of innovative, efficient, and responsive government.
 - 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.
 - 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.
-

PURPOSE:

City Council will present a proclamation recognizing May 2024 as Water Safety Month. This item is for discussion only.

BACKGROUND:

National Water Safety Month is an annual awareness campaign coordinated by the Pool & Hot Tub Alliance with support from the American Red Cross, National Drowning Prevention Alliance, National Recreation and Park Association, and the World Waterpark Association.

The Proclamation recognizes the following:

- The vital role swimming and aquatic-related activities play in maintaining good physical and mental health, as well as enhancing the quality of life.
- The crucial part water safety education plays in preventing drownings and recreational water-related injuries.
- The recognition of ongoing efforts in educating the public on pool, hot tub, and spa safety issues and initiatives by the pool, spa, water park, recreation and parks industries.
- The importance of communicating water safety rules and programs to families and individuals of all

ages.

DISCUSSION:

Specific events and topics to be discussed during the week include:

Thursday, May 2nd: Avondale Aquatic Center Swim Lesson registration opens. Families are invited to dive into a world of aquatic excellence with a comprehensive swim lesson program, catering to all ages and swim levels. The swim lesson program will combine skill-building, safety, stroke development, and water fun.

Saturday, May 25th: Avondale Aquatic Center Grand Opening, an unforgettable day as the City launches full operation and welcomes residents to celebrate a new era of aquatic recreation at the City's first public pool facility.

Monday, May 27th: Patriotic Pool Party - Memorial Day Splash Spectacular, where residents are invited for a poolside salute to the brave where they will enjoy patriotic games, win prizes, and celebrate the spirit of Memorial Day at the Avondale Aquatic Center.

BUDGET IMPACT:

Not Applicable

RECOMMENDATION:

This item is for discussion only.

Contact person for document distribution:



PROCLAMATION

WATER SAFETY MONTH

WHEREAS, recognizing the vital role that swimming and aquatic-related activities relate to good physical and mental health and enhance the quality of life for all people; and

WHEREAS, understanding the essential role that education regarding the topic of Water Safety plays in preventing drownings and recreational water-related injuries; and

WHEREAS, awareness of the contributions made by the recreational water industry, as represented by the organizations involved in the National Water Safety Month Coalition in developing safe swimming facilities, aquatic programs, home pools and spas, and related activities providing healthy places to recreate, learn and grow, build self-esteem, confidence and sense of self-worth which contributes to the quality of life in our community; and

WHEREAS, recognizing ongoing efforts and commitments to educate the public on pool and spa safety issues and initiatives by the pool, spa, waterpark, recreation, and parks industries; and

WHEREAS, understanding the vital importance of communicating Water Safety rules and programs to families and individuals of all ages, whether owners of private pools, users of public swimming facilities, or visitors to waterparks.

NOW, THEREFORE, I, Kenneth Weise, Mayor of the City of Avondale, Arizona do hereby proclaim May 2024, as **WATER SAFETY MONTH** and do urge all those in the City of Avondale to support and promote this observance.

Proclaimed this 6th day of May 2024.

Mayor

ATTEST:

City Clerk

ITEM NUMBER: 4.a.

SUBJECT: Minutes

MEETING DATE: 5/6/2024

TO: Mayor and Council

FROM: Marcella Sarmiento, City Clerk

THROUGH: Dale Nannenga, Deputy City Manager, (623) 333-1017

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 April 8, 2024 and April 22, 2024 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 April 8, 2024 and April 22, 2024 City Council meeting minutes.

Contact person for document distribution: Chris Pierson

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
CITY COUNCIL CHAMBER
April 08, 2024

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 5:31 p.m.

Mayor Kenn Weise led the Pledge of Allegiance, followed by a moment of silent reflection with thoughts for the Police Officers within the community.

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

Members Absent: None.

Other Municipal Officials Present: Ron Corbin, City Manager; Tracy Stevens, Assistant City Manager; Dale Nannenga, Deputy City Manager; Nicholle Harris, City Attorney; Marcella Sarmiento, 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; Keith Fallstrom, Finance and Budget Assistant Director; Bryan Hughes, Parks and Recreation Director; Julie Knoll, Deputy City Clerk; Craig Jennings, Judge; Chris Lopez, Neighborhood and Family Services Director; Andy Mesquita, Human Resources Director; Kimberly Moon, Engineering Director; Jodie Novak, Development Services Director; Abril Ruiz-Ortega, Court Administrator; Larry Rooney, Fire Chief; Jeffrey Scheetz, Chief Information Officer; and Pier Simeri, Marketing and Public Relations Director

Audience: Approximately 15 members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. PRESENTATION ITEMS (DISCUSSION ONLY)

a. EMPLOYEE INTRODUCTIONS

The following employees were presented to City Council. This item was for discussion only.

Court

- Micaela Machuca, Clerk II – Photo Speed Specialist

Finance and Budget Department

- Cindi Hawk, Senior Buyer

Parks and Recreation Department

- Falon Thompson, Pool Manager
- Uriel Carillo Camarena, Park Maint. Worker
- Noah Fechter, Lead Lifeguard
- Timothy Jeffery, Park Maintenance Worker

Human Resources Department

- Elvia Echeverria, Sr. Human Resources Analyst

Public Works Department

- Anthony Perkins, Water Distribution Opr.
- Doryan Curd, Solid Waste Equipment Opr.
- Ryan Scott, Utility Electrician
- Israel Vasquez, Water Distribution Opr.
- Eduardo Osuna, Solid Waste Equip. Opr.
- Davis Bubnick, Street Maint. Worker II
- Gustavo Garcia, Pavement Program Mgr.

Police Department

- Mariah Abasta, Community Service Officer
- Shawn Bonds, Community Service Officer
- Donald Douglas, Community Service Officer
- Amber Monarrez, Community Service Officer
- Patricia Abeyta-Young, Victim Advocate
- Richard Reyes, Detention Supervisor
- Allison Vance, Detention Supervisor (Promotion)
- Angela Romero, Detention Officer
- Jessica Ruiz, Detention Officer
- Amanda Beecham, Dispatcher
- Destyne Rosas, Dispatcher
- Jocelyn Corona, Records Clerk
- Adelita Godinez, Officer
- Jesseca Fernandez, Officer
- Celso Avila, Officer
- Alexander Reyes, Officer
- Dale Wyman, Officer
- Kayden Walsh, Officer
- Marcus Strecker, Officer
- Asitosh Murti, Officer
- Davian Campbell, Officer
- Alfonso Nuza-Ramonetti, Officer
- Officer Lucas Connors, Officer
- Roberto Adame, Officer

b. PROCLAMATION – MONTH OF THE YOUNG CHILD

City Council presented a proclamation recognizing April as the Month of the Military Child. This item was for discussion only.

c. PROCLAMATION – NATIONAL LIBRARY WEEK

City Council presented a proclamation recognizing April 7-13 as National Library Week. This item was for discussion only.

d. PROCLAMATION – WEEK OF THE YOUNG CHILD

City Council presented a proclamation to Valley of the Sun United Way and Arizona Association of Education of Young Children (AzAEYC) recognizing April 6-12 as the Week of the Young Child. This item was for discussion only.

3. UNSCHEDULED PUBLIC APPEARANCES

The City Clerk read the following comment into the record: "We have very serious problems with both excessive truck traffic (as in 18-wheelers) and drivers of cars with souped-up NASCAR-sounding engines/exhausts who are also driving at excessive speeds in the stretch of Van Buren St. between 107th Ave. & 111th Ave. specifically. I'm sure this is a city-wide problem but with our property abutting the community wall along Van Buren, we hear all of this all the time. The trucks don't just make a rumbling sound but actually make our home shake & vibrate; this is now intolerable and must be addressed. The city conducted some very poor planning in having so many commercial businesses allowed to be built to the east of what has now in effect become a residential

area on Van Buren between 107th & Avondale Blvd. which keeps growing what with the new apartments being built in addition to the Mattamy Homes building of the final phase of Roosevelt Park. This truck traffic needs to be banned on Van Buren in this stretch and re-routed which is completely possible. As to the private drivers, the horrendous noise from their vehicles causes us problems getting to sleep at night, staying asleep, and is at all other times a horrible disturbance of the peace. I have been working with APD on this issue and while polite, helpful and responsive, they are simply not doing enough, but I believe thru no real fault of their. I'm sure it's simply due to not having enough officer resources to literally "camp out" along this stretch for a sufficient amount of hours each night to catch these lawless, reckless drivers. The city must do something about this in the form of a zero-tolerance policy that is actually implemented as some other local cities have already done. This lawless, reckless driving behavior has become rampant on the freeways and clearly has spilled onto our local streets as well. It is a public safety hazard and cannot be tolerated. I would like some form of reply from the city about what is going to be done about our concerns, including the status of the traffic light I was told by the Engineering Dept. that Mattamy Homes provided funding for to be installed at the Roosevelt Pkwy. entrances on Van Buren. I also invite all the city leaders to simply spend some time outside actively listening at night and in the early morning to the endless number of vehicles easily heard all around the area literally tearing down the roads...their horrendous noise can even be heard indoors with our windows closed. Thank you."

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 Malone, to approve the Consent Agenda.

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

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

a. MINUTES

City Council approved the February 26, 2024 and March 4, 2024 City Council meeting minutes.

b. SERIES 10 (BEER AND WINE STORE) LIQUOR LICENSE - DODGE CITY MARKET

City Council recommended approval to the Arizona Department of Liquor License and Control of an application for a Series 10 (Beer and Wine Store) Liquor License submitted by Shivani Gaurang Patel for the sale of alcohol at Dodge City Market located at 705 East Main Street in Avondale and authorized the City Clerk to execute the necessary documents.

c. QUARTERLY BUDGET TRANSFER AND ARPA UPDATE

City Council a) approved quarterly budget transfers as summarized in the attached Exhibit A; b) modified the city's American Rescue Plan Act (ARPA) plan as summarized in the attached Exhibit B; and c) facilitated items (a) and (b) by increasing the award authority for the projects, modify the interfund transfer schedule, and authorize Finance and Budget Department staff to take the steps necessary to execute the transfers.

d. RESOLUTION 1031-0424 - AUTHORIZING GRANT ACCEPTANCE FROM ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY FOR COMMUNITY RECYCLING DROP-OFF CENTER

City Council a) adopted Resolution 1031-0424, accepting grant funding from the Arizona Department of Environmental Quality (ADEQ) Community Recycling Drop-Off Center in the amount of \$64,000; b) authorized and directed staff to take all steps necessary to cause the execution of the Agreement and to take all steps necessary to carry out the purpose and intent of this Resolution; and c) authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

e. RESOLUTION 1032-0424 - INTERGOVERNMENTAL AGREEMENT BETWEEN THE SOUTHWEST FAMILY ADVOCACY CENTER (SWFAC) PARTNERING AGENCIES AND THE DEPARTMENT OF CHILD SAFETY (DCS)

City Council adopted Resolution 1032-0424, authorizing an Intergovernmental Agreement (IGA) between the partnering agencies (the City of Avondale, the City of Buckeye, the City of Goodyear, and the Maricopa County Sheriff's) of the SWFAC and DCS and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

f. RESOLUTION 1033-0424 AND 1034-0424 ENTRADA PHASE 2 – MAINTENANCE IMPROVEMENT DISTRICT NO. 43 - APPLICATION PL-23-0153

City Council a) approved a Petition for Formation; b) adopted Resolution 1033-0424, declaring its intention to form the City of Avondale Maintenance Improvement District No. 43, Entrada Phase 2, providing for the assessment; c) adopted Resolution 1034-0424, declaring its intention to order the improvements within the newly established maintenance improvement district, providing for the assessment, declaring an emergency; and d) authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. Entrada Phase 2 is located at the northwest corner of 107th Avenue and Broadway Road.

g. ORDINANCE 2006-0424 - AMENDMENT TO THE INTERNATIONAL BUILDING CODE (IBC) 2018 AS REFERENCED IN MUNICIPAL CODE CHAPTER 4, BUILDINGS AND BUILDING REGULATIONS

City Council adopted Ordinance 2006-0424, amending the 2018 International Building Code (IBC) as referenced in Municipal Code Chapter 4, Buildings and Building Regulations by repealing the adoption of Appendix A, retaining the adoption of Appendices C and I and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

h. ORDINANCE 2007-0424 – ARIZONA PUBLIC SERVICE UTILITY EASEMENT FOR THE AVONDALE POLICE DETENTION CENTER

City Council adopted Ordinance 2007-0424, authorizing the granting of a utility easement to Arizona Public Service (APS) in connection with the Avondale Police Detention Center Project and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

i. ORDINANCE 2008-0424 - AUTHORIZE PURCHASE OF REAL PROPERTY LOCATED AT 190 N. LITCHFIELD ROAD, GOODYEAR, ARIZONA FOR THE SOUTHWEST FAMILY ADVOCACY CENTER

City Council adopted Ordinance 2008-0424, authorizing the City of Avondale to purchase real property for public use from the City of Goodyear and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

j. FINAL PLAT – ENTRADA PHASE 2 – APPLICATION PL-23-0153

City Council approved a request by Daniel Auxier, EPS Group Inc., on behalf of the property owner Meritage Homes of Arizona Inc., for approval of the Entrada Phase 2 Final Plat, and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The proposed Final Plat subdivides approximately 24.8 acres into 177 single family lots (14.4 acres), open space tracts (4.7 acres), and dedicates approximately 5.68 acres of right-of-way and associated public utility easements throughout the subdivision. The subject property is located at the northwest corner of 107th Avenue and Broadway Road.

5. REGULAR AGENDA

a. PUBLIC HEARING – 2024-2025 HUD ANNUAL ACTION PLAN

City Council held a public hearing and received an update on the draft of the City's 2024-2025 Annual Action Plan which is required by the U.S. Department of Housing and Urban Development (HUD) as a condition of the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) funding.

Chris Lopez, Neighborhood and Family Services Director, provided a review of the HUD Action Plan, which is an extension of the five-year consolidated plan and defines program activities and recommends funding allocations. The Annual Action Plan (AAP) details specific activities that occur within a program year, which can be amended depending on the need and environmental factors within the community but

must address the goals within the five-year consolidated plan as outlined during the presentation.

Mr. Lopez provided an overview of the CDBG recommended program activities, funding allocations, and expected outcomes and outputs as listed below. The total anticipated award for the coming year is approximately \$650,000.

- Administration and planning will have \$130,000 allocated to support a Management Analyst, and a portion of the funding will go toward the Housing and Rehab Coordinator.
- Capital Improvement Projects will have \$215,000 allocated for improvements to parks within historic Avondale as well as improvements to the Sam Garcia Library.
- Youth Services will have \$40,000 allocated for the Summer Youth Employment Program for twenty youth within various City departments.
- The Home Repair Program will have \$215,000 allocated for the program. Note residual funds were used last year to rehab ten homes because funds were not allocated to this program.
- Workforce Development will have \$50,000 allocated for Avondale's cost share with the agreement in place with Arizona at Work that has a Workforce Development Coordinator at the Resource Center to assist residents with finding employment.

The recommended activities and funding through HOME were reviewed, noting most of the funds will be used for security and utility deposits. The focus is preventing and addressing homelessness and being able to help residents and households enter safe, affordable housing. The anticipated allocation is \$266,000 which includes a 25% general fund match that totals \$51,000.

The first public hearing was held on February 14, 2024, during a Neighborhood and Family Services Partner Meeting. A draft of the plan was made available to the public in early March. On March 27, 2024, the plan was presented to the Neighborhood and Family Services Commission, who expressed their support for all the program activities and funding levels. Tonight is the third public hearing, and on April 22, 2024, this will be back before City Council for action and possible approval of the plan.

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 voiced support of the workforce housing program.

In response to Council Member Nielson's question, Mr. Lopez explained the process for addressing lead-based paint through the Home Rehab Program.

This item was for discussion only.

b. AVONDALE ANIMAL CONTROL

City Council received information regarding the Avondale Police Department's Animal Control Unit.

Meresa Ruffinelli, Police Support Services Supervisor, provided an overview of the Avondale Animal Control Unit (AACU). This department has two full-time officers and one supervisor and operates seven days a week from 7:00 a.m. to 5:00 p.m. Park Rangers are cross trained to assist with handling animal control matters. A review of AACU responsibilities was provided to include enforcing ordinances; promoting responsible pet ownership; providing low-cost spay/neuter; impounding stray, loose, sick, or injured animals; and investigating/facilitating/prosecuting animal cruelty, among others. Procedures for addressing deceased and injured animals, leash laws, licensing requirements, animal bites, and after-hours stray dogs were discussed. Avondale does not have an animal shelter but partners with the City of Tolleson and Maricopa County Animal Care and Control.

In the State of Arizona, cats are considered free roaming and Animal Control will respond to sick or injured cats. A discussion ensued related to procedures and agencies that assist with feral cats that become a nuisance. Animal cruelty has many components, such as neglect, torture, and failure to provide shelter or medical care, among others, and an owner can be prosecuted. Barking dogs or noise complaints is another area where an owner can be prosecuted. The 2023 statistics note 2,041 animal matters were addressed, with 836 impounds.

Mayor Weise provided a background of the noise ordinances and mentioned the noise ordinance will be discussed at a future City Council meeting. Police Chief Espinoza noted many of the barking dog matters are resolved after bringing the situation to the owners' attention.

In response to a question by Council Member Malone, Ms. Ruffinelli clarified if a message is left after hours, a call will be returned first thing in the morning. If a call for service is received during business hours, the response time is less than 15 minutes. Chief Espinoza noted officers handle animal calls after hours.

Council Member Solorio thanked staff for the presentation, allowing City Council and residents to be aware of the process.

In response to a question by Vice Mayor Pineda, Ms. Ruffinelli clarified what is considered appropriate shelter for an animal.

Mayor Weise noted the need to educate pet owners on the importance of microchipping pets.

This item was for discussion only.

c. RESOLUTION 1035-0424 - AMENDMENTS TO THE PERSONNEL POLICIES AND PROCEDURES, CHAPTER 4 RECRUITMENT & SELECTION

City Council considered a request to adopt Resolution 1035-0424, amending the Personnel Policies and Procedures Chapter Policy 4, Recruitment and Selection related to hiring youth under age 18; revising the process for extending original and promotional probationary periods; revising the timeframe for original and promotional probationary evaluations to be completed; revising the timeframe associated with extensions of promotional probation; and clarifying available actions that can be taken when promotional probation is unsuccessful.

Andy Mesquita, Human Resources Director, presented an overview of revised language within the Personnel Policies and Procedures noting many currently exists in practice but the language changes memorialize it into the policies.

- Minimum age of applicants — This section was previously amended to allow the hiring of youth in temporary positions and is coming back for further revision to allow flexibility to hire youth for part-time positions. The language would read *“We follow all applicable State and Federal laws regarding minimum age required for employment.”*
- Authority — The added language will ensure the City Manager is included in decisions regarding the City’s recruitment and selection process. Presently, the authority to make significant decisions that impact policy interpretation related to recruitment and selection lies solely with the Human Resources Director.
- Probationary Period — The added language clarifies positions designated as “at-will” are not subject to a probationary period. Positions identified as “at-will” were presented to the City Council last year and are specific to Department Directors, Assistant City Managers, and Deputy City Managers hired after October 30, 2023. These positions do not get a probationary period because they continuously serve the City Manager and can be released with or without cause and without appeal rights.
- Original Probation Duration — The revised language provides clarity and consistency for a 12-month duration, which is the original probationary period. Presently, the language indicates the probationary period is subject to what is indicated in the offer letter.
- Original Probation Duration (Police and Fire) — The added language clarifies new recruits going through the academy will be on probation during the education period, but a new 12-month probationary period will begin once they become sworn officers.
- Extensions of Original Probation — The added language provides clarity on the timeframe associated with extending an employee's original probation and streamlines the process, which includes working with Human Resources and

providing written notice of the extension to the employee prior to the end of the 12-month probationary period.

- Performance Evaluation — The added language indicates the hiring manager or supervisor has 30 days to complete a performance evaluation upon successful completion of probation.
- Completing Original Probation Early — The current language remains with the addition of adding the City Manager to evaluate the request.
- Accrual of Leave During Probation — The language was enhanced to clarify probationary employees follow normal policy and will accrue and use leave in accordance with City policy.
- Demotion and Dismissal During Original Probation — This adds clarifying language that notice must occur prior to the end of the 12-month probationary period.
- Promotional Probation — The added language clarifies and assures alignment with details regarding the duration of promotional probation. Most employees who are promoted will serve a six-month promotional probationary period. However, the Public Safety department employees, including the Police and Fire Departments, are required to serve a 12-month promotional probationary period.
- Extensions of Promotional Probation — This process is like the original probation extension, except the employees who have a six-month promotional probationary period can receive up to a 12-month extension. Public Safety employees can receive up to a six-month extension.
- Performance Evaluation Promotional Probation — Like the original performance evaluation, the promotional performance evaluation must be completed within 30 days of successfully completing probation.
- Appeal Rights — This clarifies the language that employees on original probation can be demoted or dismissed without any right of appeal because they have not successfully completed the probationary period. Involuntary demotions are not subject to an appeal and dismissals during promotional probation are subject to the appeal process.
- Demotion and Dismissal of Promotional Probation Employees — The revised language clarifies the options available when an employee is unsuccessful during their promotional probationary period. An employee who is demoted while on probation is not required to serve a new probationary period unless an original probation period has not been completed. Language related to the reduction in force (RIF) was removed as an option.

Mayor Weise commended the improvements in these policies, especially the RIF language change in addition to the appeal process.

In response to Council Member Neilson, Mr. Mesquita explained probationary policies are not part of negotiations and these changes would not be affected by an MOU.

Council Member Solorio moved to adopt Resolution 1035-0424, amending the Personnel Policies and Procedures Chapter Policy 4, Recruitment and Selection, 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 7 to 0.

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

d. PRESENTATION AND DISCUSSION OF THE CITY MANAGER'S RECOMMENDED BUDGET

City Council received a general overview of the City Manager's proposed budget for fiscal year 2025 (FY2025).

Keith Fallstrom, Finance and Budget Assistant Director, provided an overview of changes to the City Managers FY2025 proposed budget since last month. A brief review of the calendar for the phases of the budget process was provided. Changes discussed are as follows:

- The FY2024 projection includes the purchase of the building for Southwest Family Advocacy Center as approved in today's consent agenda for \$5 million.
- The FY2025 Budget has two CIP projects that were refined:
 - Police Communications Bureau Remodel, which increased by \$2.4 million
 - Fire training tower, which increased by \$562,000
- FY2026 and beyond now incorporate the annual lease of the Southwest Family Advocacy Center building.

The General Fund forecast remains relatively balanced, with revenues exceeding expenses. FY26/27 is very close due to the reduction in the Residential Rental Tax and revenue from the Flat Tax. One-time revenues and expenses show the spending down of balances accrued over the years, but everything is still in good shape. The

amount of money in the General Fund remains above the stabilization and capital reserve. The goal is to spend taxpayer's money wisely.

The prioritization within this budget is to attract and retain qualified employees, and the budget includes compensation and benefit increases, a compensation study, and 13.4 additional FTEs. Current programs will be maintained, including the homeless services, covering additional recycling costs, and permitting software improvements. Expanding or adding new programs includes summer camp, website updates, and adjustments to WeRIDE services to meet demands. Work will continue with current projects, such as the Detention Center, Fire Station, and Reclamation Facility Expansion. New requests include the Fire Training Tower and micro-surface in Avondale.

Next steps will include meeting with the City Council regularly through June, with the adoption of the Final Budget on June 3, 2024.

Mayor Weise recommended that the view of the budget stay flexible when it comes to obtaining employees and watching revenue.

This item was for discussion only.

6. SUMMARY OF CURRENT EVENTS FROM MAYOR, VICE MAYOR, AND COUNCIL MEMBER

Council Member Nielson thanked those who participated in the Health and Resource Fair on Saturday. It was successful and helpful to the community.

Mayor Weise mentioned Norton Circle and how well that went, noting it was expanded to 100 homes.

Council Member White discussed her experience on the River Bottom Tour with the City Manager and the Police Department.

Mayor Weise mentioned the First Things First Statewide Executive Board will be visiting Neighborhood and Family Resources for a tour, lunch, and sit-down with himself and Chris. Council Members are welcome to come by.

7. ADJOURNMENT

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

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

Council Member Conde	Aye
Council Member Malone	Aye
Council Member Nielson	Aye

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

The meeting was adjourned at 07:35 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 Regular Meeting of the Council of the City of Avondale held on the 8th day of April 2024. I further certify that the meeting was duly called and held, and that the quorum was present.

Marcella Sarmiento, City Clerk

Date Approved by City Council

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
CITY COUNCIL CHAMBER
April 22, 2024

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 5:32 p.m.

Mayor Kenn Weise led the Pledge of Allegiance, followed by a moment of silent reflection in remembrance of Sarah Selby, wife of Sergeant Josh Selby, who passed away.

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

Members Absent (Excused): Council Member Veronica Malone.

Other Municipal Officials Present: Ron Corbin, City Manager; Tracy Stevens, Assistant City Manager; Nicholle Harris, City Attorney; Marcella Sarmiento, 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; Craig Jennings, Judge; Chris Lopez, Neighborhood and Family Services Director; Andy Mesquita, Human Resources Director; Kimberly Moon, Engineering Director; Mark Neerings, Assistant Chief Information Officer; Jodie Novak, Development Services Director; John Reddy, Facilities Manager; Abril Ruiz-Ortega, Court Administrator; Larry Rooney, Fire Chief; Pier Simeri, Marketing and Public Relations Director; and Renee Weatherless, Finance and Budget Director.

Audience: Approximately 100 members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. PRESENTATION ITEMS (DISCUSSION ONLY)

a. EMPLOYEE INTRODUCTIONS

The following employees were presented to City Council. This item was for discussion only.

Information Technology

- Shawn Roshid, Sr. Network Engineer
- Matthew Hu, GIS Technician

Neighborhood & Family Services Department

- Stacy Arellano, Neighborhood & Family Services Coordinator
- Stacey Himes, Neighborhood & Family Services Specialist
- Sofia Lopez, Senior Programs Assistant

b. PROCLAMATION – BUILDING SAFETY WEEK

City Council presented a Proclamation recognizing the week of May 6-10, 2024, as Building Safety Week in the City of Avondale. This item was for discussion only.

c. PROCLAMATION – COMMITMENT TO VOLUNTEERISM

City Council presented a Proclamation recognizing April as National Volunteer Month. This item was for discussion only.

d. HOLIDAY SCHOOL SPIRIT FOOD DRIVE AWARDS PRESENTATION

City Council recognized schools that participated in the 2023 Holiday School Spirit Food Drive and provide special recognition to the schools that generated the greatest amount of food to support the community. This item was for discussion only.

Participating Schools:

- Avondale Middle School
- Canyon Breeze Elementary School
- Lattie Coor School
- Michael Anderson School
- STAR Academy

2023 School Spirit Food Drive – Top 3 Schools:

- West Point High School – 3rd Place
- Estrella Vista STEM Academy – 2nd Place
- Imagine Schools Avondale Elementary and Middle – 1st Place

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

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

- Damien Gonzalez
- Esperanza Acuna
- Axcell Navarro
- Daniel Wong Amarom
- Benjamin Martinez
- Jordan Erive
- Ava Minarik

3. UNSCHEDULED PUBLIC APPEARANCES

None.

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 Solorio, seconded by Council Member Nielson, to approve the Consent Agenda.

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

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

a. MINUTES

City Council approved the March 25, 2024 City Council meeting minutes.

b. APPOINTMENT OF VICE CHAIR TO THE PLANNING COMMISSION

City Council appointed Julia Jewell as the Vice Chair of the Planning Commission for the remainder of the 2024 calendar year and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

c. APPOINTMENT TO SUSTAINABILITY COMMISSION

City Council promoted Daniel Smith-Castillo from an Alternate Member to a Regular Member of the Sustainability Commission and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

d. RESOLUTION 1036-0424 - AUTHORIZING GRANT ACCEPTANCE FROM THE OFFICE OF THE ATTORNEY GENERAL FOR THE CHILD AND ADVOCACY CENTERS (OPIOID FOCUS) GRANT

City Council a) adopted Resolution 1036-0424, approving the acceptance of the Child and Family Advocacy Centers Grant through the Office of the Attorney General for \$62,689.71; b) authorized the necessary budget transfers associated with this grant; and c) authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

e. RESOLUTION 1037-0424 - AGREEMENT WITH THE CITY OF PEORIA FOR THE TEMPORARY ASSIGNMENT OF DECLARED FIRM LEASE CAPACITY IN THE NEW RIVER AGUA FRIA UNDERGROUND STORAGE PROJECT (NAUSP)

City Council adopted Resolution 1037-0424, approving an Agreement with the City of Peoria for the Temporary Assignment of Declared Firm Lease Capacity in the New River and Agua Fria Underground Storage Project (NAUSP) and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

f. RESOLUTION 1038-0424 - INTERGOVERNMENTAL AGREEMENT WITH THE SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY TO EXTEND THE INTERGOVERNMENTAL AGREEMENT FOR AN ADDITIONAL TWO-YEAR TERM FOR JURY SERVICES

City Council adopted Resolution 1038-0424, authorizing an Intergovernmental Agreement (IGA) with the Superior Court of Arizona in Maricopa County to take the option to extend the IGA for an additional two-year term to provide jury services for the Avondale City Court and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

g. RESOLUTION 1039-0424 - INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF GLENDALE FOR FIRE AND MEDICAL SERVICE STAFFING

City Council adopted Resolution 1039-0424 authorizing an Intergovernmental Agreement with the City of Glendale for fire and medical service staffing and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

h. RESOLUTION 1040-0424 - 2024-2025 HUD ANNUAL ACTION

City Council adopted Resolution 1040-0424, approving the City's 2024-2025 Annual Action Plan, identifying housing and community development needs and strategies and defining how Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) funds will be allocated next fiscal year and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

5. REGULAR AGENDA

a. FISCAL YEAR 2025 CONTRIBUTIONS ASSISTANCE PROGRAM

Staff provided an update to City Council regarding the Contributions Assistance Program, including an overview of eligibility requirements, funding levels, and evaluation criteria for the Fiscal Year 2024-2025. This item was for discussion and feedback only.

Edith Baltierrez, Assistant Director of Neighborhood and Family Services, provided an overview of the Contributions Assistance Program which included the background and history of the program, update on non-profit agencies funded in

the current fiscal year, criteria overview, review of the application process and timeline, and the maximum award amount.

Due to an American Rescue Plan Act (ARPA) grant, the award proposal per project has increased from \$10,000 to \$20,000. There were 33 total agencies funded in the current fiscal year, including 7 new award recipients. All fiscal year 2024 recipients are on track to expend their funds by June 30, 2024, the end of the fiscal year.

Council Members Malone, Conde, and Nielson are appointed to the Council Subcommittee that meets annually to review applications and make funding recommendations.

In response to a question by Council Member Nielson, Ms. Baltierrez, explained the various methods used to provide the community with information about the application process, such as social media, an email distribution list, the website and a media release.

Council Member Conde thanked Ms. Baltierrez and her staff for assisting applicants through the process as well as the City Manager, the Mayor, and the Council for supporting the program. She noted how vital all of the programs are to the community.

- b. POLICE DEPARTMENT'S RESPONSE TO LOUD NOISE CALLS FOR SERVICE**
City Council was to receive information regarding the Avondale Police Department's response to loud noise calls for service. **This item was pulled from the agenda at the request of Mayor Weise and will be brought back at a future date.**

c. 2023 CITIZEN SURVEY

Staff, along with representatives from the National Community Survey, Inc. (NCS), will report on the results of the 2023 National Citizen Survey conducted this past winter in Avondale. This item was for discussion and feedback only.

Pier Simeri, Director of Marketing and Public Relations, provided an introduction of the agenda item and introduced the guest speaker.

Jason Neumeyer, Survey Associate with Polco, provided an overview of Polco and National Research Center (NRC) noting they provide local governments with the data needed to make informed decisions while making resident voices heard through a standardized comprehensive survey. Polco and NRC merged in 2019 and became exclusive partners with ICMA and the National League of Cities among others.

There were 3,000 randomly selected households within Avondale selected to participate in the survey. The survey, that was written in both English and Spanish, began on November 6, 2023, and ended on December 31, 2023. A total of 184

completed surveys were received, providing a 7% response rate and a +/- 7% margin of error. A second online survey open to all residents ran from December 1 to December 31, 2023, with 44 participants.

The results of the recent survey were reviewed, including how Avondale compared against national benchmarks set using the same survey and also how it compared to the same survey done in Avondale in 2018. It was noted that two multipart questions were asked related to the quality of community livability in Avondale. Participants were asked to rank 10 facets of community livability on both the current quality and future importance of each facet. This information was used to create the quality importance matrix and identify key findings.

Key findings discussed and compared to the 2018 results include the following.

1. Avondale residents experience a high quality of life and appreciate many aspects of the City's leadership and governance.
2. The economy is a top priority, and residents show concern about general affordability and their own economic outlook.
3. While residents generally feel safe in Avondale, declining ratings in this area may indicate an opportunity for growth.
4. Residents consider mobility a priority and show some concern about traffic flow.

Mayor Weise discussed the number of participants in the survey, the results that were not necessarily surprising, and if the statistical numbers are a true representation of how Avondale residents feel.

In response to questions, Mr. Neumeyer noted survey participation has been declining over the past 20-25 years with an average response rate between 12 – 30%. Random sampling method allows for a margin of error to be provided and the higher the participation rate the lower the margin of error. The results are statistically weighted, making the results representative of the actual make-up of Avondale. Weighting is a research survey best practice to help improve the representativeness of the final results. The results are valid, but they have a plus or minus 7% margin of error. The timing of the survey was discussed.

A discussion ensued regarding the survey not including businesses or visitors and drilling down questions. When comparing results to other communities it is best to start with the Balancing Quality and Importance and National Benchmarking charts included in the report.

City Manager Corbin explained the Parks and Recreation touch point survey will not be comparable to the NCS survey mainly because it is not Avondale resident specific. He continued to discuss the validity of the results of the NCS survey, the

positive outlook for Avondale, and the items that the City Council is already addressing because "we can always do better".

6. SUMMARY OF CURRENT EVENTS FROM MAYOR, VICE MAYOR, AND COUNCIL MEMBERS

None.

7. ADJOURNMENT

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

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

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

The meeting was adjourned at 7:14 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 Regular Meeting of the Council of the City of Avondale held on the 22nd day of April 2024. I further certify that the meeting was duly called and held, and that the quorum was present.

Marcella Sarmiento, City Clerk

Date Approved by City Council

ITEM NUMBER: 4.b.

SUBJECT: Vehicle Purchase Budget and Award Authority

MEETING DATE: 5/6/2024

TO: Mayor and Council

FROM: Kirk Beaty, Public Works Director

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

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

STRATEGIC PLAN:

Innovative Program and Service Delivery: Avondale will continue to serve as a model of innovative, efficient, and responsive government. This proactive action ensures that the City can maintain essential government services through timely replacement of aging components of the vehicle fleet.

PURPOSE:

City Council will consider a request to: (a) approve a budget amendment in the amount \$432,500 from the Unanticipated Revenue line item for the purpose of ordering replacement vehicles scheduled for FY2025; (b) authorize administrative award authority for the outlined vehicle purchases; and (c) authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

The automotive industry has experienced massive disruptions to their supply chain for parts and microchips to produce new vehicles. This, in turn, has caused major delays in delivering vehicles to customers. Vehicle manufacturers are limiting the number of vehicles that can be ordered and are allotting only a specific number of vehicles that will be sold by each of their regions in the United States. Manufacturers open order banks for new vehicles, but the time to order is limited based on these allotments. Once allotments are reached, order banks are closed for the year. Order banks will open in the 4th quarter of FY2024, before FY2025 funds are appropriated. Currently, the City of Avondale has experienced long delays in new vehicle deliveries, and we will continue to experience challenges in ordering new vehicles for the foreseeable future.

DISCUSSION:

The Public Works Fleet Services Division is seeking to order FY2025 replacement vehicles in the fourth quarter of FY2024 when the order banks are open in anticipation of receiving these vehicles by FY2025 second quarter. This proactive approach will limit the further delays in replacing vehicles in a timely manner. This action is for replacement vehicles only as included in the attached list. New vehicles will be ordered during the FY2025 ordering window when they become available. Last fiscal year, City Council approved a similar measure, and this in turn facilitated the City's ability to procure vehicles and equipment in a timely manner.

BUDGET IMPACT:

The \$432,500 appropriation necessary to facilitate the commitment to purchase these vehicles exists in the Unanticipated Revenue line item and will be transferred to the appropriate department vehicle line items. This action does not commit the City to any additional expenditures that were not previously planned for in the recommended FY2025 budget.

RECOMMENDATION:

Staff recommends City Council (a) approve a budget amendment in the amount \$432,500 from the Unanticipated Revenue line item for the purpose of ordering replacement vehicles scheduled for FY2025; (b) authorize administrative award authority for the outlined vehicle purchases; and (c) authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Contact person for document distribution: Harold Siguenza, Suzie Hunter

Unit #	Year	Make	Model	Department	Cost
1924	2015	Chevrolet	Silverado	Police Department	\$90,500
1927	2015	Chevrolet	Silverado	Public Works	\$52,000
1973	2016	Ford	F-150	Public Works	\$52,000
1976	2016	Ford	F-150	Public Works	\$52,000
1986	2016	Chevrolet	Silverado	Public Works	\$52,000
2107	2018	Chevrolet	Impala	Police Department	\$44,000
2129	2018	Ford	F-350	Engineering	\$90,000

ITEM NUMBER: 4.c.

SUBJECT: Resolution 1041-0524 – Termination of an Intergovernmental Agreement with the City of Tolleson for the Deannexation and Annexation of Van Buren Street Right-of-Way

MEETING DATE: 5/6/2024

TO: Mayor and Council

FROM: Kimberly Moon, Director, Engineering Department

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:

- 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.

The approval of this agenda item will maintain and expand quality infrastructure and improve connectivity to City amenities.

PURPOSE:

City Council will consider a request to adopt Resolution 1041-0524, authorizing the termination of an Intergovernmental Agreement with the City of Tolleson for the deannexation and annexation of the eastbound lanes of Van Buren Street right-of-way from 99th Avenue to 107th Avenue 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 February 6, 2023, City Council adopted Resolution 1009-0223 authorizing an Intergovernmental Agreement (IGA) with the City of Tolleson (Tolleson) for the deannexation and annexation of the eastbound lanes of Van Buren Street right-of-way from 99th Avenue to 107th Avenue.

Van Buren Street is an arterial roadway between 99th Avenue and 107th Avenue. The City of Avondale's (Avondale) roadway limits currently extend 33 feet south of the Van Buren Street section line, putting both westbound and eastbound travel lanes within Avondale's city limits. This right-of-way was conveyed to Avondale and the City adopted Ordinance No. 951-03 on August 18, 2003, that extended the corporate boundaries of the City by annexing Maricopa County right-of-way. The private properties on the north side of this section of Van Buren Street are located within Avondale. The private properties located on the south side of the section of Van Buren Street are within Tolleson's city limits.

Avondale and Tolleson have different standards for driveway spacing along arterial roadways. Upon further review with Tolleson regarding how development on the south side was analyzed and permitted, along with observations since the development occurred, the risks associated with different standards of driveway spacing have not resulted in significant issues to date. Having the full right-of-way width within one jurisdiction helps provide clarity as it relates to other considerations such as emergency response and maintenance responsibilities, instead of splitting the right-of-way between two jurisdictions. The cities will continue to coordinate with each other on future developments along the jurisdictional border between Avondale and Tolleson as needed.

DISCUSSION:

After further review and discussion, Avondale and Tolleson wish to terminate the IGA. Avondale will retain and continue to maintain the 33' southernmost portion of Van Buren Street right-of-way.

BUDGET IMPACT:

There is no impact to the budget for this action.

RECOMMENDATION:

Staff recommends City Council adopt a Resolution authorizing the termination of an Intergovernmental Agreement with the City of Tolleson for the deannexation and annexation of Van Buren Street right-of-way and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

Contact person for document distribution: Yulonda Moore

RESOLUTION NO. 1041-0524

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, APPROVING THE TERMINATION AGREEMENT FOR THE INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF TOLLESON RELATING TO THE DEANNEXATION OF VAN BUREN STREET RIGHT-OF-WAY.

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

SECTION 1. The Termination Agreement for the Intergovernmental Agreement with the City of Tolleson relating to the deannexation of Van Buren Street right of way (the “Termination Agreement”) 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 Termination Agreement and execute all documents 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, May 6, 2024.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Sarmiento, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 1041-0524

[Termination Agreement]

See following pages.

WHEN RECORDED, RETURN TO:

City of Tolleson
City Clerk
9055 West Van Buren Street
Tolleson, Arizona 85353

TERMINATION AGREEMENT

THIS TERMINATION AGREEMENT ("Termination Agreement") is made and entered into _____, 2024 by and between the City of Tolleson, an Arizona municipal corporation ("Tolleson"), and the City of Avondale, an Arizona municipal corporation ("Avondale"). Avondale and Tolleson may be referred to herein individually as a "Party" or collectively as the "Parties."

RECITALS

A. Tolleson and Avondale entered into that certain Intergovernmental Agreement, between the City of Tolleson and the City of Avondale for the annexation/deannexation of a portion of Van Buren Street right-of way, an arterial roadway between 99th Avenue and 107th Avenue, dated January 10, 2023 (the "IGA").

B. Avondale and Tolleson now desire to terminate the IGA (Maricopa County Recorded Document Number 20230075222).

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals, which are incorporated herein by reference, the following mutual covenants and conditions, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1.1 Termination. Upon approval by the respective councils of Tolleson and Avondale, the IGA shall be terminated and be of no further force or effect.

1.2 Counterparts. This Termination Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. The signature pages from one or more counterparts may be removed from such counterparts and such signature pages all attached to a single instrument so that the signature of all Parties may be physically attached to a single document.

1.3 Further Acts. Each of the Parties hereto shall execute and deliver all such documents and perform all such acts as reasonably necessary, from time to time, to carry out the matters contemplated by this Termination Agreement.

IN WITNESS WHEREOF, the City of Tolleson and the City of Avondale have executed this Agreement effective the date first above written.

CITY OF TOLLESON

CITY OF AVONDALE

By: _____
Reyes Medrano Jr., City Manager

By: _____
Ron Corbin, City Manager

ATTEST:

ATTEST:

By: _____
Crystal Zamora, City Clerk

By: _____
Marcella Sarmiento, City Clerk

In accordance with the requirements of A.R.S. § 11-952(D), the undersigned attorneys acknowledge that (i) they have reviewed the above Agreement on behalf of their respective clients and that (ii) as to their respective clients only, each attorney has determined that this Agreement is in proper form and is within the powers and authority granted under the laws of the State of Arizona.

By: _____
Justin S. Pierce, City Attorney
for the City of Tolleson

By: _____
Nicholle Harris, City Attorney
for the City of Avondale

ITEM NUMBER: 4.d.

SUBJECT: Resolution 1042-0524 - Intergovernmental Agreement (IGA) with Maricopa County for GIS data and imagery services

MEETING DATE: 5/6/2024

TO: Mayor and Council

FROM: Jeff Scheetz, Chief Information Officer

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:

- Public Health and Safety - Avondale is a city where all people feel safe and secure, relying on trusted public and community-based resources.
 - Innovative Program and Service Delivery – Avondale will continue to serve as a model of innovative, efficient, and responsive government.
-

PURPOSE:

City Council will consider a request to adopt Resolution 1042-0524, authorizing an Intergovernmental Agreement (IGA) between the partnering agencies of the City of Avondale and Maricopa County and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

Maricopa County has recently engaged in a contract, Serial 220229-RFP, to access GIS data and imagery services. This contract enables the County to share costs with other jurisdictions within Maricopa County. Several jurisdictions are involved in procuring these services collectively, resulting in a cost advantage for both the County and the City compared to individual procurement.

DISCUSSION:

The IGA between the partnering agencies is for the collaborative use GIS data and services. The term for this IGA shall remain in effect with the Maricopa County contract until August 31, 2025, unless it is terminated according to the terms and conditions of this agreement.

BUDGET IMPACT:

The City of Avondale participates in cost-sharing for the annual GIS aerial imagery flight with the County. The County will send an invoice to the City for these costs, which were determined based on a quote accepted by the City and the County for requested Imagery services and GIS Data. The city's annual invoice for GIS aerial imagery amounts to approximately \$12,000. Our Information Technology department includes this amount in its annual budget to support our ongoing cost-sharing program with the County.

RECOMMENDATION:

Staff recommends City Council adopt a Resolution authorizing an IGA between the City of Avondale and Maricopa County and authorize the Mayor, or City Manager, City Attorney, and City Clerk to execute the necessary documents.

Contact person for document distribution:

RESOLUTION NO. 1042-0524

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, APPROVING THE INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY BY AND THROUGH THE OFFICE OF ENTERPRISE TECHNOLOGY RELATING TO GIS DATA AND IMAGERY SERVICES.

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

SECTION 1. The Intergovernmental Agreement between the City of Avondale (the “City”) and the Office of Enterprise Technology at Maricopa County (the “County”), to define the responsibilities of the City and County for cost sharing and data sharing for GIS data and imagery services (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, May 6, 2024.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Sarmiento, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 1042-0524

[Agreement]

See following pages.

**INTERGOVERNMENTAL AGREEMENT
BETWEEN
MARICOPA COUNTY BY AND THROUGH THE OFFICE OF ENTERPRISE
TECHNOLOGY
AND
THE CITY OF AVONDALE**

1.0 PARTIES

- 1.1 This Intergovernmental Agreement ("Agreement") provides a binding agreement between Maricopa County by and through the Office of Enterprise Technology (collectively, "County") and the City of Avondale (referred to as the "City") for GIS data and Imagery Services through cost sharing. Maricopa County is authorized to enter into this Agreement under A.R.S. § 11-952 for the purposes of exercising joint powers or contracting for services.

2.0 PURPOSE

- 2.1 This Agreement outlines the responsibilities of each of the parties for the request and delivery of GIS data and Imagery Services through the County SERIAL 220229-RFP AERIAL IMAGERY SERVICES listed in Attachment A. The Parties agree to cooperate and assist each other in meeting the mutual obligations and duties of each office because it is good public policy and benefits the citizens of Maricopa County.

3.0 DEFINITIONS

- 3.1 Cost Sharing includes the City agreeing to the cost of identified services listed with the County RFP Serial 220229-RFP that will not exceed the listed cost of these services. As multiple jurisdictions participate in purchasing the same listed services the cost benefit to the County and the Town can be less than the stated service cost.
- 3.2 Imagery Services are defined within the County RFP Serial 220229-RFP listed in Attachment A and includes a description of all services and their costs.
- 3.3 GIS Data includes Geographic Information Systems data that Maricopa County and the City maintain under their normal operations. This data will be identified at a later date based on mutual agreement and cost between the County's Geographic Information Officer and the GIS Technician/CAD Operator.
- 3.4 Imagery Flight is defined as the time the County contracts with a vendor to fly and delivery imagery services over a given period defined by the County.

4.0 TERM OF AGREEMENT:

- 4.1 This Agreement shall become effective upon approval and execution by the County for a period to coincide with the term of the County Serial 220229-RFP agreement, with the option to renew by mutual agreement for an agreed upon term.

5.0 RESPONSIBILITIES OF PARTIES

5.1 COUNTY Responsibilities:

- 5.1.1 Coordinate the Imagery Services project and provide updates with the vendor and the City.
- 5.1.2 Represent the County and the City interests for Imagery services with the vendor.
- 5.1.3 Provide the City with necessary instructions and documentation related to services performed and GIS Data shared.
- 5.1.4 Provide timely and accurate quotes and billing for all services performed.

5.2 The CITY Responsibilities:

- 5.2.1 Have requests come from the GIS Technician/CAD Operator to ensure coordination of all requests and delivery of all Imagery Services and GIS Data.
- 5.2.2 Provide County with appropriate and timely GIS Data to be delivered to the vendor of requested areas for Imagery Services.
- 5.2.3 Comply with all requests from County made in good faith, related to providing delivery of requested Imagery Services and GIS Data.
- 5.2.4 Notify County as soon as possible about any conflicts that might arise causing the City to cancel their request for Imagery Services and GIS Data.
- 5.2.5 Promptly, within 30 calendar days of receipt, pay invoices submitted by County. If any portion of an invoice is disputed, the City shall remit the undisputed amount.

6.0 TERMINATION

- 6.1 This Agreement is subject to cancellation as provided by A.R.S. § 38-511.
- 6.2 In the event any conflict or dispute arises, the Parties agree to make every effort to reconcile conflicts and make reasonable provisions to ensure neither party will suffer as a consequence of conflict.

- 6.3 Either party may terminate this Agreement any time upon by delivering a written notice of termination to the other party 30 days in advance of the requested date of termination. Such notice shall be given by personal delivery or by registered or certified mail.
- 6.4 Either party may terminate this agreement if funds available to participate in the agreement are no longer available by virtue of an act of the County Board of Supervisors or The City of Avondale.

7.0 FUNDING

- 7.1 County shall invoice and receive reimbursement from the City for the costs identified through a quote received and accepted by the City from the County based on Imagery services and GIS Data requested.

8.0 AMENDMENTS

- 8.1 Any changes to this agreement shall be implemented by a written amendment signed by both parties.

9.0 NOTICES

- 9.1 Communication and details concerning this Agreement shall be directed to the following contract representatives:

Maricopa County:

Kevin LaVallee – GIS Director
Office of Enterprise Technology
301 S. 4th Ave, Suite 200
Phoenix, Arizona 85003
Kevin.LaVallee@maricopa.gov
(602) 506-2954

City of Avondale:

Jeff Scheetz - CIO
Information Technology
11465 W. Civic Center Dr.
Avondale, AZ 85323
jscheetz@avondaleaz.gov
(623) 333-5011

10.0 EMPLOYMENT DISCLAIMER

- 10.1 This Agreement is not intended to constitute, create, give rise to, or otherwise recognize a joint venture agreement, partnership or other formal business association or organization of any kind, and the rights and obligations of the parties shall be only those expressly set forth in this Agreement.

11.0 INDEMNIFICATION

- 11.1 Each party (as "Indemnitor") agrees to the extent allowed by law, indemnify, defend, and hold harmless the other party (as "Indemnitee") from and

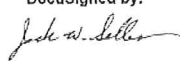
against any and all claims, losses, liability, costs, or expenses (including reasonable attorneys' fees) (collectively referred to as "Claims") arising out of bodily injury (including death) of any person or property damage, but only to the extent that such Claims which result in vicarious/derivative 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.

12.0 COMPLIANCE WITH APPLICABLE LAWS

Each party shall comply with all applicable laws, ordinances, executive orders, rules, regulations, standards, and codes of the federal, state, and local governments whether or not specifically referenced, including, but not limited to the following:

- 12.1 Unless exempt under federal law, both parties shall comply with Title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act, and State Executive Order No. 75-5, as updated in State Executive Orders Nos. 99-4, 2023-01, and 2023-09, which mandate that all persons, regardless of race, color, religion, sex, age, national origin, or political affiliation, shall have equal access to employment opportunities. Both parties shall comply with the Rehabilitation Act of 1973, as amended, which prohibits discrimination in the employment of qualified persons because of physical or mental disability. Both parties shall comply with the requirements of the Fair Labor Standards Act of 1938, as amended.
- 12.2 Both parties shall comply with Title VI of the Civil Rights Act of 1964, which prohibits the denial of benefits of, or participation in, contract services on the basis of race, color, or national origin. Both parties shall comply with the requirements of Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination on the basis of disability, in delivering contract services; and with Title II of the Americans with Disabilities Act, and the Arizona Disability Act, which prohibits discrimination on the basis of physical or mental disabilities in the provision of contract programs, services, and activities.

FOR AND ON BEHALF OF MARICOPA COUNTY:

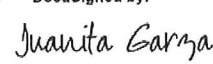
DocuSigned by:

E505D0358725444

Jack Sellers, Chairman
Board of Supervisors

3/19/2024

Date

Attested to:

DocuSigned by:

419B38BF6C6545C...

Juanita Garza, Clerk of the Board

3/20/2024

Date



Deputy County Attorney

3/14/2024

Date

FOR AND ON BEHALF OF THE CITY:

Kenneth N. Weise, Mayor
City of Avondale

Date

Attested to:

Marcella Carrillo, City Clerk

Date

City Attorney

Date

Pursuant to A.R.S. § 11-952, the Maricopa County Attorney's Office has determined that this Intergovernmental Agreement is within the powers and authority granted under the laws of the State of Arizona.

**ATTACHMENT A
TO
INTERGOVERNMENTAL AGREEMENT
BETWEEN
MARICOPA COUNTY BY AND THROUGH THE OFFICE OF ENTERPRISE
TECHNOLOGY
AND
THE CITY OF AVONDALE**

[Maricopa County Contract #220229-RFP]

See following pages.

SERIAL 220229-RFP **AERIAL IMAGERY SERVICES**
Contract - Pictometry Inc., dba EagleView

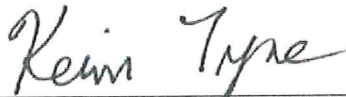
DATE OF LAST REVISION: December 28, 2023 CONTRACT END DATE: August 31, 2025

CONTRACT PERIOD THROUGH AUGUST 31, 2025

TO: All Departments
FROM: Office of Procurement Services
SUBJECT: Contract for **AERIAL IMAGERY SERVICES**

Attached to this letter is published an effective purchasing contract for products and/or services to be supplied to Maricopa County activities as awarded by Maricopa County on **December 28, 2023 (Eff. 01/01/2024)**.

All purchases of products and/or services listed on the attached pages of this letter are to be obtained from the vendor holding the contract. Individuals are responsible to the vendor for purchases made outside of contracts. The contract period is indicated above.



Kevin Tyne, Chief Procurement Officer
Office of Procurement Services

BW/mm
Attach

Copy to: Office of Procurement Services
 Kevin LaVallee, OET

(Please remove Serial 220120-CI from your contract notebooks)



CONTRACT AERIAL IMAGERY SERVICES 220229-RFP

This contract ("Contract") is entered into this 28th day of December, 2023 by and between Maricopa County ("County"), a political subdivision of the State of Arizona, and Pictometry Inc., dba EagleView, a New York corporation ("Contractor" or "Vendor") for the purchase of oblique and related imagery services.

1.0 CONTRACT TERM

This Contract is for a term of one year and eight months, beginning on the 1st day of January, 2024 and ending the 31st day of August, 2025.

2.0 OPTION TO RENEW

The County may, at its option and with the concurrence of the Contractor, renew the term of this Contract up to a maximum of seven (7) additional year(s), (or at the County's sole discretion, extend the Contract on a month-to-month basis for a maximum of six months after expiration). The Contractor shall be notified in writing by the Office of Procurement Services of the County's intention to renew the contract term at least 60 calendar days prior to the expiration of the original contract term.

3.0 CONTRACT COMPLETION

In preparation for contract completion, the Contractor shall make all reasonable efforts for an orderly transition of its duties and responsibilities to another provider and/or to the County. This may include, but is not limited to, preparation of a transition plan and cooperation with the County or other providers in the transition. The transition includes the transfer of all records and other data in the possession, custody, or control of the Contractor that are required to be provided to the County either by the terms of this agreement or as a matter of law. The provisions of this clause shall survive the expiration or termination of this agreement.

4.0 PRICE ADJUSTMENTS

Any requests for reasonable price adjustments must be submitted 60 calendar days prior to contract expiration. Requests for adjustment in cost of labor and/or materials must be supported by appropriate documentation. The reasonableness of the request will be determined by comparing the request with the Consumer Price Index or by performing a market survey. If County agrees to the adjusted price terms, County shall issue written approval of the change and provide an updated version of the Contract. The new change shall not be in effect until the date stipulated on the updated version of the Contract.

5.0 PAYMENTS

- 5.1 As consideration for performance of the duties described herein, County shall pay Contractor the sum(s) stated in a valid Purchase Order at the prices set forth in Exhibit A-1 – Pricing.
- 5.2 Payment shall be made within thirty (30) days of the County's receipt of a completed invoice subject to Section 5.3.

5.3 INVOICES

5.3.1 The Contractor shall submit one legible copy of their detailed invoice before payment(s) will be made. Incomplete invoices will not be processed. At a minimum, the invoice must provide the following information:

- Company name, address, and contact information
- County bill-to name and contact information
- Contract serial number
- County purchase order number
- Project name and/or number
- Invoice number and date
- Payment terms
- Date of service or delivery
- Quantity
- Contract item number(s)
- Description of purchase (product or services)
- Pricing per unit of purchase
- Extended price
- Total amount due

5.3.2 Labor, services, and maintenance must be billed as a separate line item.

5.3.3 Problems regarding billing or invoicing shall be directed to the department as listed on the Purchase Order.

5.3.4 Payment shall only be made to the Contractor by Accounts Payable through the Maricopa County Vendor Express Payment Program. This is an electronic funds transfer (EFT) process. After contract award, the Contractor shall complete the Vendor Registration Form accessible from the County Department of Finance Vendor Registration Web Site <https://www.maricopa.gov/5169/Vendor-Information>.

5.3.5 Discounts offered in the Contract shall be calculated based on the date a properly completed invoice is received by the County.

5.3.6 EFT payments to the routing and account numbers designated by the Contractor shall include the details on the specific invoices that the payment covers. The Contractor is required to discuss remittance delivery capabilities with their designated financial institution for access to those details.

5.4 PAYMENT RETENTION

5.4.1 Fifty percent (50%) of monies paid for the Products and/or Services (as defined in the attached Exhibit C, EagleView Cloud Terms and Conditions of Use) earned by Contractor related to a Purchase Order shall be retained by County until an initial delivery, including in electronic form, of the Products and/or Services is made by Contractor. Upon said initial delivery, County shall release to Contractor fifty percent (50%) of the monies owed for the Products and/or Services. County shall then release twenty-five percent (25%) of the remaining monies owed to Contractor for Products and/or Services upon Final Completion. The remaining twenty-five percent (25%) of the monies due to Contractor shall be paid within three (3) months of Final Completion. All monies owed to Contractor by County for the Products and/or Services shall be paid in full within three (3) months of Final Completion.

- 5.4.2 The County may elect to release specific retention payments based on mutually agreed milestones, but in no case shall retention be released prior to Final Completion. All other payment terms and conditions shall not be affected by the retention. In the event of termination or cancellation of this Contract by County through no fault of Contractor, Contractor shall be entitled to the refund of any funds in the retention account.
- 5.4.3 After fifty percent (50%) of the Products have been delivered, the County may reduce the retainage to five percent (5%) of all monies previously earned and all monies earned thereafter. Any reduction in retainage shall be in the discretion of the County. Any interest earned on retainage shall accrue solely to the benefit of County.
- 5.4.4 The payment retention set forth in this Section 5.4 does not apply to payment for online services or web visualization services. Monies for said products are earned upon activation of said products. Payment for said products is due within thirty (30) days of the County's receipt of a properly submitted invoice.

5.5 APPLICABLE TAXES

- 5.5.1 The pricing in Exhibit A-1 does not include any levies, duties excise, sales, use, value added or other taxes, tariffs, or duties that may apply to the Product(s) and/or Service(s.) The legal liability to remit the tax is on the entity conducting business in Arizona. The County is responsible for paying all taxes associated with its purchases hereunder. If Contractor has the legal obligation to collect taxes from the County, the County will pay that amount to Contractor unless the County provides Contractor with a valid tax exemption certificate authorized by the applicable taxing authority prior to billing. Tax is not a determining factor in contract award.
- 5.5.2 The County will look at the price or offer submitted and will not deduct, add, or alter pricing based on speculation or application of any taxes, nor will the County provide Contractor any advice or guidance regarding taxes. If you have questions regarding your tax liability, seek advice from a tax professional prior to submitting your bid. You may also find information at <https://www.azdor.gov/Business.aspx>.
- 5.5.3 Tax Indemnification: Contractor and all subcontractors shall pay all Federal, State, and local taxes applicable to their operation and any persons employed by the Contractor. Contractor shall, and require all subcontractors to, hold Maricopa County harmless from any responsibility for taxes, damages, and interest, if applicable, contributions required under Federal and/or State and local laws and regulations, and any other costs including: transaction privilege taxes, unemployment compensation insurance, Social Security, and workers' compensation. Contractor may be required to establish, to the satisfaction of County, that any and all fees and taxes due to the City or the State of Arizona for any license or transaction privilege taxes, use taxes, or similar excise taxes are currently paid (except for matters under legal protest).

6.0 AVAILABILITY OF FUNDS

- 6.1 The provisions of this Contract relating to payment for services shall become effective when funds assigned for the purpose of compensating the Contractor as herein provided are actually available to County for disbursement. The County shall be the sole judge and authority in determining the availability of funds under this Contract. County shall keep the Contractor fully informed as to the availability of funds. The parties agree that the County's issuance of a Purchase Order constitutes the County's acknowledgment that the funds to pay for the Products set forth in a Purchase Order have been appropriated and are available for disbursement to Contractor.

- 6.2 If any action is taken by, any State agency, Federal department, or any other agency or instrumentality to suspend, decrease, or terminate its fiscal obligations under, or in connection with, this Contract, County may amend, suspend, decrease, or terminate its obligations under, or in connection with, this Contract. In the event of termination, County shall be liable for payment only for services rendered prior to the effective date of the termination, provided that such services are performed in accordance with the provisions of this Contract. County shall give written notice of the effective date of any suspension, amendment, or termination under this section, at least 60 days in advance.

7.0 STRATEGIC ALLIANCE for VOLUME EXPENDITURES (SAVE)

The County is a member of the SAVE cooperative purchasing group. SAVE includes the State of Arizona, many Phoenix metropolitan area municipalities, and many K-12 unified school districts. Under the SAVE Cooperative Purchasing Agreement, and with the concurrence of the successful respondent under this solicitation, a member of SAVE may access a contract resulting from a solicitation issued by the County. If contractor does not want to grant such access to a member of SAVE, state so in contractor's bid. In the absence of a statement to the contrary, the County will assume that contractor does wish to grant access to any contract that may result from this bid. The County assumes no responsibility for any purchases by using entities.

8.0 INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENTS (ICPAs)

County currently holds ICPAs with numerous governmental entities. These agreements allow those entities, with the approval of the Contractor, to purchase their requirements under the terms and conditions of the County contract. It is the responsibility of the non-County government entity to perform its own due diligence on the acceptability of the contract under its applicable procurement rules, processes, and procedures. Certain governmental agencies may not require an ICPA and may utilize this Contract if it meets their individual requirements. Other governmental agencies may enter into a separate Statement of Work with the Contractor to meet their own requirements. The County is not a party to any uses of this Contract by other governmental entities.

9.0 DUTIES

- 9.1 The Contractor shall perform all duties stated in Exhibit B – Scope of Work, or as otherwise agreed to in writing by both parties.
- 9.2 During the contract term, County may provide Contractor's personnel with adequate workspace for consultants and such other related facilities as may be required by Contractor to carry out its contractual obligations.

10.0 TERMS AND CONDITIONS

10.1 INDEMNIFICATION

- 10.1.1 To the fullest extent permitted by law, and to the extent that claims, damages, losses, or expenses are not covered and paid by insurance purchased by the contractor, the contractor shall defend, indemnify, and hold harmless the County (as Owner), its agents, representatives, officers, directors, officials, and employees from and against all claims, damages, losses, and expenses (including, but not limited to attorneys' fees, court costs, expert witness fees, and the costs and attorneys' fees for appellate proceedings) arising out of, or alleged to have resulted from, the negligent acts, errors, omissions, or mistakes relating to the performance of this Contract.
- 10.1.2 Contractor's duty to defend, indemnify, and hold harmless the County, its agents, representatives, officers, directors, officials, and employees shall arise in connection with any claim, damage, loss, or expense that is attributable to bodily injury, sickness, disease, death, or injury to, impairment of, or destruction of tangible property, including loss of use resulting therefrom, caused by negligent

acts, errors, omissions, or mistakes in the performance of this Contract, but only to the extent caused by the negligent acts or omissions of the contractor, a subcontractor, anyone directly or indirectly employed by them, or anyone for whose acts they may be liable, regardless of whether or not such claim, damage, loss, or expense is caused in part by a party indemnified hereunder.

10.1.3 The amount and type of insurance coverage requirements set forth herein will in no way be construed as limiting the scope of the indemnity in this section.

10.1.4 The scope of this indemnification does not extend to the sole negligence of County.

10.2 INSURANCE

10.2.1 Contractor, at Contractor's own expense, shall purchase and maintain, at a minimum, the herein stipulated insurance from a company or companies duly licensed by the State of Arizona and possessing an AM Best, Inc. category rating of B++. In lieu of State of Arizona licensing, the stipulated insurance may be purchased from a company or companies, which are authorized to do business in the State of Arizona, provided that said insurance companies meet the approval of County. The form of any insurance policies and forms must be acceptable to County.

10.2.2 All insurance required herein shall be maintained in full force and effect until all work or service required to be performed under the terms of the Contract is satisfactorily completed and formally accepted. Failure to do so may, at the sole discretion of County, constitute a material breach of this Contract.

10.2.3 In the event that the insurance required is written on a claims-made basis, Contractor warrants that any retroactive date under the policy shall precede the effective date of this Contract and either continuous coverage will be maintained, or an extended discovery period will be exercised for a period of two years beginning at the time work under this Contract is completed.

10.2.4 Contractor's insurance shall be primary insurance as respects County, and any insurance or self-insurance maintained by County shall not contribute to it.

10.2.5 Any failure to comply with the claim reporting provisions of the insurance policies or any breach of an insurance policy warranty shall not affect the County's right to coverage afforded under the insurance policies.

10.2.6 The insurance policies may provide coverage that contains deductibles or self-insured retentions. Such deductible and/or self-insured retentions shall not be applicable with respect to the coverage provided to County under such policies. Contractor shall be solely responsible for the deductible and/or self-insured retention and County, at its option, may require Contractor to secure payment of such deductibles or self-insured retentions by a surety bond or an irrevocable and unconditional letter of credit.

10.2.7 The insurance policies required by this Contract, except Workers' Compensation and Errors and Omissions, shall name County, its agents, representatives, officers, directors, officials, and employees as additional insureds.

10.2.8 The policies required hereunder, except Workers' Compensation and Errors and Omissions, shall contain a waiver of transfer of rights of recovery (subrogation) against County, its agents, representatives, officers, directors, officials, and employees for any claims arising out of Contractor's work or service.

- 10.2.9 If available, the insurance policies required by this Contract may be combined with Commercial Umbrella Insurance policies to meet the minimum limit requirements. If a Commercial Umbrella insurance policy is utilized to meet insurance requirements, the Certificate of Insurance shall indicate which lines the Commercial Umbrella Insurance covers.

10.2.9.1 Commercial General Liability

Commercial General Liability (CGL) insurance and, if necessary, Commercial Umbrella insurance with a limit of not less than \$2,000,000 for each occurrence, \$4,000,000 Products/Completed Operations Aggregate, and \$4,000,000 General Aggregate Limit. The policy shall include coverage for premises liability, bodily injury, broad form property damage, personal injury, products and completed operations and blanket contractual coverage, and shall not contain any provisions which would serve to limit third party action over claims. There shall be no endorsement or modifications of the CGL limiting the scope of coverage for liability arising from explosion, collapse, or underground property damage.

10.2.9.2 Automobile Liability

Commercial/Business Automobile Liability insurance with a combined single limit for bodily injury and property damage of not less than \$2,000,000 each occurrence with respect to any of the Contractor's owned, hired, and non-owned vehicles assigned to or used in performance of the Contractor's work or services or use or maintenance of the premises under this Contract.

10.2.9.3 Workers' Compensation

10.2.9.3.1 Workers' compensation insurance to cover obligations imposed by Federal and State statutes having jurisdiction of Contractor's employees engaged in the performance of the work or services under this Contract; and Employer's Liability insurance of not less than \$1,000,000 for each accident, \$1,000,000 disease for each employee, and \$1,000,000 disease policy limit.

10.2.9.3.2 Contractor, its subcontractors, and sub-subcontractors waive all rights against this contract and its agents, officers, directors, and employees for recovery of damages to the extent these damages are covered by the workers' compensation and Employer's Liability, or Commercial Umbrella Liability insurance obtained by Contractor, its subcontractors, and its sub-subcontractors pursuant to this Contract.

10.2.9.4 Errors and Omissions/Professional Liability Insurance

Contractor shall maintain Professional Liability insurance which will provide coverage for any and all acts arising out of the work or services performed by the Contractor under the terms of this Contract, with a limit of not less than \$2,000,000 for each claim, and \$4,000,000 aggregate claims.

10.2.10 Certificates of Insurance

10.2.10.1 Prior to contract award, Contractor shall furnish the County with valid and complete Certificates of Insurance, or formal endorsements as required by the Contract in the form provided by the County, issued by Contractor's insurer(s), as evidence that policies providing the required coverage, conditions and limits required by this Contract are in full force and effect. Such certificates shall identify this Contract number and title.

10.2.10.2 In the event any insurance policy(ies) required by this Contract is (are) written on a claims-made basis, coverage shall extend for two years past completion and acceptance of Contractor's work or services and as evidenced by annual certificates of insurance.

10.2.10.3 If a policy does expire during the life of the Contract, a renewal certificate must be sent to County once the policy renews.

10.2.11 Cancellation and Expiration Notice

Applicable to all insurance policies required within the insurance requirements of this Contract, Contractor's insurance shall not be permitted to expire, be suspended, be canceled, or be materially changed for any reason without 30 days prior written notice to Maricopa County. Contractor must provide to Maricopa County, within two business days of receipt, if they receive notice of a policy that has been or will be suspended, canceled, materially changed for any reason, has expired, or will be expiring. Such notice shall be sent directly to Maricopa County Office of Procurement Services and shall be mailed, or hand delivered to 160 S. 4th Avenue, Phoenix, AZ 85003, or emailed to the procurement officer noted in the solicitation.

10.3 FORCE MAJEURE

10.3.1 Neither party shall be liable for failure of performance, nor incur any liability to the other party on account of any loss or damage resulting from any delay or failure to perform all or any part of this Contract, if such delay or failure is caused by events, occurrences, or causes beyond the reasonable control and without negligence of the parties. Such events, occurrences, or causes include, but are not limited to, acts of God/nature (including fire, flood, earthquake, storm, hurricane, or other natural disaster), war, invasion, act of foreign enemies, hostilities (whether war is declared or not), civil war, riots, rebellion, revolution, insurrection, military or usurped power or confiscation, terrorist activities, nationalization, government sanction, lockout, blockage, embargo, labor dispute, strike, and interruption or failure of electricity or telecommunication service, and pandemic.

10.3.2 Each party, as applicable, shall give the other party notice of its inability to perform and particulars in reasonable detail of the cause of the inability. Each party must use best efforts to remedy the situation and remove, as soon as practicable, the cause of its inability to perform or comply.

10.3.3 The party asserting Force Majeure as a cause for non-performance shall have the burden of proving that reasonable steps were taken to minimize delay or damages caused by foreseeable events, that all non-excused obligations were substantially fulfilled, and that the other party was timely notified of the likelihood or actual occurrence which would justify such an assertion, so that other prudent precautions could be contemplated.

10.4 ORDERING AUTHORITY

Any request for purchase shall be accompanied by a valid Purchase Order issued by a County department or directed by a Certified Agency Procurement Aid (CAPA) with a purchase card for payment.

10.5 PROCUREMENT CARD ORDERING CAPABILITY

County may opt to use a procurement card (Visa or Master Card) to make payment for orders under this Contract.

10.6 INTERNET ORDERING CAPABILITY

It is the intent of Maricopa County to use the Internet to communicate and to place orders under this Contract.

10.7 NO MINIMUM OR MAXIMUM PURCHASE OBLIGATION

This Contract does not guarantee any minimum or maximum purchases will be made. Orders will only be placed under this Contract when the County identifies a need and proper authorization and documentation have been approved.

10.8 PURCHASE ORDERS

10.8.1 From time to time the County may issue a purchase order ("Purchase Order") to purchase access to and use of Products pursuant to the terms and conditions of this Contract. Any such Purchase Order shall: (i) identify this Contract and the terms and conditions of this Contract as controlling; (ii) identify the specific Products in Exhibit A-1 that County is purchasing access to and use of; and (iii) state payments to be made to Contractor pursuant to the pricing set forth in Exhibit A-1 and any other applicable economic terms.

10.8.2 County reserves the right to cancel Purchase Orders within a reasonable period of time after issuance. Should a Purchase Order be canceled, the County agrees to reimburse the Contractor for actual and documentable costs incurred by the Contractor in response to the Purchase Order. The County will not reimburse the Contractor for any costs incurred after receipt of County notice of cancellation, or for lost profits, or for shipment of product prior to issuance of a Purchase Order.

10.9 BACKGROUND CHECK

Respondents may be required to pass multiple background checks (e.g. Sheriff's Office, County Attorney's Office, Courts, as well as Maricopa County general government) to determine if the respondent is acceptable to do business with the County. This applies to, but is not limited to, the company, subcontractors, and employees, and the failure to pass these checks shall deem the respondent non-responsible.

10.10 SUSPENSION OF WORK

10.10.1 The procurement officer may order the Contractor, in writing, to suspend, delay, or interrupt all or any part of the work of this Contract for the period of time that the procurement officer determines appropriate for the convenience of the County. No adjustment shall be made under this clause for any suspension, delay, or interruption to the extent that performance would have been so suspended, delayed, or interrupted by any other cause, including the fault or negligence of the Contractor. No request for adjustment under this clause shall be granted unless the claim, in an amount stated, is asserted in writing as soon as practicable after the termination of the suspension, delay, or interruption, but not later than the date of final payment under the Contract.

10.10.2 If the County suspends a flight with written notice to Contractor at least ten (10) days prior to the commencement of a flight, the County shall compensate Contractor for any products in County's possession for which Contractor has not been fully compensated and the County agrees to reimburse the Contractor for actual and documentable costs incurred by the Contractor in response to suspension of work. Costs shall include but are not limited to the following: contracting, flight planning, computer time, processing, labor, etc. The County will not reimburse the Contractor for any costs incurred after receipt of County notice of the suspension, or for lost profits, shipment of product subsequent to the issuance of the suspension, etc.; provided however should any suspension, delay or interruption be ordered by the County with less than ten (10) days' written notice prior to the commencement of a flight, the County shall pay Contractor the full contracted amount of the applicable flight.

10.11 STOP WORK ORDER

10.11.1 The procurement officer may, at any time, by written order to the Contractor, require the Contractor to stop all, or any part, of the work called for by this Contract for a period of 90 calendar days after the order is delivered to the Contractor, and for any further period to which the parties may agree. The order shall be specifically identified as a stop work order issued under this clause. Upon receipt of the order, the Contractor shall immediately comply with its terms and take all reasonable steps to minimize the incurrence of costs allocable to the work covered by the order during the period of work stoppage. Within a period of 90 calendar days after a stop work order is delivered to the Contractor, or within any extension of that period to which the parties shall have agreed, the procurement officer shall either:

10.11.1.1 cancel the stop work order; or

10.11.1.2 terminate the work covered by the order as provided in the Termination for Default or the Termination for Convenience clause of this Contract.

10.11.1.3 The procurement officer may make an equitable adjustment in the delivery schedule and/or contract price, and the Contract shall be modified, in writing, accordingly, if the Contractor demonstrates that the stop work order resulted in an increase in costs to the Contractor.

10.11.1.4 If the County issues a Stop Work Order that affects a previously scheduled flight, the County shall compensate Contractor for any Products in County's possession for which Contractor has not been fully compensated and the County agrees to reimburse the Contractor for actual and documentable costs incurred by the Contractor in response to the Stop Work Order. Costs shall include but are not limited to the following: contracting, flight planning, computer time, processing, labor, etc. The County will not reimburse the Contractor for any costs incurred after receipt of a Stop Work Order, or for lost profits, shipment of product subsequent to issuance of the suspension, etc.; provided however should any Stop Work Order be given by the County to the Contractor with less than ten (10) days' written notice to the Contractor prior the commencement of a flight, the County shall pay Contractor the full contracted for amount of the applicable flight.

10.12 TERMINATION FOR CONVENIENCE

Maricopa County may terminate the Contract for convenience by providing 60 calendar days advance written notice to the Contractor. A termination of this Contract would also include the termination of any outstanding Purchase Order(s).

Should the County terminate this Contract, the County shall compensate Contractor for any products in County's possession for which Contractor has not been fully compensated and the County agrees to reimburse the Contractor for actual and documentable costs incurred by the Contractor in response to any outstanding Purchase Order(s). Costs shall include but are not limited to the following: contracting, flight planning, computer time, processing, labor, etc. The County will not reimburse the Contractor for any costs incurred after receipt of County notice of cancellation, or for lost profits, shipment of product prior to issuance the outstanding Purchase Order(s), etc. Should any Purchase Order be terminated by the County with less than said 10 days' written notice, the County shall pay Contractor the full contracted for amount of the applicable flight.

10.13 TERMINATION FOR DEFAULT

10.13.1 The County may, by written notice ("Notice of Default") to the Contractor, terminate this Contract in whole or in part if the Contractor fails to:

10.13.1.1 deliver the supplies or to perform the services within the time specified in this Contract or any extension;

10.13.1.2 make progress, so as to endanger performance of this Contract; or

10.13.1.3 perform any of the other provisions of this Contract.

10.13.2 The County's right to terminate this Contract under these subparagraphs may be exercised if the Contractor does not cure such failure within 10 business days (or more if authorized in writing by the County) after receipt of a Notice of Cure from the procurement officer specifying the failure.

10.13.3 The Contractor may terminate this Contract or suspend the Products and/or Services in the event the County is in material breach of this Contract and such breach has not been cured within thirty (30) days' of the Notice of Default (which shall specify the failure) to the County. In the case of termination, the parties agree to discuss the dispute and negotiate a resolution during the thirty (30) day notice period. If the parties are unable to agree on a resolution and the County has failed to cure the breach, the Contractor may exercise its right to terminate the Contract at the end of the thirty (30) day period. The below shall be considered cause for suspension of the Products and/or Services or termination of the Contract:

10.13.3.1 failure to pay the Fees (as defined in Exhibit C) in full as specified in this Contract;

10.13.3.2 breach of confidentiality pursuant to Section 5 of Exhibit C;

10.13.3.3 breach of access and use restrictions pursuant to Section 2 of Exhibit C; or

10.13.3.4 failure to perform any other provisions of the Contract.

10.13.4 Effect of Termination on Fees: Contractor Breach. In the event this Agreement is terminated by the County for a material breach by the Contractor, (a) where the Contractor has fully delivered imagery to the County, no refund of Fees shall be made, or (b) where the County is accessing on-line imagery and data access

and/or an application, the Contractor will refund any unused prorated, prepaid Fees for the Product(s) and/or Service(s).

10.14 PERFORMANCE

It shall be the Contractor's responsibility to meet the proposed performance requirements. Maricopa County reserves the right to obtain services on the open market in the event the Contractor fails to perform, and any price differential will be charged against the Contractor. For the avoidance of doubt, a price differential will only be charged against the Contractor if the services sought on the open market are substantially similar in scale and scope to those which Contractor was providing under this Contract.

10.15 CONTRACTOR EMPLOYEE MANAGEMENT

- 10.15.1 Contractor shall endeavor to maintain the personnel proposed in their proposal throughout the performance of this Contract.
- 10.15.2 If Contractor personnel's employment status changes, Contractor shall provide County a list of proposed replacements with equivalent or greater experience.
- 10.15.3 Under no circumstances shall the implementation schedule to be impacted by a personnel change on the part of the Contractor.
- 10.15.4 Contractor shall not reassign any key personnel identified in their proposal without the express consent of the County.
- 10.15.5 County reserves the right to immediately remove from its premises any Contractor personnel it determines to be a risk to County operations.
- 10.15.6 County reserves the right to request the replacement of any Contractor personnel at any time, for any reason.

10.16 WARRANTY OF SERVICES

- 10.16.1 The Contractor warrants that all services provided hereunder will conform to the requirements of the Contract, including all descriptions, specifications, and attachments made a part of this Contract. County's acceptance of services or goods provided by the Contractor shall not relieve the Contractor from its obligations under this warranty.
- 10.16.2 The County shall notify Contractor within six (6) months from the date of capture if any Product provided is unusable or corrupted. If necessary, in the sole discretion of the County, Contractor shall replace the unusable or corrupted Product with useable copies. This shall include replacing unacceptable images with new images if the images are determined to be unsalvageable.

10.17 INSPECTION OF SERVICES

- 10.17.1 The Contractor shall provide and maintain an inspection system acceptable to County covering the services under this Contract for up to three (3) months after Final Completion ("Inspection Period"). Unless otherwise notified in writing during the Inspection Period of specific defects in the Products, the notified in writing during the Inspection Period of specific defects in the Products, the Products shall be deemed automatically accepted by the County upon expiration of the Products shall be deemed automatically accepted by the County upon expiration of the Inspection Period. Complete records of all inspection work performed by the Contractor shall be maintained and made available to County during contract performance and for as long afterwards as the Contract requires.

- 10.17.2 County has the right to inspect and test all services called for by the Contract, to the extent practicable at all times and places during the term of the Contract in accordance with Section 10.17.1. County shall perform inspections and tests in a manner that will not unduly delay the work.
- 10.17.3 If any of the services do not conform to contract requirements, County may require the Contractor to perform the services again in conformity with contract requirements, at no cost to the County. When the defects in services cannot be corrected by re-performance, County may:
 - 10.17.3.1 require the Contractor to take necessary action to ensure that future performance conforms to contract requirements; and
 - 10.17.3.2 reduce the contract price to reflect the reduced value of the services performed.
- 10.17.4 If the Contractor fails to promptly perform the services again or to take the necessary action to ensure future performance in conformity with contract requirements, County may:
 - 10.17.4.1 by contract or otherwise, perform the services and charge to the Contractor, through direct billing or through payment reduction, any cost incurred by County that is directly related to the performance of such service; or
 - 10.17.4.2 terminate the Contract for default.

10.18 USAGE REPORT

The Contractor shall furnish the County a usage report, upon request, delineating the acquisition activity governed by the Contract. The format of the report shall be approved by the County and shall disclose the quantity and dollar value of each contract item by individual unit of measure.

10.19 STATUTORY RIGHT OF CANCELLATION FOR CONFLICT OF INTEREST

Notice is given that, pursuant to A.R.S. § 38-511, the County may cancel any contract without penalty or further obligation within three years after execution of the contract, if any person significantly involved in initiating, negotiating, securing, drafting, or creating the contract on behalf of the County is at any time, while the contract or any extension of the contract is in effect, an employee or agent of any other party to the contract in any capacity or consultant to any other party of the contract with respect to the subject matter of the contract. Additionally, pursuant to A.R.S. § 38-511, the County may recoup any fee or commission paid or due to any person significantly involved in initiating, negotiating, securing, drafting, or creating the contract on behalf of the County from any other party to the contract arising as the result of the contract.

10.20 OFFSET FOR DAMAGES

In addition to all other remedies at Law or Equity, the County may offset from any money due to the Contractor any amounts Contractor owes to the County for damages resulting from breach or deficiencies in performance of the Contract.

10.21 SUBCONTRACTING

- 10.21.1 The Contractor may not assign to another Contractor or subcontract to another party for performance of the terms and conditions hereof without the written consent of the County. All correspondence authorizing subcontracting must reference the bid serial number and identify the job or project.

- 10.21.2 The subcontractor's rate for the job shall not exceed that of the prime Contractor's rate, as bid in the pricing section, unless the prime Contractor is willing to absorb any higher rates. The subcontractor's invoice shall be invoiced directly to the prime Contractor, who in turn shall pass-through the costs to the County, without mark-up. A copy of the subcontractor's invoice must accompany the prime Contractor's invoice.

10.22 AMENDMENTS

All amendments to this Contract shall be in writing and approved/signed by both parties. Maricopa County Office of Procurement Services shall be responsible for approving all amendments for Maricopa County.

10.23 ADDITIONS/DELETIONS OF REQUIREMENTS

The County reserves the right to add and/or delete materials and services to a contract. If a service requirement is deleted, payment to the Contractor will be reduced proportionately to the amount of service reduced in accordance with the bid price. If additional materials or services are required from a contract, prices for such additions will be negotiated between the Contractor and the County.

10.24 RIGHTS IN DATA

10.24.1 The County accepts and agrees to the Contractor's EagleView Cloud Terms and Conditions of Use (attached hereto as Exhibit C) with respect to the County's, its Authorized Users' and Authorized Subdivisions' (as those terms are defined in the Contractor License Terms) use of and access to the Products. Notwithstanding any other provision set forth in this contract or Exhibit C or attachment hereto, the County shall own the copies of the orthogonal imagery and LiDAR products delivered to the County pursuant to the Contract (the "Transferred Deliverables"). As such, the County is free to use, reproduce and redistribute copies of the Transferred Deliverables in any manner without any accounting to Contractor. Contractor shall own those copies of the Transferred Deliverables that remain in Contractor's possession. As such, Contractor is free to use, reproduce and redistribute copies of the Transferred Deliverables in any manner without any accounting to the County.

10.24.2 All inventions, discoveries, improvements, technology, designs, works of authorship, patents, copyrights, technical information, data, databases, software, business information and other information used to create the Transferred Deliverables remain the sole and exclusive property of the Contractor.

10.24.3 All other Products not specifically mentioned in this section 10.24 that are provided pursuant to this Contract and a Purchase Order remain the exclusive property of Contractor.

10.24.4 In the event of any conflict between this section and Section 10.46 or the terms of any other Exhibit or attachment hereto, the terms of Section 10.24 shall prevail.

10.25 ACCESS TO AND RETENTION OF RECORDS FOR THE PURPOSE OF AUDIT AND/OR OTHER REVIEW

10.25.1 In accordance with Section MC1-372 of the Maricopa County Procurement Code, the Contractor agrees to retain (physical or digital copies of) all books, records, accounts, statements, reports, files, and other records and back-up documentation relevant to this Contract for six years after final payment or until after the resolution of any audit questions, which could be more than six years, whichever is longest. The County, Federal or State auditors and any other

persons duly authorized by the department shall have full access to and the right to examine, copy, and make use of, any and all said materials.

- 10.25.2 If the Contractor's books, records, accounts, statements, reports, files, and other records and back-up documentation relevant to this Contract are not sufficient to support and document that requested services were provided, the Contractor shall reimburse Maricopa County for the services not so adequately supported and documented.

10.26 AUDIT DISALLOWANCES

If at any time it is determined by the County that a cost for which payment has been made is a disallowed cost, the County shall notify the Contractor in writing of the disallowance. The course of action to address the disallowance shall be at sole discretion of the County, and may include either an adjustment to future invoices, request for credit, request for a check, or a deduction from current invoices submitted by the Contractor equal to the amount of the disallowance, or to require reimbursement forthwith of the disallowed amount by the Contractor by issuing a check payable to Maricopa County.

10.27 STRICT COMPLIANCE

Acceptance by County of a performance that is not in strict compliance with the terms of the Contract shall not be deemed to be a waiver of strict compliance with respect to all other terms of the Contract.

10.28 VALIDITY

The invalidity, in whole or in part, of any provision of this Contract shall not void or affect the validity of any other provision of the Contract.

10.29 SEVERABILITY

The removal, in whole or in part, of any provision of this Contract shall not void or affect the validity of any other provision of this Contract.

10.30 RELATIONSHIPS

- 10.30.1 In the performance of the services described herein, the Contractor shall act solely as an independent Contractor, and nothing herein or implied herein shall at any time be construed as to create the relationship of employer and employee, co-employee, partnership, principal and agent, or joint venture between the County and the Contractor.

- 10.30.2 The County reserves the right of final approval on proposed staff. Also, upon request by the County, the Contractor will be required to remove any employees working on County projects and substitute personnel based on the discretion of the County within two business days, unless previously approved by the County.

10.31 NON-DISCRIMINATION

Contractor agrees to comply with all provisions and requirements of Arizona Executive Order 2009-09, including flow down of all provisions and requirements to any subcontractors. Executive Order 2009-09 supersedes Executive Order 99-4 and amends Executive Order 75-5 and is hereby incorporated into this Contract as if set forth in full herein. During the performance of this Contract, Contractor shall not discriminate against any employee, client, or any other individual in any way because of that person's age, race, creed, color, religion, sex, disability, or national origin. (Arizona Executive Order 2009-09 can be downloaded from the Arizona Memory Project at <http://azmemory.azlibrary.gov/cdm/singleitem/collection/execorders/id/680/rec/1.>)

10.32 WRITTEN CERTIFICATION PURSUANT to A.R.S. § 35-393.01

If vendor engages in for-profit activity and has 10 or more employees, and if this agreement has a value of \$100,000 or more, vendor certifies it is not currently engaged in, and agrees for the duration of this agreement to not engage in, a boycott of goods or services from Israel. This certification does not apply to a boycott prohibited by 50 U.S.C. § 4842 or a regulation issued pursuant to 50 U.S.C. § 4842.

10.33 CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

10.33.1 The undersigned (authorized official signing on behalf of the Contractor) certifies to the best of his or her knowledge and belief that the Contractor, its current officers, and directors:

10.33.1.1 are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from being awarded any contract or grant by any United States department or agency or any state, or local jurisdiction;

10.33.1.2 have not within a three-year period preceding this Contract:

10.33.1.2.1 been convicted of fraud or any criminal offense in connection with obtaining, attempting to obtain, or as the result of performing a government entity (Federal, State or local) transaction or contract; or

10.33.1.2.2 been convicted of violation of any Federal or State antitrust statutes or conviction for embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property regarding a government entity transaction or contract;

10.33.1.3 are not presently indicted or criminally charged by a government entity (Federal, State or local) with commission of any criminal offenses in connection with obtaining, attempting to obtain, or as the result of performing a government entity public (Federal, State or local) transaction or contract;

10.33.1.4 are not presently facing any civil charges from any governmental entity regarding obtaining, attempting to obtain, or from performing any governmental entity contract or other transaction; and

10.33.1.5 have not within a three-year period preceding this Contract had any public transaction (Federal, State or local) terminated for cause or default.

10.33.2 If any of the above circumstances described in the paragraph are applicable to the entity submitting a bid for this requirement, include with your bid an explanation of the matter including any final resolution.

10.33.3 The Contractor shall include, without modification, this clause in all lower tier covered transactions (i.e., transactions with subcontractors or sub-subcontractors) and in all solicitations for lower tier covered transactions related to this Contract. If this clause is applicable to a subcontractor or sub-subcontractor, the Contractor shall include the information required by this clause with their bid.

10.34 VERIFICATION REGARDING COMPLIANCE WITH A.R.S. § 41-4401 AND FEDERAL IMMIGRATION LAWS AND REGULATIONS

10.34.1 By entering into the Contract, the Contractor warrants compliance with the Immigration and Nationality Act (INA using E-Verify) and all other Federal immigration laws and regulations related to the immigration status of its employees and A.R.S. § 23-214(A). The Contractor shall obtain statements from its subcontractors certifying compliance and shall furnish the statements to the procurement officer upon request. These warranties shall remain in effect through the term of the Contract. The Contractor and its subcontractors shall also maintain Employment Eligibility Verification forms (I-9) as required by the Immigration Reform and Control Act of 1986, as amended from time to time, for all employees performing work under the Contract and verify employee compliance using the E-Verify system and shall keep a record of the verification for the duration of the employee's employment or at least three years, whichever is longer. I-9 forms are available for download at www.uscis.gov.

10.34.2 The County retains the legal right to inspect documents of Contractor and subcontractor employees performing work under this Contract to verify compliance with paragraph 10.34.1 of this section. Contractor and subcontractor shall be given reasonable notice of the County's intent to inspect and shall make the documents available at the time and date specified. Should the County suspect or find that the Contractor or any of its subcontractors are not in compliance, the County will consider this a material breach of the Contract and may pursue any and all remedies allowed by law, including, but not limited to: suspension of work, termination of the Contract for default, and suspension and/or debarment of the Contractor. All costs necessary to verify compliance are the responsibility of the Contractor.

10.35 Contractor EMPLOYEE WHISTLEBLOWER RIGHTS AND REQUIREMENT TO INFORM EMPLOYEES OF WHISTLEBLOWER RIGHTS

10.35.1 The parties agree that this Contract and employees working on this Contract will be subject to the Contractor employee whistleblower protections established by Title 41 U.S.C. § 4712 and Section 3.908 of the Federal Acquisition Regulation.

10.35.2 Contractor shall inform its employees in writing, in the predominant language of the workforce, of employee whistleblower rights and protections under 41 U.S.C. § 4712, as described in Section 3.908 of the Federal Acquisition Regulation. Documentation of such employee notification must be kept on file by Contractor and copies provided to County upon request.

10.35.3 Contractor shall insert the substance of this clause, including this paragraph, in all subcontracts over the simplified acquisition threshold (\$250,000 as of fiscal year 2018).

10.36 CONTRACTOR LICENSE REQUIREMENT

10.36.1 The Contractor shall procure all permits, insurance, and licenses, and pay the charges and fees necessary and incidental to the lawful conduct of his/her business, and as necessary complete any requirements, by any and all governmental or non-governmental entities as mandated to maintain compliance with and remain in good standing. The Contractor shall keep fully informed of existing and future trade or industry requirements, and Federal, State, and local laws, ordinances, and regulations which in any manner affect the fulfillment of a contract and shall comply with the same. Contractor shall immediately notify both Office of Procurement Services and the department of any and all changes concerning permits, insurance, or licenses.

- 10.36.2 Contractor furnishing finished products, materials, or articles of merchandise that will require installation or attachment as part of the Contract shall possess any licenses required. Contractor is not relieved of its obligation to obtain and possess the required licenses by subcontracting of the labor portion of the contract. Contractors are advised to contact the Arizona Registrar of Contractors, Chief of Licensing, to ascertain licensing requirements for a particular contract. Contractor shall identify which license(s), if any, the Registrar of Contractors requires for performance of the Contract.

10.37 INFLUENCE

- 10.37.1 As prescribed in MC1-1203 of the Maricopa County Procurement Code, any effort to influence an employee or agent to breach the Maricopa County Ethical Code of Conduct or any ethical conduct, may be grounds for disbarment or suspension under MC1-902.
- 10.37.2 An attempt to influence includes, but is not limited to:
- A person offering or providing a gratuity, gift, tip, present, donation, money, entertainment or educational passes or tickets, or any type of valuable contribution or subsidy that is offered or given with the intent to influence a decision, obtain a contract, garner favorable treatment, or gain favorable consideration of any kind.
- 10.37.3 If a person attempts to influence any employee or agent of Maricopa County, the chief procurement officer, or his designee, reserves the right to seek any remedy provided by the Maricopa County Procurement Code, any remedy in equity or in the law, or any remedy provided by this Contract.
- 10.37.4 ABSOLUTELY NO CONTACT BETWEEN THE RESPONDENT AND ANY COUNTY PERSONNEL, OTHER THAN THE OFFICE OF PROCUREMENT SERVICES, IS ALLOWED DURING THE SOLICITATION PROCESS UNLESS THE COMMUNICATION IS IN REGARD TO PRE-EXISTING BUSINESS WITH THE COUNTY. ANY COMMUNICATIONS REGARDING THE SOLICITATION, ITS PARTICIPANTS, OR ANY DOCUMENTATION PRIOR TO THE CONTRACT AWARD MAY BE GROUNDS FOR DISMISSAL OF THE RESPONDENT FROM THE EVALUATION PROCESS.

10.38 CONFIDENTIAL INFORMATION

- 10.38.1 Any information obtained in the course of performing this Contract may include information that is proprietary or confidential to the County. This provision establishes the Contractor's obligation regarding such information.
- 10.38.2 The Contractor shall establish and maintain procedures and controls that are adequate to assure that no information contained in its records and/or obtained from the County or from others in carrying out its functions (services) under the Contract shall be used by or disclosed by it, its agents, officers, or employees, except as required to efficiently perform duties under the Contract. The Contractor's procedures and controls, at a minimum, must be the same procedures and controls it uses to protect its own proprietary or confidential information. If, at any time during the duration of the Contract, the County determines that the procedures and controls in place are not adequate, the Contractor shall institute any new and/or additional measures requested by the County within 15 business days of the written request to do so.
- 10.38.3 Any requests to the Contractor for County proprietary or confidential information shall be referred to the County for review and approval, prior to any dissemination.

10.39 PUBLIC RECORDS

Under Arizona law, all offers submitted and opened are public records and must be retained by the County at the Maricopa County Office of Procurement Services. Offers shall be open to public inspection and copying after contract award and execution, except for such offers or sections thereof determined to contain proprietary or confidential information by the Office of Procurement Services. If an offeror believes that information in its offer or any resulting contract should not be released in response to a public record request, under Arizona law, the offeror shall indicate the specific information deemed confidential or proprietary and submit a statement with its offer detailing the reasons that the information should not be disclosed. Such reasons shall include the specific harm or prejudice which may arise from disclosure. The records manager of the Office of Procurement Services shall determine whether the identified information is confidential pursuant to the Maricopa County Procurement Code.

10.40 INTEGRATION

This Contract represents the entire and integrated agreement between the parties and supersedes all prior negotiations, proposals, communications, understandings, representations, or agreements, whether oral or written, expressed, or implied.

10.41 UNIFORM ADMINISTRATIVE REQUIREMENTS

By entering into this Contract, the Contractor agrees to comply with all applicable provisions of Title 2, Subtitle A, Chapter II, Part 200—UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS contained in Title 2 C.F.R. § 200 *et seq.*

10.42 GOVERNING LAW

This Contract shall be governed by the laws of the State of Arizona. Venue for any actions or lawsuits involving this Contract will be in Maricopa County Superior Court, Phoenix, Arizona.

10.43 FORCED LABOR

10.43.1 By submitting a bid for this solicitation and/or entering into a contract as a result of this solicitation, contractor agrees to comply with all applicable portions of Arizona Revised Statutes Section 35-394. Contracting; procurement; prohibition; written certification; remedy; termination; exception; definitions.

10.43.2 Contractor certifies that it does not currently, and agrees for the duration of the Contract, that it will not use:

10.43.2.1 The forced labor of ethnic Uyghurs in the People's Republic of China.

10.43.2.2 Any goods or services produced by the forced labor of ethnic Uyghurs in the People's Republic of China.

10.43.2.3 Any contractors, subcontractors or suppliers that use the forced labor or any good or services produced by the forced labor of ethnic Uyghurs in the People's Republic of China.

10.43.3 If contractor becomes aware during the term of the agreement that contractor is not in compliance with this paragraph, the contractor shall notify the County within five business days after becoming aware of the noncompliance. If the contractor fails to provide a written certification to the County that the contractor has remedied the noncompliance within 180 days after notifying the County of its noncompliance,

then the agreement terminates, except that if the agreement termination date occurs before the end the 180-day period, the agreement terminates on the agreement termination date

10.44 PRICES

Except for the products and services provided by subcontractors to Contractor, Contractor warrants that prices extended to County under this Contract are no higher than those paid by any other customer for these or similar services for areas similar in geography, topography, population size and density, and climate as the County.

10.45 ORDER OF PRECEDENCE

In the event of a conflict among any of the contract components comprising this Contract, order of precedence for resolving such conflict shall be, from highest (i.e., supersedes all others) to lowest (i.e., subordinate to all others): the provision of this contract; Exhibit C; and Exhibit A-1.

10.46 INCORPORATION OF DOCUMENTS

10.46.1 The following are to be attached to and made part of this Contract:

10.46.1.1 Exhibit A – Vendor Information

10.46.1.2 Exhibit A-1 – Vendor Pricing

10.46.1.3 Exhibit B – Scope of Work

10.46.1.4 Exhibit C – EagleView Cloud Terms and Conditions of Use

10.47 NOTICES

Notwithstanding anything to the contrary in this Contract, notices and other communications may be given or made pursuant to this Contract via electronic mail. All legal notices given pursuant to the terms of this Contract shall be addressed to:

For County:

Maricopa County
Office of Procurement Services
301 W. Jefferson St., Suite 700
Phoenix, Arizona 85003-1647

For Contractor:

Pictometry Inc., dba EagleView
25 Methodist Hill Dr.
Rochester, NY 14623

IN WITNESS WHEREOF, this Contract is executed on the date set forth above.

CONTRACTOR

Robert Locke
Robert Locke (Dec 22, 2023 16:28 EST)

AUTHORIZED SIGNATURE

Robert Locke

PRINTED NAME AND TITLE

25 Methodist Hill Dr., Rochester, NY 14623

ADDRESS

Dec 22, 2023

DATE

MARICOPA COUNTY

Kevin Type
CHIEF PROCUREMENT OFFICER

January 4, 2024
DATE

APPROVED AS TO FORM:

Andrew J. Decker
DEPUTY COUNTY ATTORNEY

01/03/2024
DATE

EXHIBIT A - VENDOR INFORMATION

COMPANY NAME:	Pictometry International Corp.
DOING BUSINESS AS (dba):	EagleView
MAILING ADDRESS:	25 Methodist Hill Dr., Rochester, NY 14623
REMIT TO ADDRESS:	25 Methodist Hill Dr., Rochester, NY 14623
TELEPHONE NUMBER:	(585) 486-0093
FAX NUMBER:	(585) 486-0098
WWW ADDRESS:	www.eagleview.com
REPRESENTATIVE NAME:	Arjun Cardoza
REPRESENTATIVE TELEPHONE NUMBER:	(510) 676-8309
REPRESENTATIVE EMAIL ADDRESS	arjun.cardoza@eagleview.com

	<u>YES</u>	<u>NO</u>	<u>REBATE</u>
WILL ALLOW OTHER GOVERNMENTAL ENTITIES TO PURCHASE FROM THIS CONTRACT:	☒	☐	
WILL ACCEPT PROCUREMENT CARD FOR PAYMENT:	☒	☐	

☒ PAYMENT TERMS: NET 30 DAYS

EXHIBIT A-1 - PRICING**1.0 PRICING:**

NOTE: Do not include sales/use tax in your pricing for services. The percentage of sales/use tax applicable to this Contract will be listed on each Purchase Order and will be allowed at time of payment.

ITEM NUMBER	ITEM DESCRIPTION		UNIT	QTY	UNIT PRICE
1.0	OBLIQUE IMAGERY				
1.1	1" GSD with 5 views (4 Oblique Views & 1 vertical for a total of 5 views)	SQ MILE	1		\$400
Provides entitlement to the EagleView Platform, a secure hosted infrastructure and access to EagleView enabled workflow, analytics, and high-resolution imagery to dramatically improve efficiency for government agencies. Includes regular refreshes of ortho and oblique imagery at the GSD and frequency specified. Target capture quarter subject to weather and airspace permissions. Services term commences on date of activation.					
1.2	2" GSD with 5 views (4 Oblique Views & 1 vertical for a total of 5 views)	SQ MILE	1		\$300
Provides entitlement to the EagleView Platform, a secure hosted infrastructure and access to EagleView enabled workflow, analytics, and high-resolution imagery to dramatically improve efficiency for government agencies. Includes regular refreshes of ortho and oblique imagery at the GSD and frequency specified. Target capture quarter subject to weather and airspace permissions. Services term commences on date of activation.					
1.3	3" GSD with 5 views (4 Oblique Views & 1 vertical for a total of 5 views)	SQ MILE	1		\$200
Provides entitlement to the EagleView Platform, a secure hosted infrastructure and access to EagleView enabled workflow, analytics, and high-resolution imagery to dramatically improve efficiency for government agencies. Includes regular refreshes of ortho and oblique imagery at the GSD and frequency specified. Target capture quarter subject to weather and airspace permissions. Services term commences on date of activation.					
2.0	PROVIDE ANY ADDITIONAL SERVICE(S) PRICING AND VOLUME or				
	QUANTITY DISCOUNT PRICING BELOW.				
	DESCRIPTION OF SERVICE		UNIT		EXTENDED PRICE
2.1	External Data Quality Control				n/a
Note: EagleView QA/QC procedure details shared in proposal					
2.2	1" Tile Ortho and Oblique Physical Delivery				Included
Provides an offline copy of the individual ortho and oblique image frames in Pictometry Warehouse format at the GSD specified for the imagery refresh. Delivery includes one copy of Pictometry Electronic Field Study (EFS) software, latest version, on the storage media specified herein, and access to download updated versions of the EFS Licensed Software for a period of one years from the initial date of shipment of the EFS software, along with a copy of the updated documentation.					
2.3	Integrations				Included
Provides activation of integrations between the EagleView Cloud platform and compatible customer environments (including compatible CAMA providers, 911/PSAP, Cityworks, and ESRI/GIS) and via the Integrated Web Application.					

2.4	Training						Included
2.5	Disaster Response Program						Included
Includes access to the EagleView Disaster Response Program which offers flights after an emergency or disaster. Refer to the below detailed description of the Disaster Response Program.							
2.6	Gateway Integration						Included
Pictometry Gateway - CA (Custom Access) provides web access to Pictometry-hosted custom imagery libraries via API for machine-to-machine access. Pictometry Gateway - CA retrieves for any location either the most recent imagery available for that location or, at the user's option, an alternative date or GSD for that location. This product requires an active Pictometry Connect - CA account. A Pictometry Connect View - CA account is required for public access to the imagery. The custom imagery libraries available for access conforms to Customer's Pictometry Connect - CA account geofence.							
2.7	Change Detection			1			\$0.35 per parcel
Existing building outlines from a specified older imagery source are updated and classified relative to the most-nadir single-frame orthogonal image in a specified, newer Pictometry imagery source. Pictometry delivers updated digital building outlines from the newer imagery source and their classification attributes in shapefile and geodatabase formats. Coverage includes only locations specified in a single, customer-provided digital parcel shapefile. Parcels in the specified locations must be generally contiguous. All Pictometry imagery to be used must be licensed or owned by the customer. Final invoiced amount will be adjusted for the actual quantity of records in the parcel file used for production. Use of older non-Pictometry-sourced building outline data requires acceptance in advance.							
2.8	Building Outline Creation			1			\$0.36 per parcel
Existing building outlines from a specified older imagery source are updated and classified relative to the most-nadir single-frame orthogonal image in a specified, newer Pictometry imagery source. Pictometry delivers updated digital building outlines from the newer imagery source and their classification attributes in shapefile and geodatabase formats. Coverage includes only locations specified in a single, customer-provided digital parcel shapefile. Parcels in the specified locations must be generally contiguous. All Pictometry imagery to be used must be licensed or owned by the customer. Final invoiced amount will be adjusted for the actual quantity of records in the parcel file used for production. Use of older non-Pictometry-sourced building outline data requires acceptance in advance.							
2.9	Frequent 3" Orthogonal Capture			1			\$60 per sq/mile
Provides entitlement to additional frequent ortho imagery refreshes at the frequency specified.							
3.0	Three-dimensional Mesh			1			\$250 per sq/mile
3D Textured Mesh is an Imagery-derived realistic and high-resolution photo-textured 3D model in the form of a Triangulated Irregular Network created through automated aerial triangulation process. Final data set may contain some anomalies and is provided as is.							
3.1	CONNECT Gov 250 Package			1			\$20,000 per year
CONNECT Gov 250 Package provides Customer with access to and use of Pictometry Connect - CA - 250, Pictometry Connect View - CA, and CONNECT ImageService CA as described elsewhere in this Agreement.							
Pictometry Connect - CA - 250 (Custom Access) provides up to 250 concurrent authorized users the ability to login and access the Pictometry-hosted custom imagery libraries specified elsewhere in this Agreement via a web-based, server-based or desktop integration. The default deployment is through web-based Pictometry Connect. Term commences on date of activation. The quantity represents the number of years in the Connect term.							
Pictometry Connect View - CA (Custom Access) provides visualization-only access to the Pictometry-hosted custom imagery libraries specified elsewhere in this Agreement via a web application or server based							

integration. Requires a customer-provided web application or server based application. With respect to imagery available through this product to third parties or the Public, Pictometry reserves the right to reduce the resolution of the imagery available. Term commences on date of activation. The quantity represents the number of years in the Connect term. Connect Image Service - CA (Custom Access) provides access via a secure web mapping service to existing orthomosaics available within Customer's Connect account. This service allows use by Customer each calendar month of a total number of image request transactions equal to the product resulting from multiplying (a) the number of concurrent users authorized to use the Connect Image Service pursuant to this Agreement, by (b) 1500 (such product being the "Monthly Image Request Limit"). To the extent use of the Connect Image Service pursuant to this Agreement results in a total number of image request transactions in excess of the Monthly Image Request Limit, Pictometry may review the usage with Customer, increase the price for Customer's Connect Image Service with Customer's consent or, in Pictometry's discretion, suspend further access by Customer to the Connect Image Service. This offering is provided solely for internal use within Customer's organization. Customer must maintain an active paid Pictometry Connect account in order to utilize the Connect Image Service.					
3.2	EagleView Cloud - Software		1		Included
Provides authorized users the ability to login and access the EagleView Cloud software and analytics via the web-based EagleView Cloud platform. This software provides a robust compliment of tools for engaging with imagery as well as additional project and collaboration tools, and access to mobile application. Available with the purchase of EagleView Cloud - Imagery.					
3.3	EagleView Cloud - Authorized Subdivisions		1		Included
Extends the ability for a contracting county or non-state consortium of counties the ability to authorize access to their EagleView Cloud organization to any political unit or subdivision located totally or substantially within their boundary.					
3.4	EagleView Cloud - Early Access		1		Included
Provides entitlement to imagery from counties neighboring the imagery AOI as part of EagleView Cloud. Also provides entitlement to Early Access to refreshed imagery captures which allows authorized users to use new imagery immediately following its preliminary processing and quality control checks and prior to its final processing. Early Access imagery will become available incrementally as it is processed, and it will remain available until final, fully processed imagery is made available through other means.					
3.5	EagleView Cloud - Capture History		15		Included
Includes access to historical ortho and oblique frame imagery from the EagleView archive. Quantity represents the number of calendar years of archive imagery available in EagleView Cloud.					
Note: Price dependent on project scope					

Disaster Response Program ("DRP")

Agreement includes eligibility for the DRP described below so long as the customer remains under an active services agreement and in good standing with EagleView. Imagery captured through DRP will be captured "as-is".

A. Disaster Coverage Imagery at No Additional Charge – EagleView will, upon request of Customer and at no additional charge, provide standard quality imagery of up to 200 square miles of affected areas (as determined by EagleView) upon the occurrence of any of the following events during any period Customer is eligible for DRP:

- Hurricane: areas affected by hurricanes of Category 2 and higher.
- Tornado: areas affected by tornados rated EF4 and higher.
- Terrorist: areas affected by damage from terrorist attack.
- Earthquake: areas affected by damage to critical infrastructure resulting from earthquakes measured at 6.0 or higher on the Richter scale.

- Tsunami: areas affected by damage to critical infrastructure resulting from tsunamis.

B. Discounted Rate – Coverage for areas affected by the events set forth above exceeding 200 square miles will be, subject to EagleView resource availability, offered to Customer at the then-current DRP rates. Also, coverage for areas affected by hurricanes below Category II, tornadoes below EF4 or earthquakes rated below 6.0 on the Richter scale, flooding meeting or exceeding the major flood stage, wildfires impacting population centers, or other disasters as agreed to between the customer and EagleView, will be, subject to EagleView resource availability, offered to Customer at the then current DRP rates.

EXHIBIT B - SCOPE OF WORK

1.0 INTENT

The County on behalf of its consortium partners has entered into this Contract for aerial imagery services. Under the terms of this Contract offshore production shall not be allowed. The products provided by the contractor will include oblique imagery on an annual basis for the Phoenix metropolitan area and County in its entirety over the course of two years and any renewal terms as agreed by the parties. In addition, other services related to imagery may be required and will not be limited to flying, compilation, editing, analytics, digital orthos, semi-rectification, compression, computer services, surveying, black and white or color scanning, LiDAR, Planimetrics, database development and management. All pricing and optional services pricing is included in Exhibit A-1.

2.0 SCOPE OF WORK

2.1 CONTRACTOR REQUIREMENTS

- 2.1.1 Contractor shall host all imagery
- 2.1.2 Contractor shall have established hosted web application for displaying imagery
- 2.1.3 Contractor hosted web application shall have measurement tools
- 2.1.4 Contractor shall include existing ArcPro and ArcMap plug-ins and widget for ArcGIS web App Builder for geographic information system (GIS) users
- 2.1.5 Contractor shall provide all historical imagery
- 2.1.6 Contractor shall provide enterprise licensing

2.2 AREA COVERAGE (OBLIQUE)

- 2.2.1 The forecasted area for oblique aerial imagery will cover selected blocks with a minimum of 80 to a maximum of 300 square miles in the County. The area shall have a maximum three-inch pixel resolution. The County may request that metro and specific areas to be acquired at one- or two-inch tighter pixel resolution depending on availability. The areas will be determined a month before flight based on direction from the County and partnering jurisdictions.
- 2.2.2 The imagery will be nominally captured with a position dilution of precision (PDOP) value of less than 8.0 and within 60 kilometers of an operating GPS reference station. Overlap of 60 percent and a side lap of 30 percent. Capture angle for oblique imagery is between 40 to 45 degrees. Flight window is when sun angle is 25 degrees or greater for standard capture specs, and 30 degrees or greater during the most optimal four-hour window.

2.3 PHOTO DATES (OBLIQUE)

- 2.3.1 All aerial imagery should be taken each year in early June or September but finishing no later than November 30th. The County and contractor will determine set flight dates in July of each year or, in the case of the first year, upon contract award.
- 2.3.2 All oblique aerial images which do not meet the quality specifications shall be replaced by the contractor, at which time the contractor shall have 30 days to provide to the County. The County has until one year from delivery to verify the quality or accuracy of the aerial imagery.

- 2.3.3 If weather conditions prohibit oblique aerial imagery acquisition according to the agreed upon schedule, the contractor shall provide a written extension request to the County. Extensions to the scheduled delivery dates are granted at the County's sole discretion.

2.4 SCHEDULE FOR DELIVERY AND PENALTIES (OBLIQUE)

- 2.4.1 Completion of project shall be no later than 120 calendar days from the agreed date of the first flight. As imagery processing is completed, they should be delivered to the County via a high availability production web service or application that is compatible with Esri data/web services and Microsoft Edge.
- 2.4.2 Vendor will host data unless a physical copy is requested. The County will provide information related to the delivery if needed. The delivery media will become property of the County and its consortium partners after completion of the project.
- 2.4.3 Penalties for missing the schedule for quality-assured imagery will be assessed on the final delivery as follows:
 - 2.4.3.1 Two percent of the task order value penalty on each delivery up to one week late
 - 2.4.3.2 Five percent penalty on each delivery up to two weeks late
 - 2.4.3.3 Seven percent penalty on each delivery up to three weeks late
 - 2.4.3.4 Twenty-five percent penalty on each delivery up to four weeks late or more

2.5 TECHNICAL SPECS (OBLIQUE)

The following technical specifications describe the minimum quality the County has accepted for oblique imagery to date.

2.5.1 Maximum Flight Height

- 2.5.1.1 Flight height of 8000-feet resulting on a pixel size of three-inch resolution
- 2.5.1.2 Flight height of 8000-feet resulting on a pixel size of two-inch resolution
- 2.5.1.3 Flight height of 4500-feet resulting on a pixel size of one-inch resolution

2.5.2 Equipment

The imagery must be captured using a United States Geological Survey (USGS) certified camera system. All imagery shall be in color. The system also includes an Applanix Position and Orientation System (POS) with a Global Positioning System (GPS) antenna and an Inertial Measurement Unit (IMU). The contractor shall explain the digital camera calibration that will be used for this project.

2.6 TONE MATCHING (OBLIQUE)

Adjacent images will be tone and contrast matched to give the appearance of a continuous page. Localized adjustments of brightness values will be done to reduce tonal differences between join areas.

2.6.1 Digital Deliverables (Street Level)

Physical deliverables will only be required if hosted site data not available or the Contract has expired.

2.7 RESOURCE REQUIREMENTS

Contractor shall provide capacity charts indicating current workload, workload if project was awarded for dedicated and reserve aircraft, airborne equipment, hardware, software, storage, and labor hours.

2.8 EMERGENCY RESPONSE COVERAGE

The County may request the contractor to re-fly and deliver imagery immediately for areas affected by an emergency event such as severe weather or terrorism during the predetermined flight dates set by the County and contractor. Include pricing for this service in the proposal.

2.9 QUALITY ASSURANCE/QUALITY CONTROL (QA/QC)

Errors should not exceed two percent of the total deliverables. Errors include, but are not limited to:

2.9.1 Misalignment of features

2.9.2 Digital artifacts

2.9.3 Excessive shadow

2.9.4 Radiometric and tonal imbalance

2.9.5 Glare (dry, wet)

2.9.6 Too bright

2.9.7 Too dark

2.9.8 Smearing, warping, or distortion of features

2.9.9 Ghosting or disappearing structures

2.9.10 Voids or missing imagery or data

2.9.11 Artificial colorations

EXHIBIT C - EagleView Cloud Terms and Conditions of Use ("Agreement")

GENERAL TERMS AND CONDITIONS

1. DEFINITIONS

1.1. "Account" means an account created for Customer by EagleView for the purpose of providing access to the Product(s) and/or Service(s).

1.2. "Activation" means the point in time where Customer has access to an Account and the Products and/or Services are available to Customer.

1.3. "Authorized User" means: (i) any employee or elected or appointed official of the Customer authorized by Customer to use the Service; (ii) any additional users as may be defined in a Purchase Order, as defined in the Contract (such as governmental subdivisions and their employees or elected or appointed officials if the Purchase Order indicates that governmental subdivisions are included) all of whom are considered to be agents of Customer for the purposes of Section 1.3; or (iii) a contractor of Customer (so long as Customer gives written notice of its intent to use such contractor to EagleView prior to being granted access to the Service and, unless EagleView expressly waives such requirement for any individual, has entered into a written agreement with EagleView authorizing such access).

1.4. "Confidential Information" means any non-public information that is identified as or would be reasonably understood to be confidential and/or proprietary as disclosed by a Party ("Discloser") to another Party ("Recipient"). Confidential Information of EagleView includes, but is not limited to: (a) the Product(s) and/or Service(s) including any related software code and Documentation; (b) the terms of this Agreement including all Purchase Orders and statements of work as applicable and related pricing, to the extent Customer is not required to disclose this information under a Freedom of Information Act type obligation or under applicable law, and (c) EagleView's roadmaps, product plans, product designs, architecture, technology and technical information, security audit reviews, business and marketing plans, and business processes, however disclosed. Confidential Information shall not include information that was (a) at the time of disclosure, through no fault of the Recipient, already known and generally available to the public; (b) at the time of disclosure to Recipient already rightfully known to the Recipient without any obligation of confidentiality; (c) disclosed to the Recipient by a third party who had the right to make the disclosure without any confidentiality restrictions; or (d) independently developed by the Recipient without access to or use of the Discloser's Confidential Information.

1.5. "Documentation" means the materials describing the features and functions of the Product(s) and/or Service(s) as may be updated from time to time by EagleView.

1.6. "Fee" means the fees charged by EagleView for the Product(s) and/or Service(s) as identified in a Purchase Order issued by the Customer, or an invoice issued by EagleView.

1.7. "Intellectual Property Rights" means all worldwide intellectual property rights whether registered or unregistered including copyrights, patents, patent applications, trademarks, service marks, trade secrets, and all other proprietary rights.

1.8. "Malware" means any software program or code intended to harm, destroy, interfere with, corrupt, or cause undesired effects on program files, data, or other information, executable code, or application software macros.

1.9. [INTENTIONALLY OMITTED]

1.10. "Products and/or Services" means EagleView's proprietary products and/or services and/or content identified in a Purchase Order and developed and owned by EagleView, its Affiliates (its directors, officers, employees, agents, representatives, advisors, and persons or entities which are controlled by or are under common control with EagleView) and/or their licensors.

2. ACCESS AND USE OF THE PRODUCT(S) AND/OR SERVICE(S)

2.1. Access to the Product(s) and/or Service(s). Subject to Customer's compliance with the terms of this Agreement, EagleView hereby grants to Customer the right to access and use the Product(s) and/or Service(s) identified on an Purchase Order for its internal business purpose on a limited, revocable, non-exclusive, non-transferable basis in accordance with the scope of use identified in the Purchase Order. Unless a different term of the license grant to a Product is set forth in a Purchase Order, the right to access and use the Product(s) and Service(s) for its internal business purpose during the term of any Purchase Order is the only right granted to Customer under this Agreement and any Purchase Order. EagleView will have no liability for any loss or damage arising from Customer's failure to comply with the terms of this Agreement. EagleView will provide Customer a primary Administrator Account for managing and granting access to its Authorized Users. Customer shall be responsible for activating Authorized Users through use of the Account. Customer and its Authorized Users are responsible for maintaining the confidentiality of all passwords.

2.2. Access Restrictions. Access by Customer and its Authorized Users to the Service is subject to the following conditions:

2.2.1. Customer shall not access the Product(s), Service(s) or Confidential Information of EagleView in a way that might adversely affect the security, stability, performance, or functions of the Service.

2.2.2. Customer will not directly or indirectly: (a) resell or sublicense the Product(s) and/or Service(s), (b) modify, disassemble, decompile, reverse compile, reverse assemble, reverse engineer, or translate any portion of the software related to the Product(s) and/or Service(s); (c) create derivative works from the Product(s) or Service(s); (d) use the Product(s) and/or Service(s) in violation of applicable law or the rights of others; (e) perform any vulnerability or penetration testing of the Service; (f) cause harm in any way to the Product(s) and/or Service(s) or cause Malware to harm the Products and/or Service(s); (g) work around the Product(s)' and/or Service(s)' technical limitations; (h) remove any proprietary notices from the Application, documentation or any other EagleView materials furnished or made available hereunder; (i) access the Application in order to build a competitive product or service; or (j) copy any features, functions or graphics of the Application.

2.2.3. Customer will not use the Product(s) and/or Service(s) in connection with any data that: (a) may create a risk of harm or loss to any person or property; (b) constitutes or contributes to a crime or tort; (c) is illegal, unlawful, harmful, pornographic, defamatory, infringing, or invasive of personal privacy or publicity rights; (d) contains any information that Customer does not have the right to use; or (e) use the Application or associated documentation or Data Products in violation of export control laws and regulations.

2.2.4. EagleView may suspend the Product(s) and/or Service(s) if EagleView determines, in its reasonable discretion, that suspension is necessary to protect Customer or the Service from operational, security, or other material risk, or if the suspension is ordered by a court or other tribunal. In such event(s), EagleView will provide notice of suspension to Customer as soon as reasonably practicable.

2.3. Account Use. Customer is responsible for maintaining and keeping confidential its Account information, including passwords, usernames, and email addresses. If Customer becomes aware of: (i) any violation of the terms of this Agreement by an Authorized User or unauthorized access to an Account, or (ii) any compromise to an Account including unauthorized access to or disclosure of any Account information, passwords, usernames or login credentials, Customer must promptly suspend such access or Authorized User and notify EagleView.

2.4. Reservation of Rights. Except for the limited rights expressly granted herein, EagleView and its Affiliates retain all right, title and interest in all Intellectual Property Rights and technology related to EagleView's proprietary Products and Services. Customer shall preserve and keep intact all EagleView copyright, patent, and/or trademark notices presented in connection with the Products and Services. Customer shall not assert any implied rights in or to any of EagleView's Intellectual Property Rights. From time to time, Customer may provide suggestions, ideas, enhancement requests, or other information on

their use of the Products or Services ("Feedback"). Customer agrees that EagleView shall have all right, title, and interest to use such Feedback without any restrictions and without any payment to Customer.

3. PAYMENT

3.1. Fees. EagleView shall have the right to assess a late payment charge on any overdue amounts equal to the higher of: (i) one and one-half percent (1.5%) per month; or (ii) the rate allowed by applicable law. Additional payment terms may be set forth in the Purchase Order. All Fees paid pursuant to this Agreement and any applicable Purchase Order are non-refundable and all Product(s) and/or Service(s) ordered pursuant to a Purchase Order are non-cancelable, unless expressly stated to the contrary. In the event that EagleView seeks legal recourse for the collection of any unpaid Fees from Customer, Customer shall be responsible for all of EagleView's costs of such collection action if EagleView is the prevailing party. If any Fees are overdue by more than thirty (30) days, EagleView may, without limiting its other rights and remedies, suspend the Product(s) and/or Service(s) until such amounts are paid in full, provided that, EagleView will give Customer at least ten (10) days' prior notice that its account is overdue.

3.2. [INTENTIONALLY OMITTED]

3.3. [INTENTIONALLY OMITTED]

4. [INTENTIONALLY OMITTED]

5. CONFIDENTIALITY

5.1. Obligations. Each Party will hold the other Party's Confidential Information in confidence with at least as much care as it holds its own Confidential Information, and neither Party will disclose any of the other Party's Confidential Information to any third party. Each Party may use the Confidential Information solely for purposes of its performance under this Agreement, and may disclose such information to its employees, subcontractors and professional advisors only on a need-to-know basis, provided that such employees, subcontractors and professional advisors are bound by obligations of confidentiality at least as restrictive as those set forth in this Agreement.

5.2. Required Disclosure. The Recipient may disclose Confidential Information as required by court order from a court of competent jurisdiction or otherwise by applicable law, provided that it gives the Discloser prior written notice of such disclosure (to the extent legally permitted) as well as reasonable assistance if Discloser seeks a protective order to prevent the disclosure. Any disclosure pursuant to this Section 5.2 shall be restricted to include the least amount of Confidential Information necessary to comply with a court order from a court of competent jurisdiction or with applicable law.

6. WARRANTIES

6.1. Mutual Warranties. Each Party represents and warrants to the other Party that it is a organization duly organized, validly existing and in good standing under the laws of the jurisdiction of its formation, has all requisite power and authority to carry on its business and to own and operate its properties and assets.

6.2. [INTENTIONALLY OMITTED]

6.3. Disclaimer. EXCEPT FOR EXPRESS WARRANTIES SET FORTH IN THIS AGREEMENT, CONTRACTOR MAKES NO ADDITIONAL REPRESENTATION OR WARRANTY OF ANY KIND, WHETHER EXPRESS, IMPLIED IN FACT OR BY OPERATION OF LAW, OR STATUTORY, AS TO ANY MATTER WHATSOEVER. CONTRACTOR EXPRESSLY DISCLAIMS ALL IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. CONTRACTOR DOES NOT WARRANT THAT THE PRODUCT(S) AND/OR SERVICE(S) (INCLUDING ANY SUPPORT SERVICES) WILL BE ERROR FREE, WILL MEET COUNTY'S REQUIREMENTS BEYOND THE REQUIREMENTS OF THE CONTRACT OR WILL BE TIMELY OR SECURE. COUNTY WILL NOT HAVE THE RIGHT TO MAKE OR PASS ON ANY REPRESENTATIONS OR WARRANTY ON BEHALF OF CUSTOMER TO ANY THIRD PARTY. TO THE MAXIMUM EXTENT PERMITTED BY LAW, THE SERVICES AND SUPPORT SERVICES ARE PROVIDED "AS IS."

7. INDEMNIFICATION

7.1. EagleView Indemnification. EagleView will defend Customer against any claim, demand, suit or proceeding made by a third party alleging that the Product(s) and/or Service(s) infringes the intellectual property rights of such third party and will pay all costs or damages that are finally awarded by a court of competent jurisdiction (including reasonable attorneys' fees) or agreed to in a written settlement signed by EagleView. Customer will: (i) notify EagleView in writing within ten (10) calendar days of its receipt of notice of the claim, (ii) give EagleView sole control of the defense and settlement of the claim (except that EagleView will not settle any claim that results in liability or an admission of liability by Customer without Customer's prior written consent), and (iii) provide EagleView with all reasonable assistance, information, and authority necessary to perform EagleView's obligations under this paragraph. Notwithstanding the foregoing, EagleView will have no liability for any claim of infringement or misappropriation to the extent such claim arises from: (i) use of the Product(s) and/or Service(s) in combination with materials including software, hardware, or content not furnished by EagleView; or (ii) Customer's breach of this Agreement.

7.2. Remedies. In the event the Product(s) and/or Service(s) is held or is believed by EagleView to infringe or misappropriate any Intellectual Property Right of a third party, EagleView will have the option, at its expense, to: (i) replace the Product and/or Service with a non-infringing equivalent, (ii) modify the Product(s) and/or Service(s) to be non-infringing, (iii) obtain for Customer a license to continue using the Product(s) and/or Service(s); or (iv) terminate the Agreement and refund any prepaid, prorated fees for the remainder of the Term. The foregoing remedies constitute Customer's sole and exclusive remedies and EagleView's sole liability with respect to any third-party infringement claim.

7.3. Customer Indemnification. As permitted by applicable law, Customer will, at its expense, defend EagleView from and against all third party claims and will pay any costs, losses or damages that are finally awarded (including reasonable attorneys' fees) or agreed to in settlement to the extent arising out of Customer's breach of this Agreement, provided that (i) EagleView notifies Customer in writing within ten (10) calendar days of its receipt of written notice of the claim, (ii) Customer has sole control of the defense and settlement of the claim (except that Customer will not settle any claim that results in liability or an admission of liability by EagleView without EagleView's prior written consent), and (iii) EagleView provides Customer with all reasonable assistance, information, and authority necessary to perform Customer's obligations under this paragraph.

8. LIMITATION OF LIABILITY

8.1. Consequential Damages. EXCLUDING EITHER PARTY'S INDEMNIFICATION OBLIGATIONS PURSUANT TO THIS CONTRACT OR THE CUSTOMER'S INFRINGEMENT OF INTELLECTUAL PROPERTY OR MISAPPROPRIATION OF PROPRIETARY DATA BELONGING TO EAGLEVIEW OR ITS THIRD PARTY SUPPLIERS, TO THE EXTENT PERMITTED BY LAW, IN NO EVENT SHALL EITHER PARTY OR ITS AFFILIATES BE LIABLE TO THE OTHER FOR ANY INDIRECT, INCIDENTAL, CONSEQUENTIAL, COVER, BUSINESS INTERRUPTION, SPECIAL, OR PUNITIVE DAMAGES OF ANY KIND OR NATURE, INCLUDING, BUT NOT LIMITED TO, LOSS OF USE, DATA, PROFITS, REVENUE, OR GOODWILL, WHETHER AN ACTION IS BASED IN CONTRACT, TORT, OR OTHERWISE, REGARDLESS OF WHETHER EITHER PARTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

8.2. Limitation of Liability. EXCLUDING EITHER PARTY'S INDEMNIFICATION OBLIGATIONS PURSUANT TO THIS CONTRACT OR THE CUSTOMER'S INFRINGEMENT OF INTELLECTUAL PROPERTY OR MISAPPROPRIATION OF PROPRIETARY DATA BELONGING TO EAGLEVIEW OR ITS THIRD PARTY SUPPLIERS, TO THE EXTENT PERMITTED BY LAW, THE AGGREGATE AND CUMULATIVE LIABILITY OF EITHER PARTY INCLUDING ALL THEIR AFFILIATES REGARDLESS OF THE FORM OF ACTION, WHETHER IN CONTRACT OR TORT (INCLUDING BUT NOT LIMITED TO NEGLIGENCE) SHALL IN NO EVENT EXCEED THE AMOUNT OF FEES PAID OR PAYABLE BY CUSTOMER IN THE TWELVE MONTHS PRECEDING THE ACTIONS GIVING RISE TO THE CLAIM.

9. GENERAL PROVISIONS

9.1. **Export Laws.** The Product(s) and/or Services and derivatives thereof may be subject to export laws and regulations of the United States and other jurisdictions. EagleView and Customer each represent that it is not named on any U.S. government denied-party list. Customer will not permit any user to access or use any Product(s) and/or Service(s) or Content in a U.S.-embargoed country or region (including but not limited to Cuba, Iran, North Korea, Sudan, Syria, Crimea, or Russia) or in violation of any U.S. export law or regulation.

9.2. **No Third-Party Beneficiaries.** Except as specifically identified in this Agreement, nothing in this Agreement is intended to confer upon any person other than the parties and their respective successors or permitted assigns, any rights, remedies, obligations, or liabilities whatsoever.

9.3. **Independent Contractors.** Nothing contained in this Agreement shall be deemed or construed as creating a joint venture or partnership between any of the Parties hereto. Neither Party shall have the power nor authority to control the activities or operations of the other. At all times, the status of the Parties shall be that of independent contractors.

9.4. [INTENTIONALLY OMITTED]

9.5. **Security Assessment.** Upon reasonable request, EagleView will assist Customer in its EagleView security risk assessments by completing forms and/or providing reports that provide Customer with generally available information relating to EagleView's security practices, policies and procedures used to protect its systems. Such information will include high level overviews of implemented security measures, such as access controls, encryption, or other means, where appropriate, and will provide details relating to how Customer's Confidential Information is disclosed, accessed, processed, and stored (as applicable).

9.6. **Assignment.** Neither Party may assign any of its rights or obligations hereunder, whether by operation of law or otherwise, without the other Party's prior written consent (not to be unreasonably withheld); provided, however, either Party may assign this Agreement in its entirety (including all Purchase Orders), without the other Party's consent to its Affiliate or in connection with a merger, acquisition, corporate reorganization, or sale of all or substantially all of its assets. Subject to the foregoing, this Agreement will bind and inure to the benefit of the Parties, their respective successors, and permitted assigns.

9.7. **Governing Law.** This Agreement will be governed by the laws of the State of Customer, without regard to conflict of law principles. The Parties agree that any claims, legal proceedings, or disputes and/or litigation arising out of or in connection with this Agreement, will be brought solely in the state or federal courts located in the jurisdiction the Customer is based in, and the Parties irrevocably consent to the exclusive personal jurisdiction of such courts.

9.8. **Severability & Waiver.** The failure of either Party to exercise any right or the waiver by either Party of any breach, shall not prevent a subsequent exercise of such right or be deemed a waiver of any subsequent breach of the same, or any other provision of this Agreement. All waivers must be in writing and signed by the Party waiving its rights. If any section of this Agreement is held to be invalid or unenforceable, the remain sections of this Agreement will remain in force to the extent feasible.

9.9. [INTENTIONALLY OMITTED]

9.10. [INTENTIONALLY OMITTED]

9.11. [INTENTIONALLY OMITTED]

PICTOMETRY INTERNATIONAL CORPORATION DBA: EAGLEVIEW, 25 METHODIST HILL DR,
ROCHESTER, NY 14623

PRICING SHEET: NIGP CODE 90504

Terms: NET 30 DAYS

Vendor Number: VC0000001650

Certificates of Insurance Required

Contract Period: To cover the period ending **August 31, 2025.**

ITEM NUMBER: 4.e.

SUBJECT: Ordinance 2009-0524 - Amending the City of Avondale City Code, Chapter 17, Parks and Recreation, Section 17-5, pertaining to operation of drones at Festival Fields Park.

MEETING DATE: 5/6/2024

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:

This agenda item supports the following Avondale Strategic Outcome Areas:

Innovative Program and Service Delivery - Avondale will continue to serve as a model of innovative, efficient, and responsive government.

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.

PURPOSE:

City Council will consider a request to adopt Ordinance 2009-0524, Amending the City of Avondale City Code, Chapter 17, Parks and Recreation, Section 17-5, pertaining to operation of drones at Festival Fields Park 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 existing Chapter 17, Parks and Recreation prohibited operation of drones or non-tethered model airplanes. Arizona Revised Statutes (A.R.S. 13-3729) allows for model aircraft (drones) to be used in a designated park if there is more than one park within the city, town or county. Staff determined that drones can most safely be used at a large community park, specifically Festival Fields Park, which does not have any overhead power lines in the immediate area.

DISCUSSION:

Adoption of the proposed ordinance will amend Chapter 17-5, Parks and Recreation to allow for use of drones at Festival Fields Park. The revision will bring the City Code into compliance with State statutes.

BUDGET IMPACT:

This item does not have any new budget impact.

RECOMMENDATION:

Staff recommends adopting Ordinance No. 2009-0524 - Amending the City of Avondale City Code, Chapter 17, Parks and Recreation, Section 17-5, pertaining to operation of drones at Festival Fields Park and authorize the Mayor, City Attorney, and City Clerk to execute the necessary documents.

Contact person for document distribution:

ORDINANCE NO. 2009-0524

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AMENDING THE CITY OF AVONDALE CITY CODE, CHAPTER 17, PARKS AND RECREATION, SECTION 17-5, PERTAINING TO OPERATION OF DRONES AT FESTIVAL FIELDS PARK.

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

SECTION 1. The Avondale City Code, Chapter 17 (Parks and Recreation), Section 17-5 (General Rules of Conduct) is hereby amended to read as follows:

17-5 – General Rules of Conduct.

(a) It shall be unlawful for any person in a park area to:

.....

(31) Operate drones or non-tethered model airplanes, EXCEPT AT FESTIVAL FIELDS PARK;

.....

SECTION 2. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 3. 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, May 6, 2024.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Sarmiento, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

ITEM NUMBER: 5.a.

SUBJECT: Public Hearing and Resolution 1043-0524 - Hermosa Ranch Technology Campus - North - Major General Plan Amendment - Application PL-23-0299

MEETING DATE: 5/6/2024

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: Innovative Program and Service Delivery

STRATEGY: Attract, retain, and develop a diverse and competitive workforce to meet the needs of the residents and business community

PURPOSE:

City Council will hold a public hearing and consider a request to adopt Resolution 1043-0524, approving a request by Carolyn Oberholtzer of Bergin, Frakes, Smalley, and Oberholtzer, PLLC for a major General Plan amendment for Hermosa Ranch Technology Campus North, an approximately 239 gross acre planned technology campus with a data center and related employment uses located at the southwest corner of Avondale Boulevard and Lower Buckeye Road and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The proposed major General Plan amendment, if approved, will amend the General Plan 2030 Land Use Map designations for the property from Medium Density Residential and Estate/Low Density Residential to Business Park. The amendment will also expand the existing Local Commercial land use area. The Council will take appropriate action.

BACKGROUND:

The 239-acre subject property (Exhibits A and B) is located at the southwest corner of Avondale Boulevard and Lower Buckeye Road and is comprised of the undeveloped Fleming Farms platted subdivision (approximately 74 acres) and three additional undeveloped parcels, 500-66-001D (86.6 acres), 500-66-009F (59.2 acres), and 500-66-009E (19.2 acres). This site was formerly used as a dairy farm.

A portion of the property was annexed to the City on May 16, 2006, and the remainder was annexed on March 16, 2008. The site is currently zoned Diamond P Ranch Planned Area Development (PAD), Fleming Farms PAD, and Agricultural (AG), which permits typical single-family residential and agricultural related uses.

The site consists of three land use categories designated by the General Plan 2030 Land Use Map (Exhibit C). The Medium Density Residential (MDR) designation is a land use category that primarily accommodates the development of suburban detached single-family residential within a density range of 2.5 to 4.0 dwelling units per acre, with a target density of 2.5 dwelling units per acre. The Estate/Low Density Residential (ELDR) land

use category is planned single-family residential land with densities that range between 1.0 to 2.5 dwelling units per acre. These residences are typically large, detached estates or executive-type homes of one or two stories with significant privacy and open space.

The Local Commercial (LC) land use category provides for the daily needs of goods and services to the residents residing within the surrounding area. The types of uses allowed in this category specifically for local residents may include: grocery stores, gas stations, neighborhood/retail services, and office and medical uses serving consumers residing in adjacent residential areas, which promotes a walkable community. Preferred locations are major arterial intersections, although other locations may be deemed acceptable based on the merits of the project.

The property is within the Avondale Boulevard Employment and Commercial Corridor emphasis area, which is designated in the General Plan as a major corridor for employment and commercial land uses.

The existing uses and zoning of surrounding properties include:

North: A single-family residential detached subdivision; zoned Del Rio Ranch Planned Area Development (PAD)

South: An SRP electrical substation and vacant property to be developed into a data center and private battery energy storage facility; zoned Rural Residential (RR-43) and Hermosa Ranch Technology Campus South Planned Area Development (PAD)

East: Vacant land zoned for a single-family residential home subdivision; zoned Shadow Ridge Planned Area Development (PAD), and County property zoned for single-family residential

West: A single-family residential subdivision, Cantada Ranch; zoned Planned Area Development (PAD)

SUMMARY OF REQUEST:

The applicant is requesting approval of a major General Plan amendment (GPA) to the General Plan 2030 Land Use Map to facilitate the development of Hermosa Ranch Technology Campus North, a planned technology campus with a data center and related employment uses (Exhibit D).

The requested major GPA will create two major changes to the designation of the site. The first will change the majority of the property from Medium Density Residential (MDR) and Estate/Low Density Residential (ELDR) to Business Park (BP). The second change will add to the existing Local Commercial (LC) district to include properties that were previously given the Estate/Low Density Residential and Medium Density Residential designations.

The Business Park designation allows for large scale campus development that provides abundant employment opportunities and offers amenities such as attractive streetscapes with excess landscaped setbacks, pedestrian connections, efficient circulation, and refuge areas for active and passive activities to keep a healthy lifestyle for all employees. The category accommodates enclosed light manufacturing, corporate commerce, offices, data centers, research and development industries, solar and renewable energy manufacturers, motor sports related manufacturing, and limited warehouse and support services that support these primary employment uses.

There is a separate request to rezone the site to Planned Area Development (PAD). Approval of this major GPA request is required before consideration of approval of the rezoning request, which is scheduled for the same Planning Commission and City Council meetings.

PUBLIC PARTICIPATION:

A neighborhood meeting (Exhibit E) to discuss the proposal with neighboring property owners and other interested parties was held on January 30, 2024. An overview of the discussion topics is outlined in the Neighborhood Meeting Summary, attached as Exhibit E. In addition to City Staff and the applicant's team, eight (8) citizens and one (1) council member attended the in-person neighborhood meeting. General questions were raised regarding the location and size of the proposed data center buildings and whether they would block views of the surrounding landscapes. Concerns with the security of areas along the perimeter of the site adjoining the nearby neighborhood were addressed by the applicant. Attendees also inquired as to the nature and timeline of the proposed commercial development at the southwest corner of Avondale Boulevard and

Lower Buckeye Road.

All required notifications for the Planning Commission and City Council public hearings have been completed.

Through the City's Avondale Connect digital platform, the public was also able to comment on the proposed development. To date, 48 comments have been made, most of which were generally opposed to the project. Respondents expressed that the property could be better utilized as a commercial development that provided grocery and restaurant options for the residents. Others added that they believed the property was ill-suited to the expansion of large-scale employment uses and that the project would be better located at a different site. Additionally, there were concerns about traffic impacts, property values, and the potential for increased water demands that could be affected by a data center and technology campus. See Exhibit F for Avondale Connect comments.

PLANNING COMMISSION ACTION:

The Planning Commission held the first of two public hearings on March 20, 2024. The item was for discussion only and no formal action was taken. Questions from the Commission were related to the size of the individual buildings on the site, as well as any proposed uses outside of the data center. Three members of the public spoke, one in favor of the project, and two opposed. Concerns were raised regarding the scale of the data center buildings as well as the lack of commercial development at the site.

On April 17, 2024, the Planning Commission conducted the second of the two required public hearings on the Major General Plan Amendment. The Commission asked several questions regarding the details of the project and how the development will relate to the surrounding areas in terms of the scale and design of the project. The Commission also inquired about potential off-site impacts related to traffic generation, site landscaping and buffers, off-site improvements, and potential tax-related impacts as a result of development. The Commission opened the meeting for public comment. Eight members of the public spoke regarding the project. Five (5) spoke in opposition, citing concerns with the nature and scale of the project in relation to the existing subdivisions including a concern for blocking views of the Estrella Mountains. Three (3) individuals spoke in favor, stating that the project had the potential to bring additional construction jobs to the area as well as citing the developer's willingness to work with the surrounding residents.

After discussion, the Planning Commission passed a motion (4-1 vote) to recommend approval of the Major General Plan Amendment request to the City Council.

ANALYSIS:

The Council must determine that the proposed amendment meets four (4) findings prior to recommending approval. Staff's analysis of each of the required findings is presented below.

1. The development pattern contained on the Land Use Plan inadequately provides the appropriate optional sites for the use or change proposed in the amendment.

This amendment will facilitate employment uses at an appropriate location where alternatives are not available. The site's current land use designations of LC, ELDR, and MDR do not allow for a major employment center, and as a result, do not advance the Avondale Boulevard Employment and Commercial Corridor emphasis area. This site is ideally located adjacent to supportive power and transportation infrastructure. The current General Plan does not have other BP sites with these advantages. Within the southern portion of the City, there are no BP sites over 300 acres.

2. The amendment constitutes an overall improvement in the 2030 Plan and is not solely for the good or benefit of a particular landowner or owners.

This major GPA improves the General Plan by introducing supportive land uses to planning areas designed to attract employment investment. The project will provide new business opportunities within Avondale, particularly within the technological market that continues to rapidly grow and is attracted to areas with access to reliable power. This amendment reinforces Avondale's economic stability and sustainability. This major GPA will also serve to make the Local Commercial site located at the southwest corner of Avondale Boulevard and Lower Buckeye Road more attractive to potential commercial development. It is expected that the increased acreage will allow for a potential grocery anchor to develop the site as a local shopping center to serve the

southern portions of Avondale. The City's Economic Development Department is consistently working with developers and business decision-makers to recruit new retail, restaurants, and future grocers into the community. South Avondale, specifically, is a high priority and new residential areas are creating heightened demand for retail, including grocers and restaurants. This project will help progress those efforts. The southwest corner of Lower Buckeye Road and Avondale Boulevard will be planned for retail and restaurants. The project itself will help increase daytime population density with higher-wage jobs, which is very appealing to restaurants and retail dependent upon workweek lunch crowds and shoppers.

3. The amendment will not adversely impact the community as a whole and/or a portion of the community by: (1) significantly altering acceptable land use patterns; (2) requiring large and more expensive public infrastructure improvements including, but not limited to roads, water, wastewater, and public safety facilities than would otherwise be needed without the proposed change, or (3) adversely impacting the existing land use.

The amendment does not significantly alter acceptable land use patterns, but rather, advances the General Plan's land use goals and brings new jobs close to where residents live. The proposed project advances the Avondale Boulevard Employment and Commercial Corridor emphasis area, recognized in the General Plan as a major corridor for employment. This major GPA will not require larger and more expensive public infrastructure improvements. Replacing residential with employment uses will likely generate less demand for public safety services, and less traffic impact while providing a significant revenue enhancement to the City.

As stated previously, this site is ideally located to take advantage of the existing arterial streets and transportation network. Off-site improvements may include water line upsizing on Lower Buckeye Road, widening of Avondale Boulevard and Lower Buckeye Road adjacent to the site, and installation of new driveways and traffic signals, subject to Site Plan and Design Review approval. These improvements are not beyond the type of off-site improvements that would be required if the currently planned residential and commercial uses are developed. Proximity to the Rudd Substation is ideal for the proposed change. The proposed data center will use turbo air-cooled chillers and a closed water loop cooling system. This technology greatly reduces water demand compared to other data center cooling technology that uses water-cooled chillers that consume and discharge a tremendous amount of water. In the case of the proposed Hermosa Ranch Technology Campus North, this project will use considerably less water than the residential development anticipated for the site as currently designated by the City's General Plan.

The major GPA will not adversely impact existing land uses. Avondale has expectations for high-quality site design and landscaping in the Avondale Boulevard Employment and Commercial Corridor. The proposed project, through the companion PAD zoning case, will establish sufficient building and landscape setbacks to appropriately transition to surrounding existing and planned uses. The site currently contains approximately 49 acres of property designated Estate/Low Density Residential. The change in this designation to Business Park will reduce the overall amount of undeveloped Estate/Low Density residential properties (located north of the Estrellas) by less than 10 percent. The total distribution of all residential land uses in the general plan will be minimally impacted by the reconfiguration of these land uses.

4. The amendment is consistent with the overall intent of the General Plan 2030 and other adopted plans, codes, and ordinances.

This major GPA is consistent with the overall intent of the General Plan 2030, and the Avondale Boulevard Employment and Commercial Corridor. This amendment encourages new investment, job creation, and a change to land use that advances economic sustainability and employment diversity. The proposed amendment furthers several goals of the General Plan 2030, including but not limited to:

- Land Use Element Goal #3, Policy D: "Ensure adequate transitions and/or buffers are provided when adjacent land uses vary in character and intensity."
- Land Use Element Goal #4, Policy C: "Ensure Avondale is at the forefront of any emerging markets by continuously updating codes and policies to include standards for new business types and technologies".
- Economic Element Goal #3, Policy E: "Increase the supply of developable Business Park land and promote a flexibility of uses within."
- Economic Element Goal #10, Policy A: "Support efforts to locate and develop additional business park

and industrial land along Avondale's business corridor.”

DISCUSSION:

Staff finds this request meets the four (4) findings and recommends approval of the proposed major General Plan amendment.

BUDGET IMPACT:

The proposed major General Plan amendment would replace planned residential development with data center, technology campus, and commercial uses, which would positively increase the City's anticipated tax revenue from this designated residential and commercial property. This tax revenue helps fund critical services and expenditures in the community.

RECOMMENDATION:

The City Council will conduct a public hearing and **APPROVE** Application PL-23-0299, a request to amend the General Plan 2030 Land Use Map designation from Medium Density Residential and Estate/Low Density Residential to Business Park and to expand the existing Local Commercial designation.

Contact person for document distribution: Joshua T. Orton, AICP, Senior Planner

RESOLUTION NO. 1043-0524

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AMENDING THE CITY OF AVONDALE GENERAL PLAN REGARDING THE LAND-USE DESIGNATION OF APPROXIMATELY ± 239 ACRES GENERALLY LOCATED AT THE SOUTHWEST CORNER OF AVONDALE BOULEVARD AND LOWER BUCKEYE ROAD, AS SHOWN IN APPLICATION PL-23-0299 FROM MEDIUM DENSITY RESIDENTIAL AND ESTATE/LOW DENSITY RESIDENTIAL TO BUSINESS PARK AND LOCAL COMMERCIAL.

WHEREAS, the City of Avondale General Plan (the “General Plan”) was adopted by the Mayor and Council of the City of Avondale (the “City Council”) on April 2, 2012, and ratified by the qualified electors of the City of Avondale on August 28, 2012; and

WHEREAS, the General Plan was readopted by the City Council on May 2, 2022, and ratified by the qualified electors of the City of Avondale on August 2, 2022; and

WHEREAS, the City Council desires to amend the General Plan to change the land-use designation for approximately ± 239 gross acres generally located approximately at the southwest corner of Avondale Boulevard and Lower Buckeye Road from Medium Density Residential and Estate/Low Density Residential to Business Park and Local Commercial, as shown in Application PL-23-0299 (the “General Plan Amendment”); and

WHEREAS, pursuant to ARIZ. REV. STAT. § 9-461.06 and the General Plan, the City of Avondale (the “City”) has consulted with, advised, and provided the opportunity for public comment on the General Plan Amendment; and

WHEREAS, all due and proper notices of the public hearings on the General Plan Amendment held before the City of Avondale Planning Commission (the “Commission”) and the City Council were given in the time, form and substance required by ARIZ. REV. STAT. § 9-461.06; and

WHEREAS, pursuant to ARIZ. REV. STAT. § 9-461.06 and the General Plan, the Commission held the first of two required public hearing on the proposed General Plan Amendment on March 20, 2024; and

WHEREAS, pursuant to ARIZ. REV. STAT. § 9-461.06 and the General Plan, the Commission held the second of two required public hearing on the proposed General Plan Amendment on April 17, 2024, after which hearing the Commission recommended approval by a vote of 4-1; and

WHEREAS, pursuant to ARIZ. REV. STAT. § 9-461.06 and the General Plan, the City Council held a public hearing on the proposed General Plan Amendment on May 6, 2024.

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 General Plan is hereby amended to change the land-use designation for approximately ± 239 gross acres generally located approximately at the southwest corner of Avondale Boulevard and Lower Buckeye Road as depicted on Exhibit A, attached hereto and incorporated herein by reference, from Medium Density Residential and Estate/Low Density Residential to Business Park and Local Commercial.

SECTION 3. 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, May 6, 2024.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Sarmiento, City Clerk

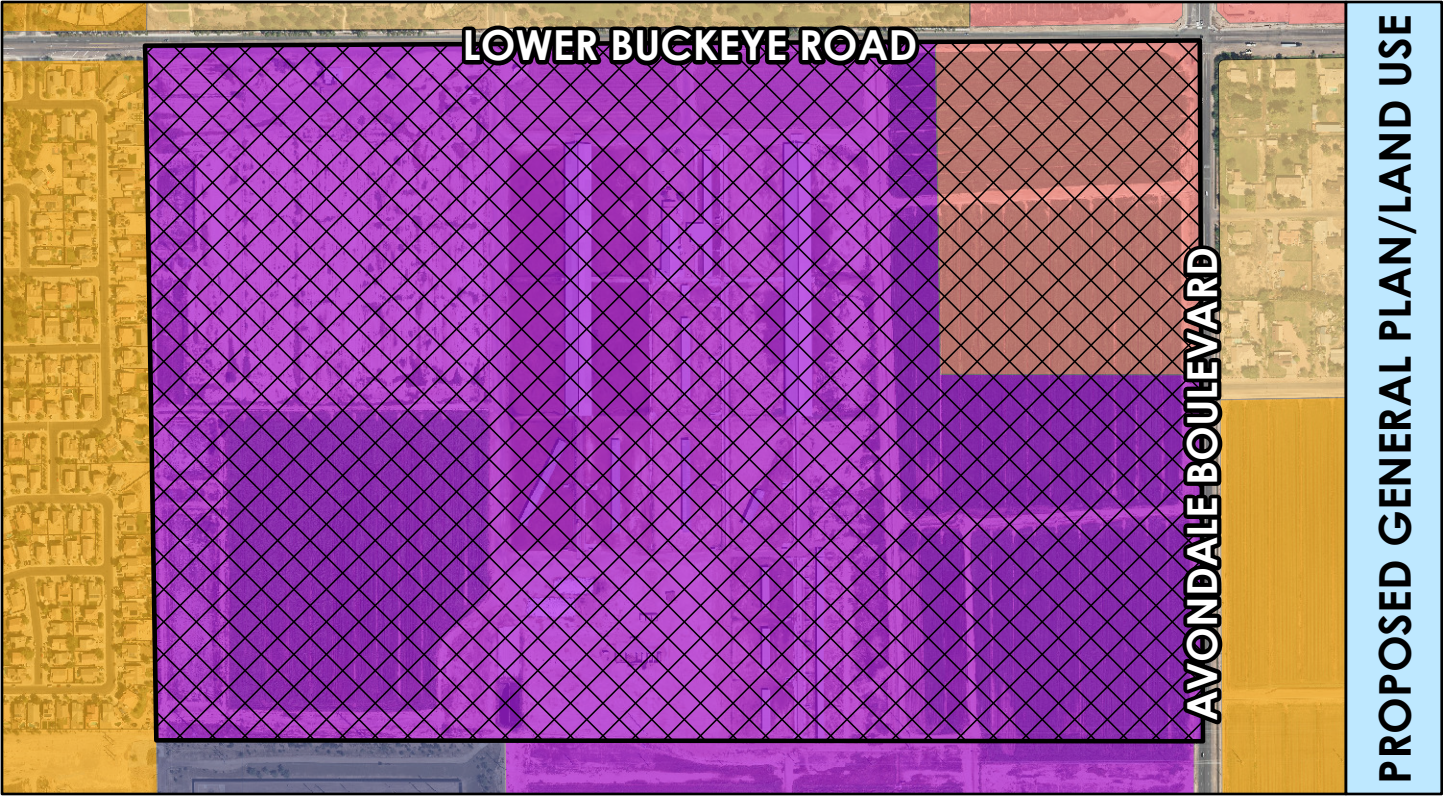
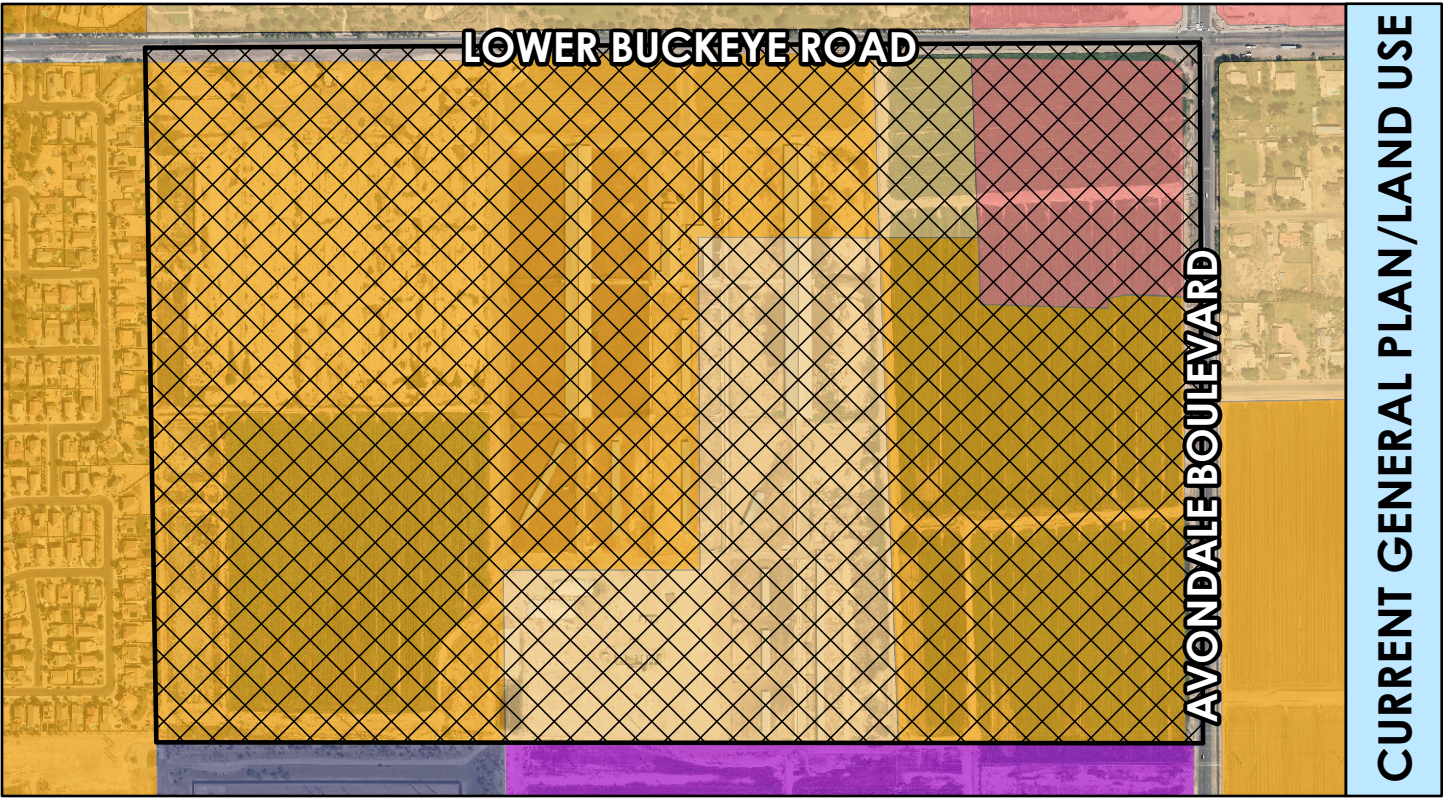
APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 1043-0524

[General Plan Amendment Map]

See following page.



Proposed General Plan/Land Use



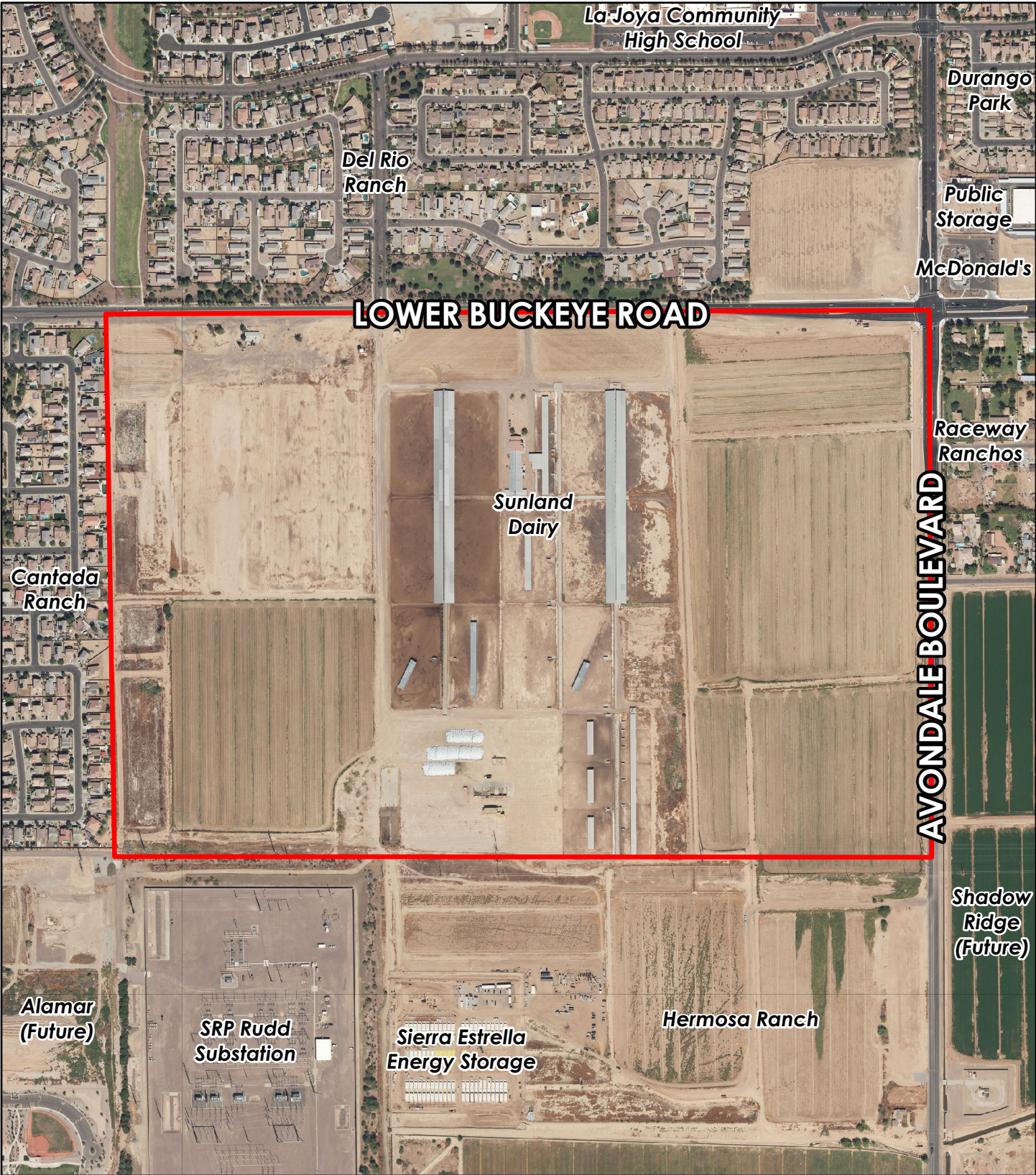
Avondale

-  Business Park
-  Local Commercial
-  Medium Density Residential
-  Public/Civic
-  Estate/Low Density Residential



Subject Parcel



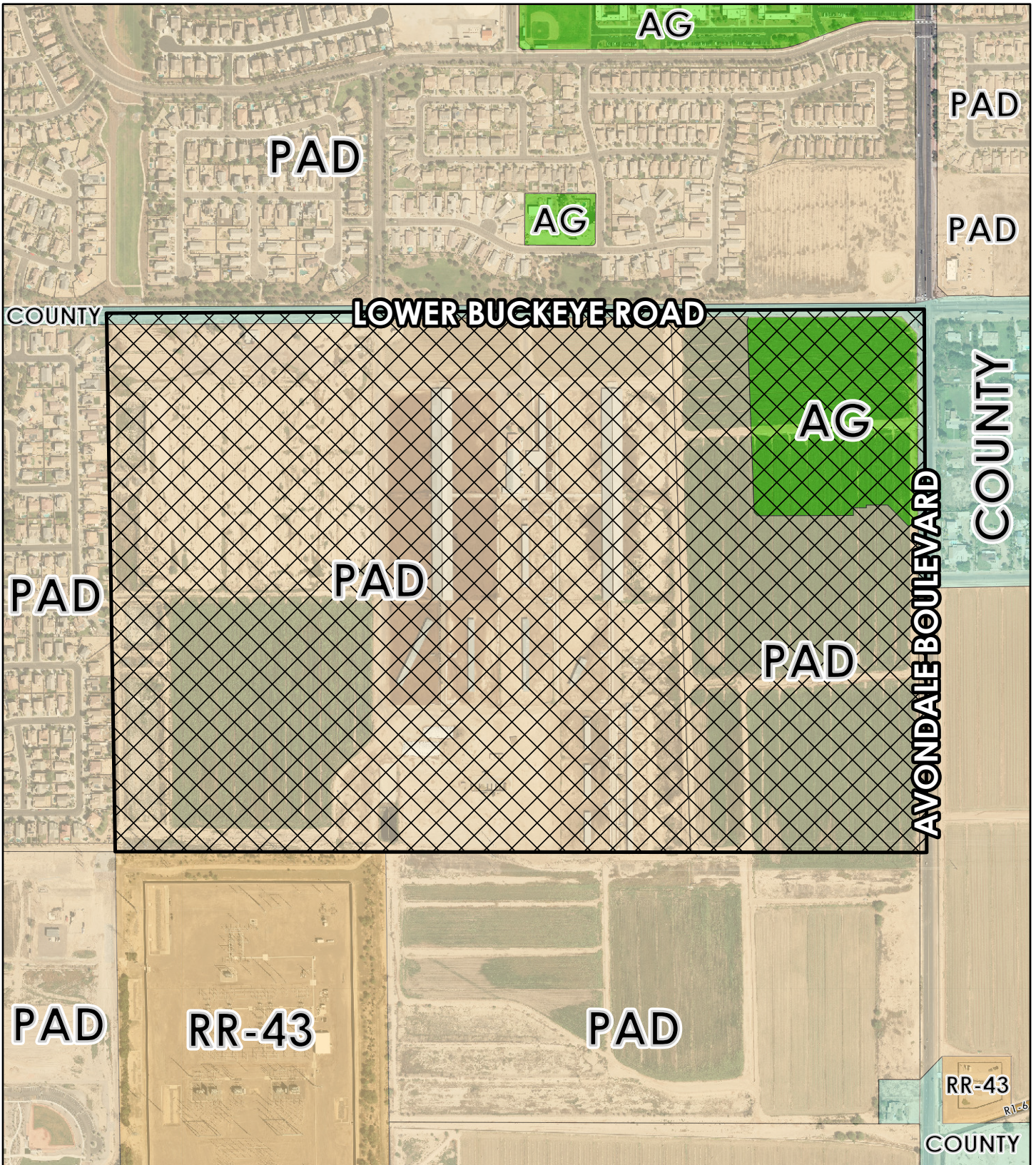


Aerial Map



 Subject Parcel





Zoning Vicinity



Exhibit D

Electronically Submitted 4/10/24

HERMOSA RANCH TECHNOLOGY CAMPUS – NORTH

MAJOR GENERAL PLAN AMENDMENT

Application PL-23-0299

April 10, 2024

Property Owner

TGV Investments, LLC
HRNN, LLC
HRNL, LLC
HRNJ, LLC
HRNM, LLC

Nick Vanderwey + Terry Klinger

2241 E. Colter St.
Phoenix, Arizona
85016

949.226.2555

NickVdwey@aol.com

Terry@rexcollc.com

Zoning Attorney

Bergin, Frakes, Smalley +
Oberholtzer, PLLC

Carolyn Oberholtzer

4343 E. Camelback Rd.

Suite 210

Phoenix, Arizona

85018

602.888.7860

coberholtzer@bfsolaw.com

Planning + Landscape

Norris Design

Alan Beaudoin

901 E. Madison St.

Phoenix, Arizona

85034

602.254.9600

abeaudoin@norris-design.com

Civil Engineer

CVL Consultants

Ryan Weed, P.E.

4550 N. 12th Street

Phoenix, Arizona

85014

602.285.4730

Rweed@cvlco.com

DOCUMENT CONTENTS

I. INTRODUCTION	1
II. SUMMARY OF REQUEST	1
III. SITE CONTEXT	7
IV. MAJOR GENERAL PLAN AMENDMENT REVIEW + ANALYSIS	11
V. FINDINGS	15
VI. CONCLUSION	17



*NOTE: ALL IMAGES/USERS/TENANTS SHOWN WITHIN THIS GPA NARRATIVE ARE INTENDED TO CONVEY DESIGN INTENT AND ARE CONCEPTUAL IN NATURE.

I. INTRODUCTION

This Major General Plan Amendment (GPA) request is necessary to facilitate the future development of Hermosa Ranch Technology Campus - North, a technology campus and commercial development located on approximately 239 acres west and south of the intersection of Avondale Boulevard and Lower Buckeye Road (the "Property"). This will be the continuation of the 2023 approved Hermosa Ranch Technology Campus - South PAD. The Property is located within the Tres Rios Opportunity Zone, along the Avondale Boulevard Employment and Commercial Corridor, and one-quarter mile north of the South Core Growth Area which calls for "medium density commercial and employment uses". This GPA request will bring employment and commercial uses to the Property and provide a transition of intensity in alignment with the City's long range planning efforts. (See Exhibit 1 | Context Map and Exhibit 2 | Tres Rios Opportunity Zone)

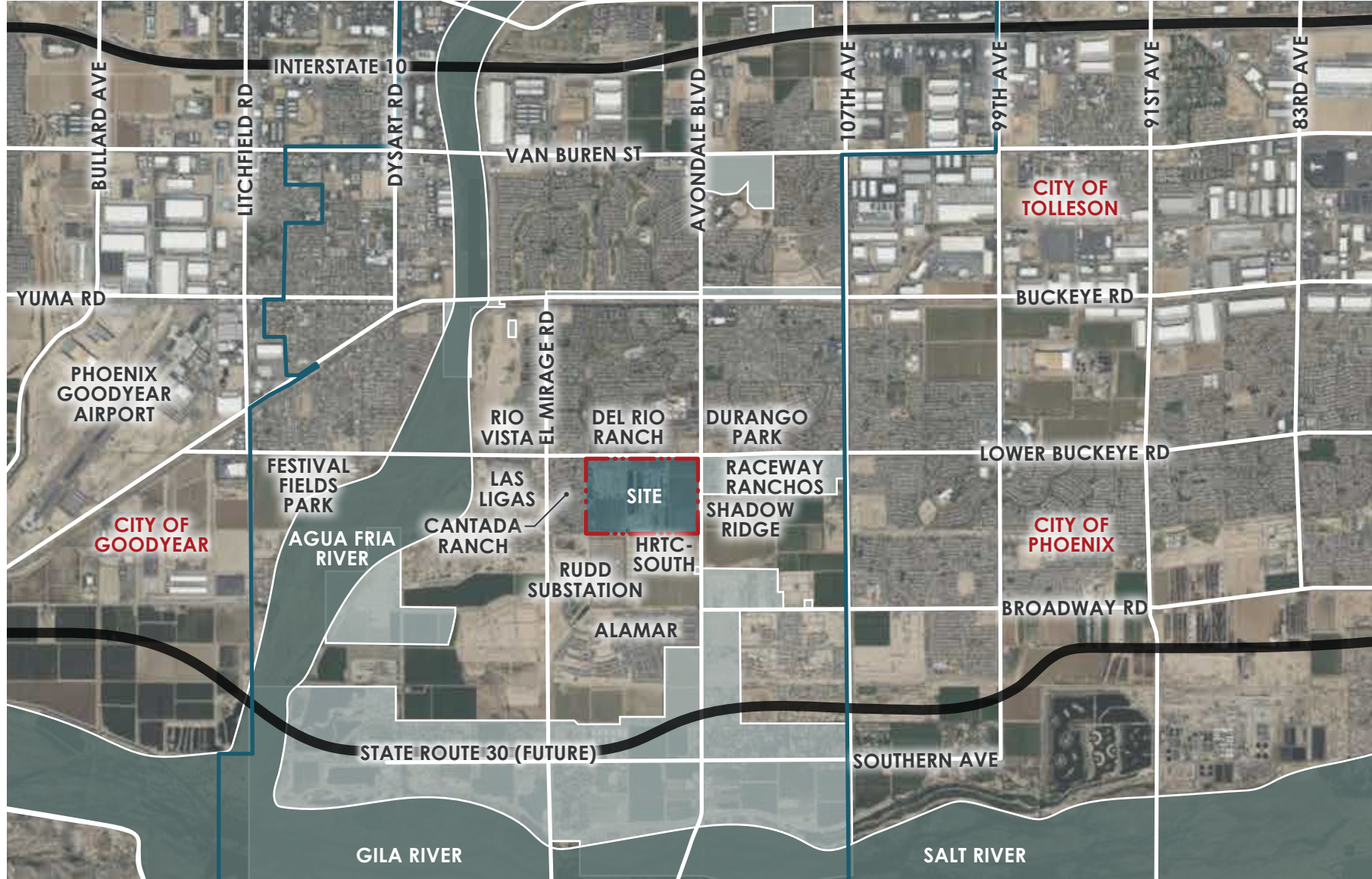
Hermosa Ranch Technology Campus – North is designed to include a variety of neighborhood-serving commercial uses and a technology campus with supporting ancillary uses in an arrangement that will complement the surrounding built and planned environment (the "Project"). The northeastern, approximately 28 acres (Parcel A on the Conceptual Development Plan), will be a variety of neighborhood-serving commercial such as a potential grocery, restaurants, fitness, and smaller-scale retail. The remaining approximately 212-acres (Parcel B on the Conceptual Development Plan) will serve as a technology campus designed to include gated and secured entrances with large landscape setbacks. Specific land use, development standards, site and architectural design guidelines are provided as a part of the companion Planned Area Development (PAD) Rezoning request, with the intent to complement surrounding existing and planned uses. The Project will provide a substantial revenue source for the City of Avondale and school districts and a significant investment in the community, infrastructure, street improvements, and employment opportunities, which will ultimately benefit the surrounding residential areas. (See Exhibit 3 | Conceptual Development Plan)

II. SUMMARY OF REQUEST

The purpose of this GPA request is to introduce employment uses into a planned employment corridor and to right-size the commercial corner by modifying the current General Plan land use designation from Estate/Low Density Residential (ELDR) and Medium Density Residential (MDR) to Business Park (BP) and increase the acreage of Local Commercial (LC). The requested land use modifications on the Property will continue the recent growth and investment in the Avondale Boulevard Employment and Commercial Corridor, as envisioned in the General Plan. It will provide employment opportunities in this rapidly expanding growth area near existing infrastructure and the future SR30 Freeway and allow for a substantial mix of neighborhood goods and services. (See Exhibit 4 | General Plan)

This request includes the modification of approximately 48 acres of ELDR and approximately 164 acres ± of MDR to BP and approximately 1 acre of ELDR and approximately 7 acres ± of MDR to LC. Upon approval of this GPA request the Property will replace approximately 49 acres of ELDR, 171 acres of MDR, and 20 acres of LC with a total of approximately between 210 and 220 acres of BP and approximately between 20 and 30 acres of LC.

EXHIBIT 1 | CONTEXT MAP

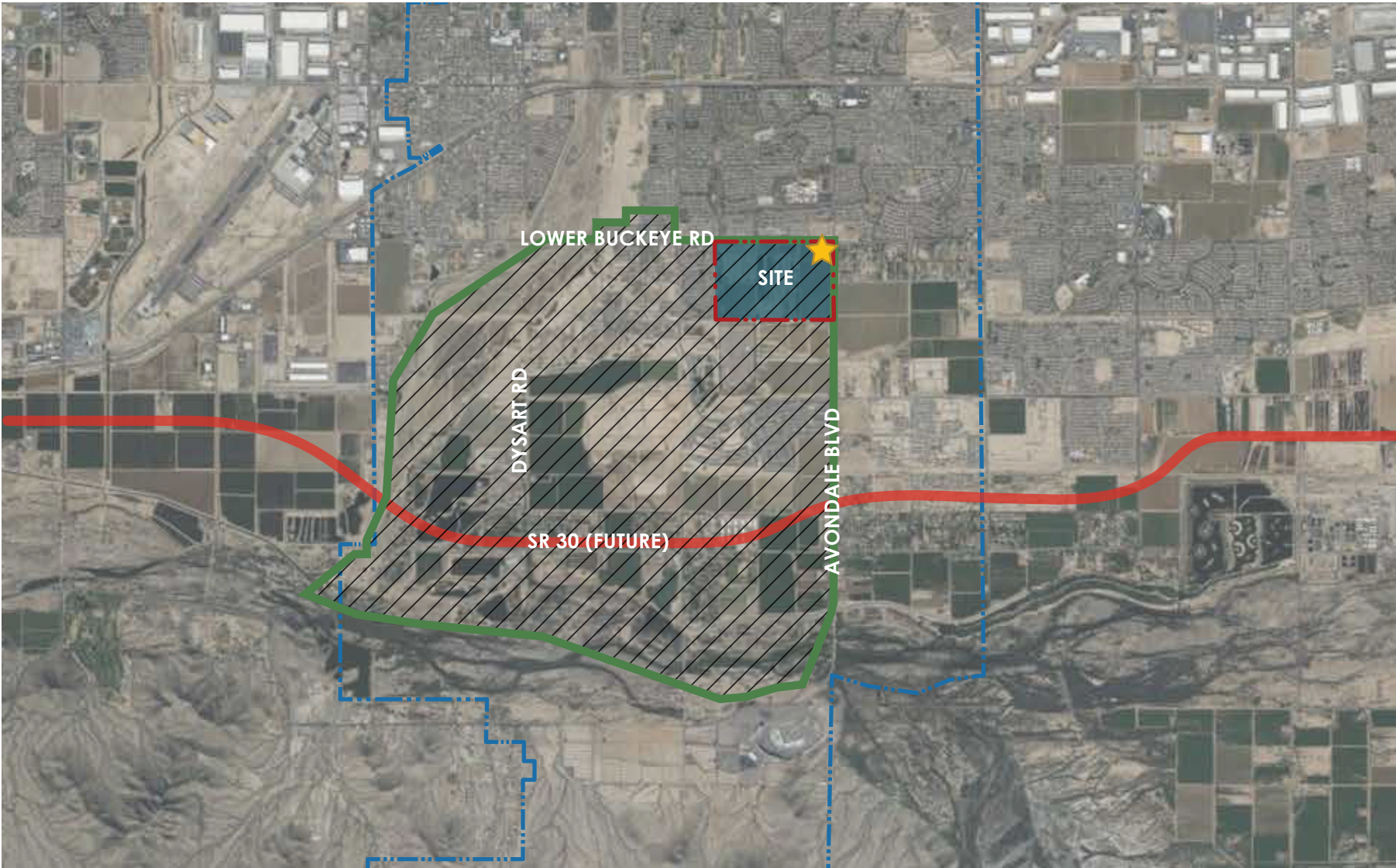


LEGEND

 HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH
 AVONDALE CITY LIMITS

 RIVER/WATERSHED AREA
 MARICOPA COUNTY JURISDICTION





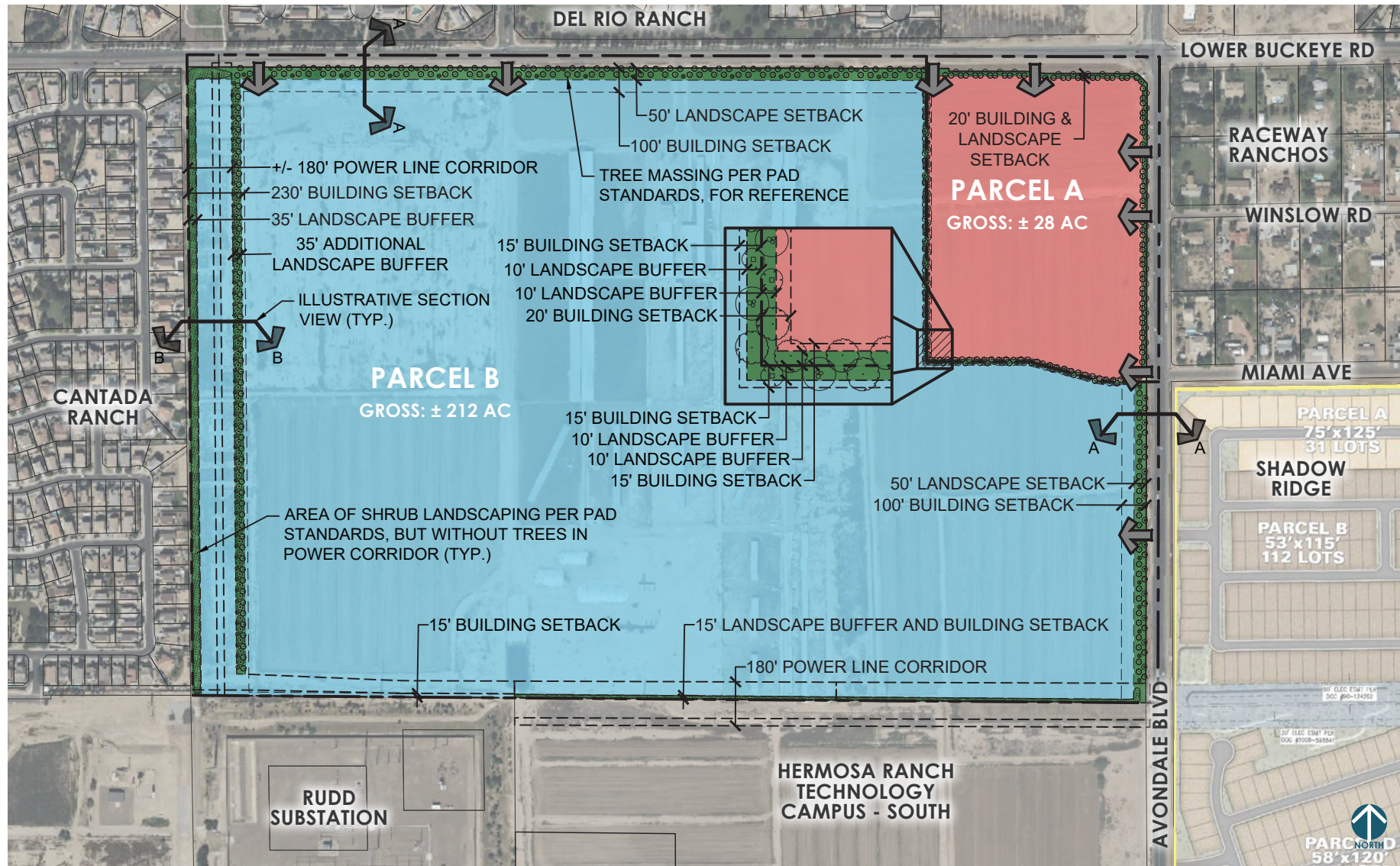
LEGEND

- HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH
- TRES RIOS OPPORTUNITY ZONE
- AVONDALE CITY LIMITS

- SR 30 (FUTURE)
- PROPOSED COMMERCIAL



EXHIBIT 3 | CONCEPTUAL DEVELOPMENT PLAN

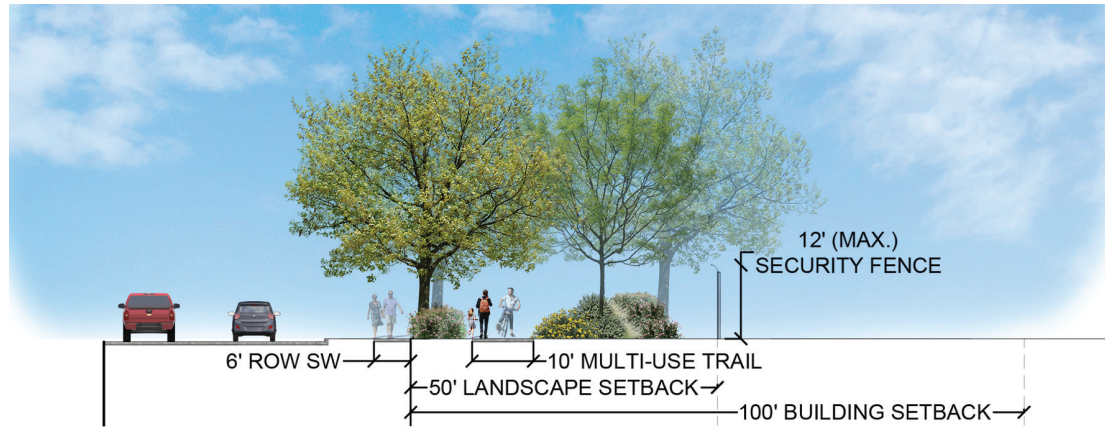


LEGEND

- HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH
- PARCEL A - LOCAL COMMERCIAL
- PARCEL B - BUSINESS PARK
- ← ACCESS
- SETBACKS

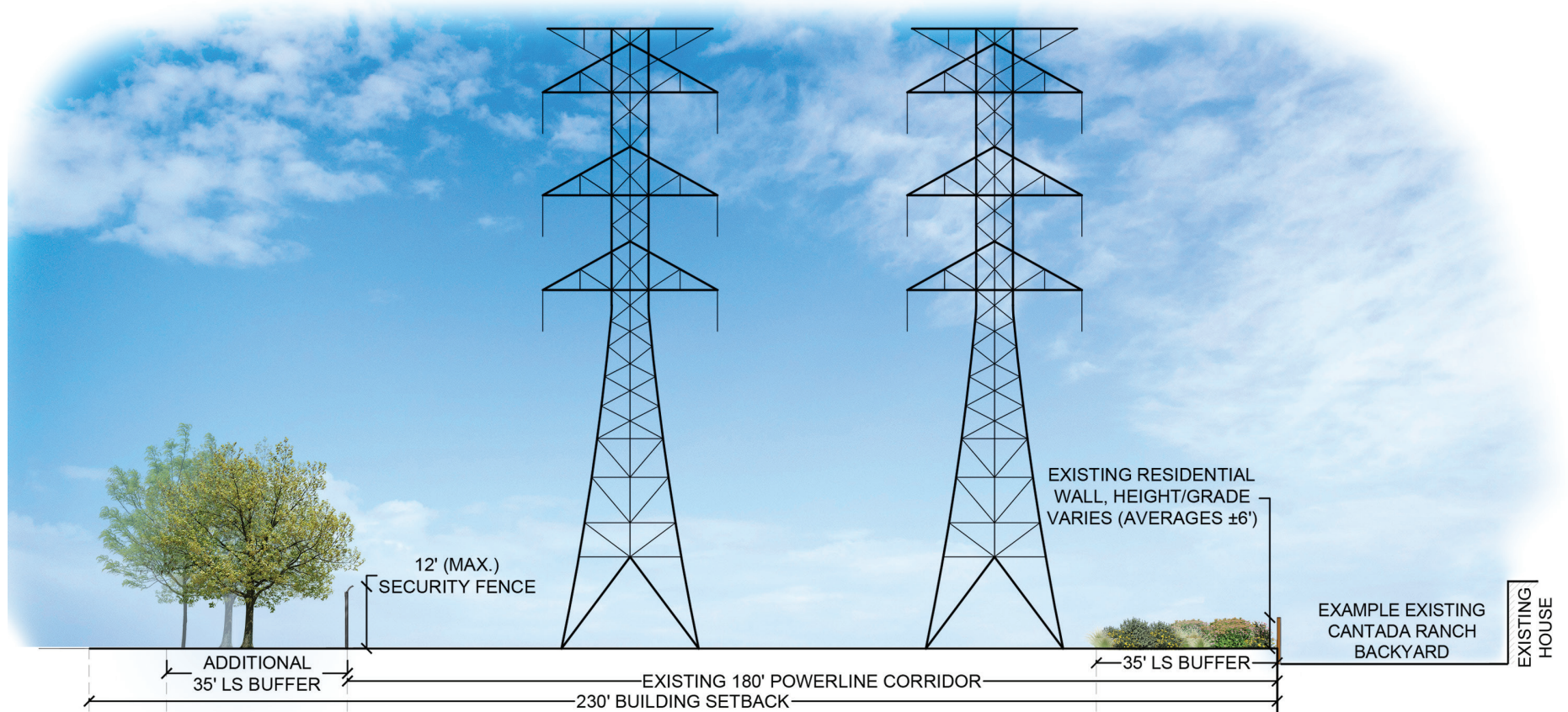
Note: This Conceptual Development Plan is intended to provide a land area target for Parcels A and B as expressed through a ± label. To promote some predictability, it is the intent of this Exhibit, the General Plan Amendment, and provisions within this Planned Area Development zoning to allow a 10% deviation in acreage with either an increase or a decrease.

EXHIBIT 4 | ILLUSTRATIVE SECTIONS



Note: Landscaping shown is intended to demonstrate general scale, character and placement. Final design shall be per the plant list and standards provided in this narrative, and will vary by its individual context. For reference, A-A's setback will include one tree and ten shrubs planted every twenty feet of street frontage, and B-B's buffers will include three shrubs in the western 35-foot buffer (no trees allowed in power line corridor) and one tree in the additional 35-foot buffer planted every fifteen feet.

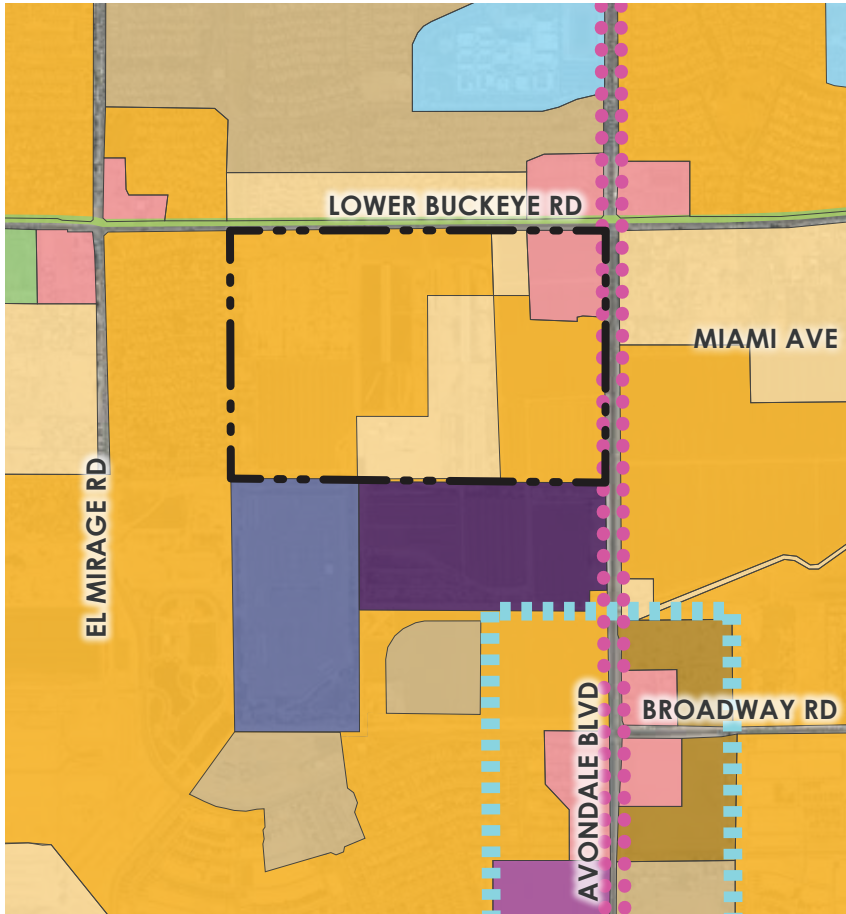
CROSS SECTION A-A: FACING E. ON LOWER BUCKEYE RD OR S. ON AVONDALE BLVD, ADJACENT TO EMPLOYMENT PARK



CROSS SECTION B-B: FACING SOUTH FROM POWER CORRIDOR

EXHIBIT 5 | GENERAL PLAN

EXISTING GENERAL PLAN

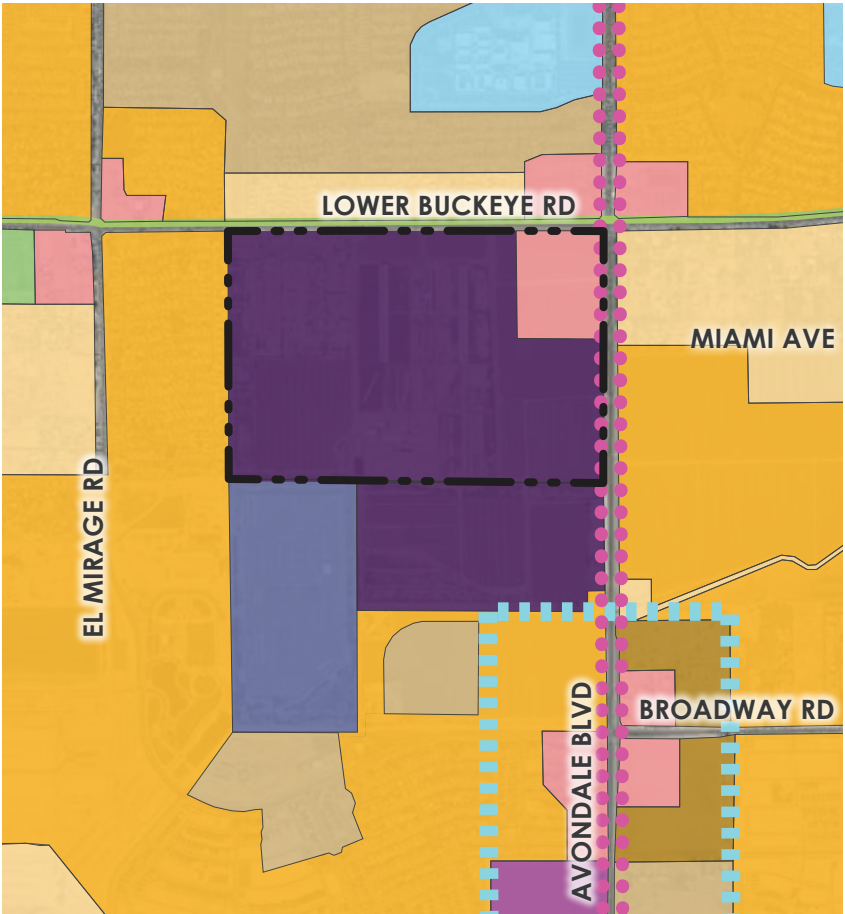


LEGEND

- MEDIUM DENSITY RESIDENTIAL
- ESTATE/LOW DENSITY RESIDENTIAL
- LOCAL COMMERCIAL
- BUSINESS PARK
- MEDIUM/HIGH DENSITY RESIDENTIAL
- PUBLIC/CIVIC
- OPEN SPACE AND PARKS



PROPOSED GENERAL PLAN



- EDUCATION
- MIXED USE
- HIGH DENSITY RESIDENTIAL
- GROWTH AREA
- AVONDALE BLVD EMPLOYMENT AND COMMERCIAL CORRIDOR
- HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH



III. SITE CONTEXT

Existing Conditions

The Property is currently zoned Planned Area Development (PAD) and Agricultural (AG). Approximately 167 acres of the western part of the Property is within the existing Diamond P Ranch PAD. Diamond P Ranch (Case No. Z-07-4) was annexed into the City of Avondale and rezoned to PAD in 2008 to allow 589 single family detached dwelling units, and a potential school site for the Littleton Elementary School District. Preliminary plats were prepared but were never approved by the City. East of Diamond P Ranch, the remaining approximately 67 acres of the Property is Flemming Farms PAD (Case No. Z-05-18). Subdivision Plats were approved and recorded in 2008. The northeast 17 acres was originally part of the overall PAD and called Fleming Farms Commercial, but it was removed from the Fleming Farms PAD in 2011 and reverted to the Agricultural zoning district (Ordinance 1493-412). (See Exhibit 5 | Zoning)

The approximately 239 acres associated with this GPA request is located west of Avondale Boulevard and south of Lower Buckeye Road, two highly traveled arterial roadways. Presently, the project area contains a commercial dairy, associated agriculture uses and some vacant land. Adjacent to the western third of the southern property boundary is the Rudd Substation. The existing substation serves the electrical supply networks for both the Salt River Project (SRP) and the Arizona Public Service Company (APS). The SRP, APS and WAPA power line corridors (230 kV) are present on the site, running the length of the western and southern boundaries. Immediately south of the east/west power line corridor is Hermosa Ranch Technology Campus – South which is currently being developed with a battery energy storage facility and data centers with supporting uses. The site has a flood delineation of Zone “X” and slopes towards the south and southwest. (See Exhibit 6 | Vicinity Map)



Compatibility With Surrounding Area

The current Avondale General Plan land use designations for the property are Estate/Low Density Residential (ELDR), Medium Density Residential (MDR), and Local Commercial (LC), with a zoning designation of PAD or AG. The Avondale Boulevard Employment and Commercial Corridor runs along the eastern portion of the Property. The entire Project is located within the Tres Rio Opportunity Zone, further emphasizing the desire to activate this site with an employment-based use. The major General Plan Amendment request to BP will complement adjacent land uses and meets the intent of the BP land use category to attract and support "large scale campus development that provides abundant employment opportunities." The proposed increase in LC acreage is to allow for the development of a neighborhood commercial center that would have the ability to offer a variety of goods and services. The proposed Hermosa Ranch Technology Campus – North will integrate into the surrounding area in a manner which promotes compatibility with existing and planned uses and facilitate the extension of the technology campus immediately to the south.

The proposed technology campus is compatible with the immediately surrounding area which includes arterial roadways to the east and north, power line corridors to the west and south, and electrical substation to the south. Special design considerations, including increased building setbacks and enhanced landscape buffers, which are provided for in the companion PAD, will be utilized along sensitive edges of the Project. The existing uses and zoning of surrounding properties include:

TABLE 1 | EXISTING CONDITIONS

LOCATION	GENERAL PLAN LAND USE	EXISTING ZONING	EXISTING USE
SITE	MEDIUM DENSITY RESIDENTIAL, ESTATE/LOW DENSITY RESIDENTIAL, LOCAL COMMERCIAL	PAD (Z-07-4 AND Z-05-18), AG PL-11-0199	POWERLINE CORRIDOR, DAIRY, AGRICULTURE
NORTH	ESTATE/LOW DENSITY RESIDENTIAL, LOCAL COMMERCIAL	PAD (Z-04-05)	RESIDENTIAL (DEL RIO RANCH), VACANT TOWARD EASTERN EDGE
SOUTH	PUBLIC/CIVIC, BUSINESS PARK	RR-43 (MARICOPA COUNTY), PAD (PL-22-0166)	POWERLINE CORRIDOR, SRP/APS RUDD SUBSTATION, HERMOSA RANCH TECHNOLOGY CAMPUS - SOUTH
EAST	MEDIUM DENSITY RESIDENTIAL, ESTATE/LOW DENSITY RESIDENTIAL	PAD (PL-21-0087), RU-43 (MARICOPA COUNTY)	CURRENTLY VACANT (FUTURE SHADOW RIDGE COMMUNITY), RESIDENTIAL (RACEWAY RANCHOS)
WEST	MEDIUM DENSITY RESIDENTIAL	PAD (Z-99-389 AND PL-17-0303)	POWERLINE CORRIDOR, RESIDENTIAL (CANTADA RANCH)

EXHIBIT 6 | ZONING

EXISTING ZONING PLAN



PROPOSED ZONING PLAN



LEGEND

--- HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH

EXHIBIT 7 | VICINITY MAP



LEGEND

 HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH
 AVONDALE CITY LIMITS

RIVER/WATERSHED AREA
 MARICOPA COUNTY JURISDICTION



IV. MAJOR GENERAL PLAN AMENDMENT REVIEW + ANALYSIS

1 Availability of current and future water supplies.

The Property is served by the City of Avondale with an existing 16-inch waterline located within Avondale Boulevard which borders the eastern property line and a 12-inch waterline within Lower Buckeye Road which borders the northern property line. It is understood that the City of Avondale's Integrated Utility Master Plan recommends upgrading Lower Buckeye Road's 12-inch waterline to a 16-inch waterline. If not previously upgraded, this Project will install this upgrade along its frontage during development. The Project will connect to these existing/proposed waterlines and provide a looped system. When compared to the water supply necessary to serve the Property under the existing Estate/Low Density Residential (ELDR) and Medium Density Residential (MDR) designations, the demand associated with the proposed data centers with closed-loop water systems, are significantly less than single-family residential uses. Additional information regarding the impact on water services can be found in the supporting Water Report prepared by Coe and Van Loo LLC.

2 Impact on and potential support of the City's transportation systems.

Avondale Boulevard and Lower Buckeye Road are both designated as Arterial Roads on the General Plan Circulation and Streets Classification Map. While Lower Buckeye Road is a major east/west roadway, Avondale Boulevard is a prominent north/south route through the City of Avondale and has been planned as a major

employment and commercial corridor from McDowell Road south to Southern Avenue. The location of Hermosa Ranch Technology Campus – North is further highlighted by its proximity to future State Route 30, planned approximately one and one-quarter mile to the south, providing for efficiency in trip generation and access routes. The existing and planned transportation network fully supports the employment and commercial uses on the Property, and the modifications in land use designation from ELDR and MDR to Business Park (BP) and a slight increase in Local Commercial (LC) will have minimal impacts on the City's transportation system. Additional information regarding the impact on City transportation systems can be found in the supporting Traffic Generation Letter prepared by Y2K Engineering.

Offsite improvements will include widening of Avondale Boulevard and Lower Buckeye Road adjacent to the Property, meeting the City's half-street requirements for the planned minor arterial roadways, installation of new driveways, and the project's proportional share of adjacent traffic signals if warranted. Driveway locations and circulation will be designed to create an efficient, functional, and safe network that is easily accessible and will have minimal impact on traffic in the surrounding area. The City of Avondale initiated Avondale Boulevard and Lower Buckeye Road intersection improvements, completing them in October 2023.

3 Impact on the natural environment, including, but not limited to, hillsides, riparian areas, and floodways.

This GPA will not adversely impact the natural environment, including, but not limited to, hillsides, riparian areas, and floodways, as none of these exist on the Property.

4 Extent to which the proposal contributes to achieving the (i) job to population ratio, (ii) square foot per capita ratio, and (iii) multi-family housing ratio identified within this General Plan 2030.

With the development of Hermosa Ranch Technology Campus - North, a significant concentration of capital investment in new employment space will advance the City's efforts to meet the targeted jobs-to-population ratio of 0.50 jobs for every resident. The Property is located in an area within the City that is dominated by single family residential uses and the addition of employment and commercial uses provided by the development of the Project will aid in providing a balance of uses and jobs for nearby residents. Additionally, the requested land use modification will not negatively impact the multi-family housing ratio.

5 Impact on City services and facilities including, but not limited to, police, fire, water, and wastewater.

This GPA will not negatively impact City services and is anticipated to create less demand on these systems than if the Property was to develop as single family residential. Replacing residential with employment uses will generate less demand for public safety services, as calls will likely be fewer in scope and frequency. Additionally, the future technology campus portion of the Project will provide on-site and remote private security, which further reduces reliance on public safety services.

The proposed amendment will not burden the City with regard to needing additional extensions of utility infrastructure since there are existing water and sewer lines available in Avondale Boulevard and Lower Buckeye Road. All of these utility lines have adequate capacity for the proposed technology campus and future commercial. Tables 2 and 3 below compare the water and wastewater demands of the proposed Hermosa Ranch Technology Campus - North to the mostly residential uses of the existing general plan in the 2018 IUMP. These tables are provided for reference, verification and additional information can be found in the supporting Wastewater Report and Water Report prepared by Coe and Van Loo LLC.

TABLE 2 | WATER DEMAND COMPARISON

SCENARIO	Demands Based on 2018 IUMP (gpd)	Technology Campus Demand (gpd)	Demand Decrease (gpd)	% Decrease
AVERAGE DAY DEMAND	198,196	168,036	30,160	15 %
MAXIMUM DAY DEMAND	327,024	277,200	49,824	15 %
PEAK HOUR DEMAND	513,329	443,065	70,264	14 %

TABLE 3 | WASTEWATER FLOW COMPARISON

SCENARIO	Flows Based on 2018 IUMP (gpd)	Technology Campus Flows (gpd)	Flow Decrease (gpd)	% Decrease
AVERAGE DAY FLOW	84,496	41,150	43,345	51 %
PEAK DAY FLOW	189,471	126,278	63,193	33 %

The developer of the technology campus recognizes concerns around data center water usage and the impact imposed on local communities and the environment and therefore applies design and construction standards to significantly minimize the water consumption required to serve the buildings. An air-cooled, chilled water closed-loop system minimizes water usage to cool the data center buildings, greatly improving a measurable Water Utility Efficiency. Once charged, the closed loop system requires zero water use, with the exception of occasional maintenance. A closed loop system, as described, or alternative equivalent system as determined by the City, will be used for the technology campus.

6 Extent to which the goals of this General Plan 2030 are accomplished.

The following summary highlights a few of the Avondale General Plan 2030 goals and policies which this Major General Plan Amendment supports:

Land Use Element

Goal 3: Promote a strong balance of high quality residential, employment, recreation, and educational land uses.

Policy D: Ensure adequate transitions and/or buffers are provided when adjacent land uses vary in character and intensity.

This GPA request to increase the LC acreage and modify the land use from ELDR and MDR to BP for the Property will introduce BP uses into the Avondale Boulevard Employment and Commercial Corridor. Diversity and balance of land uses within this Corridor, specifically between Buckeye Road and Broadway Road, is currently lacking and medium density residential is the predominant use. This GPA increases the mix of land uses for the Corridor and places new jobs, goods and services in proximity to residents.

The BP land use category supports employment uses that can incorporate modern campus planning, design, and architecture that will take into account the City's

expectations for design quality and consideration of surrounding existing and planned uses. The companion PAD application will establish generous building setbacks for the BP uses to provide for adequate transitions and landscaped buffers adjacent to existing residential uses to the west and north, aiding both with noise abatement and visual buffering. The development of the Property will enhance the visual attractiveness of the currently underdeveloped agricultural land use.

Goal 4: Ensure all land use decisions meet the long-term social and economic goals of the community.

Policy C: Ensure Avondale is at the forefront of any emerging markets by continuously updating codes and policies to include standards for new business types and technologies.

Avondale has significantly grown its employment base with major medical, warehousing and office uses, however, it has limited land available with access to the required power infrastructure necessary to attract technology companies / data centers looking to locate in the area. This GPA will add to the City's land use mix and provide an opportunity to attract an increasingly growing technology market to Avondale. The development of this northern portion of the Hermosa Ranch Technology Campus would continue the recent significant capital investment in the City of Avondale and reinforce the General Plan's goal to provide a mix of employment areas with a wide range of salary levels that increase the stability and diversity of Avondale's economy. Local jobs will be created during construction and once the data centers are operational, while the future commercial development will provide additional jobs as well.

Economic Element

Goal 1: Grow and diversify Avondale's economy and employment base through business retention, expansion, and development.

Policy E: Leverage the City's proximity to the west coast and port districts to attract international industries and high-tech companies.

This GPA leverages access to the west coast via Interstate 10 and the future State Route 30 through direct access to Avondale Boulevard, a major north/south arterial roadway through Avondale. Additionally, the adjacency of the Property to the Rudd Substation is a significant attractor for high-tech companies, as proximity to power infrastructure drives the location for many large scale employment uses. The location of the Property is further incentivized by being within an Opportunity Zone. Few west valley properties can compare to this site in recruiting targeted growth sectors with an emphasis on professional and technical employment.

Goal 3: Enhance and market Avondale's business climate.

Policy E: Increase the supply of developable Business Park land and promote a flexibility of uses within.

This GPA supports the enhancement of Avondale's business climate and will allow for new development and business attraction opportunities by increasing the availability of developable land for Business Park uses. The Project will create additional opportunities in the area for national and international industries, bringing additional business and visitors to Avondale and increasing the potential for new investment. The proposed uses also incorporate enough flexibility to provide many diverse employment opportunities, as well as ensure full utilization of the Property over time. The proposed uses associated with Hermosa Ranch Technology Campus – North will further the City's priority and focus on economic vitality and competitiveness.

Goal 10: Reserve adequate lands to accommodate business parks, light industrial uses, and higher education facilities.

Policy A: Support efforts to locate and develop additional business park and industrial land along Avondale's business corridor.

The Property fronts on the Avondale Boulevard Employment and Commercial Corridor, which is recognized as a major corridor for employment and commercial uses. The BP land use category assists in the growth and development of this employment corridor, fulfills the purpose for this Corridor, and would adequately accommodate additional business park land within an underutilized area, as the General Plan intended.

Policy B: Promote Business Park employment uses adjacent to high-capacity roadway corridors, such as the I-10 Freeway and Van Buren Street.

The Property is located on Avondale Boulevard, which is the major north/south arterial roadway that runs between Interstate 10 and the future State Route 30. This GPA promotes business park employment uses within the designated Avondale Boulevard Employment and Commercial Corridor and adjacent to current and future high-capacity corridors, providing for efficiency in trip generation and access to employment for residents.

Energy Element

Goal 5: Integrate electric power line corridors, electric substations, and other energy infrastructure into future development.

Policy A: Work with developers and local utility provides to mitigate the off-site visual impacts on surrounding properties of electrical substations and well sites through decorative walls, opaque fencing, earthen berm, and dense landscaping.

Hermosa Ranch Technology Campus – North is planned to develop as a technology campus with supporting ancillary uses and neighborhood commercial goods and services. The location adjacent to the Rudd Substation is ideal and allows direct connectivity and transfer of power. The landscape buffers provided around the future technology campus will not only aid in screening the proposed BP uses but provide visual enhancements to draw the eye away from the existing power line corridors on the western and southern edges of the Property.

Conformance With The 2021 Avondale Strategic Plan

The City of Avondale Strategic Plan sets Avondale "on a course for the future, with a five-year road map of aspiring but achievable goals". The intent is to maintain what is currently unique and wonderful about Avondale while attracting new growth and development in the community through a collaborative process. The Strategic

Plan represents a cohesive and intelligent approach which will enable Avondale to create a community that is family friendly and economically robust.

Hermosa Ranch Technology Campus – North will assist in achieving the goals associated with the Strategic Plan, in particular, encouraging economic development in furtherance of the Creative and Sustainable Community Development goal. The future technology campus and commercial center will provide employment opportunities in close proximity to existing and planned residential, allowing residents an easy walk, ride, or short commute to future jobs, goods and services. Located within the Avondale Boulevard Employment and Commercial Corridor, immediately adjacent to a designated Growth Area, and bounded by power line corridors, substation and arterial roadways, the Property is an ideal location for BP land uses and promotes a sustainable development pattern.

V. FINDINGS

This Major General Plan Amendment (GPA) request meets the following findings, as required by the General Plan 2030:

1 The development pattern contained on the Land Use Plan inadequately provides the appropriate optional sites for the use and/or change proposed in the amendment.

The development pattern contained on the Avondale Land Use Plan inadequately provides optional sites for the proposed Business Park (BP) land use as nearly all of the remaining BP land within the City's Planning Area is either developed or in the process of being developed, and much of it is not developed with BP uses but instead, auto dealerships. This GPA will facilitate employment uses at an appropriate location where alternative sites are not available. The Property's current land use designations do not allow for a major employment center, and as a result,

does not advance the vision and/or goals of the Avondale Boulevard Employment and Commercial Corridor. This Property is ideally located near the South Core Growth Corridor, within the Tres Rios Opportunity Zone, and adjacent to supportive power and transportation infrastructure, making this a prime location for BP uses. The current General Plan does not have other BP sites with these advantages.

The small increase in acreage for the Local Commercial (LC) uses will allow for a significant and viable commercial center with potential anchors, rather than strip mall development. Due to its integration within the overall Project, the increased acreage does not negatively impact the remainder of the Property but creates a more beneficial opportunity for successful commercial uses.

2 The amendment constitutes an overall improvement to the General Plan 2030 and is not solely for the good or benefit of a particular landowner or owners.

This GPA improves the General Plan by introducing supportive land uses to planning areas designed to attract employment investment, and expands the planning areas that provide goods and services to the community. This GPA provides new business opportunities within Avondale, particularly within the technological market that continues to rapidly grow and is attracted to areas with access to reliable power.

This GPA improves the General Plan by introducing BP uses to the Avondale Boulevard Employment and Commercial Corridor, which is designed to attract employment investment and offer employment opportunities. A technology campus designed to include data centers and ancillary uses is a significant investment in Avondale and will provide jobs in close proximity to residential. This amendment reinforces Avondale's economic stability and sustainability.

3 The amendment will not adversely impact the community as a whole and/ or a portion of the community by:

- 1. Significantly altering the acceptable land use patterns;*
- 2. Requiring larger and more expensive public infrastructure improvements including, but not limited to, roads, water, wastewater, and public safety facilities than would otherwise be needed without the proposed change; or*
- 3. Adversely impacting the existing land uses.*

This GPA does not significantly alter acceptable land use patterns, but rather, advances the General Plan's land use goals and brings new jobs close to where residents live. Additionally, this GPA advances the goals of the Avondale Boulevard Employment and Commercial Corridor, recognized in the General Plan as a major corridor for employment.

The land use modifications from ELDR and MDR to BP and increase in LC acreage will not require larger and more expensive public infrastructure improvements, conversely, replacing residential with employment uses will likely generate less demand for public safety services and less traffic, while providing a significant revenue enhancement to the City and school districts. As stated previously, the Property is ideally located to take advantage of the adjacent arterial roadways and regional transportation network, with offsite improvements limited to widening of Avondale Boulevard and Lower Buckeye Road adjacent to the Property and installation new driveways. These improvements are not beyond the type of offsite improvements that would be required if the currently planned residential uses were developed. The companion PAD will establish future water and wastewater infrastructure to the Property and the associated Master Plans will establish sufficient water and sewer capacity.

This GPA will not adversely impact existing land uses in the surrounding area and will further advance the goals of the adjacent Growth Area and Avondale Boulevard Employment and Commercial Corridor by providing employment uses on the Property. The companion PAD for Hermosa Ranch Technology Campus – North will establish minimums for building setbacks and landscaped buffers and provide requirements to guarantee high-quality site design, ensuring compatibility with surrounding existing and planned uses.

4 That the amendment is consistent with the overall intent of the General Plan 2030 and other adopted plans, codes, and ordinances.

This GPA is consistent with the overall intent of the General Plan 2030 and helps further the growth of the Avondale Boulevard Employment and Commercial Corridor. This amendment encourages new investment, job creation, and a change to land use that advances economic sustainability and employment diversity.

There is also support for this request in the 2021 City of Avondale Strategic Plan. The Strategic Plan provides in its Creative and Sustainable Community Development Strategic Outcome Area that "economic development is also a key focus area for the city". Identified strategies include "housing that is affordable to workers and close to their jobs." With the recent development of the Alamar and Verde Trails communities in close proximity to the Property, and established communities of Cantada Ranch, Del Rio Ranch, Durango Park and Sanctuary, there are thousands of residents within five miles of the future technology center. The BP land use designation and increased opportunity for LC uses will provide employment opportunities in the area and help balance the job-to-population ratio.

VI. CONCLUSION

A Major General Plan Amendment (GPA) is being requested to facilitate the future development of Hermosa Ranch Technology Campus - North which is a continuation of the 2023 approved Hermosa Ranch Technology Campus - South Planned Area Development (PAD). The future development is planned to include a technology campus with additional ancillary uses and a vibrant commercial center that will provide goods and services to the community. The proposed Project will generate jobs and significant revenue for the City of Avondale and school districts, while providing a convenient location for commercial goods and services for the neighboring residential communities.

This GPA request provides an opportunity to introduce a land use designation for the Property that will support the employment corridor planning and business park goals established in Avondale's General Plan. The Property's location is ideally located for employment and commercial uses along two highly traveled and prominent transportation corridors, with great access to existing infrastructure. This amendment reinforces Avondale's economic stability and supports a higher quality of life for residents.



HERMOSA RANCH
TECHNOLOGY CAMPUS - NORTH

MAJOR GENERAL PLAN AMENDMENT

**NORRIS
DESIGN**
PEOPLE + PLACEMAKING

Exhibit E

Electronically Submitted 2/1/24

Summary of Neighborhood Meeting for Hermosa Ranch Technology Campus – North

Case Numbers: PL-23-0299 & PL-23-0300

January 30, 2024, at 6:00 PM

A neighborhood meeting for a general plan amendment and rezone application for approximately 239 acres of land located generally on the southwest corner of Avondale Blvd. and Lower Buckeye Rd. in Avondale, Arizona, was held on Tuesday, January 30, at 6:00 PM. The applications propose a general plan amendment of the site to a mix of Business Park and Local Commercial land use designations, and a rezone to Hermosa Ranch Technology Campus – North PAD to allow for the development of a data center and commercial corner. The site was posted with the meeting information, a legal advertisement was published in the Southwest Valley Arizona Republic newspaper, and notifications were mailed to property owners and HOAs within 1,000 feet of the project.

The meeting was held at Avondale City Hall located at 11465 W. Civic Center Dr., Avondale, Arizona 85323 in the Sonoran Conference Room. Four members of the public were in attendance as well as one member of city staff and one elected official. A redacted copy of the sign-in sheet is included as **Exhibit A** in this report.

Members of the development team present:

- Carolyn Oberholtzer – BFSO Law
- Caleb Weeks – BFSO Law
- Lauren Trobaugh – BFSO Law
- Alan Beaudoin – Norris Design
- Nick Vanderwey – Rexco LLC, TGV Investments LLC
- Michael Vanderwey – Rexco LLC, TGV Investments LLC
- Terry Klinger – Rexco LLC, TGV Investments LLC

City officials and staff present:

- Curtis Neilson – Council Member
- Joshua Orton – Senior Planner

The first members of the public arrived at 5:50 PM and Ms. Oberholtzer began an open-house presentation where she explained the proposal. She walked attendees through display boards and discussed the project and answered questions and concerns from the attendees. The display boards had pertinent information from the application including reference photos, conceptual elevations and renders of the proposed data center buildings, and conceptual site plans and aerials of the property. The presentation boards are included as **Exhibit B** to this report. A summary of the questions and concerns from the public is presented below.

An attendee asked if the entrance to the power line corridor would be closed off. Concerns were raised regarding trash dumping and people living within the power line corridor on the west side of the property. Furthermore, there were questions about what type of landscape improvements may happen under the powerlines.

Ms. Oberholtzer discussed the significant improvements that were planned for the power line corridor which included landscaping on either side of the easement. She explained that due to the easement there was not much that could be done under the power lines, but that it would be kept clear of debris and dust. She further discussed that the data center would have security fencing on that would allow for visibility into the corridor from the data center user. She also explained that security patrols were expected to be present for the data center use and would deter unwanted activities in this area.

An attendee asked if there were other data centers in the area that they could look at to understand what the building would look like when complete.

The attendees were shown the renders and elevations of the buildings from the application exhibits. Ms. Oberholtzer explained the heights and setbacks of the buildings – specifically the data center buildings. She explained that similar developments can be seen along the north side of 202 at the 40th St. exit in Phoenix.

Concerns were presented by some of the public regarding their views of the mountains with the new development. Several attendees had questions about the allowed height of the project.

Ms. Oberholtzer reviewed the data center building elevations with the attendees and explained the roof height requested within the PAD application. She explained that the roof height would be a maximum of 50 ft., and that an additional 25 ft. would be permitted where necessary for the screening of mechanical rooftop equipment and stairwell access to the roof.

Attendees had questions about the sidewalks and right of way improvements at the perimeter of the project.

Ms. Oberholtzer discussed the landscape buffer, planting standards and vegetation that would be used for the project. Attendees were excited when she explained the 10 ft. wide multi-use path that is proposed for the property boundary, in addition to the sidewalk.

Attendees expressed a desire for the types of commercial services that the project would bring to the corner, specifically ones within walking distance of their homes. They were interested in what types and how many businesses may develop on the commercial corner, expressing desires for a grocer and sit-down restaurants. They asked if there were specific end users in mind for the commercial component of the project.

Ms. Oberholtzer explained that while there were specific end users in mind for the project that were engaged with the development team, there was nothing finalized at this time that could be shared. She noted that the end user for the commercial center was expected to be a grocer anchor, and once that user was solidified, it was expected that that user would drive the design of the center. She explained that building size requirements of the end user could impact the number and types of eventual businesses and shops on the commercial portion of the site.

There were some questions raised about traffic improvements to the surrounding area. Specifically, one attendee had safety concerns about the intersection of El Mirage and Lower Buckeye.

The development team explained that this intersection was not part of the project, but that there were plans for a signal at the intersection of 119th Ave and Lower Buckeye. City staff present discussed plans

for a future signal at El Mirage with the attendee and said he was not familiar whether it was in the CIP budget.

Several attendees had questions about the timeline for the completion of the project.

Ms. Oberholtzer explained that the entitlements would be processed through this year, but that the site would still need to go through a site plan approval and construction permits. She noted that groundbreaking was expected in 2025 for the project.

The meeting concluded at 6:50 PM.

Exhibit A

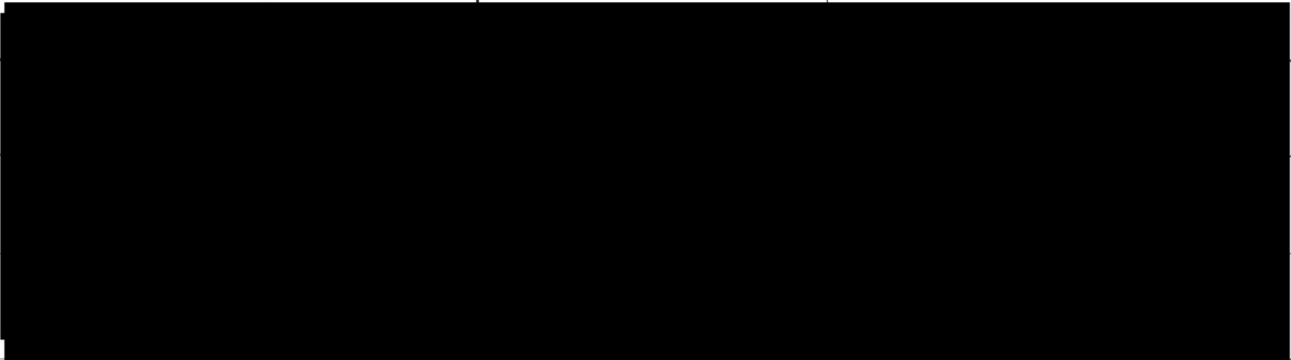
Neighborhood Meeting Sign-In Sheet

Hermosa Ranch Technology Campus – North
Rezone & Major GPA
Case No. PL-23-0299 & PL-23-0300
Neighborhood Meeting – January 30, 2024
City of Avondale- Avondale City Hall
11465 W. Civic Center Drive Avondale, AZ 85323

Name	Address	City & Zip Code	Phone/E-Mail
Jackie Grant			
Terry Ingham			
Caroline Yu			
Karen D			

Neighborhood Meeting Sign-In Sheet

Hermosa Ranch Technology Campus – North
Rezone & Major GPA
Case No. PL-23-0299 & PL-23-0300
Neighborhood Meeting – January 30, 2024
City of Avondale- Avondale City Hall
11465 W. Civic Center Drive Avondale, AZ 85323

Name	Address	City & Zip Code	Phone/E-Mail
Terry Klinger			
Eric Grant			
Jon Green			
George Moreno			

HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH

VICINITY MAP



LEGEND

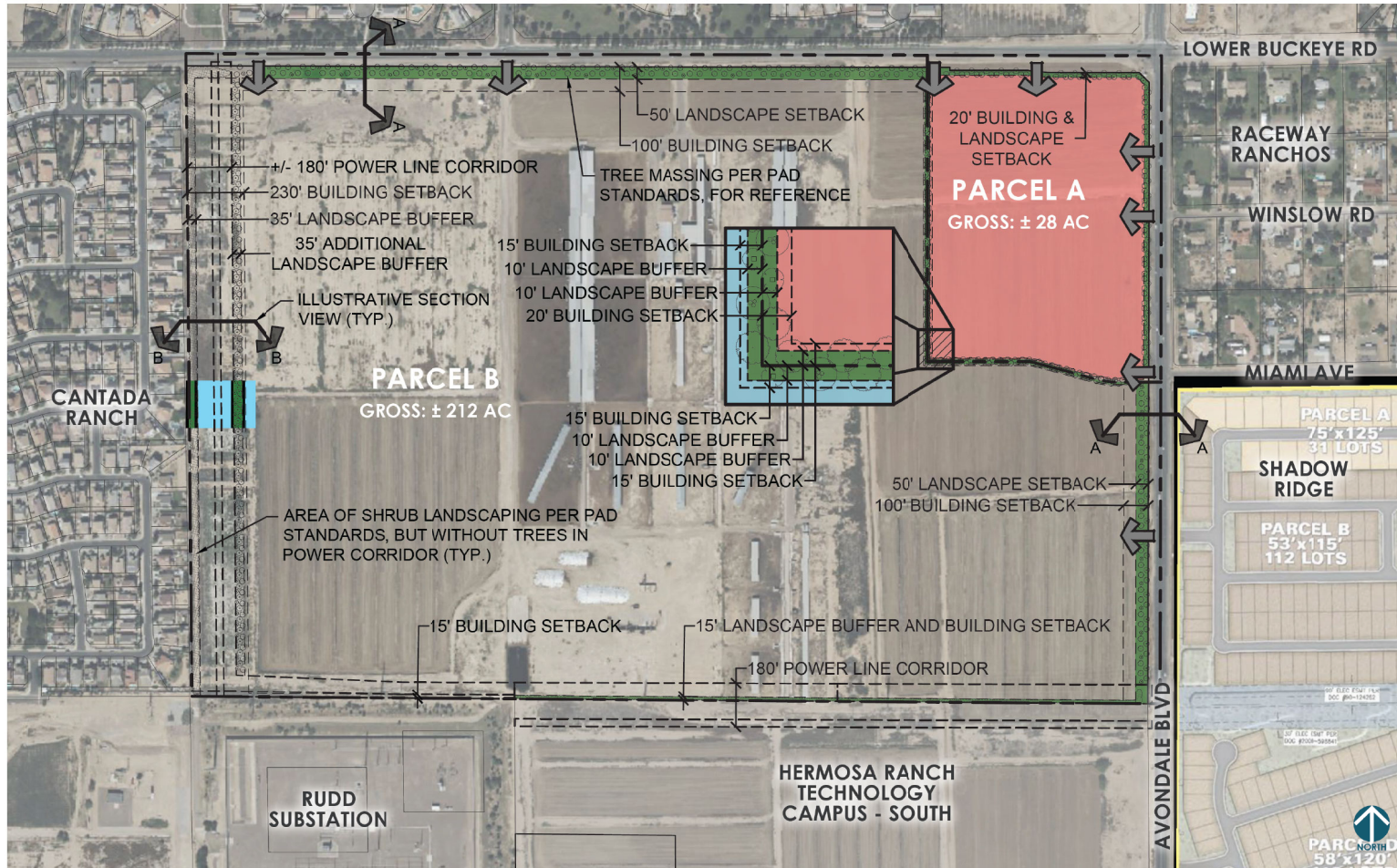
- HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH
- AVONDALE CITY LIMITS

- RIVER/WATERSHED AREA
- MARICOPA COUNTY JURISDICTION



HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH

CONCEPTUAL DEVELOPMENT PLAN

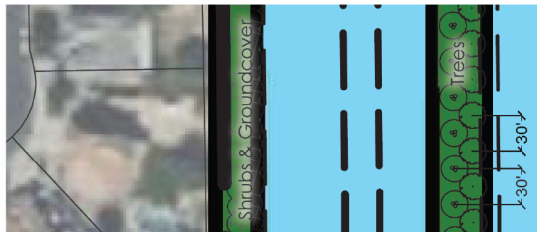


Note: This Conceptual Development Plan is intended to provide a land area target for Parcels A and B as expressed through a $\pm$ label. To promote some predictability, it is the intent of this Exhibit, the General Plan Amendment, and provisions within this Planned Area Development zoning to allow a 10% deviation in acreage with either an increase or a decrease.

HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH

ILLUSTRATIVE SECTIONS

Note: Total volume of trees will average 15-foot spacing, tree spacing is shown offset from each other to allow mature sizing and to minimize development visibility from the existing residential area. Western buffer will include shrubs since trees are not allowed in power corridor.



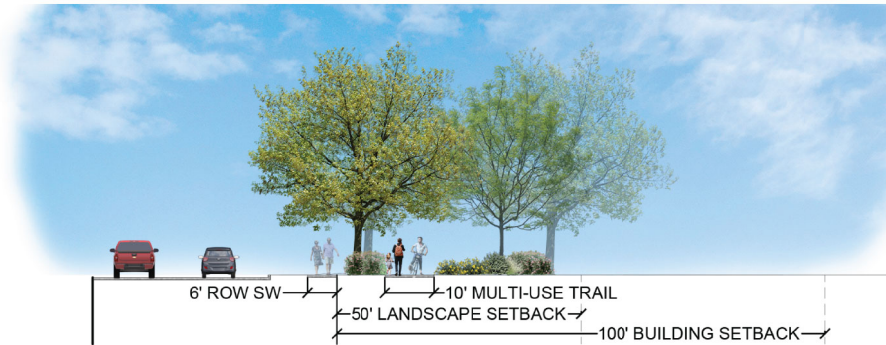
TREE MASSING ENLARGEMENT

Tree List

The following list is inspired by the area's existing conditions and the 2014 City of Avondale's Street Tree Master Plan. The list should be used as a guide for inspiration, any plant scheme that is consistent with City codes shall be permitted.

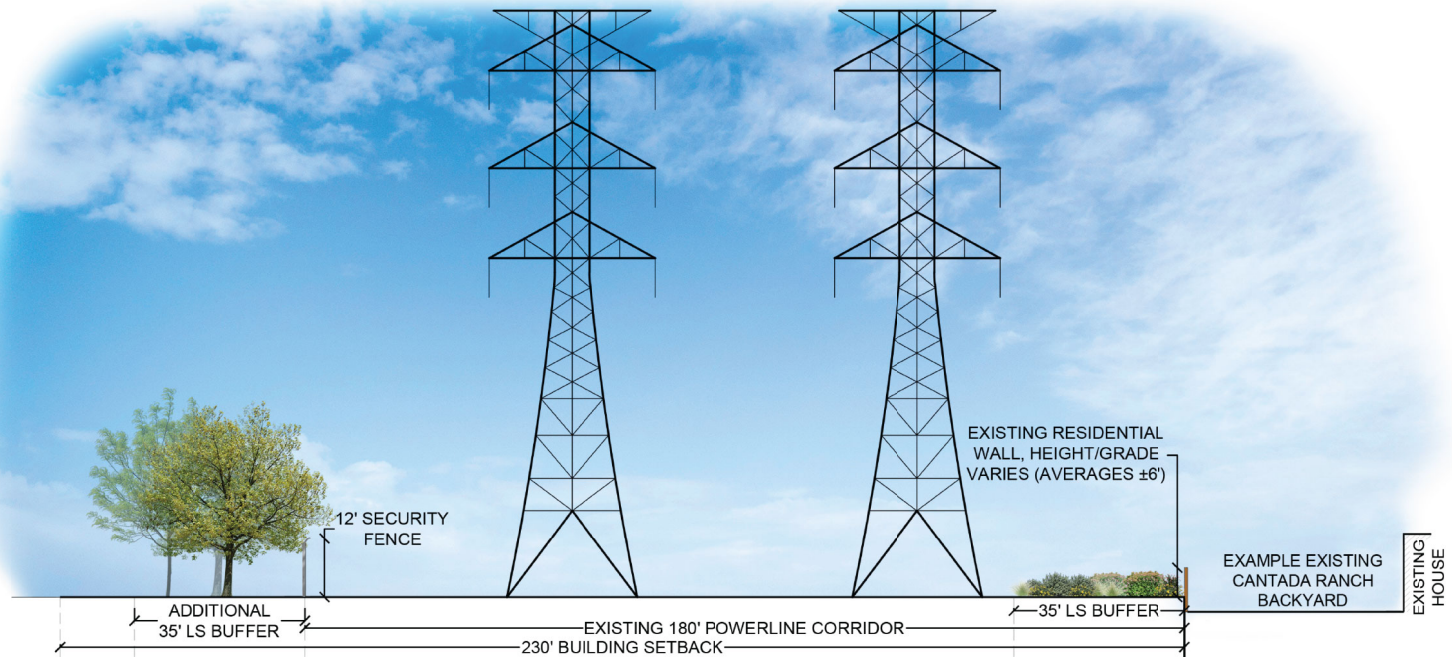
Trees:

- Acacia aneura (Mulga)
- Acacia salicina (Willow Acacia)
- Acacia smallii (Sweet Acacia)
- Chilopsis linearis (Desert Willow)
- Chitalpa tashkentensis (Chitalpa)
- Eucalyptus papuana (Ghost Gum)
- * Primary tree for Lower Buckeye Road
- Pistacia chinensis 'Red Push' (Red Push Pistache)
- * Primary tree for Avondale Boulevard in South Avondale Character Area
- Prosopis chilensis (Thornless Mesquite)
- ** Secondary tree for Avondale Boulevard in South Avondale Character Area and
- ** Secondary tree for Lower Buckeye Road
- Ulmus parvifolia 'Sempervirens' (Chinese Elm)
- Vitex agnus-castus (Chaste Tree)



CROSS SECTION A-A: FACING E. ON LOWER BUCKEYE RD OR S. ON AVONDALE BLVD, ADJACENT TO EMPLOYMENT PARK

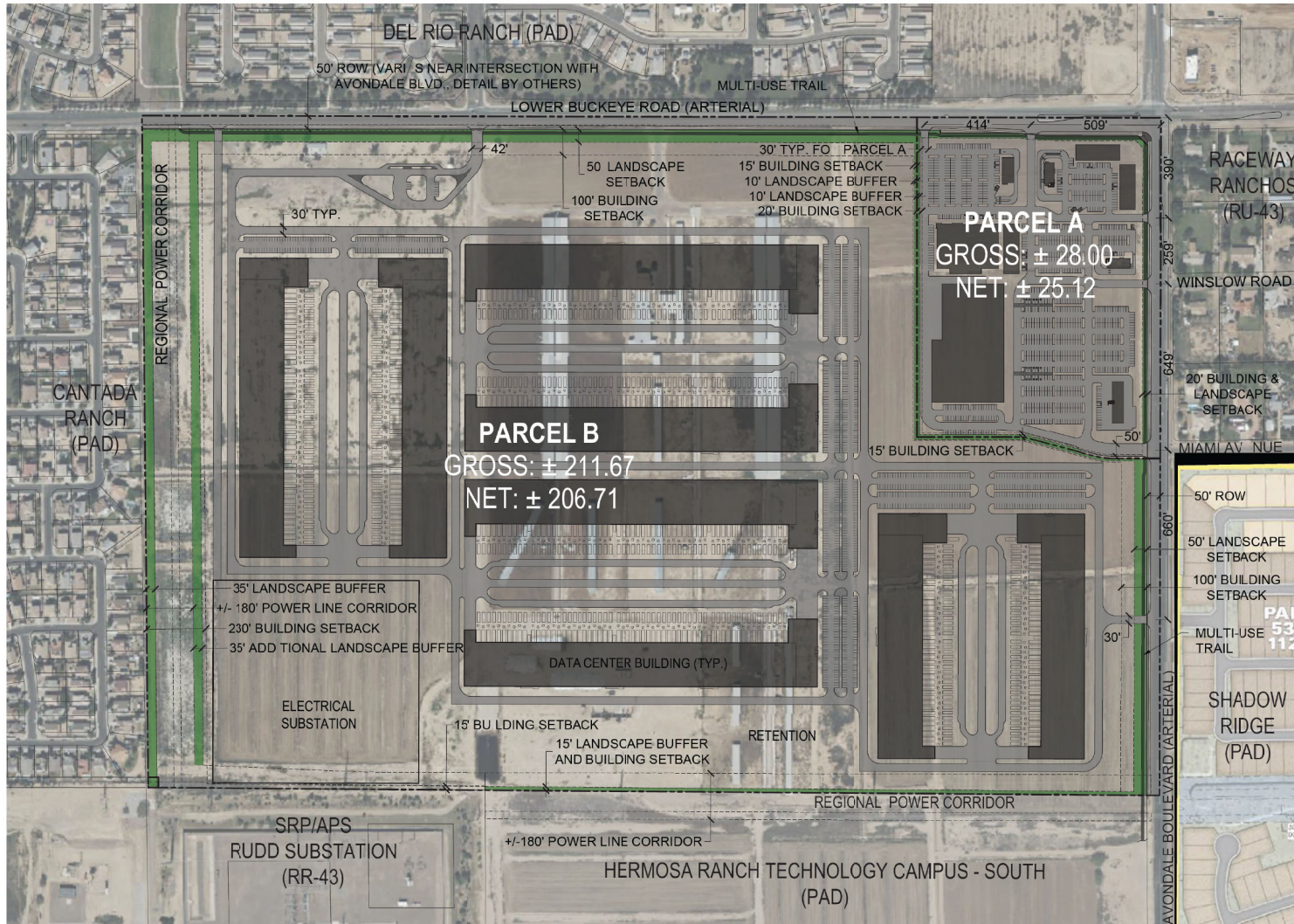
Note: Landscaping shown is intended to demonstrate general scale, character and placement. Final design shall be per the plant list and standards provided in the PAD narrative, and will vary by its individual context. For reference, A-A's setback will include one 24-inch box tree and ten 5-gallon shrubs planted every twenty feet of street frontage, and B-B's buffers will include three 5-gallon shrubs every 15 feet in the western 35-foot buffer (no trees allowed in power line corridor) and one 24-inch box tree planted every fifteen feet in the additional 35-foot buffer.



CROSS SECTION B-B: FACING SOUTH FROM POWER CORRIDOR

HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH

CONCEPTUAL SITE PLAN



PROJECT INFORMATION

EXISTING APNS:	500-66-001D, 500-66-008E, 500-66-008F, 500-66-281, 500-66-283 TO 500-66-445
EXISTING ZONING:	PLANNED AREA DEVELOPMENT (PAD) Z-07-4, PAD Z-05-18, AG PL-11-0199
PROPOSED ZONING:	HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH PAD
PROPOSED USES:	PARCEL A = COMMERCIAL PARCEL B = BUSINESS PARK / DATA CENTER
SITE AREA:	TOTAL = ± 239.87 ACRES GROSS / ± 231.83 ACRES NET PARCEL A = ± 28.00 ACRES GROSS / ± 25.12 ACRES NET PARCEL B = ± 211.67 ACRES GROSS / ± 206.71 ACRES NET
PARKING:	PARCEL A = ± 973 PROVIDED PARCEL B = ± 1,009 PROVIDED
BUILDING AREA:	PARCEL A = ± 216,000 SQUARE FEET PARCEL B = ± 3,583,000 SQUARE FEET (ALL BUILDINGS ARE TWO FLOORS)
LOT COVERAGE:	PARCEL A = NO MAXIMUM (± 20% LOT COVERAGE INDICATED) PARCEL B = 50% MAXIMUM (± 20% LOT COVERAGE INDICATED)
BUILDING HEIGHT:	PARCEL A = 40' MAXIMUM PARCEL B = 50' MAXIMUM

Note: This Conceptual Site Plan is intended to provide a possible depiction of how a retail center and a technology campus could be configured and responsive to the land use established under the General Plan Amendment Application (PL-23-0299) and development standards established by the Planned Area Development zoning application (PL-23-0300). The Parcels (A and B) are loosely defined with an acreage target (+/-) as necessary to anticipate some possible shift to the tentative boundaries of these Parcels with the intent of remaining within the land area targets provided on the Exhibit. To promote some predictability, it is the intent of this Exhibit, the General Plan Amendment, and the Planned Area Development zoning to allow a 10% deviation in acreage with either an increase or a decrease.

HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH

CONCEPTUAL DATA CENTER BUILDING RENDERING



RENDERINGS ARE INTENDED TO ILLUSTRATE DESIGN INTENT AND ARE SUBJECT TO CHANGE.

NEIGHBORHOOD MEETING | JANUARY 30, 2024

HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH

CONCEPTUAL DATA CENTER BUILDING RENDERING

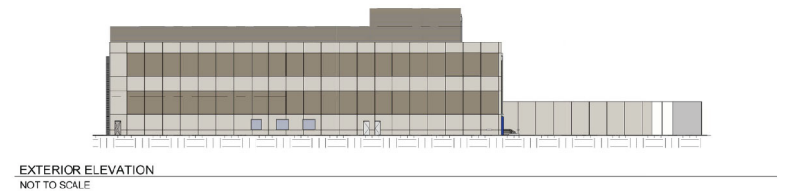
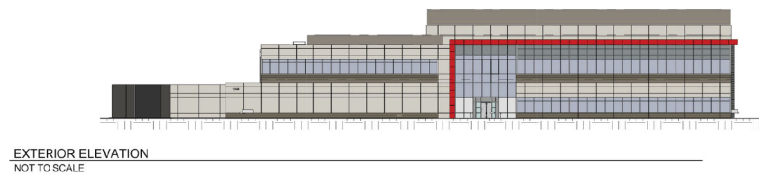
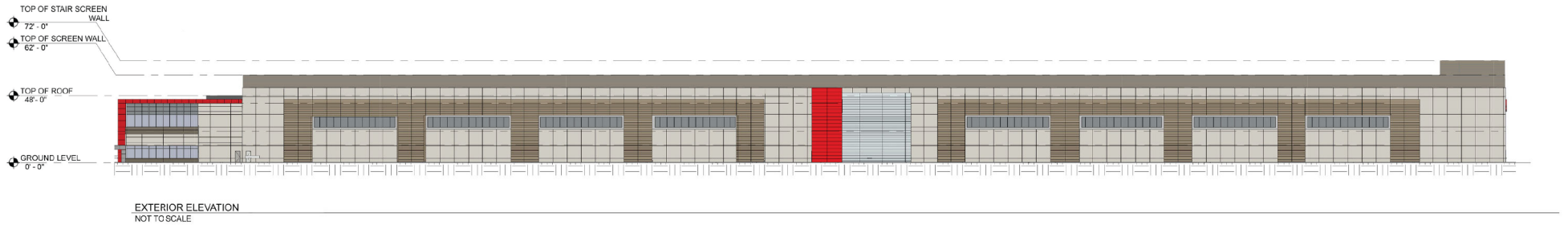


RENDERINGS ARE INTENDED TO ILLUSTRATE DESIGN INTENT AND ARE SUBJECT TO CHANGE.

NEIGHBORHOOD MEETING | JANUARY 30, 2024

HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH

CONCEPTUAL DATA CENTER BUILDING ELEVATIONS

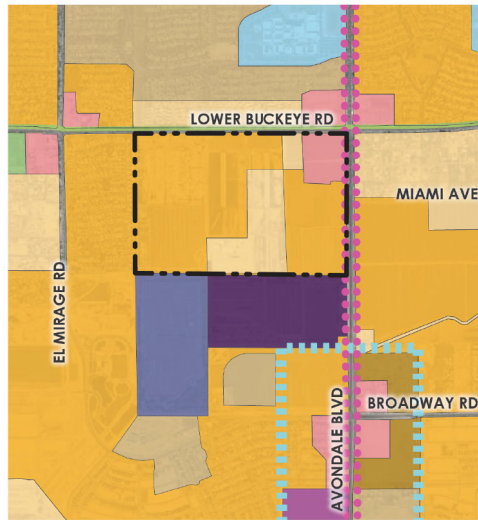


RENDERINGS ARE INTENDED TO ILLUSTRATE DESIGN INTENT AND ARE SUBJECT TO CHANGE.

HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH

GENERAL PLAN & ZONING

EXISTING GENERAL PLAN

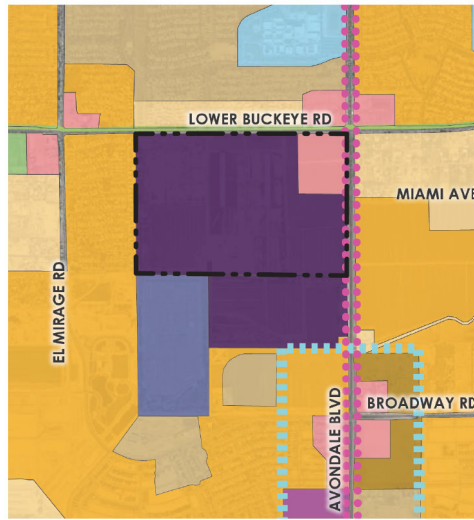


LEGEND

- MEDIUM DENSITY RESIDENTIAL
- ESTATE/LOW DENSITY RESIDENTIAL
- LOCAL COMMERCIAL
- BUSINESS PARK
- MEDIUM/HIGH DENSITY RESIDENTIAL
- PUBLIC/CIVIC
- OPEN SPACE AND PARKS



PROPOSED GENERAL PLAN



- EDUCATION
- MIXED USE
- HIGH DENSITY RESIDENTIAL
- GROWTH AREA
- AVONDALE BLVD EMPLOYMENT AND COMMERCIAL CORRIDOR
- HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH



EXISTING ZONING PLAN



LEGEND

- HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH

PROPOSED ZONING PLAN



HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH

CONCEPTUAL COMMERCIAL BUILDING DESIGN



IMAGES ARE INTENDED TO ILLUSTRATE DESIGN QUALITY, STYLE AND OVERALL AESTHETIC BUT DO NOT REPRESENT EXACT BUILDING ARCHITECTURE OR TENANTS.

NEIGHBORHOOD MEETING | JANUARY 30, 2024

HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH

CONCEPTUAL COMMERCIAL BUILDING DESIGN



IMAGES ARE INTENDED TO ILLUSTRATE DESIGN QUALITY, STYLE AND OVERALL AESTHETIC BUT DO NOT REPRESENT EXACT BUILDING ARCHITECTURE OR TENANTS.

NEIGHBORHOOD MEETING | JANUARY 30, 2024

HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH

CONCEPTUAL COMMERCIAL BUILDING DESIGN



IMAGES ARE INTENDED TO ILLUSTRATE DESIGN QUALITY, STYLE AND OVERALL AESTHETIC BUT DO NOT REPRESENT EXACT BUILDING ARCHITECTURE OR TENANTS.

NEIGHBORHOOD MEETING | JANUARY 30, 2024

Exhibit F - Avondale Connect Comments

Jim H, about 1 month ago

[Alert moderator](#)

No No No! We have enough industrial buildings in Avondale. What was supposed to be retail and entertainment commerce (Avondale Blvd and S I-10) is now apartments and tilt-up warehouses. That is prime real estate and should not be subjugated to commercial exploitation. More houses and retail is desperately needed. Of course retail has to pay an extra 1% sales tax. Again NO MORE WAREHOUSES.

Do you agree?  12  0



CatPaws, about 1 month ago

[Alert moderator](#)

As someone who lives off Broadway and Avondale, big No for me. We were very upset when it was announced this data center would be down the street from us. We need more restaurants, grocery, and retail stores near us with all of the new neighborhoods being built. There's already a ton of unused warehouses to the West of us, it makes more sense to have an industrial area with these types of buildings all together instead of one in the middle of a bunch of neighborhoods.

Do you agree?  11  0



J simons, about 1 month ago

[Alert moderator](#)

No more businesses or apartments. Need more grocery stores to support the population around this area.

Do you agree?  10  0



Screen name, about 1 month ago

[Alert moderator](#)

There are loads of industrial campuses sitting vacant East and West of this residential area. I do not want to see another one added to the list in the middle of these neighborhoods. The community is in need of grocery stores, shopping, and food options. Adding a data center in this area is a disservice to the community and will drive people away as it does nothing to benefit the locals. Avondale will be an exit for the SR30, it makes no sense to build a data center in a space that will draw people to the area and even serve the patrons visiting the raceway.

Do you agree?  11  0



Susana, about 1 month ago

[Alert moderator](#)

There is so many empty warehouse available far from people's residential area. This will be a disservice for many who reside in this area!

Do you agree?  10  0



tinkiewinkie, about 1 month ago

Alert moderator

There are way too many industrial campuses as it is in this area and not only are they an eyesore, but a lot of them are completely vacant, why don't you try using those? We don't want or need this in this neighborhood.

Do you agree? 👍 10 🗨 0



Artie, about 1 month ago

Alert moderator

I am absolutely against this. You are selling Avondale short. The Estrella Mountains are the single most beautiful part of Avondale and the raceway is a national attraction that brings in money. Why aren't you taking advantage of those features? We have Alamar Park, put in some shopping or restaurants or stores. Don't neglect our great attractions for something that should be relegated to I-10. We didn't invest in this community to be surrounded by concrete eyesores.

Do you agree? 👍 9 🗨 0



Gloria Delgado, about 1 month ago

Alert moderator

NO, No, no... we need groceries stores and restaurants.. there is nothing good in the area. What you are proposing should go close to I-10 we do t want it close to our homes.

Do you agree? 👍 10 🗨 0



Hector L, about 1 month ago

Alert moderator

Absolutely NOT!! Just like what everyone is saying we have enough of that in Tolleson and Goodyear. We need to be different, if you allow this all you're doing is taking up real estate in this beautiful city. Another nice grocery store with nice shopping area and restaurant would do the community right especially add job opportunity for the youth. Slam the gavel!!! The community has spoken!

Do you agree? 👍 11 🗨 0



alyssasanchez, about 1 month ago

Alert moderator

I think that area could be used for something more beneficial. I still love seeing land and not concrete buildings everywhere. I would love to see the city do something different with that space rather than another data center

Do you agree? 👍 11 🗨 0



Jess, about 1 month ago

[Alert moderator](#)

This is so incredibly unnecessary for such a beautiful community. We need grocery stores, shops and restaurants. This will only drive people away! Had I known how any of this was going to be handled I would have never moved here. Please do better ! Listen to our voices! We are crying out for better decision making!

Do you agree?  9  0



njonesmoser, about 1 month ago

[Alert moderator](#)

We need to build up a community in this area. That means grocery stores, restaurants, parks, shops, small businesses, etc. Not more warehouses and business centers.

Do you agree?  9  0



Shawn, about 1 month ago

[Alert moderator](#)

Honestly, I live nearby and walk all over. This is nothing but farmland and it's conveniently right next to the APS and SRP substations. It make sense for the location. We can use the jobs and tax base, which will help pay for the infrastructure.

Do you agree?  0  1



harellano, about 1 month ago

[Alert moderator](#)

While this may create jobs and attract additional population to reside in Avondale, I don't support this plan. That particular area is surrounded by beautiful ranches and new communities, it will take away the quality of life to those who have been living and want to continue to move to the south of Avondale. A data center will interfere with the outer city lifestyle that's currently present, it will increase traffic from all the employees, causing heavier commute times to us residents traveling northbound on Avondale to take our kids to school, go to the grocery store or eat at a restaurant. These commutes already take 15-30 minutes as-is, I can't imagine adding more traffic on Avondale boulevard. We NEED quality grocery stores such Whole Foods, Trader Joe's, Winco, possibly another Costco near the master-planned community of Alamar area. We need restaurants south of the Lower Buckeye intersection, we need shopping centers, barbershops, entertainment, etc. We don't need a data center in that region, please keep them closer to the freeway intersections near the commercial areas. We are a residential area and do NOT want a data center.

Do you agree?  10  0



April_L, about 1 month ago

Alert moderator

What improvements are planned for Avondale Blvd? It is already extremely challenging to navigate from I-10 to Buckeye/MC-85. I can imagine the increased traffic as a result of this center.

Do you agree? 👍 4 🗨️ 0



Paul L, about 1 month ago

Alert moderator

I do not feel this project is right for area. Seems very out of place and puts more trucks using Avondale to freeway. Close to High school and i know another school coming.

Do you agree? 👍 7 🗨️ 0



C. Emerson, about 1 month ago

Alert moderator

I am writing to express my strong opposition to the proposed development of a data center within our residential area. Placing such a facility in the heart of our neighborhood raises significant concerns for me. Firstly, I am deeply worried about the potential disruption this project could bring to our community. Data centers typically require heavy infrastructure and generate substantial noise, traffic, and potential safety hazards. Introducing these elements into a residential area would greatly diminish the peaceful atmosphere we currently enjoy. Furthermore, I want to emphasize the pressing need for additional shopping and dining options in our neighborhood. There is a lot of new residential areas being built especially along W Broadway. But no new shopping areas to support the resident's quality of life. While I recognize the importance of technological advancements, I believe it is crucial to prioritize developments that cater to the everyday needs and preferences of our residents. A data center, situated amidst residential homes, would not address this need and could further exacerbate the existing imbalance in our local amenities. In conclusion, I urge the board to reconsider this proposal and explore alternative locations that are better suited for a data center. Our residential area deserves thoughtful planning that preserves its character and meets the needs of its residents. Thank you for considering my perspective.

Do you agree? 👍 9 🗨️ 0



Trobles, about 1 month ago

Alert moderator

I think this would be a real bad move. Many residents already want out of this place and they just got here. We want better groceries store, a nicer gas station, or hell I'd even take another Walgreens that's how desperate I'd be to avoid a business like they're proposing. This would take so much away that Avondale has worked hard for already. I know I didn't want to live in another Miller Road /Buckeye situation and now it's becoming almost the same!!! If I had money I'd move out of Avondale if this proposal goes through.

Do you agree? 👍 7 🗨️ 0



Anna Gabertan, about 1 month ago

Alert moderator

Good golly absolutely not. Residents need more grocery stores. Fry's is constantly out of fresh produce, has expired food on the shelves, and is overcrowded. Are you planning to acknowledge residents basic need for grocery stores? Add a Safeway, Trader Joe's, Aldi's, but something that takes care of residents basic need for food.

Do you agree? 👍 9 🗨 0



CAmarillas, about 1 month ago

This is disappointing. We need grocery stores, dining, and entertainment options.

Do you agree? 👍 6 🗨 0



KRHightower, about 1 month ago

Alert moderator

This is not what we residents of South Avondale need. We need infrastructure to enrich our lives. Business that help make our lives better, places for our children to work or get together. Please do not consider this data center an option.

Do you agree? 👍 9 🗨 0



Fierros, about 1 month ago

Alert moderator

We do not need another warehouse that's going to be vacant taking away from our natural land. If this technology institute can provide details of resource consumption, career growth anticipation and tuition cost. We need grocery stores most importantly not a tech plant that consumes millions of gallons of water

Do you agree? 👍 9 🗨 0



Amy Victoria, about 1 month ago

Alert moderator

The people of Avondale desperately need, grocery stores, restaurants, parks.. etc. this is a young city that has the potential to be a beautiful, family focused community. Please consider welcoming business like grocery stores, restaurants and parks that will enrich the landscape and support the amount of families that are moving here.

Do you agree? 👍 4 🗨 0



Mia, about 1 month ago

Alert moderator

Concerned about the number of data centers already being built in Goodyear and Buckeye. Huge amounts of water and electricity are used and I don't see how that is good for Az with our drought situation. Do we have the infrastructure to support the electricity needed? The number of employees used at these centers are typically low. So not bringing a large amount of good paying jobs. Focus land use on community needs that current residents need. Why not build duplexes, condos or such as starter homes for our citizens instead of being rentals. Really tired of seeing all these apartments going up... overpriced...not filling up fast.

Do you agree? 👍 6 🗨 0



GSaI, about 1 month ago

Alert moderator

Absolutely horrible idea! Our area needs another grocery store, safe places for our kids to hang out, and better traffic control along lower Buckeye before anything else is considered. I'd rather smell cows or have a new shopping center than whatever this means.

Do you agree? 👍 5 🗨 0



navyaska, about 1 month ago

Alert moderator

Avondale has so much potential to be a desirable city to live in if we continue to build and cater to current and future residents. For one, Alamar is an amazing community with the potential to be as amazing as Verrado if not better. We have a new aquatic center set to open which is in a positive direction for us. How about keeping that momentum going and adding to it by adding new dining establishments and shopping centers where residents can flock to? There are lots of communities in that area alone that will bring in lots of business. Alamar, Sunset Ranch, Sunset Farms, Verde Trails, all of the new apartments along Avondale Blvd and so many more, but not enough businesses to support it. If you build it, they will come. Take for example the McDonalds on Lower Buckeye and Avondale Blvd. It is always busy. Restaurants and shopping centers in that area would significantly help us and in turn help the city thrive. The west valley needs help, but it's one city at a time. Avondale needs help and this is completely the wrong direction if we allow this data center to be built. Please please please reconsider. We love Avondale and would love to see it be one of the best cities in the west valley to live in!

Do you agree? 👍 6 🗨 0



Jen Moresco, about 1 month ago

Alert moderator

This area needs more entertainment options, more restaurants, and more shopping areas. I think that would bring in more money to Avondale and would improve it so much more. This area has so much potential, please consider something different for this piece of land.

Do you agree? 👍 7 🗨 0



NewAvondaleRes, about 1 month ago

Alert moderator

After purchasing our first home in the growing city of Avondale, we are very excited for the future. The new aquatic center getting ready to open, the new businesses coming up on Avondale Blvd. What we don't need is a massive commercial warehouse complex in the middle between residential areas. The area isn't convenient to freeway access, there's plenty of traffic already don't need more semis going through the neighborhood of Alamar. Please consider bringing in additional grocery options, things to do, eateries, something that will enhance the area not turn it into another massive white concrete complex like so many others down the road. So please reconsider the options for the area and how it will affect the new home sites being built South of that as there will be many new residents to consider. Building this could affect the growth of the area, and the future sales of the new homes going in as well.

Do you agree? 👍 5 🗨️ 0



Cquin, about 1 month ago

Alert moderator

We need a grocery store to support all these homes/apartments that have been built in Avondale. No warehouse needed.

Do you agree? 👍 6 🗨️ 0



Dez, about 1 month ago

Alert moderator

More big ugly buildings on the west side? I hope this is not another logistic center. There are too many. Please consider the noise that this "campus" may create for the residents in the area, as this IS a residential area. When we moved out here, we had hoped for more grocery stores, restaraunts, and venues. We have very little here to support our community. We end up driving to Goodyear and Phoenix for shopping and eating. Avondale is missing out on tax revenue. A detailed drawing of the plans would be helpful. Another consideration would be the depreciation of home values in the area surrounding this "campus".

Do you agree? 👍 6 🗨️ 0



Aweid, about 1 month ago

Alert moderator

Please don't. Alamar has so much potential. Avondale has so much potential. We need grocery stores and a nice gas station in this area.

Do you agree? 👍 6 🗨️ 0



Dhampire, about 1 month ago

Alert moderator

How much water will the proposed Data Center consume annually as part of the cooling system for the computers?

Do you agree? 👍 3 🗨️ 0



Andi8181c, about 1 month ago

Alert moderator

I have lived in Avondale for 6 years and there has been a lot of development in the area with wear houses, apartments, and new schools. What this area really needs is more shopping and grocery stores to support the surrounding communities. I believe once more income and tax revenue is coming in we then can look at adding a new tech school to the area. I vote the area should have more grocery stores and shopping centers.

Do you agree? 👍 4 🗨️ 0



WestValley22, about 1 month ago

Alert moderator

We really could use another grocery store or local shops. Not a data center. With all the new development and residential areas evolving, bring something for the families.

Do you agree? 👍 4 🗨️ 0



ALanderos, about 1 month ago

Alert moderator

Please. No. There are plenty of other areas to build these kind of buildings where there aren't new and bright future communities nearby. We could really use a new Grocery store or something that benefits our community in some other shape or form thank you!

Do you agree? 👍 7 🗨️ 0



MA, about 1 month ago

Alert moderator

A data center could benefit the area by bringing lots of jobs for IT professionals who typically have to travel east of Phoenix for work. We could also use a Target and dining options like a BJs, Red Lobster, Chipotle, Del Taco, Wendy's, In and Out, Rasin Canes, Habit, El Polo Loco, IHOP, etc.

Do you agree? 👍 1 🗨️ 5



Dhampire, about 1 month ago

How many gallons of water will be used annually for the data center's cooling systems?

Do you agree?  5  0



Lino, about 1 month ago

Alert moderator

The last thing we need in this area is another warehouse. With all these new communities built and still building as we speak, residents in the area want something to benefit surrounding neighborhoods and not benefit big corporations. How about start with a grocery store and some dining options. A Rec center would be nice as well.

Do you agree?  4  0



Lee W, about 1 month ago

Alert moderator

How about another grocery store and more restaurants/retail? The politicians sold out, to make a million apartments that sit vacant. SR-30 will run close to the area. Do these comments even get looked at? What happens when that data center goes out of business? Use your brains and don't be greedy. Think of the citizens and build another grocery store. Look at the comments, everyone agrees!

Do you agree?  4  0



Sb23, about 1 month ago

No more warehouses and no more three story "luxury" apartments. This city is ridiculously crowded as of late. The existing roads and traffic lights already cannot support the population. What makes you think bringing more people to the area is a good idea? Additionally, let's actually consider the energy usage of a data center and how it will tax the grid on top of all these new apartment complexes and homes. It's terrible planning and isn't making Avondale a place anyone enjoys anymore. I wish the community planning people would actually consider what the community wants.

Do you agree?  4  0



Manette Torres, 26 days ago

Alert moderator

Please don't build that, we need grocery stores, not warehouses out here, we have enough traffic

Do you agree?  2  0



Manette Torres, 26 days ago

Alert moderator

I have lived here for 13 years and it is growing into Southern California, we need grocery stores and local businesses and another gas station. Quit being greedy

Do you agree? 👍 3 🗨️ 0



Lisa Garcia, 25 days ago

Alert moderator

I really hope this doesn't go through! We need anything other than a warehouse .

Do you agree? 👍 3 🗨️ 0



Dez, 19 days ago

Alert moderator

Please provide a noise study in decibels at the next meeting. Also, in tonight's meeting, we were told that the buildings would be 2 stories. 50 ft tall is actually the size of 2 two-story homes. All we will see is buildings.

Do you agree? 👍 2 🗨️ 0



Sonia Contreras, 19 days ago

Alert moderator

I am so disappointed in the city of Avondale. I had high hopes that Avondale would start to cater to the citizens of this rather small community by providing options that benefit us. We need more grocery stores, dining options, retail stores, and much more entertainment for families. Please @cityofavondale do NOT build this. Please listen to the voice of this community. We do not need more warehouses or storage facilities or any more fast food options.

Do you agree? 👍 1 🗨️ 0



Dez, 18 days ago

Alert moderator

Has this already been approved without concluding public hearings? Phoenix data centers is already advertising. They are center at 11753 west lower buckeye road.

Do you agree? 👍 1 🗨️ 0



Dez, 18 days ago

Alert moderator

I had accidentally hit enter on my last comment before editing. If you google Prime Data Centers, they have advertisement for the facility, address and all. Look at the photos, their centers are huge and 50 ft is not 2 standard stories. It seems to already be a done deal. Are the public hearings just for show? How would you feel if this was built in your backyard? Seriously.<https://primedatacenters.com/phoenix-data-centers/>

Do you agree? 👍 1 🗨️ 0



Bobbie, 16 days ago

Alert moderator

We do not need another Data Center in Avodanle. Please come to Avondale City Hall at 6:00 PM April 17, 2024. they want to put several 50 foot tall buildings on the corner of Lower Buckeye and Avodale Blvd. We do not need more Data Centers or warehouses. We need Restaurants, Grocery Stores and things that will benefit the residents of Avondale. Avondale residents please stand up and let your voices be heard!!!! We want a quaint city, Let them move the data center into all the vacant warehouses in the area.

Do you agree? 👍 1 🗨️ 0



[Terms and Conditions](#)

[Privacy Policy](#)

[Moderation Policy](#)

[Accessibility](#)

[Technical Support](#)

[Cookie Policy](#)

[Site Map](#)

[Avondale General Plan](#)

[Avondale Strategic Plan](#)

[AvondaleAZ.gov Website](#)

ITEM NUMBER: 5.b.

SUBJECT: Public Hearing and Ordinance 2010-0524 - Hermosa Ranch Technology Campus - North - Rezoning - Application PL-23-0300

MEETING DATE: 5/6/2024

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: Innovative Program and Service Delivery

STRATEGY: Attract, retain, and develop a diverse and competitive workforce to meet the needs of the residents and business community

PURPOSE:

City Council will hold a public hearing and consider a request to adopt Ordinance 2010-0524, approving a request by Carolyn Oberholtzer with Bergin, Frakes, Smalley and Oberholtzer PLLC to rezone approximately 239 gross acres located at the southwest corner of Avondale Boulevard and Lower Buckeye Road and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The proposal would change the zoning from Diamond P Ranch Planned Area Development (PAD), Fleming Farms Planned Area Development (PAD) and Agricultural (AG) to Hermosa Ranch Technology Campus - North Planned Area Development (PAD) to allow for a data center, technology campus, and local commercial development. The Council will take appropriate action.

BACKGROUND:

The approximately 239-acre subject property (Exhibits A and B) is located at the southwest corner of Avondale Boulevard and Lower Buckeye Road and consists of the undeveloped Fleming Farms platted subdivision (approximately 74 acres) and three additional undeveloped parcels, 500-66-001D (86.6 acres), 500-66-009F (59.2 acres), and 500-66-009E (19.2 acres). This site was formerly used as a dairy farm.

A portion of the property was annexed to the City on May 16, 2006, and the remainder was annexed on March 16, 2008. The site is currently zoned Diamond P Ranch Planned Area Development (PAD), Fleming Farms PAD, and Agricultural (AG), which permits typical single-family residential and agricultural-related uses.

The site consists of three land use categories designated by the General Plan 2030 Land Use Map (Exhibit C). The Medium Density Residential (MDR) designation is a land use category that primarily accommodates the development of suburban detached single-family residential within a density range of 2.5 to 4.0 dwelling units per acre, with a target density of 2.5 dwelling units per acre. The Estate/Low Density Residential (ELDR) land use category is planned single-family residential land with densities that range between 1.0 to 2.5 dwelling

units per acre. These residences are typically large, detached estates or executive-type homes of one or two stories with significant privacy and open space.

The Local Commercial (LC) land use category provides for the daily needs of goods and services to the residents residing within the surrounding area. The types of uses allowed in this category specifically for local residents may include grocery stores, gas stations, neighborhood/retail services, and office and medical uses serving consumers residing in adjacent residential areas, which promotes a walkable community. Preferred locations are major arterial intersections, although other locations may be deemed acceptable based on the merits of the project.

The property is within the Avondale Boulevard Employment and Commercial Corridor emphasis area, which is designated in the General Plan as a major corridor for employment and commercial land uses. Approval of the applicant's major General Plan amendment request is required before this rezoning may be approved.

The existing uses and zoning of surrounding properties include:

North: A single-family residential home subdivision; zoned Del Rio Ranch Planned Area Development (PAD)

South: An SRP electrical substation and vacant property to be developed as a data center and private battery energy storage facility; zoned Rural Residential (RR-43) and Hermosa Ranch Technology Campus South Planned Area Development (PAD)

East: Vacant land zoned for a single-family residential home subdivision; zoned Shadow Ridge Planned Area Development (PAD), and County property zoned for single-family residential

West: A single-family residential subdivision, Cantada Ranch; zoned Planned Area Development (PAD)

SUMMARY OF REQUEST:

The applicant is requesting to rezone the property from Diamond P Ranch Planned Area Development (PAD), Fleming Farms Planned Area Development (PAD), and Agricultural (AG) zoning to Hermosa Ranch Technology Campus - North Planned Area Development (PAD) zoning to allow for the development of a data center, technology campus, and local commercial development. The proposed Hermosa Ranch Technology Campus - North PAD Narrative, included as Exhibit D, details permitted uses, development standards, and other requirements that will guide the future development of the site.

The data center component is proposed on approximately 212 acres and consists of eight buildings totaling approximately 3,583,000 square feet. Each building will be approximately fifty (50) feet tall with additional elements extending a maximum of twenty-five (25) feet above the roof. The maximum height including parapet screening will not exceed seventy-five (75) feet, which is consistent with the approved data center development to the south. All rooftop mounted equipment will be required to be screened or integrated into the design of the buildings per Section 28-139 (d)(3) of the Avondale Zoning Ordinance. The buildings will adhere to the City of Avondale's Commercial and Industrial Design Manual and will be of a high aesthetic and architectural quality. The site will be designed to create a unique sense of arrival and place, with buildings that reflect a modern Class A office aesthetic.

Approved uses for the data center and technology campus portion of the rezone (identified as Parcel B in the PAD Narrative) are consistent with the underlying Commerce Park (CP) zoning district, as well as those expected of a data center and technology research development. Uses are intended to support the primary activities at the site.

To the north, the applicant proposes a fifty (50) foot wide landscape setback along Lower Buckeye Road that will include a shaded multi-use trail and sidewalk. The western property line includes a 180-foot wide power line corridor, which the applicant has indicated will be lined with 35-foot wide landscaped areas on either side.

In addition to the data center technology campus, the applicant has included an expansion to the existing Local Commercial General Plan Land Use designation and is including a rezoning request to allow for the development of a commercial shopping center. The uses associated with this development are in line with the underlying C-2 zoning district with modifications listed in the PAD narrative. Highlighted deviations from the allowed uses include the allowance for gas stations (as a grocery-related accessory use only) to support a large grocery that offers companion services to its customers. As proposed, the maximum building height will

increase from thirty (30) to forty (40) feet for primary structures, and from fifteen (15) to twenty (20) feet for accessory structures to foster compatibility with the adjacent employment center.

Approval of the associated major General Plan amendment request, changing the Land Use Map designation of the property from Estate/Low Density Residential (ELDR) and Medium Density Residential (MDR) to Business Park (BP), and expanding the existing Local Commercial (LC) land use, is required before consideration of approval of this rezoning request.

CERTIFICATE OF ADEQUATE SCHOOL FACILITIES:

The rezoning request proposes business park and commercial uses, so this provision related to residential uses does not apply.

PUBLIC PARTICIPATION:

A neighborhood meeting to discuss the proposal with neighboring property owners and other interested parties was held on January 30, 2024. An overview of the discussion topics is outlined in the Neighborhood Meeting Summary, attached as Exhibit E. In addition to City Staff and the applicant's team, eight (8) citizens and one (1) council member attended the in-person neighborhood meeting. General questions were raised regarding the location and size of the proposed data center buildings and whether they would block views of the surrounding landscapes. Concerns with security of areas along the perimeter of the site adjoining the nearby neighborhood were addressed by the applicant. Attendees also inquired as to the nature and timeline of the proposed commercial development at the southwest corner of Avondale Boulevard and Lower Buckeye Road.

All required notifications for the Planning Commission and City Council public hearings have been completed.

Through the City's Avondale Connect digital platform, the public was also able to comment on the proposed development. To date, 48 comments have been made, most of which were generally opposed to the project. Respondents expressed that the property could be better utilized as a commercial development that provided grocery and restaurant options for the residents. Others added that they believed the property was ill-suited to the expansion of large-scale employment uses and that the project would be better located at a different site. Additionally, there were concerns about traffic impacts, property values, and the potential for increased water demands that could be affected by a data center and technology campus. See Exhibit F for Avondale Connect comments.

After the neighborhood meeting and in response to public comments, the applicant submitted images that analyzed views at the project site and line-of-sight exhibits with and without the proposed data center buildings. Please refer to Exhibit G.

PLANNING COMMISSION ACTION:

On April 17, 2024, the Planning Commission conducted a public hearing on the rezone request. The Commission asked several questions regarding the details of the project and how the development will relate to the surrounding areas in terms of the scale and design of the project. The Commission also inquired about potential off-site impacts related to traffic generation, site landscaping and buffers, off-site improvements, and potential tax-related impacts as a result of development. The Commission opened the meeting for public comment. Eight members of the public spoke regarding the project. Five (5) spoke in opposition, citing concerns with the nature and scale of the project in relation to the existing subdivisions including a concern for blocking views of the Estrella Mountains. Three (3) individuals spoke in favor, stating that the project had the potential to bring additional construction jobs to the area as well as citing the developer's willingness to work with the surrounding residents.

After discussion, the Planning Commission passed a motion (4-1 vote) to recommend approval of the rezoning request to the City Council.

ANALYSIS:

Article 6, Section 28-113 of the Zoning Ordinance establishes five (5) findings that must be met to grant PAD zoning. Listed below are the five criteria and an analysis of each:

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

The Hermosa Ranch Technology Campus - North PAD is in conformance with the Business Park and Local Commercial designations requested in the associated major General Plan amendment (PL-23-0299). Development of high-quality employment uses has long been a priority to the City, as evidenced by the development of a multitude of commerce parks in the Van Buren Street corridor and the development of medical, health and technology-related uses in the McDowell Road corridor. The recent establishment of Employment Center uses to the south of the subject site has introduced a land use trend that will culminate in the proposed expansion of the technology campus to the surrounding area.

The PAD furthers several goals of the General Plan, most notably:

- General Plan Land Use Element Goal #3, Policy D: “Ensure adequate transitions and/or buffers are provided when adjacent land uses vary in character and intensity.”
- General Plan Land Use Element Goal #4, Policy C: “Ensure Avondale is at the forefront of any emerging markets by continuously updating codes and policies to include standards for new business types and technologies.”
- General Plan Economic Element Goal #3, Policy E: “Increase the supply of developable Business Park land and promote a flexibility of uses within.”
- General Plan Economic Element Goal #10, Policy A: “Support efforts to locate and develop additional business park and industrial land along Avondale’s business corridor.” This project will expand and support the existing employment center development in the area as well as introduce commercial opportunities to support the surrounding population. The project’s location at the intersection of two arterial roadways as well as the immediate access to critical utility and power infrastructure provides further support for the proposed PAD rezoning request.

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 City’s Commerce Park (CP) and Community Commercial (C-2) zoning districts are the underlying zoning districts used as the basis for the PAD’s development standards, with minor modifications to land uses and development standards to accommodate a large-scale technology campus and flexible commercial space.

The uses proposed by the technology campus portion of the PAD are generally consistent with the land uses permitted in the CP zoning district, with the following deviations being requested:

-Allow “Data Center and Call Center” uses, subject to the cooling system being a closed-loop system or alternative equivalent as determined by the City Engineer and assessed based on the project’s water demand to ensure any proposed alternative does not exceed the water demand allocation per the City’s Integrated Utility Master Plan (IUMP).

-Allow “Outdoor Generators, Silos, Cooling Towers, and Similar Accessory Structures” as an accessory use, subject to this equipment being screened or integrated into the design of the site such that they:

- Will not detract aesthetically from the proposed primary buildings and/or adjacent single-family residential use (proposed or existing) or,
- Will produce sound attenuation such that the proposed use will have limited impact on adjacent residential uses. Allow a “Private Substation” as an accessory use, subject to the use not exceeding 20 acres, primarily serving the data center, and being located at least 230 feet from Avondale Boulevard, Lower Buckeye Road, and any nearby residential uses. These requested deviations primarily offer clarity, as well as additional protection to surrounding properties.

The uses shown in the commercial portion of the PAD generally reflect those permitted in the underlying C-2 district except a gas station will be permitted as an accessory to a grocery store development. The proposed uses are narrowly tailored to include those that are conducive to a commercial site that primarily provides retail, dining, and personal service options to the surrounding communities.

The applicant also requests modifications to the respective CP base zoning district development standards as they relate to building height, building setbacks, landscape setbacks, land use buffers, screening, and parking requirements to increase the required buffer between the proposed uses and existing residential development to the west and the north across Lower Buckeye Road, as described within PAD Narrative in Exhibit D. Proposed deviations in the CP portion of the development include:

1. Increased maximum building height in CP from thirty-five (35) feet to fifty (50) feet.
2. Increased maximum height allowance in CP (in addition to maximum building height) for screened rooftop equipment from fifteen (15) feet to twenty-five (25) feet.
3. Apply the City's parking ratio for warehouse and storage uses to the data center uses within the project.
4. Increased setback along the east and north property lines from twenty-five (25) feet to one hundred (100) feet.
5. Increased setback from any property line adjacent to a residential zoning district or use from fifty (50) feet to two hundred thirty (230) feet.
6. A minimum landscape setback from twenty-five (25) feet to fifty (50) feet.
7. A minimum landscaped land use buffer on both sides of the power line corridor of thirty-five (35) feet in width.
8. A minimum landscaped land use buffers adjacent to commercial zoning of ten (10) feet in width.
9. A minimum landscaped land use buffer adjacent to employment zoning of fifteen (15) feet in width.

The proposed CP development standards intend to create enhanced buffers between the adjacent residential development and to promote a reasonable transition between projects of differing scales and intensities. Where the deviations proposed result in a development that is more intense, increased setbacks have been included to offset potential impacts. The maximum height including parapet screening will not exceed seventy five (75) feet, which is consistent with the adjacent data center development.

In the case of the commercial portion of the project, reduced parking and building setbacks serve to provide additional visibility and accessibility to future commercial development along Lower Buckeye Road and Avondale Boulevard. The applicant has also incorporated building height deviations that serve to foster compatibility with the adjacent employment center. These include increasing the maximum building height from thirty (30) to forty (40) feet for primary structures, and from fifteen (15) to twenty (20) feet for accessory structures. The primary building height deviation is intended to ease the transition from the fifty (50) to seventy five (75) foot tall buildings on Parcel B, to forty (40) foot tall buildings on Parcel A. Additionally, because gas stations will be permitted as an accessory use for grocery stores, the overall canopy height is expected to reach a twenty (20) foot maximum.

Proposed deviations within the C-2 base zoning district development standards include:

1. Increased maximum building height from thirty (30) feet to forty (40) feet.
2. Increased accessory building height from fifteen (15) to twenty (20) feet.
3. Decreased parking setback from thirty (30) to twenty (20) feet.

One additional design standard has been requested with this PAD, in response to Avondale's Commercial and Industrial Design Manual:

- Reduce the required facade treatments from ten (10) to four (4) treatments for building lengths greater than fifty (50) feet.

This design standard intends to reduce the perceived scale of larger buildings. In this case, the applicant has proposed to reduce the perceived scale of the buildings through increased building setbacks and enhanced landscaping for the data center campus. This revised design standard is consistent with façade treatments in the adjacent Hermosa Ranch Technology Campus – South PAD.

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 and services exist in the immediate area to serve the proposed development. All necessary utility and perimeter roadway improvements required as part of the development of the site will be constructed or contributed to by the developer. The adjacency of the site to the existing SRP Rudd Substation provides a mutual benefit and opportunity for the uses proposed with this PAD. To the extent that additional public infrastructure is required to serve the development, the developer will be responsible for providing that infrastructure and/or capacity.

Off-site improvements may include water line upsizing on Lower Buckeye Road, widening of Avondale Boulevard and Lower Buckeye Road adjacent to the site, and installation of new driveways and traffic signals, subject to Site Plan and Design Review approval. The rezoning to Planned Area Development will establish future water and wastewater infrastructure to the site and the associated plans will establish sufficient water and sewer capacity.

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

The site is located at the intersection of two arterial roadways, just to the north of a technology campus currently under development. This PAD serves as an extension of the southern campus, while also providing for the development of a commercial center. The commercial portion of the subject property will be located at the northeast corner immediately adjacent to the arterial intersection. This provides for direct access to necessary roadways and continues the development pattern of other intersections throughout Avondale.

This PAD also includes increased setbacks along property lines that are adjacent to residential developments to provide for an appropriate transition from single-family to employment land uses. The enhanced land use buffer along the site's eastern property line makes the overall development more compatible with the surrounding land uses. Potential noise sources will be evaluated and mitigated per the PAD Narrative during the Site Plan and Design Review application. The installation of a landscaped multi-use trail along the northern property line also serves to enhance pedestrian connectivity to the future commercial development.

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 outlined in this PAD are consistent with the City's Commerce Park and Community Commercial zoning district requirements. Noted deviations serve to foster compatibility with existing residential and provide continuity with approved employment projects nearby.

DISCUSSION:

The proposal meets the five (5) required findings for PAD Rezoning requests as detailed in the Analysis section above and the following.

1. The proposed Hermosa Ranch Technology Campus – North PAD is in conformance with the proposed General Plan Land Use designations of Business Park and Local Commercial.
2. The proposed Hermosa Ranch Technology Campus – North PAD is in conformance with the PAD requirements of the Zoning Ordinance, Subdivision Regulations, Design Manuals, and other applicable regulations and requirements, unless otherwise modified by the PAD Narrative.
3. Adequate public infrastructure to support the proposed development either presently exists or will be constructed by the developer.
4. The recommended conditions of approval are reasonable to ensure conformance with the provisions of the Zoning Ordinance and all other applicable City codes, ordinances, and policies.

BUDGET IMPACT:

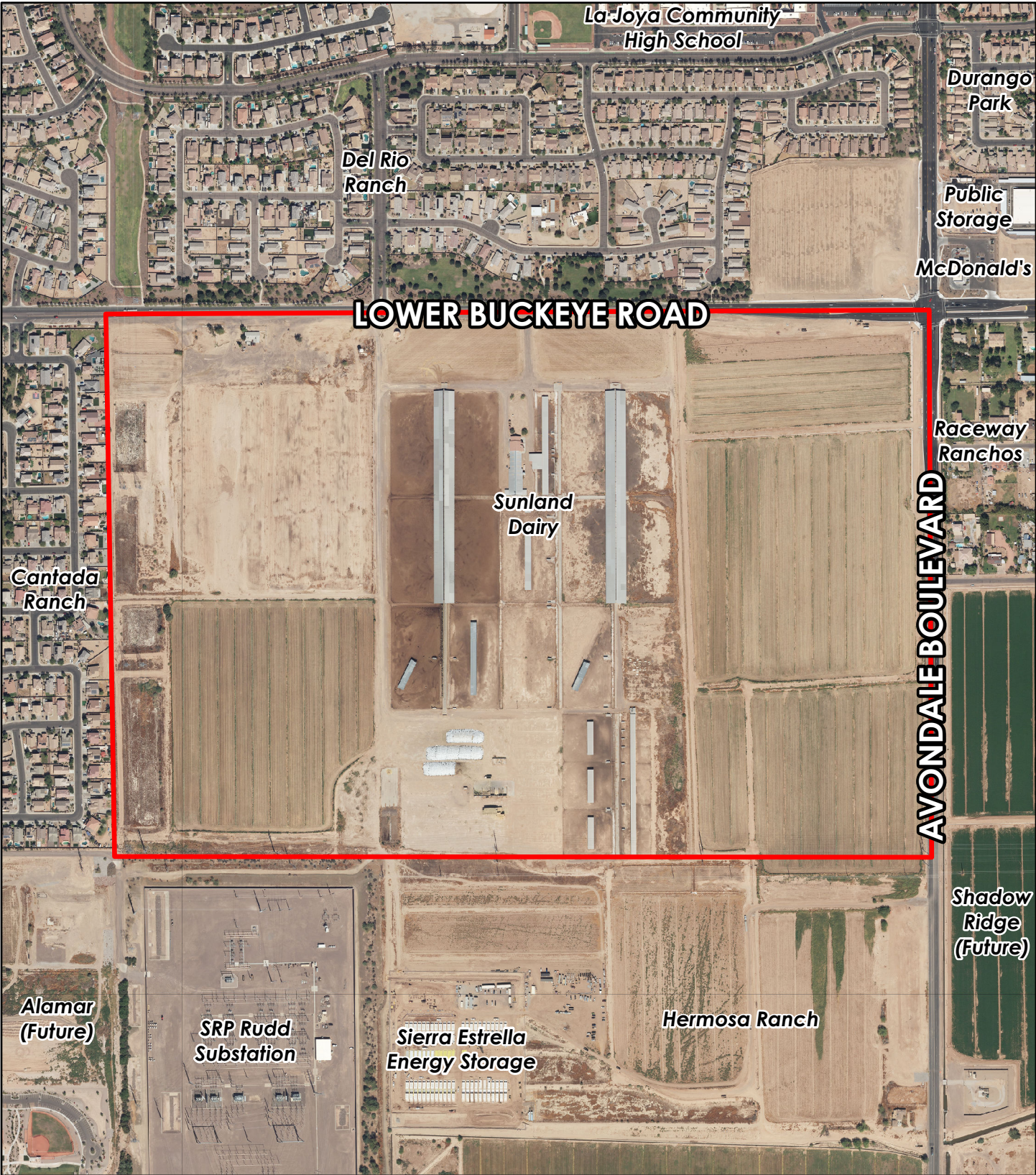
The proposed rezoning would replace residential uses with data center, technology campus, and commercial uses, which would positively increase the City's anticipated tax revenue from this property. This tax revenue helps fund critical services and expenditures in the community.

RECOMMENDATION:

City Council will conduct a public hearing and APPROVE application PL-23-0300 Hermosa Ranch Technology Campus - North, a request to rezone approximately 239 gross acres from Diamond P Ranch Planned Area Development (PAD), Fleming Farms Planned Area Development (PAD), and Agricultural (AG) to Hermosa Ranch Technology Campus - North Planned Area Development (PAD) to allow for a data center, technology campus, and local commercial development, subject to the following ten (10) conditions of approval:

1. Development shall generally conform to the Hermosa Ranch Technology Campus - North PAD Narrative dated April 3, 2024, except as modified by these stipulations.
2. Commencement of horizontal construction for the project shall begin within four (4) years from the date of City Council approval, per Avondale City Code Section 28-113(d) Expiration.
3. All development shall be completed in accordance with the City of Avondale General Engineering Requirements (GER) Manual and the City of Avondale Supplement to MAG Uniform Specifications and Details unless a standards deviation has been approved.
4. Sidewalk and landscaping improvements within the public right-of-way adjacent to Parcel A will be completed with the initial development of Parcel A and prior to issuance of a certificate of occupancy for the project. Sidewalk and landscaping improvements within the public right-of-way adjacent to Parcel B will be completed with the initial development of Parcel B and prior to issuance of a certificate of occupancy. All other infrastructure improvements within the public right-of-way will be included in the first phase of the development on the property.
5. Grandfathered groundwater rights for the property shall be extinguished and pledged to the City of Avondale's designated account (58-106097.0004) prior to issuance of any construction permits for any portion of the project.
6. Total utility demands for the proposed 240-acre project shall be limited to the maximum allowable average daily water and sewer demands calculated in the 2018 Integrated Utility Master Plan for the subject property, unless otherwise approved by the City Engineer.
7. The developer shall install the future traffic signal at the intersection of 119th Avenue and Lower Buckeye Road as per the requirements of the traffic impact study, or as otherwise agreed to by the City Engineer.
8. Prior to issuance of the first certificate of occupancy on Parcel A, the developer shall install a traffic signal at the intersection of Avondale Boulevard and Miami Avenue, as per the requirements of the traffic impact study, or as otherwise agreed to by the City Engineer.
9. The planned development shall be subject to the requirements of Zoning Ordinance Article 11, Required Public Art for New Planned Area Developments (PAD), Commercial, Office, Employment, and Municipal Construction.
10. The developer of Parcel A and the developer of Parcel B shall each request review and approval of a Comprehensive Sign Package for all building-mounted and freestanding monument signage, prior to issuance of any sign permits for the planned development.

Contact person for document distribution: Joshua T. Orton, AICP, Senior Planner



LOWER BUCKEYE ROAD

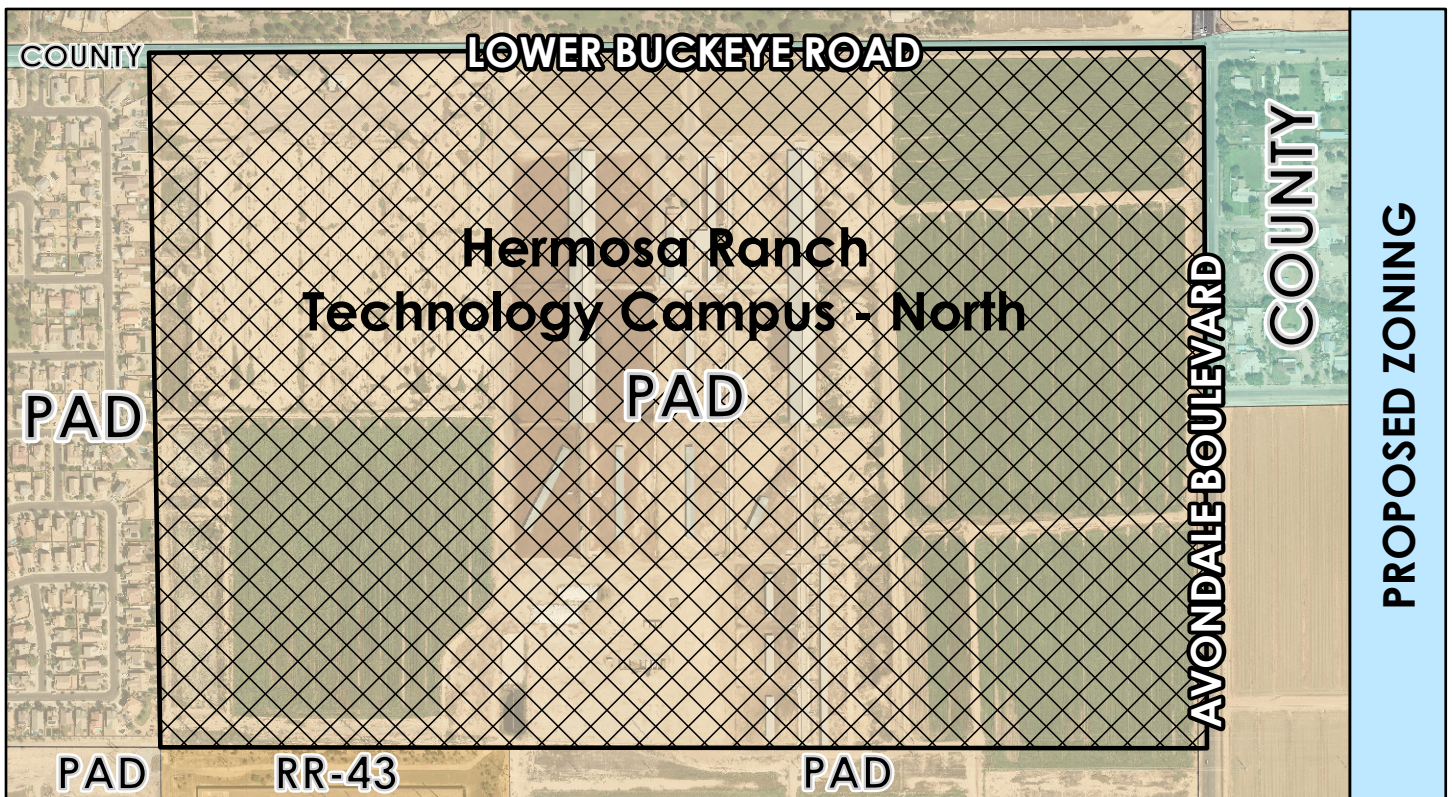
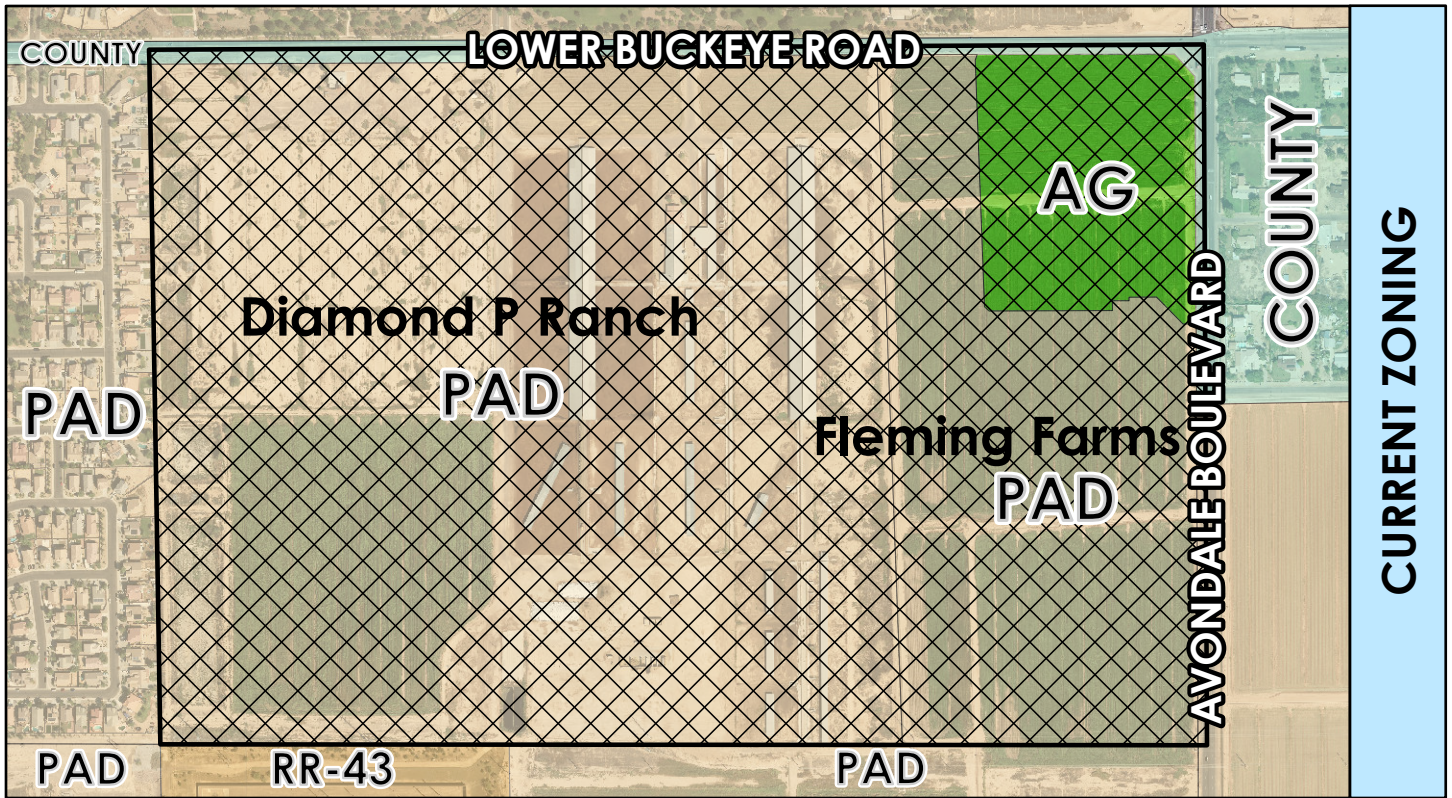
AVONDALE BOULEVARD

Aerial Map

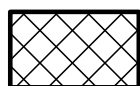


 Subject Parcel



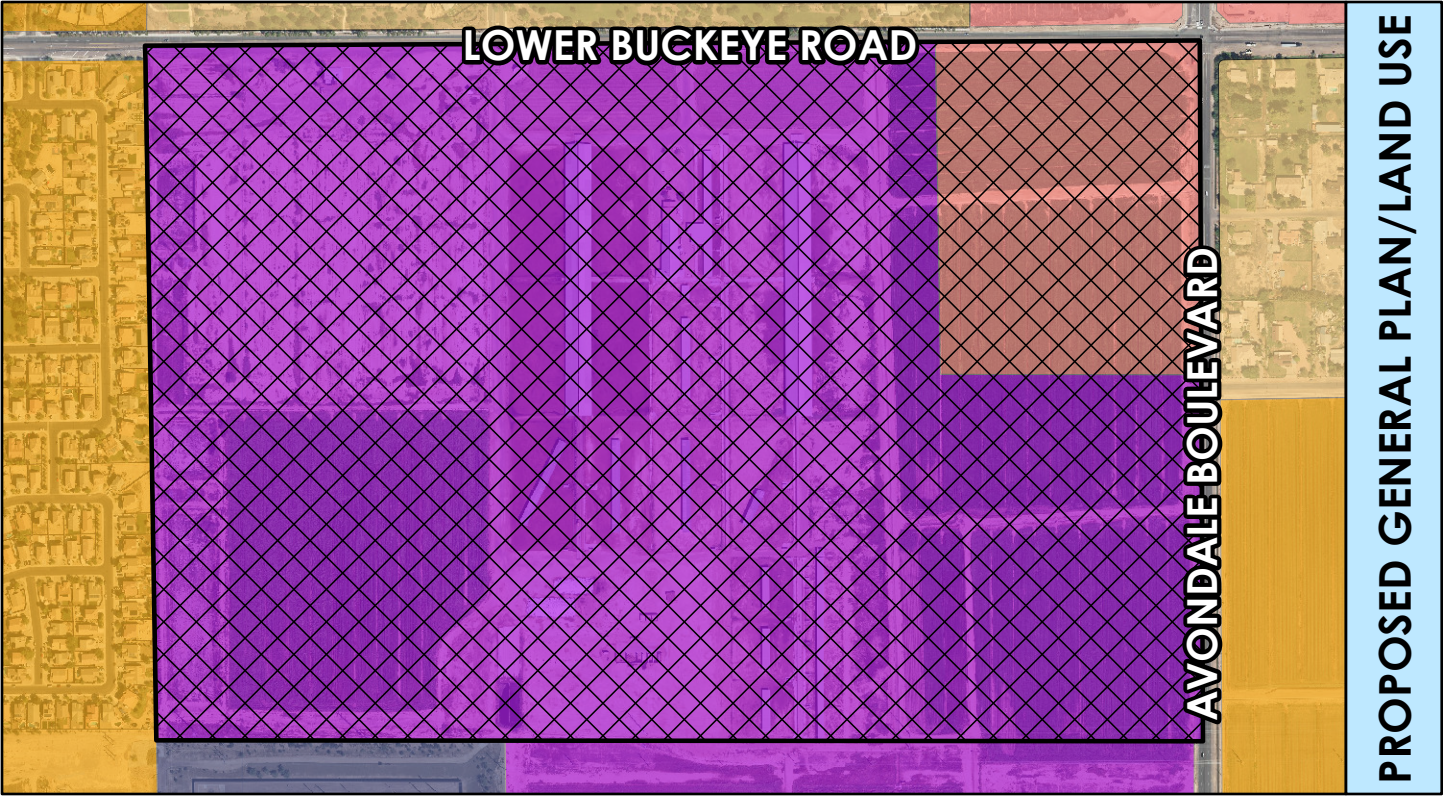
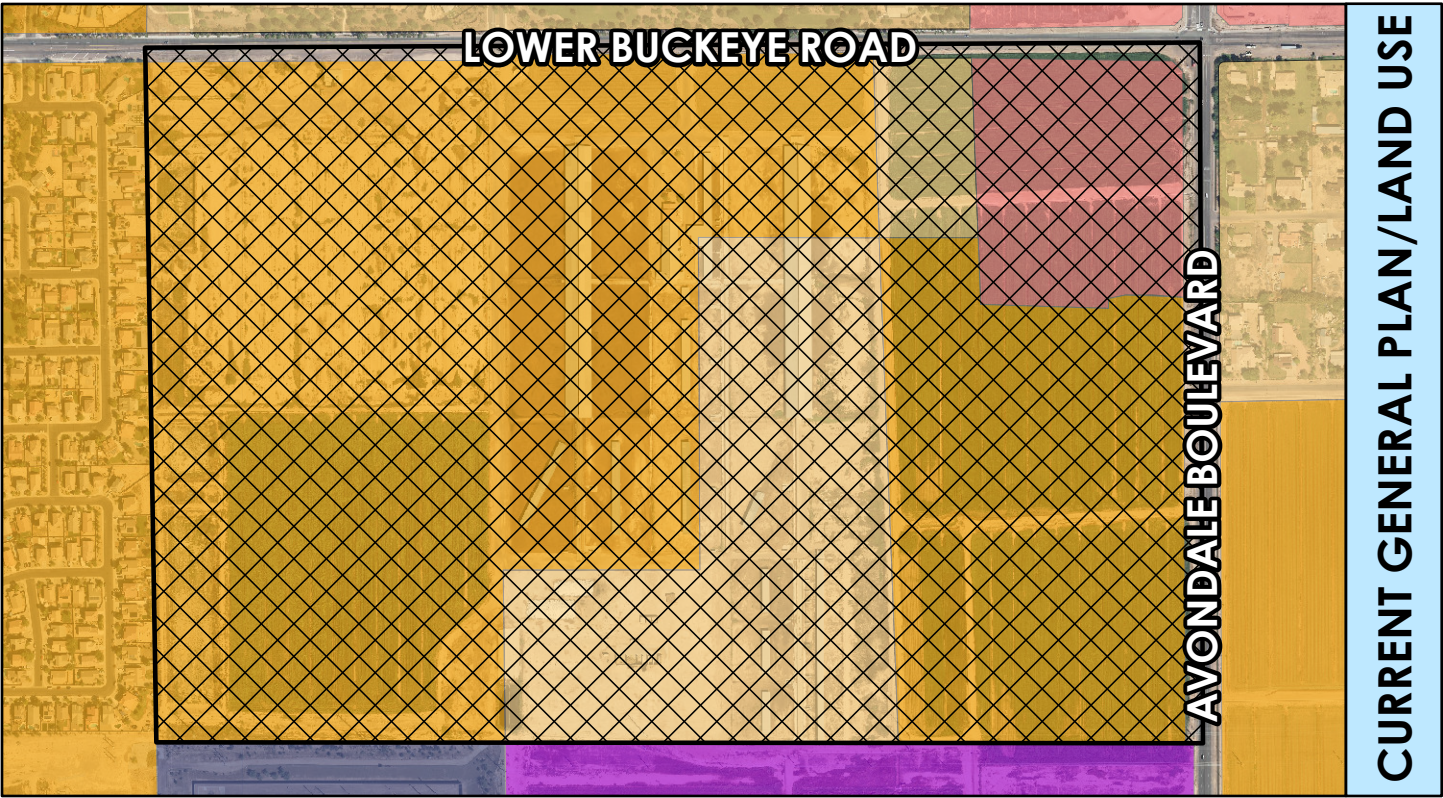


Zoning Vicinity



Subject Parcel





Proposed General Plan/Land Use



Avondale

-  Business Park
-  Local Commercial
-  Medium Density Residential
-  Public/Civic
-  Estate/Low Density Residential



Subject Parcel



Exhibit D

Electronically Submitted 4/3/24

HERMOSA RANCH TECHNOLOGY CAMPUS – NORTH

PLANNED AREA DEVELOPMENT

Application PL-23-0300

April 3, 2024

Property Owner

TGV Investments, LLC
HRNN, LLC
HRNL, LLC
HRNJ, LLC
HRNM, LLC

Nick Vanderwey + Terry Klinger

2241 E. Colter St.
Phoenix, Arizona
85016

949.226.2555

NickVdwey@aol.com
Terry@rexcollc.com

Zoning Attorney

Bergin, Frakes, Smalley +
Oberholtzer, PLLC
Carolyn Oberholtzer
4343 E. Camelback Rd.
Suite 210
Phoenix, Arizona
85018
602.888.7860
coberholtzer@bfsolaw.com

Planning + Landscape

Norris Design
Alan Beaudoin
901 E. Madison St.
Phoenix, Arizona
85034
602.254.9600
abeaudoin@norris-design.com

Civil Engineer

CVL Consultants
Ryan Weed, P.E.
4550 N. 12th Street
Phoenix, Arizona
85014
602.285.4730
Rweed@cvlco.com

DOCUMENT CONTENTS

I.	INTRODUCTION	1
II.	PROPERTY DESCRIPTION	1
III.	PROJECT DESCRIPTION	8
IV.	LAND USE	11
V.	DEVELOPMENT STANDARDS	16
VI.	ARCHITECTURAL DESIGN CRITERIA	18
VII.	SITE DESIGN CRITERIA	21
VIII.	LANDSCAPING, PEDESTRIAN OPEN SPACE + AMENITIES	22
IX.	SIGNAGE	25
X.	INFRASTRUCTURE	25
XI.	OWNERSHIP + MAINTENANCE	25
XII.	JUSTIFICATION + MITIGATION	25
XIII.	CONFORMANCE WITH AVONDALE PLANS	28
XIV.	MASTER SITE PLAN + SITE PLAN REVIEW	29
XV.	PAD REQUIRED FINDINGS	30
XVI.	CONCLUSION	31



*NOTE: ALL IMAGES/USERS/TENANTS SHOWN WITHIN THIS PAD ARE INTENDED TO CONVEY DESIGN INTENT AND ARE CONCEPTUAL IN NATURE.

I. INTRODUCTION

This request is to rezone approximately 239 acres located at the southwest corner of Avondale Boulevard and Lower Buckeye Road and identified by the Maricopa County Assessor as parcels 500-66-001D, 500-66-009E, 500-66-009F, 500-66-281, and 500-66-283 through 500-66-445 (the "Property"). The Property, which is located within the Tres Rios Opportunity Zone and along the Avondale Boulevard Employment and Commercial Corridor, as designated on the 2030 General Plan, is planned to be developed as **Hermosa Ranch Technology Campus - North** (the "Project"). This application requests Planned Area Development (PAD) zoning alongside a companion Major General Plan Amendment to amend the General Plan land use designation for the Property to Business Park and Local Commercial. (See Exhibit 1 | Context Map)

Development of high-quality employment uses has long been a priority to the City of Avondale, as evidenced by the significant development of a multitude of commerce parks in the Van Buren Street corridor (with more planned) and the development of medical, health and technology related uses in the McDowell Road corridor. The Tres Rios Opportunity Zone (the "Opportunity Zone") was established following the adoption of the Avondale General Plan 2030 ("General Plan") as one of three Opportunity Zones in the City, and this Property is in the northern gateway location of that Opportunity Zone. These Zones attract new investment through the opportunity to defer capital gains taxes on the sale of any opportunity zones asset for qualified projects such as a major employment user. (See Exhibit 2 | Tres Rios Opportunity Zone)

In addition to being located within the Tres Rios Opportunity Zone, Avondale Boulevard, which borders the eastern edge of the Property, is designated as an Employment and Commercial Corridor. Avondale Boulevard will be the major north/south corridor that will link I-10 on the north to the future SR-30 to the south. The Project will provide some much-needed employment opportunities to the area, which currently is predominantly residential, and Avondale Boulevard is planned as the conduit to generate and support this use. The Project's location adjacent to two existing arterial roadways and immediate access to critical utility and power

infrastructure, including the adjacent 230 kV Rudd Substation (the "Substation"), provides further support for the proposed PAD request.

This PAD establishes customized zoning that will facilitate the development of an employment campus and commercial center that will provide jobs, goods, and services to the surrounding area. Tailored uses, development standards, and architectural guidelines will ensure compatibility with neighboring uses (existing and planned) for development of this prime location that is unique given its adjacency to the Substation and location within the Opportunity Zone. The requirements of the City of Avondale Zoning Ordinance, (the "Zoning Ordinance") as amended, and Avondale Subdivision Regulations, as amended, shall apply except where explicitly stated otherwise herein by this PAD.

II. PROPERTY DESCRIPTION

The approximately 239 acres associated with this PAD request is located at the southwest corner of Avondale Boulevard and Lower Buckeye Road, two highly traveled arterial roadways. Presently, the project area contains a commercial dairy, associated agriculture uses and some vacant land. Adjacent to the western third of the southern property boundary is the Rudd Substation. The existing substation serves the electrical supply networks for both the Salt River Project (SRP) and the Arizona Public Service Company (APS). The SRP, APS and WAPA power line corridors (230 kV) are present on the site, running the length of the western and southern boundaries. The site has a flood delineation of Zone "X" and slopes towards the south and southwest. (See Exhibit 3 | Vicinity Map)

Located to the west of the Property is Cantada Ranch, a single family residential neighborhood and immediately south is the Hermosa Ranch Technology Campus – South. Hermosa Ranch Technology Campus - North is envisioned as a continuation of the approved technology campus to the south, providing additional opportunities for employment park related uses and commercial goods and services.

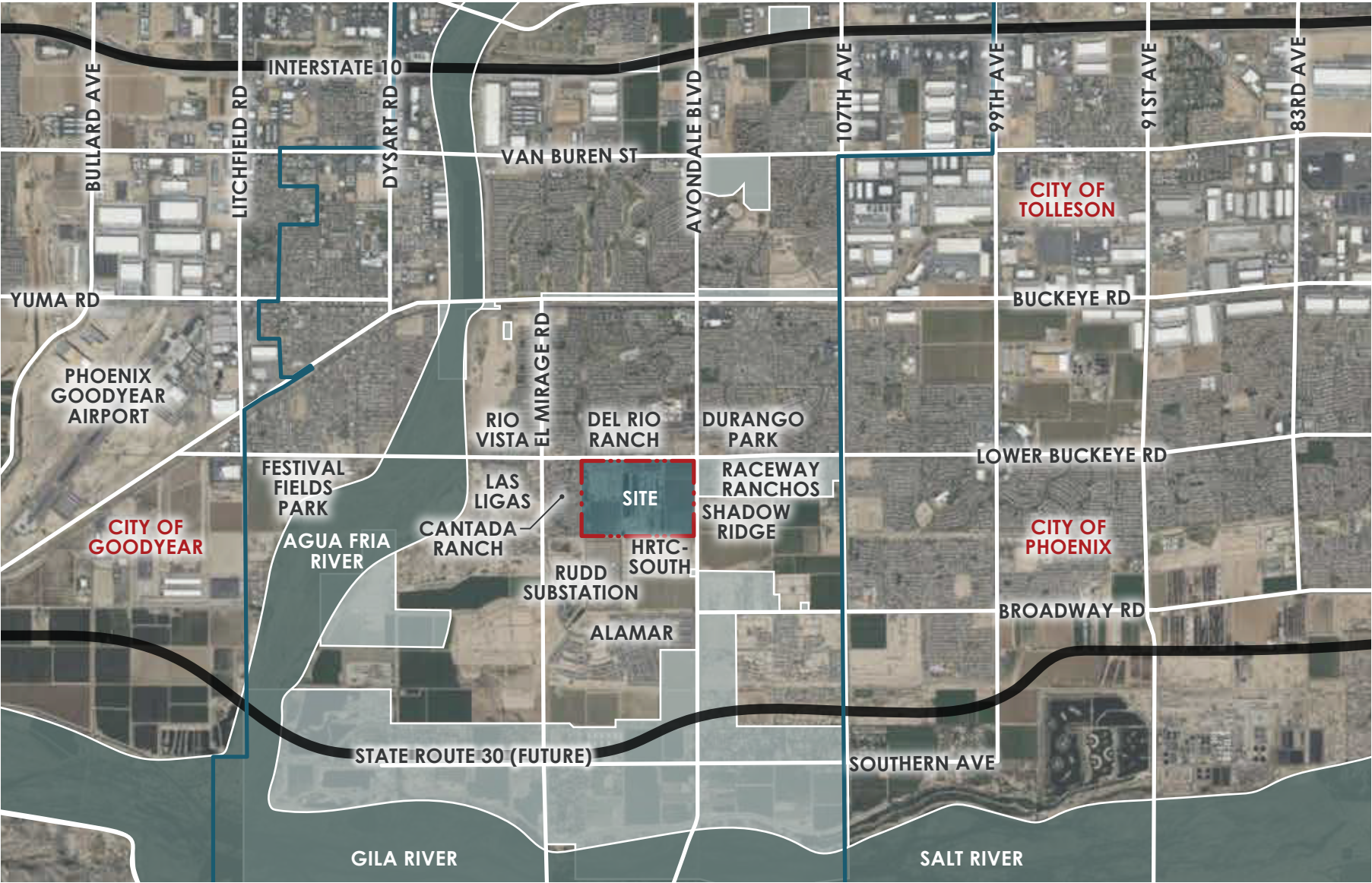
The current Avondale General Plan land use designations for the property are Medium Density Residential (MDR), Estate/Low Density Residential (ELDR), and Local Commercial (LC). A Major General Plan Amendment (GPA) application to amend the General Plan land use designation for the Property to Business Park (BP) and Local Commercial (LC) has been submitted concurrently with this PAD request. The requested land use modifications on the Property will continue the recent growth and investment in the Avondale Boulevard Employment and Commercial Corridor and provide employment opportunities in this rapidly expanding growth area. (See Exhibit 4 | General Plan)

The Property is currently zoned as two (2) separate PADs and Agricultural (AG) on the hard corner. Approximately 167 acres of the western part of the Hermosa Ranch Technology Campus – North property is within the existing Diamond P Ranch PAD. Diamond P Ranch (Case No. Z-07-4) was annexed into the City of Avondale and rezoned to PAD in 2008 to allow 589 single family detached dwelling units and a potential school site for the Littleton Elementary School District. Preliminary plats were prepared but never approved by the City. East of Diamond P Ranch, the remaining approximately 67 acres of the Property is Flemming Farms PAD (Case No. Z-05-18). Subdivision Plats were approved and recorded in 2008. The northeast 17 acres was originally part of the overall PAD and called Fleming Farms Commercial, but it was removed from the Fleming Farms PAD in 2011 and reverted to the Agricultural zoning district (Ordinance 1493-412). (See Exhibit 5 | Zoning)

The proposed Hermosa Ranch Technology Campus – North will integrate into the surrounding area in a manner which promotes compatibility with existing and planned uses, including the Hermosa Ranch Technology Campus – South. The existing uses and zoning of surrounding properties include:

TABLE 1 | EXISTING CONDITIONS

LOCATION	GENERAL PLAN LAND USE	EXISTING ZONING	EXISTING USE
SITE	MEDIUM DENSITY RESIDENTIAL, ESTATE/LOW DENSITY RESIDENTIAL, LOCAL COMMERCIAL	PAD (Z-07-4 AND Z-05-18), AG PL-11-0199	POWERLINE CORRIDOR, DAIRY, AGRICULTURE
NORTH	ESTATE/LOW DENSITY RESIDENTIAL, LOCAL COMMERCIAL	PAD (Z-04-05)	RESIDENTIAL (DEL RIO RANCH), VACANT TOWARD EASTERN EDGE
SOUTH	PUBLIC/CIVIC, BUSINESS PARK	RR-43 (MARICOPA COUNTY), PAD (PL-22-0166)	POWERLINE CORRIDOR, SRP/APS RUDD SUBSTATION, HERMOSA RANCH TECHNOLOGY CAMPUS - SOUTH
EAST	MEDIUM DENSITY RESIDENTIAL, ESTATE/LOW DENSITY RESIDENTIAL	PAD (PL-21-0087), RU-43 (MARICOPA COUNTY)	CURRENTLY VACANT (FUTURE SHADOW RIDGE COMMUNITY), RESIDENTIAL (RACEWAY RANCHOS)
WEST	MEDIUM DENSITY RESIDENTIAL	PAD (Z-99-389 AND PL-17-0303)	POWERLINE CORRIDOR, RESIDENTIAL (CANTADA RANCH)



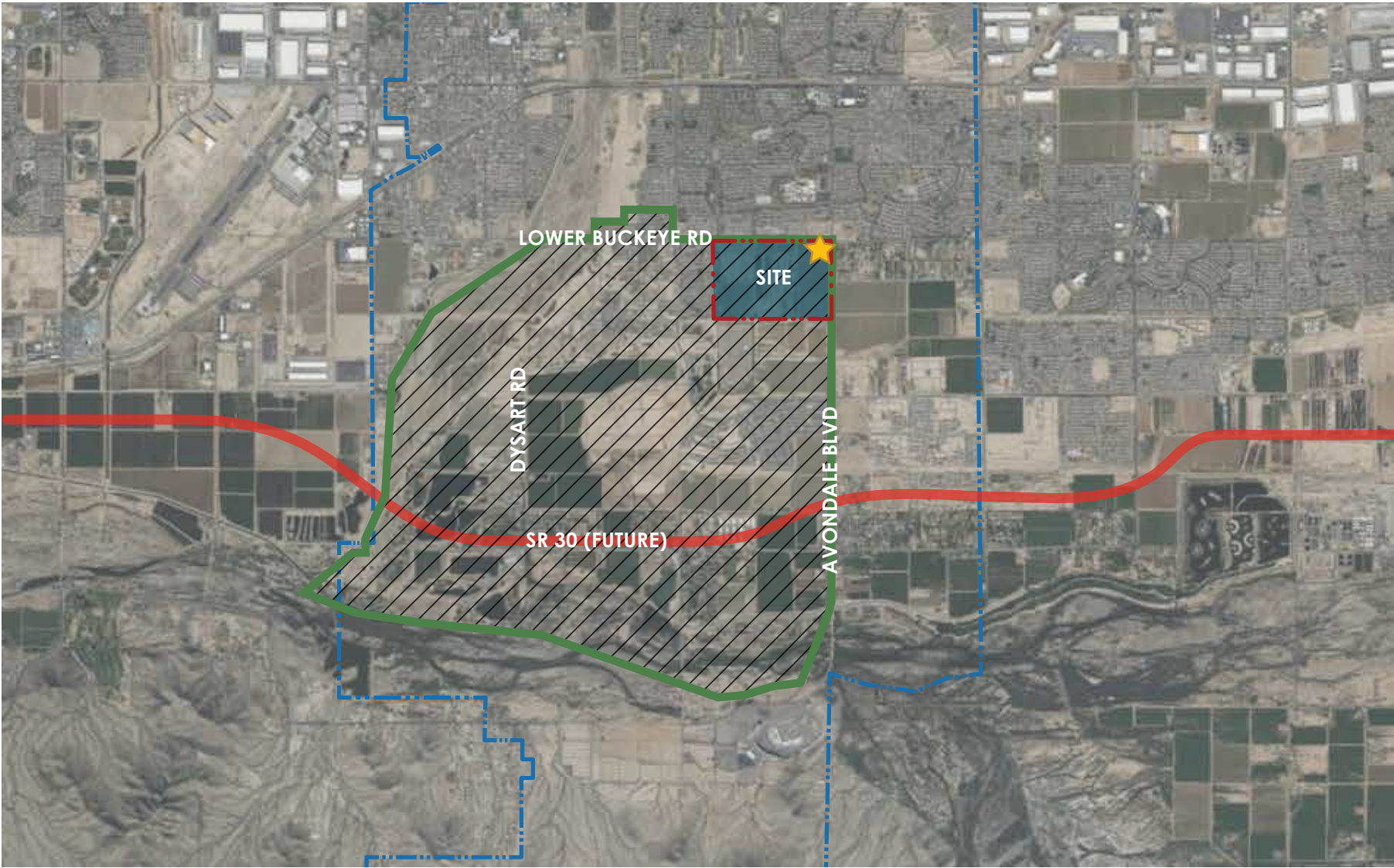
LEGEND

 HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH
 AVONDALE CITY LIMITS

 RIVER/WATERSHED AREA
 MARICOPA COUNTY JURISDICTION



EXHIBIT 2 | TRES RIOS OPPORTUNITY ZONE



LEGEND

- HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH
- TRES RIOS OPPORTUNITY ZONE
- AVONDALE CITY LIMITS

- SR 30 (FUTURE)
- PROPOSED COMMERCIAL



EXHIBIT 3 | VICINITY MAP



LEGEND

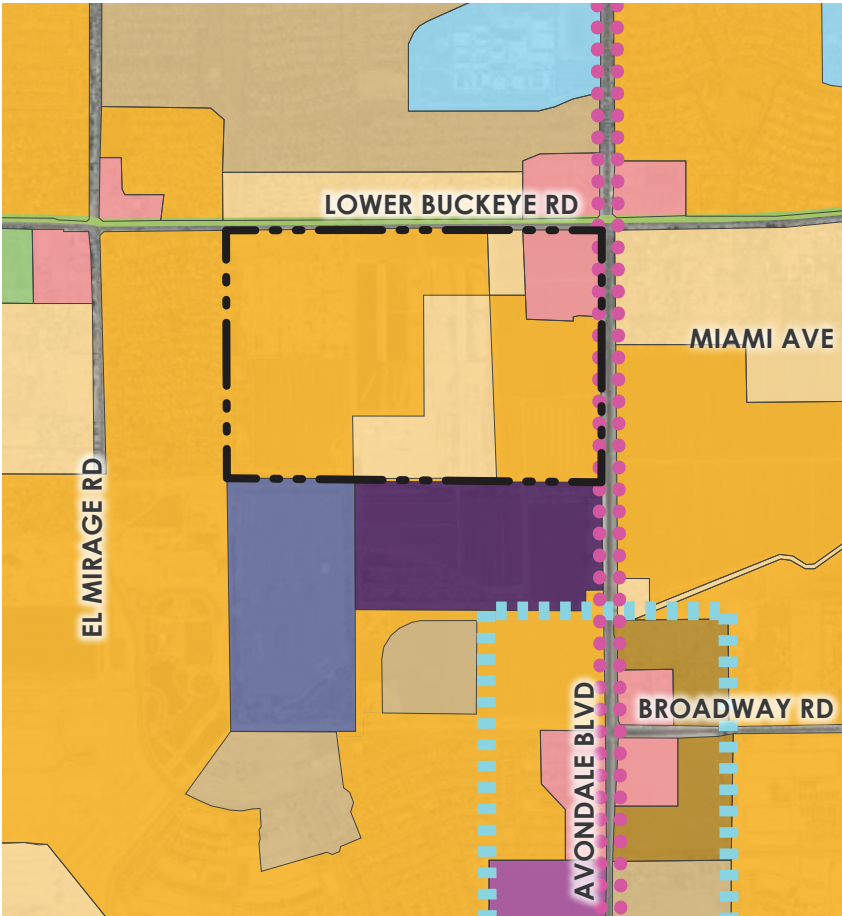
 HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH
 AVONDALE CITY LIMITS

RIVER/WATERSHED AREA
 MARICOPA COUNTY JURISDICTION



EXHIBIT 4 | GENERAL PLAN

EXISTING GENERAL PLAN

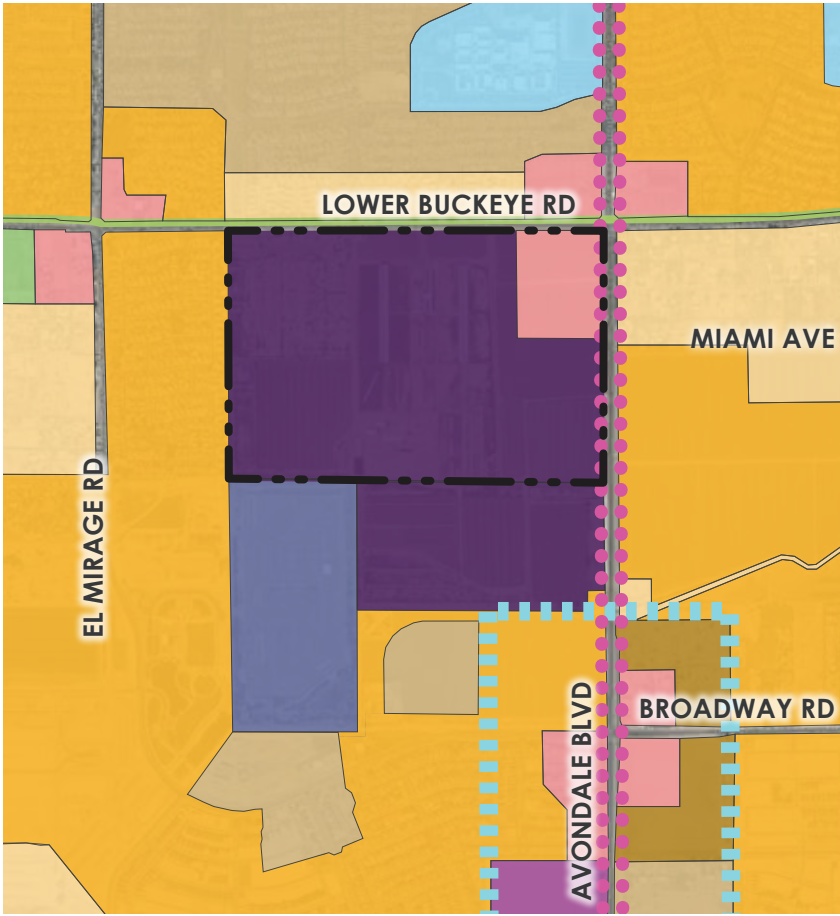


LEGEND

- MEDIUM DENSITY RESIDENTIAL
- ESTATE/LOW DENSITY RESIDENTIAL
- LOCAL COMMERCIAL
- BUSINESS PARK
- MEDIUM/HIGH DENSITY RESIDENTIAL
- PUBLIC/CIVIC
- OPEN SPACE AND PARKS



PROPOSED GENERAL PLAN



- EDUCATION
- MIXED USE
- HIGH DENSITY RESIDENTIAL
- GROWTH AREA
- AVONDALE BLVD EMPLOYMENT AND COMMERCIAL CORRIDOR
- HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH



EXISTING ZONING PLAN



PROPOSED ZONING PLAN



LEGEND

— — — — — HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH

III. PROJECT DESCRIPTION

Hermosa Ranch Technology Campus – North is designed to include a variety of neighborhood-serving commercial uses and a technology campus with ancillary uses, in a layout that will complement the surrounding built and planned environment (See Exhibit 6 | Conceptual Development Plan). The future development is envisioned as an employment and commercial hub that will provide jobs, goods, and services to the surrounding area. This PAD has been carefully crafted to incorporate details specific to current technology trends, use demands, and best practices to facilitate the design and development a successful Project. The proposed development will provide needed commercial services for the surrounding community and will further promote the expansion of the technology corridor, all adjacent to existing infrastructure with minimal impact to the City's resources.

The northeast, approximately between 20 and 30-acre, corner of the property, Parcel A on the Conceptual Development Plan, will be an anchored commercial center that will offer a variety of neighborhood-serving commercial. Uses may include a potential grocery, restaurants, fitness, and smaller-scale retail. This "Local Commercial development unit" will be accessed from multiple driveways off both Lower Buckeye Road and Avondale Boulevard, providing efficient and safe circulation.

The remaining approximately 212 ± acres, Parcel B on the Conceptual Development Plan, will serve as a data center campus ("Employment Park development unit") that will function as a continuation of similar uses to the Hermosa Ranch Technology Campus – South located immediately adjacent to the south. Within this development unit, buildings will be arranged to allow for increased building and landscape setbacks adjacent to the residential to the west and adjacent to the perimeter roadways. These expanded setbacks will provide for visual buffering from existing neighborhoods and roadways, as well as allow for increased security for the data center. The buildings will utilize modern architecture and design techniques to create visual interest and the proposed complex will utilize data center industry best practices closed-loop cooling system technology. Access to this development unit will be through gated entries off Avondale Boulevard and Lower Buckeye Road and internal vehicular circulation will be efficiently designed with parking adjacent to each building.

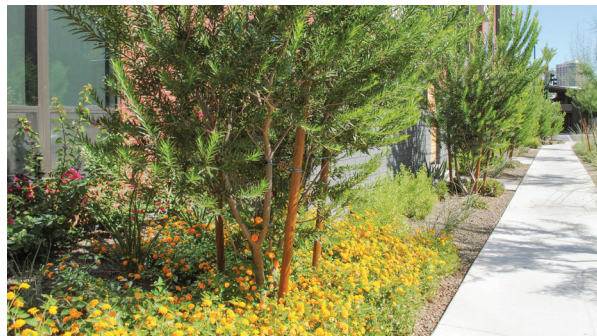
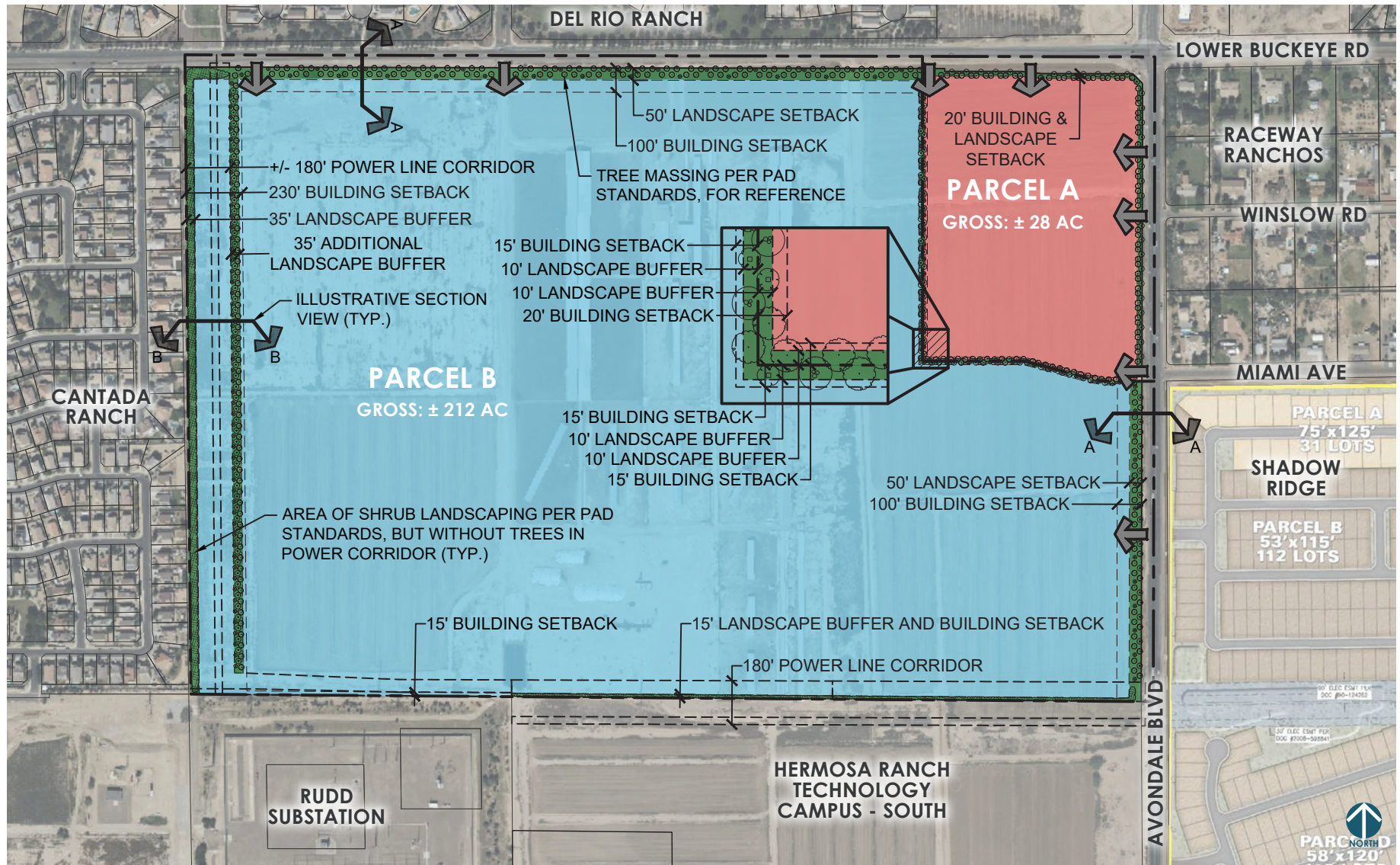


EXHIBIT 6 | CONCEPTUAL DEVELOPMENT PLAN

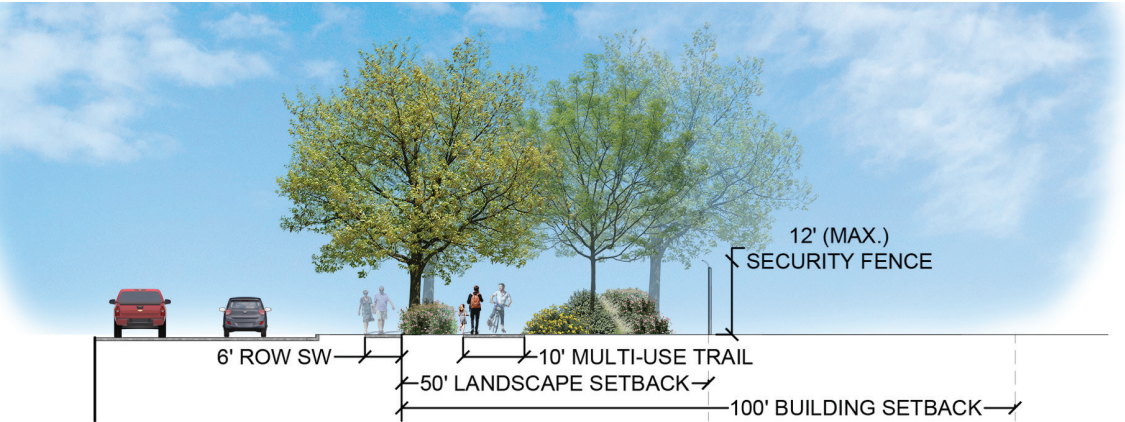


LEGEND

- HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH
- PARCEL A - LOCAL COMMERCIAL
- PARCEL B - BUSINESS PARK
- ← ACCESS
- SETBACKS

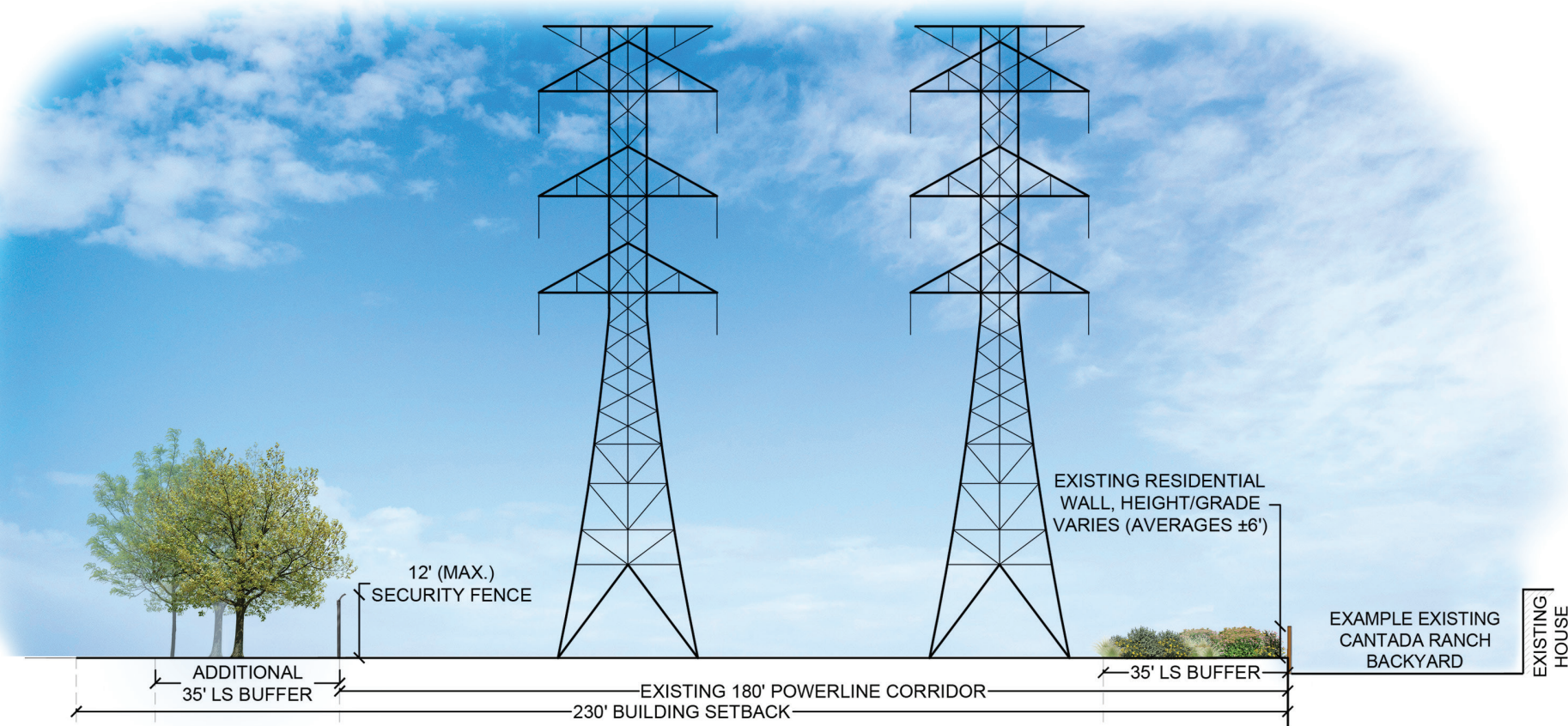
Note: This Conceptual Development Plan is intended to provide a land area target for Parcels A and B as expressed through a ± label. To promote some predictability, it is the intent of this Exhibit, the General Plan Amendment, and provisions within this Planned Area Development zoning to allow a 10% deviation in acreage with either an increase or a decrease.

EXHIBIT 7 | ILLUSTRATIVE SECTIONS



Note: Landscaping shown is intended to demonstrate general scale, character and placement. Final design shall be per the plant list and standards provided in this narrative, and will vary by its individual context. For reference, A-A's setback will include one tree and ten shrubs planted every twenty feet of street frontage, and B-B's buffers will include three shrubs in the western 35-foot buffer (no trees allowed in power line corridor) and one tree in the additional 35-foot buffer planted every fifteen feet.

CROSS SECTION A-A: FACING E. ON LOWER BUCKEYE RD OR S. ON AVONDALE BLVD, ADJACENT TO EMPLOYMENT PARK



CROSS SECTION B-B: FACING SOUTH FROM POWER CORRIDOR

IV. LAND USE

This PAD establishes all of the permitted uses for the Property, and all uses not specifically provided for herein are prohibited unless a subsequent determination by the Zoning Administrator finds a specific use to be an analogous use to a permitted use.

(P) Permitted outright.

(C) Permitted subject to a conditional use permit - must conform to all applicable use-based requirements contained in Zoning Ordinance Article 3, 28-55 for Commercial uses and Article 4, 28-74 for Employment Park uses.

(PC) Permitted with conditions (uses permitted with conditions (PC), shall abide by the conditions outlined in the Zoning Ordinance Article 3, 28-54 for Commercial uses and Article 4, 28-73 for Employment Park uses).

(A) Accessory use to otherwise permitted use.

The uses associated with Hermosa Ranch Technology Campus – North Local Commercial development unit (noted as Parcel A on the Conceptual Development Plan) shall generally conform to the City's Community Commercial (C-2) District as described in § 303 of the Zoning Ordinance, with PAD deviations noted in **bold**.

TABLE 2A | PERMITTED LOCAL COMMERCIAL USES (Parcel A)

LAND USE	AVONDALE C-2 DISTRICT	PROPOSED PAD (PARCEL A)
ADMINISTRATIVE & FINANCIAL USERS		
BANKS AND FINANCIAL INSTITUTIONS WITHOUT DRIVE-THROUGH, EXCLUDING NON-CHARTERED FINANCIAL INSTITUTIONS	P	P
BANKS AND FINANCIAL INSTITUTIONS WITH DRIVE-THROUGH, EXCLUDING NON-CHARTERED FINANCIAL INSTITUTIONS	PC	PC
PROFESSIONAL OFFICES	P	P
AUTOMOBILE RELATED USES		
AUTOMOBILE RENTAL FACILITY WITH NO ON-SITE STORAGE	P	P
AUTOMOBILE RENTAL FACILITY WITH ON-SITE STORAGE	PC	PC
AUTOMOBILE SERVICE AND DIAGNOSTIC FACILITY	PC	PC
CAR WASH, ACCESSORY TO GAS STATION	A	A
CAR WASH, SELF-SERVICE	C	C
CAR WASH, FULL SERVICE	C	C
GAS STATION WITH OR WITHOUT CONVENIENCE STORE AND/OR CAR WASH	C	C

LAND USE	AVONDALE C-2 DISTRICT	PROPOSED PAD (PARCEL A)
GAS STATION, ACCESSORY TO GROCERY STORE	-	A
TIRE SALES, REPAIR, AND MOUNTING	PC	PC
EATING & DRINKING ESTABLISHMENTS		
BAR	PC	PC
BREWERY, ANCILLARY TO A BAR OR RESTAURANT	P	P
LIQUOR STORES	C	C
OUTDOOR DINING	A	A
RESTAURANT, WITH DRIVE-THROUGH	PC	PC
RESTAURANT, WITHOUT DRIVE-THROUGH	P	P
WINE BAR	PC	PC
EDUCATION, RELIGIOUS & INSTITUTIONAL USES		
ADULT DAYCARE	PC	PC
CHILD CARE CENTER	C	C
EMPLOYMENT AGENCIES - EXCLUDING DAY LABOR	P	P
LIBRARIES	P	P
PLACES OF WORSHIP	P	P
PRESCHOOLS AND SIMILAR USES	C	C
PUBLIC SERVICE AND NON-PROFIT COMMUNITY USES	C	C
PUBLIC USES	P	P
PUBLIC UTILITY BUILDINGS, STRUCTURES, USES, FACILITIES AND EQUIPMENT	PC	PC
ENTERTAINMENT AND RECREATION USES		
ART GALLERY	P	P
BOWLING ALLEY	P	P
HEALTH AND EXERCISE CENTER (WITHOUT LIMIT ON SIZE, WITH OUTDOOR EXERCISE AREA)	P	P
INDOOR COMMERCIAL RECREATION / ENTERTAINMENT USES NOT OTHERWISE LISTED	P	P
MOVIE THEATER, INDOOR	P	P

LAND USE	AVONDALE C-2 DISTRICT	PROPOSED PAD (PARCEL A)
NIGHT CLUB	C	C
RECEPTION CENTERS	C	C
SOCIAL / PRIVATE CLUBS	PC	PC
VIDEO ARCADE, GAME ROOM	P	P
GENERAL & INTENSE RETAIL USES		
ANTIQUE STORE	P	P
BUSINESS SUPPORT SERVICES - PHOTOCOPY, OFFICE SUPPLY STORES, AND PACKAGE DELIVERY SERVICES	P	P
CONSIGNMENT SHOPS	P	P
MINI-STORAGE WAREHOUSES AND PERSONAL STORAGE	C	C
NON-CONSIGNMENT SECONDHAND RETAIL STORE	P	P
RETAIL SALES OF NEW MERCHANDISE WITHIN CLOSED BUILDINGS, INCLUDING GROCERY AND PHARMACY USES, WHICH MAY INCLUDE ACCESSORY DRIVE-THROUGHS SUBJECT TO SECTION 28-54(i) OF THE AVONDALE ZONING ORDINANCE , EXCLUDING LIQUOR STORES	P	P
SPECIALTY RETAIL, INDOOR, EXCLUDING LIQUOR STORES	P	P
SURPLUS STORE	P	P
THRIFT STORE	PC	PC
LODGING		
HOTEL, EXCLUDING EXTENDED STAY HOTELS	P	P
MEDICAL		
EMERGENCY MEDICAL CARE FACILITY	P	P
MASSAGE THERAPY (MEDICAL)	P	P
MEDICAL, DENTAL OR HEALTH OFFICES, CLINICS AND LABORATORIES, EXCLUDING PLASMA CENTERS AND MEDICAL MARIJUANA USES	P	P
REHABILITATION FACILITIES AND HOSPITALS, EXCLUDING FACILITIES FOR SUBSTANCE ABUSE AND DETOXIFICATION	P	P
VETERINARY HOSPITAL, OFFICES AND CLINICS, EXCLUDING ANIMAL BOARDING	PC	PC

LAND USE

AVONDALE
C-2 DISTRICT

PROPOSED PAD
(PARCEL A)

PERSONAL SERVICES

APPLIANCE SERVICE AND REPAIR	P	P
ART STUDIO	P	P
BARBER SHOP / BEAUTY SALON	P	P
CLOTHING ALTERATION, CUSTOM DRESSMAKING OR TAILOR SHOP	P	P
DANCE STUDIO	P	P
LAUNDROMAT, SELF-SERVICE	P	P
MASSAGE OR DAY SPA	P	P
MUSIC STUDIO	P	P
NAIL SALON	P	P
PET BOARDING AND DAYCARE FACILITY	PC	PC
REAL ESTATE OFFICE	P	P
SPECIALTY SERVICES	P	P
TANNING SALON	P	P
TICKET AND TRAVEL AGENCY	P	P

The uses associated with the Hermosa Ranch Technology Campus – North Employment Park development unit (noted as Parcel B on the Conceptual Development Plan) most generally conform to the City’s Commerce Park (CP) District as described in Article 4, 28-72 of the Zoning Ordinance, with PAD deviations noted in **bold** and use specific conditions provided in the notes section of Table 2B | Permitted Employment Park Uses. The permitted uses below are identical to the permitted uses within Hermosa Ranch Technology Campus – South PAD (PL-22-0166).

TABLE 2B | PERMITTED EMPLOYMENT PARK USES (Parcel B)

LAND USE	AVONDALE COMMERCE PARK DISTRICT	PROPOSED PAD (PARCEL B)
DATA AND CALL CENTERS	P	PC ¹
LABORATORIES FOR PRODUCT DEVELOPMENT, TESTING, EXPERIMENTING AND INVESTIGATING - BIO-SCIENCE, MEDICAL, DENTAL, PHARMACEUTICAL, ELECTRONIC AND SIMILAR USES	P	P
OUTDOOR GENERATORS, SILOS, COOLING TOWERS, AND SIMILAR ACCESSORY STRUCTURES	-	A ²
PRIVATE SUBSTATION ³	-	PC ^{4,5}
PROFESSIONAL OFFICES	P	P
PUBLIC UTILITY FACILITIES	P	P
TRANSMITTING AND RECEIVING TOWERS	C	C

Notes:

1. Permitted if cooling system is an air-chilled closed loop system, or alternative equivalent as determined by the City.
2. Permitted if either screened or integrated into the design of the site such that they will not detract aesthetically from the proposed primary buildings and/or adjacent single family residential use (proposed or existing).
3. A privately owned facility used to switch equipment and circuits in and out of a system and convert electric power into different voltages.
4. Permitted to serve a Data Center, not to exceed 20 acres, located at least 230 feet away from Avondale Boulevard, Lower Buckeye Road and residential uses.
5. Can exist to serve the Hermosa Ranch Technology Campus - North PAD while on a separate parcel within the same campus or PAD.

V. DEVELOPMENT STANDARDS

Development Standards for the Local Commercial development unit (Parcel A) shall follow the City's C-2 District standards as described in Article 3, 28-56 of the Zoning Ordinance, except as noted in **bold** below:

TABLE 3A | LOCAL COMMERCIAL DEVELOPMENT STANDARDS (PARCEL A)

DESIGN STANDARD	AVONDALE C-2 DISTRICT	PROPOSED PAD (PARCEL A)
MINIMUM LOT WIDTH	NONE	NONE
MINIMUM SITE DEPTH	NONE	NONE
MAXIMUM LOT COVERAGE	NONE	NONE
MAXIMUM BUILDING HEIGHT	30'	40'
FRONT SETBACK	20'	20'
STREET SETBACK	20'	20'
REAR SETBACK	20'	20' ¹
SIDE SETBACK	15'	15' ¹
PARKING SETBACK	30'	20'²
INTERIOR SETBACK	NONE	NONE
SETBACK FROM A RESIDENTIAL DISTRICT OR USE	50'	50'
PARKING SETBACK FROM RESIDENTIAL DISTRICT OR USE	25'	25'
MAXIMUM ACCESSORY STRUCTURE HEIGHT	15'	20'

Notes:

1. Includes 10' landscaped land use buffer, only to the perimeter of the commercial center, interior land use buffers are not required.
2. Landscape setback relates to the parking setback and is also 20'.

Development Standards for the Employment Park development unit (Parcel B) shall follow the City's Commerce Park (CP) District standards as described in Article 4, 28-75 of the Zoning Ordinance, except as noted in **bold** below. The Development Standards below are identical to the Development Standards within Hermosa Ranch Technology Campus – South PAD (PL-22-0166), where applicable.

TABLE 3B | EMPLOYMENT PARK DEVELOPMENT STANDARDS (PARCEL B)

DESIGN STANDARD	AVONDALE §405 CP DISTRICT	PROPOSED PAD (PARCEL B)
MAXIMUM HEIGHT	35' ¹ / 50' ²	50'¹ / 75'³
MAXIMUM BUILDING COVERAGE	50%	50%
MINIMUM PERIMETER BUILDING SETBACKS		
ADJACENT TO ARTERIAL ROADWAY (EAST AND NORTH)	25'	100'
ADJACENT TO RESIDENTIAL ZONING DISTRICT OR USE (WEST)	50'	230'
ADJACENT TO OTHER USES (SOUTH AND NORTHEAST COMMERCIAL)	15'	15'
MINIMUM INTERIOR BUILDING AND LANDSCAPE SETBACK	-	0'⁴
MINIMUM LANDSCAPE SETBACK ⁵		
ADJACENT TO ARTERIAL ROADWAY (EAST AND NORTH)	25'	50'
MINIMUM LAND USE BUFFER (LANDSCAPED) ⁵		
ADJACENT TO RESIDENTIAL ZONING DISTRICT OR USE (WEST)	35'	35'
ADJACENT AND EAST OF POWER LINE CORRIDOR (COMPONENT OF WEST) ⁶	0'	35'⁷
ADJACENT TO COMMERCIAL ZONING DISTRICT OR USE (NORTH AND EAST)	0'	10'
ADJACENT TO EMPLOYMENT ZONING DISTRICT OR USE (SOUTH)	0'	15'
ADJACENT TO EXISTING SUBSTATION (SOUTH)	0'	0'

Notes:

1. Building height is the vertical distance measured from the adjacent grade level to top of roof.
2. Chimneys, bulkheads, penthouses not for human occupancy, ventilators, skylights, water tanks, and other similar mechanical equipment shall be limited to fifteen (15) feet above the building height limit and shall be fully screened or integrated into the building architecture. Parapet walls or cornices may extend to a maximum of five (5) feet above the building height limit. The height of the parapet wall or cornice shall be measured from the highest side of a sloped roof. (Section 28-134, Avondale Zoning Ordinance)
3. Chimneys, bulkheads, penthouses not for human occupancy, ventilators, skylights, water tanks, cooling equipment, and other mechanical equipment shall be limited to twenty-five (25) feet above the building height limit and shall be fully screened or integrated into the building architecture. Parapet walls or cornices may extend to a maximum of five (5) feet above the building height limit. The height of the parapet wall or cornice shall be measured from the highest side of a sloped roof.
4. Interior building or landscape setbacks are not required for Employment Park parcels created within this PAD area.
5. Parking and maneuvering areas shall not be permitted in Landscape Setback or Landscaped Land Use Buffer.
6. See Exhibits 6 and 7 for location references.
7. This buffer is additional to the standard western buffer and will only include trees, no shrubs are required, as detailed in Section VIII.

All uses established, maintained, or conducted within the Project shall meet the following performance standards:

- a. Smoke, gas and odor emissions shall comply with Regulation III of the Maricopa County Air Pollution Control rules and regulations.
- b. The equivalent continuous time-average noise level (Leq), evaluated at the common property line with a single family residential or multifamily residential use, shall not exceed 55 dBA unless the Noise Study submitted at site plan demonstrates a higher pre-development ambient noise level. In that event, the maximum dBA will be whichever is higher and documented through the Site Plan approval. The Leq A-weighted sound pressure level is defined in ASTM standard E1686 – 10e1: Standard Guide for Applying Environmental Noise Measurement Methods and Criteria. Unless otherwise approved in the Noise Study and Site Plan, measurements shall be according to ANSI S12.18 Procedures for Outdoor Measurement of Sound Pressure Level which specifies the measurement duration for continuous sources to be at least two (2) minutes.
- c. All direct sources of illumination, luminaries, shall be shielded so as not to be visible from adjacent residentially zoned property and shall not exceed 1-foot candle at the property lines.

VI. ARCHITECTURAL DESIGN CRITERIA

Except where otherwise provided in this PAD, architectural design standards shall be in conformance with the City of Avondale's Zoning Ordinance requirements, as amended, and the City of Avondale's Commercial and Industrial Design Manual, as amended.

The Local Commercial development unit (Parcel A) portion of the Project will be designed to utilize unifying materials and architectural elements to create a cohesive development that will have a strong presence at the major intersection.

Appropriately scaled buildings that avoid strip development patterns will be utilized in the design of the commercial center, creating well-proportioned and unified building forms that exhibit an overall architectural concept of design elements, details, and massing. Building exteriors will be constructed of durable and maintainable materials that feature texture and pattern and are attractive at the pedestrian level. Exact theming of materials, colors, form and style will be defined and applied with the formal Site Plan application, however, conceptual imagery has been provided herein to demonstrate the quality, character and design style of the future commercial buildings. (See Exhibit 8 | Conceptual Commercial Building Design)

The architectural style within the Employment Park development unit (Parcel B) will not have to relate to the Local Commercial development unit's style. It will be modern in appearance and include visual diversity through vertical and horizontal movement and variation in materials. Building masses will include utilization of high-quality materials, texture, and windows to provide visual enhancement along the Avondale Boulevard and Lower Buckeye Road frontages. Four sided architecture, appropriate to the scale of the buildings, will be provided to create a cohesive campus aesthetic. To reduce the visual impact of the mass of the buildings, rhythmic placement of windows, materials, and/or architectural elements will be provided to create shadow, movement, and texture along the building facades visible from the perimeter of the campus and internal to access drives. Entries of the buildings will be highlighted and accented with features that will provide a human scale element as one enters the building. Due to the functional design of data center buildings, roofs will be flat, with little to no roof line variation. Exact theming of materials, colors, form and style will be defined and applied with the formal Site Plan application, however, conceptual renderings and elevations have been provided herein to demonstrate the quality, character and design style of the future data center buildings. (See Exhibit 9 | Conceptual Data Center Building Renderings)

Due to the elevated nature of the design of the data center and commercial buildings, the minimum required facade treatments will be four (4) treatments for building lengths greater than fifty feet (50') within this PAD.

EXHIBIT 8 | CONCEPTUAL COMMERCIAL BUILDING DESIGN



IMAGES ARE INTENDED TO ILLUSTRATE DESIGN QUALITY, STYLE AND OVERALL AESTHETIC BUT DO NOT REPRESENT EXACT BUILDING ARCHITECTURE OR TENANTS. THE LOCAL COMMERCIAL DEVELOPMENT UNIT WILL INCLUDE A COHESIVE ARCHITECTURAL THEME THAT CREATES A SENSE OF ARRIVAL AND PLACE. THE DESIGN WILL MEET OR EXCEED THE CRITERIA OUTLINED IN THE COMMERCIAL AND INDUSTRIAL DESIGN MANUAL.

EXHIBIT 9 | CONCEPTUAL DATA CENTER BUILDING RENDERINGS



IMAGES ARE INTENDED TO ILLUSTRATE DESIGN QUALITY AND OVERALL AESTHETIC BUT DO NOT REPRESENT EXACT BUILDING ARCHITECTURE OR TENANTS.

VII. SITE DESIGN CRITERIA

The Design Standards and Guidelines outlined in the City of Avondale's Commercial and Industrial Design Manual, as amended, shall govern future development of the Project, except as modified in this PAD.

Building Orientation

Development of the commercial center portion of the Project (Parcel A) will utilize appropriately scaled buildings that avoid strip development patterns. Buildings will be oriented to Avondale Boulevard and Lower Buckeye Road, the development's primary connections to the surrounding community, providing multiple entries and maximum visibility into the center.

A data center campus will be developed within the Employment Park development unit (Parcel B). A generous minimum one hundred foot (100') building setback, inclusive of a minimum fifty foot (50') landscape setback, is provided for screening, separation, and visual enhancement along Avondale Boulevard and Lower Buckeye Road. The orientation of the buildings is such that the mechanical equipment and service areas will be strategically placed to minimize public view. Access is efficiently accommodated around the Property and in between buildings with parking located along the front of each building.

Parking

The size of all parking spaces, accessways, parking lot islands, and other improvements in areas designated for vehicular parking shall conform to Article 8 – Parking of the Zoning Ordinance. The parking standards provided for in Article 8, 28-164 – Required Parking of the Zoning Ordinance will govern the parking for uses within the PAD with the following exceptions/clarifications:

1. The data center use will be parked under the "Warehouse & Storage" category and as a result, will utilize the following calculation:
 - 1 space/500 SF for the first 10,000 SF plus 1 space/5,000

SF for the remaining floor area.

- MAXIMUM spaces allowed – 1 space/300 SF for the first 10,000 SF plus 1 space/3,000 SF for the remaining floor area.

2. Retail establishment:

- When up to 50,000 square feet of gross building area, 1 space/250 SF building area minimum, maximum parking requirement shall not apply.
- When greater than 50,001 square feet of gross building area, 1 space/250 SF building area maximum.

Required parking for the data center use will be based on a calculated 90% of the gross floor area of the building or use. Where a use is not listed in the Required Parking Schedule of Article 8, 28-164, the Zoning Administrator shall determine the minimum/maximum permitted as provided for in the Zoning Ordinance. Further, the City may permit deviations from the required parking schedules via a shared parking regime or where a Parking Demand Study completed in accordance with the City's requirements is provided with a Site Plan submittal.

Screening

The Project's buildings are oriented so that utilities and services bays are located internal to the site and are screened to minimize view from Avondale Boulevard and Lower Buckeye Road. If mechanical equipment is located on the roofs of the buildings then it will be fully screened or integrated into the building architecture. Within the Employment Park development unit (Parcel B), in-lieu of providing masonry parking screen walls along Avondale Boulevard and Lower Buckeye Road, an enhanced and enlarged landscape buffer will be provided. Additionally, these Increased landscape setbacks along exterior edges of the Property will serve as buffers to soften and screen the view of the data center buildings from the perimeter.

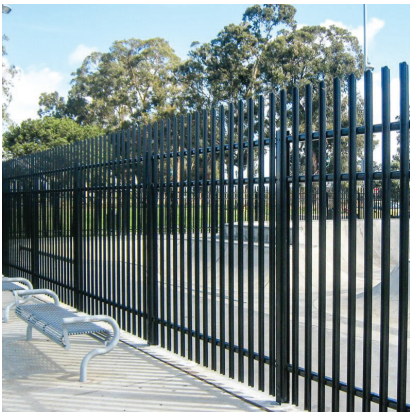
Walls + Fences

Security is a top priority of data centers, therefore, the future technology campus will be fully enclosed by security fencing or solid walls, with secure, locked access gates allowing entrance for authorized users only. High security steel palisade fencing may measure a maximum of twelve feet (12') in height. The perimeter fencing for the data center use will be set back a minimum of fifty feet (50') from adjacent public roadways and will be accompanied by lush landscaping. Along the western boundary the perimeter fencing will be setback a minimum of one hundred eighty feet (180') from the property line due to the regional power line corridor. Vehicular entry gates will match the stylish design of the perimeter fencing.

Walls and fencing planned for the commercial center (Parcel A) will include walls for screening of parking, outdoor storage, service areas, and utility cabinets, where landscape screening is not sufficient. Decorative walls may be used to enhance the visual aesthetics of the commercial center, provide a unifying element, and/or assist in defining the architectural theme.

All walls and fences shall be consistent with Article 12, 28-297 of the Zoning Ordinance with the following clarification:

1. No additional land use buffer walls will be required along the western boundary.



Lighting

Nighttime security lighting ranging from fifteen feet (15') to twenty-five feet (25') in height will be provided within the Employment Park development unit. Lighting will be pole mounted with shielded downcast lights to prevent glare to adjacent properties. Bollard lighting will be encouraged at pedestrian building entries and outdoor spaces.

All decorative and emergency ingress/egress lighting associated with the commercial center and technology campus buildings shall be finished in a similar architectural style and/or color palette as adjacent buildings/walls. All Project lighting will meet the requirements of the Zoning Ordinance Article 7, 28-137 Outdoor Lighting. A Lighting Plan and Photometric Study will be provided with each individual Site Plan application.

VIII. LANDSCAPING, PEDESTRIAN OPEN SPACE + AMENITIES

Open space for the Project will be provided in the form of landscape setbacks, land use buffers, power line corridors, drainage retention, and stormwater conveyance. These open space elements will complement each other in form, texture and visual appearance, creating an open space fabric that will provide as a cohesive backdrop to the built environment.

The overall planting design for the Project will be designed to enhance the desert environment through the use of native desert and desert adapted low water use plant material. Landscape will be utilized to provide shade, visual interest, and buffering. Street trees along Avondale Boulevard and Lower Buckeye Road will be per the Avondale Street Tree Master Plan and will maintain the aesthetic character for major streets and routes within the City.

Vehicular entrances to the Project will be landscaped to create a sense of arrival and plantings will be provided in parking islands to provide shade and visual interest. Foundation plantings will be used to provide human scale and soften building facades, while massing of vegetation will be used for visual screening where necessary. Additionally, the Project will include low-impact design elements such as vegetated retention basins that encourage ground percolation.

General Landscape Provisions provided for in Article 12 of the Zoning Ordinance and the Landscape Design Standards of Article 12, 28-294 of the Zoning Ordinance will govern landscaping for the Project except that Required Landscaping and Landscape Areas will be determined utilizing the following alternate standards.



- A 50-foot landscape setback shall be provided for the Employment Park development unit (Parcel B) and a 20-foot landscape setback will be provided within the Local Commercial development unit (Parcel A) along Avondale Boulevard and Lower Buckeye Roads. These setbacks will include one (1) 24-inch box tree and ten (10) 5-gallon shrubs, planted for every twenty (20) feet of street frontage, except for driveways, utility easements, sight visibility triangles, and walkways. Trees may be planted in groupings to maximize viability and buffering as approved by the City in Site Plan review. Parking and maneuvering areas shall not be permitted within the landscape setback adjacent to Avondale Boulevard or Lower Buckeye Road.

- Adjacent to the western perimeter of the Employment Park development unit (Parcel B), the required landscaped land use buffer adjacent to residential is 35 feet and will be located within the SRP power line corridor. Due to planting limitations within the power line corridor, no trees will be allowed within this landscaped buffer. Three (3) 5-gallon shrubs for every fifteen (15) lineal feet of the property boundary being screened will be provided and the incorporation of larger shrubs along this property edge shall be considered where feasible. East of the power line corridor and ending 15 feet west of the building setback, an additional 35-foot wide landscaping buffer will be provided containing one (1) 24-inch box tree planted for every fifteen (15) lineal feet of easement frontage. Trees may be planted offset from each other and/or in groupings to minimize development visibility from the existing residential area to the west as approved by the City in Site Plan review.

- Adjacent to the southern boundary of the Employment Park development unit (Parcel B), the required landscaped land use buffer is 15 feet and will be located within the power line corridor that runs along the common boundary. Due to planting limitations within power line corridor, no trees will be allowed within this landscaped buffer. Three (3) 5-gallon shrubs for every fifteen (15) lineal feet of the property boundary being screened will be provided and the incorporation of larger shrubs along this property edge shall be considered where feasible.

- A 10-foot landscape buffer shall be provided for each parcel between the Employment Park development unit

(Parcel B) and the Local Commercial development unit (Parcel A). These buffers will each include one (1) 24-inch box tree and three (3) shrubs for every thirty (30) lineal feet of the property boundary being screened.

- Parking islands shall be installed at least every ten (10) consecutive parking spaces and located at the ends of each row of parking spaces. Such islands shall be a minimum of five (5) feet wide interior dimension measured from inside curb to inside curb, and a length equal to the adjacent parking stall length.
- Landscaped medians shall be provided for every three double rows of parking that exceed thirty (30) total spaces. Each median shall be a minimum width of five (5) feet exclusive of a two-foot parking overhang on both sides. Curb breaks may be provided to accommodate drainage flows. A deviation or alternative to this requirement may be considered by the zoning administrator or designee provided the intent of the landscape median is satisfied. A deviation from this standard shall be permitted if increased landscape medians are provided for single rows of parking.
- Parking areas shall include a minimum of fifteen-foot (15') wide landscaped medians to divide large parking fields into smaller areas of one hundred fifty (150) parking spaces or less. Medians must be oriented for pedestrian use and navigation and must include a minimum of five-foot wide sidewalks. The zoning administrator or authorized designee may waive this requirement for any project where buildings or pedestrian plazas serve to break the parking field into areas of one hundred fifty (150) spaces or less.

A ten foot (10') multi-use trail will be provided within the landscape setback adjacent to Avondale Boulevard and Lower Buckeye Road. The intent of the multi-use trail is to provide pedestrian connectivity around the perimeter of the Property, eventually tying into the multi-use trail located on the north side of Lower Buckeye Road within the power line corridor. The Avondale Boulevard segment of the multi-use trail will be an extension of the trail that is planned within the Hermosa Ranch Technology Campus – South PAD (PL-22-0166) to the south.

Plant List

The following plant list is inspired by the area's existing conditions and the 2014 City of Avondale's Street Tree Master Plan. The list should be used as a guide for inspiration, any plant scheme that is consistent with City codes shall be permitted.

Trees:

Acacia aneura (Mulga)
Acacia salicina (Willow Acacia)
Acacia smallii (Sweet Acacia)
Chilopsis linearis (Desert Willow)
Chitalpa tashkentensis (Chitalpa)
Eucalyptus papuana (Ghost Gum)
* Primary tree for Lower Buckeye Road
Pistacia chinensis 'Red Push' (Red Push Pistache)
* Primary tree for Avondale Boulevard in South Avondale Character Area
Prosopis chilensis (Thornless Mesquite)
** Secondary tree for Avondale Boulevard in South Avondale Character Area and
** Secondary tree for Lower Buckeye Road
Ulmus parvifolia 'Sempervirens' (Chinese Elm)
Vitex agnus-castus (Chaste Tree)

Shrubs:

Caesalpinia pulcherrima (Red Bird of Paradise)
Calliandra californica (Red Fairy Duster)
Calliandra eriophylla (Pink Fairy Duster)
Dodonaea viscosa (Green Hopseed)
Eremophila maculata (Valentine Emu)
Euphorbia antisyphilitica (Candelilla)
Justicia californica (Chuparosa)
Leucophyllum candidum (Silver Cloud)
Leucophyllum frutescens (Texas Sage)
Ruellia peninsularis (Baja Ruellia)
Tecoma hybrid (Tecoma 'Orange Jubilee')
Tecoma stans (Tecoma 'Yellow Bells')

Groundcovers:

Eremophila glabra 'Mingenew Gold' (Outback Sunrise Emu)
Lantana hybrid 'New Gold' (New Gold Lantana)

Lantana montevidensis (Purple Trailing Lantana)

Shrub Grasses:

Muhlenbergia capillaris 'Regal Mist' (Pink Muhly)

Muhlenbergia rigens (Deer Grass)

Accents:

Agave americana (American Agave)

Agave weberi (Weber's Agave)

Aloe barbadensis (Aloe vera)

Dasylirion wheeleri (Desert Spoon)

Hesperaloe parviflora (Red Yucca)

Nolina microcarpa (Bear Grass)

IX. SIGNAGE

Project signage will include monumentation, tenant signage, addressing, and wayfinding for emergency services. All Project signage will be defined in a Comprehensive Sign Plan under a future separate application.

X. INFRASTRUCTURE

Infrastructure improvements anticipated with the development of Hermosa Ranch Technology Campus – North shall include internal private accessways, half-street improvements for Avondale Boulevard and Lower Buckeye Road along the property frontage as required, possible deceleration lanes at major Project entries, the project's proportional share of adjacent traffic signals if warranted, as well as water and sewer connections. It is anticipated that the Project will have the ability to connect to existing water and sewer mains in Avondale Boulevard and/or Lower Buckeye Road. It is understood that the City of Avondale's Integrated Utility Master Plan recommends upgrading Lower Buckeye Road's 12-inch waterline to a 16-inch waterline. If not previously upgraded, this Project will install this upgrade along its frontage during development.

The City of Avondale has completed Lower Buckeye Road and Avondale Boulevard intersection improvements, including signalization, in October 2023.

Existing drainage on the Property generally flows to the south and west. Landscaped retention basins will be provided in accordance to this pattern to retain the runoff volume for the 100 year 2-hour storm event for both on-site and adjacent half-street public roadway construction.

XI. OWNERSHIP + MAINTENANCE

The Property will be subdivided into two or more parcels, which may be owned and maintained individually. Site features within each parcel, including but not limited to paving surfaces, landscaping, fences/walls, gates, entry features, light poles, signs, paint, site furniture, and other related items will be maintained by the individual property owner(s) or Owner's Association(s).

A statement shall be placed on all approved site plans or plats, as appropriate, of any development parcels adjacent to Avondale Boulevard and/or Lower Buckeye Road stating that landscaping in the adjacent right-of-way shall be maintained by the Project.

XII. JUSTIFICATION + MITIGATION

To accommodate development of an anchored commercial center and a technology campus with a focus on modern design and state-of-the-art technology, this PAD requests minor modifications to the City of Avondale's Zoning Ordinance and the Avondale Commercial and Industrial Design Manual. The proposed modifications allow the

Project to meet the intent of the C-2 and CP zoning districts, while providing site specific modifications that respond to this uniquely situated property positioned adjacent to a regional power substation and within an Opportunity Zone. Additionally, the intent is to provide continuity with the approved Hermosa Ranch Technology Campus – South PAD (PL-22-0166), where applicable.

Project mitigation is achieved through a focus on design elements that provide additional community benefit and buffering, without applying traditional development standards that did not contemplate the scale of a high-tech employment campus. Deviations for the commercial center use are requested to allow for a cohesively designed and modern anchored center.

A summary of the justifications for specific deviations is provided below.

- Modification to C-2 and CP Uses:

Minor modifications to permitted uses have been provided within this PAD to align with the functionality and needs of a large scale technology campus and current design trends and use demands in the present-day retail climate. The expansion of allowed commercial uses will increase the viability of this site and help attract a commercial anchor for the site. These uses are supported through the increased commercial intensity envisioned within the Opportunity Zone. The expanded uses within the CP District will support the unique demands of the proposed data center. The health, safety, and welfare of the patrons and employees of Hermosa Ranch Technology Campus - North and the surrounding neighbors will not be negatively impacted by these modifications nor will these cause a burden on the City of Avondale's infrastructure or services.

- Maximum Building Height:

Within both the Local Commercial development unit (Parcel A) and the Employment Park development unit (Parcel B) development standards for maximum building height have been increased. The maximum building height for future commercial development will exceed

the maximum building height of the C-2 Zoning District by ten feet (10') for a maximum height allowance of forty feet (40'). This increase in height is to allow for architectural building elements that are typically associated with large anchor-type buildings. Additionally, the increased building height will be compatible with the larger scale buildings proposed within the adjacent CP Zoning District.

The maximum building height of the data center buildings will exceed the maximum building height of the CP Zoning District by a total of fifteen feet (15') for a maximum building height of fifty feet (50'). Additionally, the additional height allowance for screened rooftop equipment will exceed the City's standard by ten feet (10') for a total of twenty-five feet (25'). The additional height allows for parapets and screen walls necessary to screen and attenuate sound from mechanical equipment located on the roof of the building. The increased height allowance will allow for parapets and mechanical screen walls, as well as accommodate modern design and innovative technology that will attract high-quality tenants to the City of Avondale. To offset the requested increases to building and mechanical screen wall heights, perimeter building setbacks adjacent to residential uses or perimeter roads have been significantly increased to mitigate any potential visual impacts.

- Minimum Building and Parking Setbacks:

A decrease in the C-2 Zoning District parking setback is being requested to modify the required thirty foot (30') setback to a minimum of twenty feet (20'), within the Local Commercial development unit (Parcel A). This reduction in parking setback will allow a greater flexibility for site circulation and provide additional area for the abundance of parking required as part of an anchored commercial center of significant size. Additionally, the reduced setback will create greater visibility into the center, while not negatively impacting the shaded sidewalk or pedestrian environment of the adjacent streetscape. A ten foot (10') landscaped buffer, between two uses that do not require any buffering, on each side of the parcel between the commercial and data center uses will help offset any landscaping deficiencies created as a result of the reduced parking setback. Building setbacks will remain as City minimums.

Within the Employment Park development unit (Parcel B), building and landscape setbacks have been increased from the CP Zoning District requirements to allow for additional screening and visual mitigation of the large-scale buildings associated with the data center use. The building setbacks adjacent to the perimeter arterial roadways and the residential neighborhood of Cantada Ranch to the west are more than four-times the City minimums. Additionally, the landscape setbacks adjacent to Avondale Boulevard and Lower Buckeye Road have been doubled to allow for a future multi-use path that will provide non-vehicular connectivity around the Property and to the neighborhoods to the north.

- Parking:

Minor refinements to the City's parking volumes and parking lot landscaping standards, as outlined in Article 8, 28-164 and Article 12, 28-294.6 of the Zoning Ordinance, are required to facilitate the needs and demands of the specific uses intended within the Project. The edits will allow the desired tenants associated with the anchored center the flexibility to ensure adequate parking and convenient access for potential customers. Anticipated tenants such as restaurants, fitness, and grocery will need additional parking to be successful. Due to the project's location on a vital arterial intersection, the added flexibility to help create more parking will assist in securing an anchor tenant to maximize the commercial viability of the Project.

All site development within Hermosa Ranch Technology Campus - North will allow for a modification to the spacing requirement of parking islands. The spacing of parking islands has been increased within this PAD from at least every eight (8) consecutive parking spaces to at least every ten (10) parking spaced and located at the end of each row of parking. Parking associated with the data center use is intended to be efficient and minimal, while the parking for the commercial center needs to accommodate a large number of patrons in close proximity to the associated building. This added flexibility in spacing, if needed, allows for more efficient designed parking without taking away from visual and shade aspects desired.

For clarification, the City's parking standards associated with "Warehouse" uses are applied to the data center uses within the Employment Park development unit (Parcel B), which is otherwise "parked" under the call-center use. Employee counts between these uses differ greatly and a data center is more akin to a "tech warehouse".

- Landscape Setback / Buffer:

Unless otherwise modified in this PAD, all landscaping will comply with Article 12, 28-294 of the Zoning Ordinance. Expanded landscaped setbacks, land use buffers and custom screening standards have been provided for the Employment Park development unit (Parcel B) that take into account existing adjacent uses. A twenty-five foot (25') increase to the CP Zoning District's landscape setback adjacent to arterial roadways, for a total distance of fifty feet (50'), is proposed to enhance the visual experience for people along Avondale Boulevard and Lower Buckeye Road. A decrease of ten feet (10') to the C-2 Zoning District's landscape setback for a total distance of twenty feet (20'), is proposed to allow the resultant increases in parking flexibility to successfully support a large anchored commercial center. Adding a ten foot (10') landscaped buffer, on each side of the parcel between the commercial and data center uses is proposed to break up the building massing and add visual interest for the PAD area. These buffer's vegetation massing is reduced by one-half to allow the vegetation room to mature while allowing the two sides of the property line to work together and provide desired screening. A fifteen foot (15') landscaped buffer between Hermosa Ranch Technology Campus - North and Hermosa Ranch Technology Campus - South is proposed to break up the building massing and add visual interest between the uses. No increase is proposed to the CP Zoning District's land use buffer adjacent to residential zoning or use, maintaining a total distance of thirty-five feet (35'). However, since trees are not allowed in the power corridor, an additional thirty-five foot (35') landscaped buffer will contain trees, east of the one-hundred and eighty foot (180') power line corridor to help screening. These landscape buffers and the total building setback of two-hundred and thirty (230') will allow substantial separation between the residential and data center uses.

- Walls/Fences:

Within the Employment Park development unit (Parcel B), the allowance of steel fencing, in lieu of solid block screen walls, is permitted along the perimeter of the Property and will be further enhanced with increased landscaped setbacks and land use buffers. The fencing will secure the site, provide visual interest with views into the technology campus, and allow for easier maintenance and upkeep of the perimeter wall/fence treatment. Traditional solid block walls are a security concern for large campus settings such as Hermosa Ranch Technology Campus – North due to scalability for intruders as well as lack of visual security surveillance for early intruder detection. Aesthetically, the permeable fencing affords the opportunity for patrons and the public passing by to enjoy the building and landscape aesthetics, while also contributing to better site acoustics. The proposed steel fencing also provides noise attenuation as opposed to solid block walls which present an opportunity for sound reverberation.

- Building Facade Treatments:

Due to the elevated nature of the architectural design of the technology campus and commercial buildings, as discussed in Section VI, a request to reduce the minimum required facade treatments to four (4) treatments for building lengths greater than fifty feet (50') is being proposed with this PAD. Most commercial buildings, including those closest to the prominent corner of Avondale Boulevard and Lower Buckeye Road, will not have a length over 50 feet and will therefore contain all design treatments per the Commercial and Industrial Design Manual. The perceived scale of the buildings will be reduced through increased building setbacks and enhanced landscaping for the data center buildings. This design guideline modification is intended to provide continuity with the approved Hermosa Ranch Technology Campus – South PAD (PL-22-0166).

- Land-use buffer walls:

It is being clarified that no eight (8) foot screen wall is required between the existing Single-Family Residential District (Cantada Ranch) and the Employment District.

This request relates to Article 12, 28-297.d of the Zoning Ordinance. This clarification will eliminate construction disturbance along the shared boundary. Buffering needs will be accomplished by the presence of the one-hundred and eighty foot (180') power line corridor, two-hundred and thirty foot (230') building setback, security fencing, and extensive landscape buffering, as outlined in Section VIII.

XIII. CONFORMANCE WITH AVONDALE PLANS

Concurrently with this PAD request, a Major General Plan Amendment (GPA) has been submitted to modify the current land use of Estate/Low Density Residential (ELDR) and Medium Density Residential (MDR) to Business Park (BP), and increase the acreage of Local Commercial (LC). This GPA request is necessary to allow for large scale technology campus development that will provide increased employment opportunities and the future development of an anchored commercial center. The following summary highlights a few of the Avondale General Plan 2030 goals and policies this Project supports:

Land Use Element

Goal 3: Promote a strong balance of high quality residential, employment, recreation, and educational land uses.

Policy D: Ensure adequate transitions and/or buffers are provided when adjacent land uses vary in character and intensity.

The Project will introduce employment uses into the Avondale Boulevard Employment and Commercial Corridor. Diversity and balance of land uses within this Corridor, specifically between Buckeye Road and Broadway Road, is currently lacking and medium density residential is the predominant use. This Project increases the mix of land uses for the Corridor and places new jobs, goods and services in proximity to residents.

The BP land use category supports employment uses that can incorporate modern campus planning, design, and architecture that will promote the City's expectations for design quality and consideration of surrounding existing and planned uses. This PAD establishes generous building setbacks to provide for adequate transitions and landscaped buffers adjacent to existing residential uses, aiding both with noise abatement and visual buffering. The development of the Property will enhance the visual attractiveness of the currently underdeveloped agricultural land use.

Goal 4: Ensure all land use decisions meet the long-term social and economic goals of the community.

Policy C: Ensure Avondale is at the forefront of any emerging markets by continuously updating codes and policies to include standards for new business types and technologies.

Avondale has significantly grown its employment base with major medical, warehousing and office uses, however, it has limited land available with access to the required power infrastructure necessary to attract technology companies / data centers looking to locate in the area. This PAD request will allow the Project to add to the City's land use mix and provide an opportunity to attract an increasingly growing technology market to Avondale. The development of this northern portion of the Hermosa Ranch Technology Campus would continue the recent significant capital investment in the City of Avondale and reinforce the General Plan's goal to provide a mix of employment areas with a wide range of salary levels that increase the stability and diversity of Avondale's economy. Local jobs will be created during construction and once the data centers are operational, while the future commercial development will provide additional jobs as well.

Economic Element

Goal 3: Enhance and market Avondale's business climate.

Policy E: Increase the supply of developable Business Park land and promote a flexibility of uses within.

This PAD and concurrent GPA request supports the enhancement of Avondale's business climate and will allow for new development and business attraction opportunities by increasing the availability of developable land for BP

and LC uses. The Project will create additional opportunities in the area for national and international industries, bringing additional business and visitors to Avondale and increasing the potential for new investment. The proposed uses associated with Hermosa Ranch Technology Campus – North will further the City's priority and focus on economic vitality and competitiveness.

Goal 10: Reserve adequate lands to accommodate business parks, light industrial uses, and higher education facilities.

Policy A: Support efforts to locate and develop additional business park and industrial land along Avondale's business corridor.

The Property fronts on the Avondale Boulevard Employment and Commercial Corridor, which is recognized as a major corridor for employment and commercial uses. The Project assists in the growth and development of this Corridor, fulfills the purpose for this Corridor, and would adequately accommodate additional business park land within an underutilized area, as the General Plan intended. The Project will increase employment opportunities and create diversity in the area, which, according to the General Plan, will be more economically sustainable for the City.

XIV. MASTER SITE PLAN + SITE PLAN REVIEW

A Conceptual Site Plan depicting circulation, scale and overall site design of the Project is included in this submittal under separate cover for reference only and is subject to change. The Hermosa Ranch Technology Campus – North is anticipated to be platted as at least two (2) separate parcels with each parcel processing an individual Site Plan.

XV. PAD REQUIRED FINDINGS

The Hermosa Ranch Technology Campus - North PAD meets the required findings outlined in Article 6, 28-113(a) of the Zoning Ordinance as demonstrated below.

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

The Avondale General Plan 2030 identifies the land use designation for the Property as Estate/Low Density Residential (ELDR), Medium Density Residential (MDR), and Local Commercial (LC). A GPA application to amend the General Plan land use designation for the Property to Business Park (BP) and increase the acreage of LC uses has been submitted to the City of Avondale concurrently with this rezone request. This PAD will be in conformance with the BP and LC designations and the goals of the Avondale Boulevard Employment and Commercial Corridor.

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 Hermosa Ranch Tech Campus – North PAD clearly defines any requested deviations from the City's Zoning Ordinance and Commercial and Industrial Design Manual. Minor modifications to land use, development standards, and design guidelines are requested to accommodate a large-scale technology campus and a modern anchored commercial center. Development standards proposed exceed the minimum requirements of Zoning Ordinance Article 4, 28-75, providing larger setbacks from adjacent existing residential uses as well as Avondale Boulevard and Lower Buckeye Road. The Project, which will be platted

as at least two (2) separate parcels, will comply with the Subdivision Regulations and be consistent with the Street Tree Master Plan.

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 of the PAD.

Adequate public infrastructure and services exist in the immediate area to serve the proposed development. All necessary utility extensions and perimeter roadway improvements required as part of the development of the Property will be constructed as necessary. The adjacency of the Property to the existing Rudd Substation provides a mutual benefit and opportunity for the data center use proposed with this PAD.

The developer of the technology campus recognizes concerns around data center water usage and the impact imposed on the environment and local communities and therefore applies design, procurement, and construction standards to significantly minimize the water consumption required to mechanically serve the buildings. An air-cooled, chilled water closed-loop system minimizes water usage to cool the data center buildings, greatly improving a measurable Water Utility Efficiency. Once charged, the closed loop system requires zero water use, with the exception of occasional maintenance. A closed loop system, as described, or alternative equivalent system as determined by the City, will be used for the technology campus.

When public infrastructure and service needs are compared for the proposed technology campus use and the existing allowed single family residential use, it is clear that the future technology campus will significantly reduce the burden on the existing infrastructure. The water supply demand associated with the proposed data centers with closed-loop systems are significantly less than single-family residential uses. Additionally, the technology campus will generate far

less vehicular traffic on adjacent and surrounding roadways than a residential use.

Commercial uses were already planned for the Property, therefore development associated with this PAD will not create an unforeseen demand on public infrastructure and services.

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

The Property is located along two arterial roadways, adjacent to the Rudd Substation, and bound by a power line corridor along the west and south. The residential community of Cantada Ranch is located to the west and Hermosa Ranch Technology Campus - South, of which this PAD is an extension, is to the south. The land uses proposed with this PAD embrace the visual encumbrances of the Property and uses the major intersection as a benefit to aid in the success of a highly anticipated commercial corner. The Project will not adversely impact existing land uses in the surrounding area and will further advance the goals of the adjacent Growth Area and Avondale Boulevard Employment and Commercial Corridor by providing employment and commercial uses on the Property.

This PAD has purposefully included significant setbacks adjacent to the residential land uses to the west to mitigate impact perceived with a technology campus use. In addition to large building setbacks and land use buffers adjacent to residential uses, increased building and landscape setbacks are proposed along the perimeter roadways within the Employment Park development unit (Parcel B), to orient the data center buildings further within the Property and provide additional landscape and screening. The proposed PAD has been thoughtfully crafted to set the stage for compatibility with adjacent land uses and site constraints.

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 outlined in this PAD are consistent with the desired character of development for the area and will encourage future commercial and employment growth within the Avondale Boulevard Employment and Commercial Corridor. The development standards for the Employment Park development unit (Parcel B) provided within this PAD are identical to the Development Standards within Hermosa Ranch Technology Campus – South PAD (PL-22-0166), where applicable. By providing enhanced building setbacks and landscape buffers, the proposed development will provide a compatible land use transition and provide a visual buffer from the Rudd Substation and power line corridor to the surrounding community.

XVI. CONCLUSION

The proposed PAD has been carefully designed to encourage appropriately scaled employment uses and a modern anchored commercial center within the Avondale Boulevard Employment and Commercial Corridor, north of the South Avondale Growth Area, while providing compatibility with the surrounding area. The Property creates additional jobs and provides significant revenue for the City of Avondale and school districts, while also providing much needed commercial services.

HERMOSA RANCH
TECHNOLOGY CAMPUS - NORTH

PLANNED AREA DEVELOPMENT

**NORRIS
DESIGN**
PEOPLE + PLACEMAKING

Exhibit E

Electronically Submitted 2/1/24

Summary of Neighborhood Meeting for Hermosa Ranch Technology Campus – North

Case Numbers: PL-23-0299 & PL-23-0300

January 30, 2024, at 6:00 PM

A neighborhood meeting for a general plan amendment and rezone application for approximately 239 acres of land located generally on the southwest corner of Avondale Blvd. and Lower Buckeye Rd. in Avondale, Arizona, was held on Tuesday, January 30, at 6:00 PM. The applications propose a general plan amendment of the site to a mix of Business Park and Local Commercial land use designations, and a rezone to Hermosa Ranch Technology Campus – North PAD to allow for the development of a data center and commercial corner. The site was posted with the meeting information, a legal advertisement was published in the Southwest Valley Arizona Republic newspaper, and notifications were mailed to property owners and HOAs within 1,000 feet of the project.

The meeting was held at Avondale City Hall located at 11465 W. Civic Center Dr., Avondale, Arizona 85323 in the Sonoran Conference Room. Four members of the public were in attendance as well as one member of city staff and one elected official. A redacted copy of the sign-in sheet is included as **Exhibit A** in this report.

Members of the development team present:

- Carolyn Oberholtzer – BFSO Law
- Caleb Weeks – BFSO Law
- Lauren Trobaugh – BFSO Law
- Alan Beaudoin – Norris Design
- Nick Vanderwey – Rexco LLC, TGV Investments LLC
- Michael Vanderwey – Rexco LLC, TGV Investments LLC
- Terry Klinger – Rexco LLC, TGV Investments LLC

City officials and staff present:

- Curtis Neilson – Council Member
- Joshua Orton – Senior Planner

The first members of the public arrived at 5:50 PM and Ms. Oberholtzer began an open-house presentation where she explained the proposal. She walked attendees through display boards and discussed the project and answered questions and concerns from the attendees. The display boards had pertinent information from the application including reference photos, conceptual elevations and renders of the proposed data center buildings, and conceptual site plans and aerials of the property. The presentation boards are included as **Exhibit B** to this report. A summary of the questions and concerns from the public is presented below.

An attendee asked if the entrance to the power line corridor would be closed off. Concerns were raised regarding trash dumping and people living within the power line corridor on the west side of the property. Furthermore, there were questions about what type of landscape improvements may happen under the powerlines.

Ms. Oberholtzer discussed the significant improvements that were planned for the power line corridor which included landscaping on either side of the easement. She explained that due to the easement there was not much that could be done under the power lines, but that it would be kept clear of debris and dust. She further discussed that the data center would have security fencing on that would allow for visibility into the corridor from the data center user. She also explained that security patrols were expected to be present for the data center use and would deter unwanted activities in this area.

An attendee asked if there were other data centers in the area that they could look at to understand what the building would look like when complete.

The attendees were shown the renders and elevations of the buildings from the application exhibits. Ms. Oberholtzer explained the heights and setbacks of the buildings – specifically the data center buildings. She explained that similar developments can be seen along the north side of 202 at the 40th St. exit in Phoenix.

Concerns were presented by some of the public regarding their views of the mountains with the new development. Several attendees had questions about the allowed height of the project.

Ms. Oberholtzer reviewed the data center building elevations with the attendees and explained the roof height requested within the PAD application. She explained that the roof height would be a maximum of 50 ft., and that an additional 25 ft. would be permitted where necessary for the screening of mechanical rooftop equipment and stairwell access to the roof.

Attendees had questions about the sidewalks and right of way improvements at the perimeter of the project.

Ms. Oberholtzer discussed the landscape buffer, planting standards and vegetation that would be used for the project. Attendees were excited when she explained the 10 ft. wide multi-use path that is proposed for the property boundary, in addition to the sidewalk.

Attendees expressed a desire for the types of commercial services that the project would bring to the corner, specifically ones within walking distance of their homes. They were interested in what types and how many businesses may develop on the commercial corner, expressing desires for a grocer and sit-down restaurants. They asked if there were specific end users in mind for the commercial component of the project.

Ms. Oberholtzer explained that while there were specific end users in mind for the project that were engaged with the development team, there was nothing finalized at this time that could be shared. She noted that the end user for the commercial center was expected to be a grocer anchor, and once that user was solidified, it was expected that that user would drive the design of the center. She explained that building size requirements of the end user could impact the number and types of eventual businesses and shops on the commercial portion of the site.

There were some questions raised about traffic improvements to the surrounding area. Specifically, one attendee had safety concerns about the intersection of El Mirage and Lower Buckeye.

The development team explained that this intersection was not part of the project, but that there were plans for a signal at the intersection of 119th Ave and Lower Buckeye. City staff present discussed plans

for a future signal at El Mirage with the attendee and said he was not familiar whether it was in the CIP budget.

Several attendees had questions about the timeline for the completion of the project.

Ms. Oberholtzer explained that the entitlements would be processed through this year, but that the site would still need to go through a site plan approval and construction permits. She noted that groundbreaking was expected in 2025 for the project.

The meeting concluded at 6:50 PM.

Exhibit A

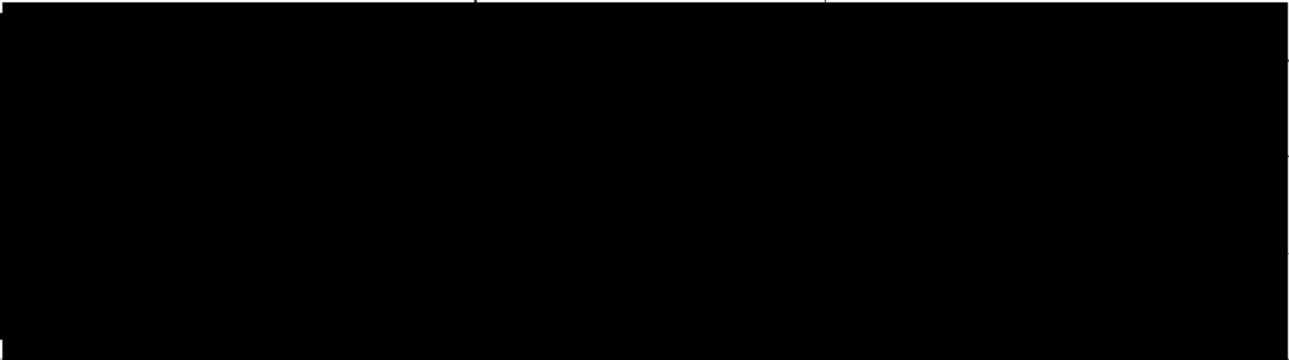
Neighborhood Meeting Sign-In Sheet

Hermosa Ranch Technology Campus – North
Rezone & Major GPA
Case No. PL-23-0299 & PL-23-0300
Neighborhood Meeting – January 30, 2024
City of Avondale- Avondale City Hall
11465 W. Civic Center Drive Avondale, AZ 85323

Name	Address	City & Zip Code	Phone/E-Mail
Jackie Grant			
Terry Ingham			
Caroline Yu			
Karen D			

Neighborhood Meeting Sign-In Sheet

Hermosa Ranch Technology Campus – North
Rezone & Major GPA
Case No. PL-23-0299 & PL-23-0300
Neighborhood Meeting – January 30, 2024
City of Avondale- Avondale City Hall
11465 W. Civic Center Drive Avondale, AZ 85323

Name	Address	City & Zip Code	Phone/E-Mail
Terry Klinger			
Eric Grant			
Jon Green			
George Moreno			

HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH

VICINITY MAP



LEGEND

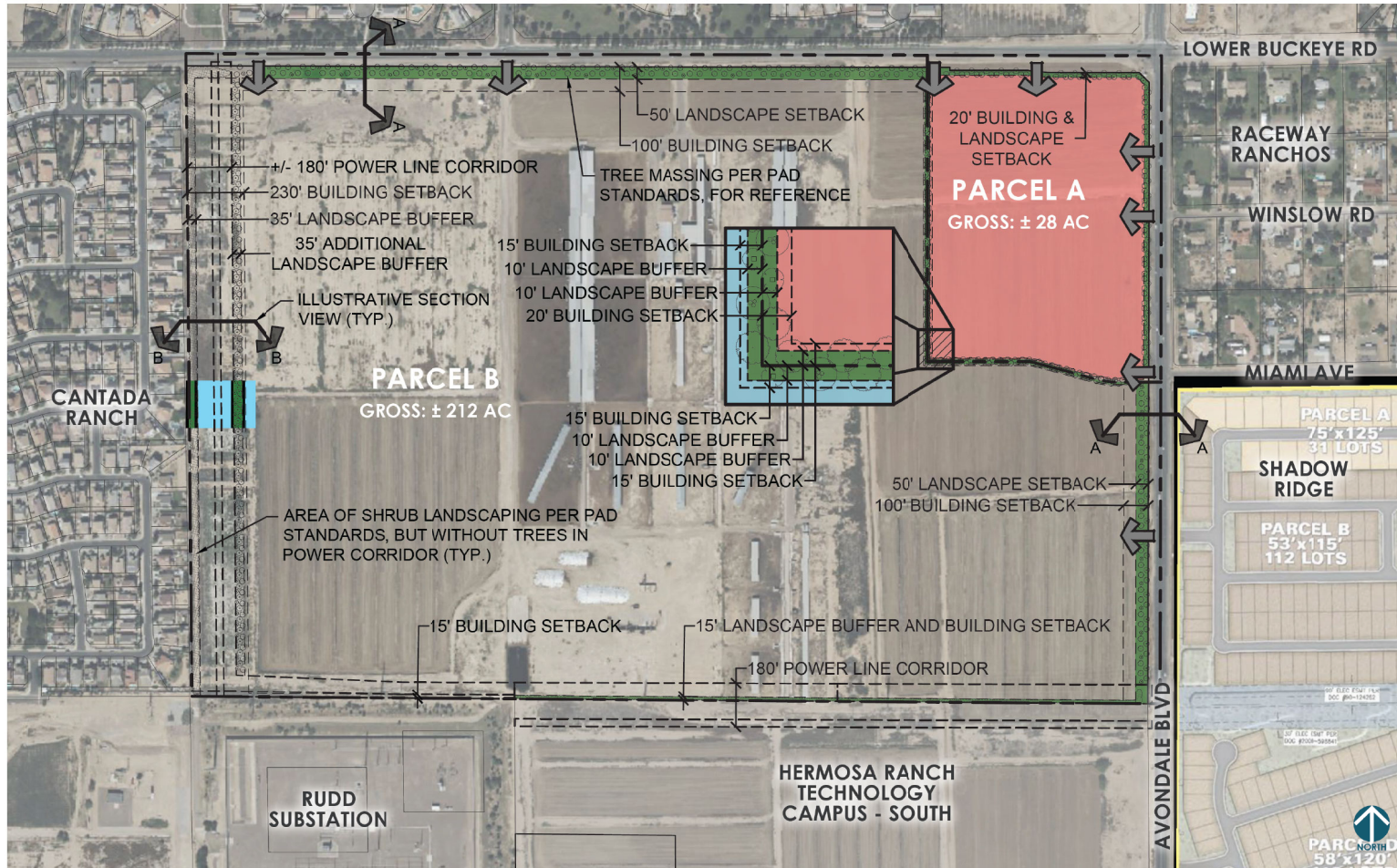
- HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH
- AVONDALE CITY LIMITS

- RIVER/WATERSHED AREA
- MARICOPA COUNTY JURISDICTION



HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH

CONCEPTUAL DEVELOPMENT PLAN



LEGEND

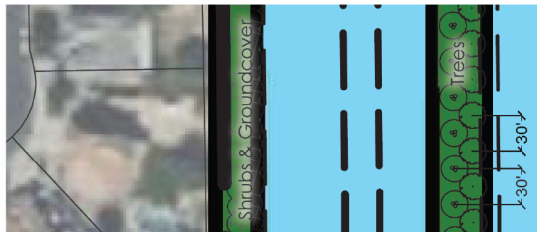
- HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH
- PARCEL A - LOCAL COMMERCIAL
- PARCEL B - BUSINESS PARK
- ➔ ACCESS
- SETBACKS

Note: This Conceptual Development Plan is intended to provide a land area target for Parcels A and B as expressed through a $\pm$ label. To promote some predictability, it is the intent of this Exhibit, the General Plan Amendment, and provisions within this Planned Area Development zoning to allow a 10% deviation in acreage with either an increase or a decrease.

HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH

ILLUSTRATIVE SECTIONS

Note: Total volume of trees will average 15-foot spacing, tree spacing is shown offset from each other to allow mature sizing and to minimize development visibility from the existing residential area. Western buffer will include shrubs since trees are not allowed in power corridor.



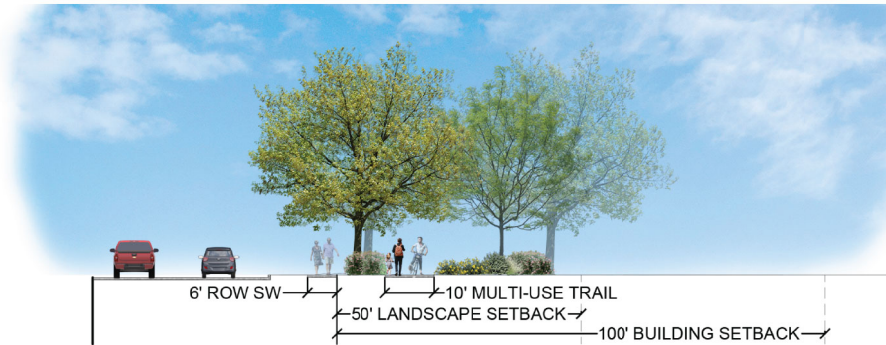
TREE MASSING ENLARGEMENT

Tree List

The following list is inspired by the area's existing conditions and the 2014 City of Avondale's Street Tree Master Plan. The list should be used as a guide for inspiration, any plant scheme that is consistent with City codes shall be permitted.

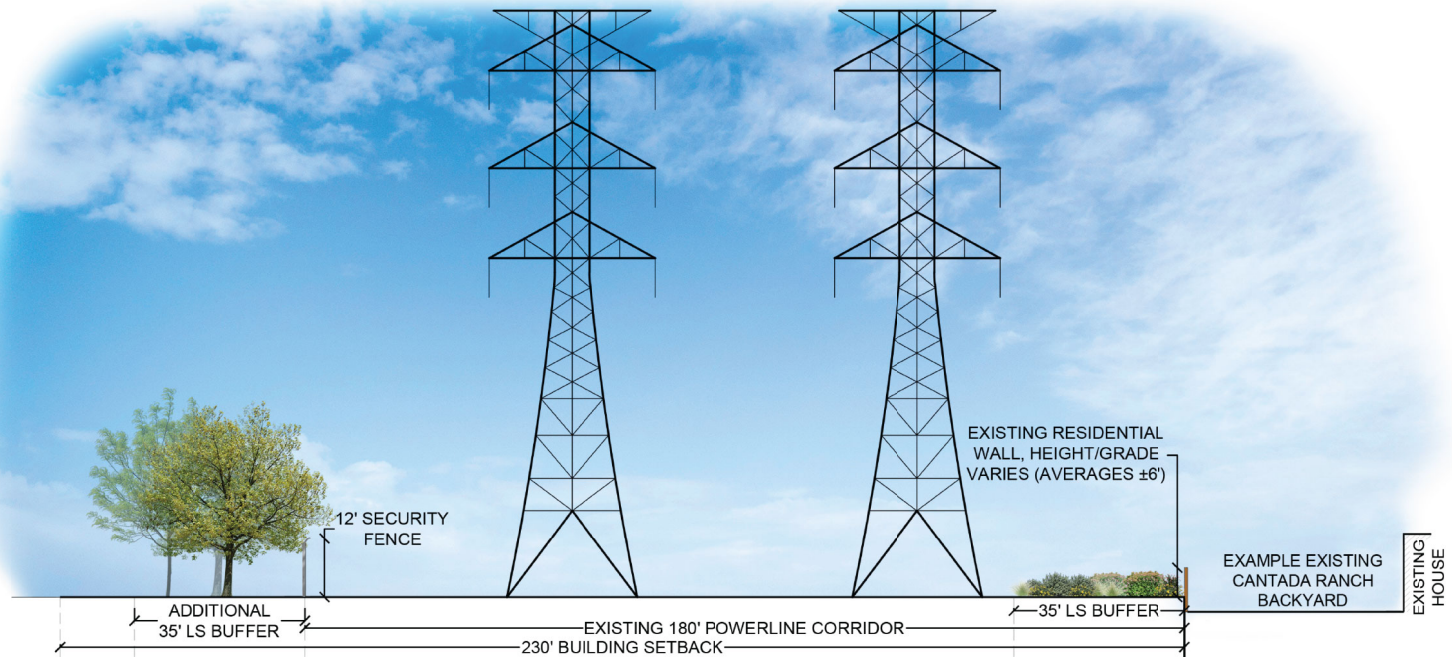
Trees:

- Acacia aneura (Mulga)
- Acacia salicina (Willow Acacia)
- Acacia smallii (Sweet Acacia)
- Chilopsis linearis (Desert Willow)
- Chitalpa tashkentensis (Chitalpa)
- Eucalyptus papuana (Ghost Gum)
- * Primary tree for Lower Buckeye Road
- Pistacia chinensis 'Red Push' (Red Push Pistache)
- * Primary tree for Avondale Boulevard in South Avondale Character Area
- Prosopis chilensis (Thornless Mesquite)
- ** Secondary tree for Avondale Boulevard in South Avondale Character Area and
- ** Secondary tree for Lower Buckeye Road
- Ulmus parvifolia 'Sempervirens' (Chinese Elm)
- Vitex agnus-castus (Chaste Tree)



CROSS SECTION A-A: FACING E. ON LOWER BUCKEYE RD OR S. ON AVONDALE BLVD, ADJACENT TO EMPLOYMENT PARK

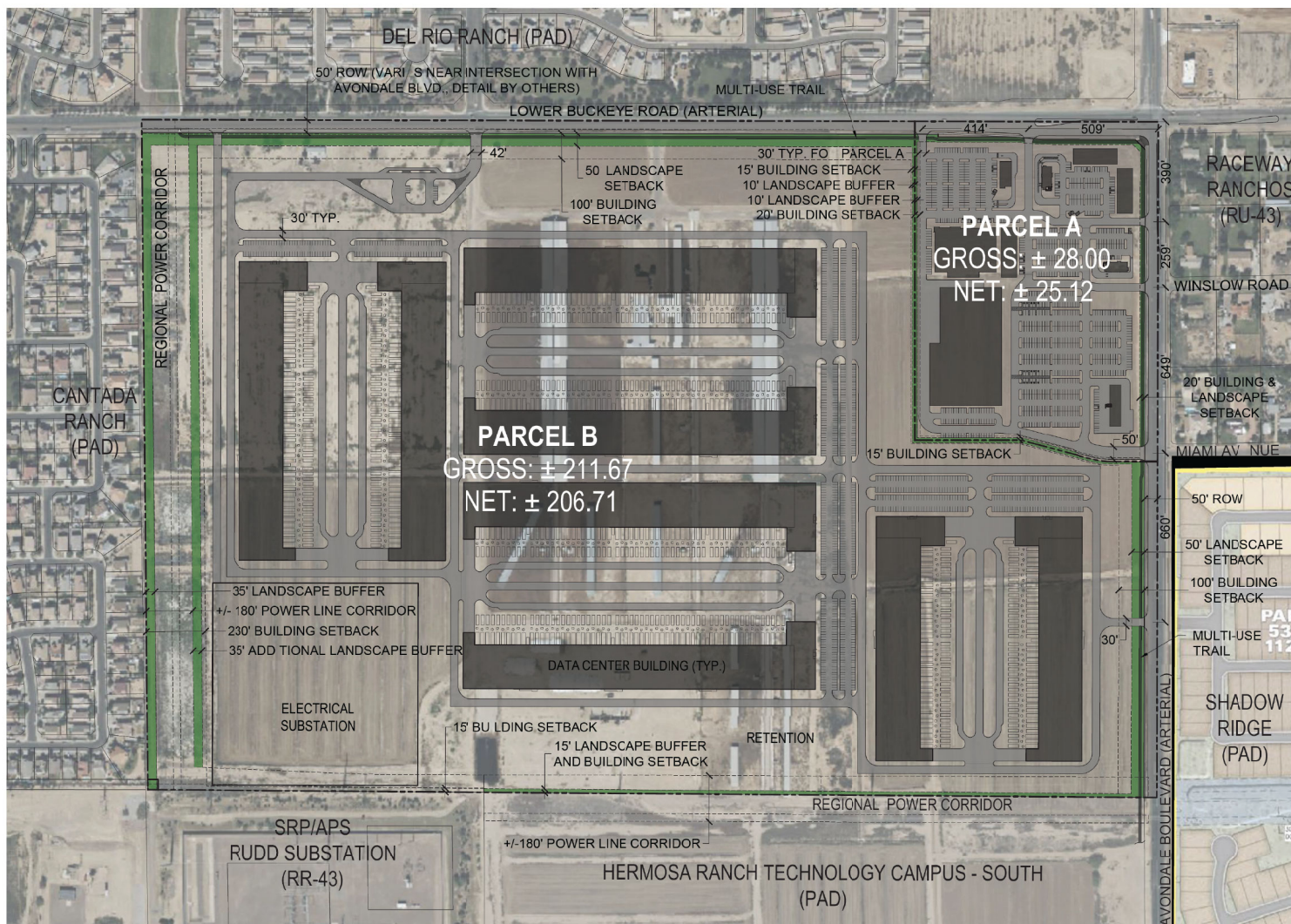
Note: Landscaping shown is intended to demonstrate general scale, character and placement. Final design shall be per the plant list and standards provided in the PAD narrative, and will vary by its individual context. For reference, A-A's setback will include one 24-inch box tree and ten 5-gallon shrubs planted every twenty feet of street frontage, and B-B's buffers will include three 5-gallon shrubs every 15 feet in the western 35-foot buffer (no trees allowed in power line corridor) and one 24-inch box tree planted every fifteen feet in the additional 35-foot buffer.



CROSS SECTION B-B: FACING SOUTH FROM POWER CORRIDOR

HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH

CONCEPTUAL SITE PLAN



PROJECT INFORMATION

EXISTING APNS:	500-66-001D, 500-66-009E, 500-66-009F, 500-66-281, 500-66-283 TO 500-66-445
EXISTING ZONING:	PLANNED AREA DEVELOPMENT (PAD) Z-07-4, PAD Z-05-18, AG PL-11-0199
PROPOSED ZONING:	HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH PAD
PROPOSED USES:	PARCEL A = COMMERCIAL PARCEL B = BUSINESS PARK / DATA CENTER
SITE AREA:	TOTAL = ± 239.67 ACRES GROSS / ± 231.83 ACRES NET PARCEL A = ± 28.00 ACRES GROSS / ± 25.12 ACRES NET PARCEL B = ± 211.67 ACRES GROSS / ± 206.71 ACRES NET
PARKING:	PARCEL A = ± 973 PROVIDED PARCEL B = ± 1,009 PROVIDED
BUILDING AREA:	PARCEL A = ± 216,000 SQUARE FEET PARCEL B = ± 3,583,000 SQUARE FEET (ALL BUILDINGS ARE TWO FLOORS)
LOT COVERAGE:	PARCEL A = NO MAXIMUM (± 20% LOT COVERAGE INDICATED) PARCEL B = 50% MAXIMUM (± 20% LOT COVERAGE INDICATED)
BUILDING HEIGHT:	PARCEL A = 40' MAXIMUM PARCEL B = 50' MAXIMUM

Note: This Conceptual Site Plan is intended to provide a possible depiction of how a retail center and a technology campus could be configured and responsive to the land use established under the General Plan Amendment Application (PL-23-0299) and development standards established by the Planned Area Development zoning application (PL-23-0300). The Parcels (A and B) are loosely defined with an acreage target (+/-) as necessary to anticipate some possible shift to the tentative boundaries of these Parcels with the intent of remaining within the land area targets provided on the Exhibit. To promote some predictability, it is the intent of the Exhibit, the General Plan Amendment, and the Planned Area Development zoning to allow a 10% deviation in acreage with either an increase or a decrease.

HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH

CONCEPTUAL DATA CENTER BUILDING RENDERING



RENDERINGS ARE INTENDED TO ILLUSTRATE DESIGN INTENT AND ARE SUBJECT TO CHANGE.

NEIGHBORHOOD MEETING | JANUARY 30, 2024

HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH

CONCEPTUAL DATA CENTER BUILDING RENDERING

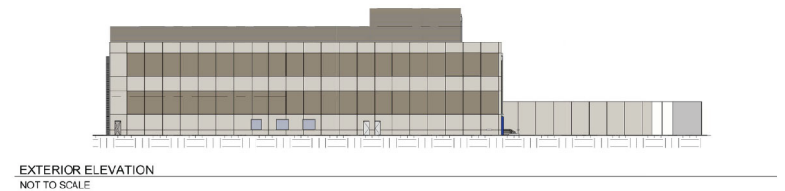
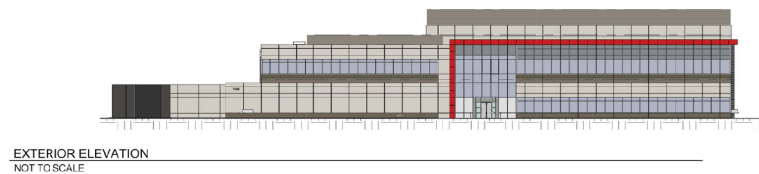
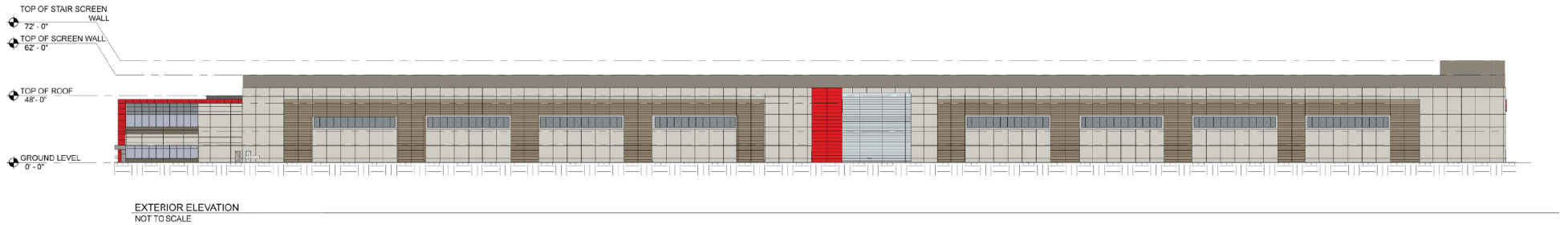


RENDERINGS ARE INTENDED TO ILLUSTRATE DESIGN INTENT AND ARE SUBJECT TO CHANGE.

NEIGHBORHOOD MEETING | JANUARY 30, 2024

HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH

CONCEPTUAL DATA CENTER BUILDING ELEVATIONS

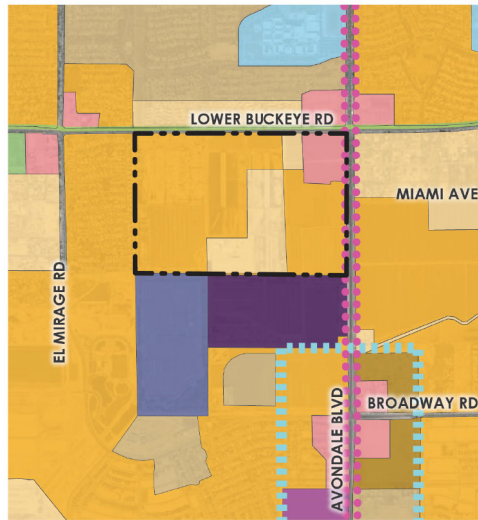


RENDERINGS ARE INTENDED TO ILLUSTRATE DESIGN INTENT AND ARE SUBJECT TO CHANGE.

HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH

GENERAL PLAN & ZONING

EXISTING GENERAL PLAN

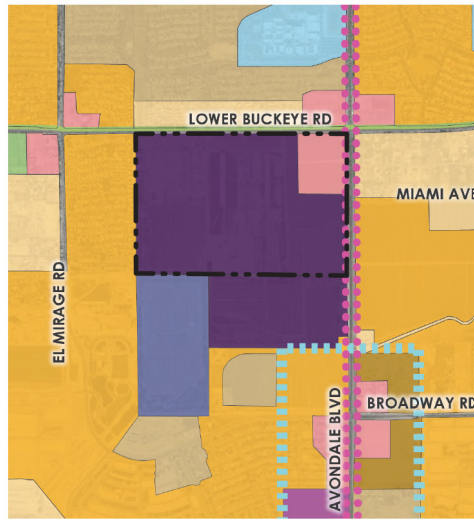


LEGEND

- MEDIUM DENSITY RESIDENTIAL
- ESTATE/LOW DENSITY RESIDENTIAL
- LOCAL COMMERCIAL
- BUSINESS PARK
- MEDIUM/HIGH DENSITY RESIDENTIAL
- PUBLIC/CIVIC
- OPEN SPACE AND PARKS



PROPOSED GENERAL PLAN



- EDUCATION
- MIXED USE
- HIGH DENSITY RESIDENTIAL
- GROWTH AREA
- AVONDALE BLVD EMPLOYMENT AND COMMERCIAL CORRIDOR
- HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH



EXISTING ZONING PLAN



LEGEND

- HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH



PROPOSED ZONING PLAN



HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH

CONCEPTUAL COMMERCIAL BUILDING DESIGN



IMAGES ARE INTENDED TO ILLUSTRATE DESIGN QUALITY, STYLE AND OVERALL AESTHETIC BUT DO NOT REPRESENT EXACT BUILDING ARCHITECTURE OR TENANTS.

NEIGHBORHOOD MEETING | JANUARY 30, 2024

HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH

CONCEPTUAL COMMERCIAL BUILDING DESIGN



IMAGES ARE INTENDED TO ILLUSTRATE DESIGN QUALITY, STYLE AND OVERALL AESTHETIC BUT DO NOT REPRESENT EXACT BUILDING ARCHITECTURE OR TENANTS.

NEIGHBORHOOD MEETING | JANUARY 30, 2024

HERMOSA RANCH TECHNOLOGY CAMPUS - NORTH

CONCEPTUAL COMMERCIAL BUILDING DESIGN



IMAGES ARE INTENDED TO ILLUSTRATE DESIGN QUALITY, STYLE AND OVERALL AESTHETIC BUT DO NOT REPRESENT EXACT BUILDING ARCHITECTURE OR TENANTS.

NEIGHBORHOOD MEETING | JANUARY 30, 2024

Exhibit F - Avondale Connect Comments

Jim H, about 1 month ago

[Alert moderator](#)

No No No! We have enough industrial buildings in Avondale. What was supposed to be retail and entertainment commerce (Avondale Blvd and S I-10) is now apartments and tilt-up warehouses. That is prime real estate and should not be subjugated to commercial exploitation. More houses and retail is desperately needed. Of course retail has to pay an extra 1% sales tax. Again NO MORE WAREHOUSES.

Do you agree?  12  0



CatPaws, about 1 month ago

[Alert moderator](#)

As someone who lives off Broadway and Avondale, big No for me. We were very upset when it was announced this data center would be down the street from us. We need more restaurants, grocery, and retail stores near us with all of the new neighborhoods being built. There's already a ton of unused warehouses to the West of us, it makes more sense to have an industrial area with these types of buildings all together instead of one in the middle of a bunch of neighborhoods.

Do you agree?  11  0



J simons, about 1 month ago

[Alert moderator](#)

No more businesses or apartments. Need more grocery stores to support the population around this area.

Do you agree?  10  0



Screen name, about 1 month ago

[Alert moderator](#)

There are loads of industrial campuses sitting vacant East and West of this residential area. I do not want to see another one added to the list in the middle of these neighborhoods. The community is in need of grocery stores, shopping, and food options. Adding a data center in this area is a disservice to the community and will drive people away as it does nothing to benefit the locals. Avondale will be an exit for the SR30, it makes no sense to build a data center in a space that will draw people to the area and even serve the patrons visiting the raceway.

Do you agree?  11  0



Susana, about 1 month ago

[Alert moderator](#)

There is so many empty warehouse available far from people's residential area. This will be a disservice for many who reside in this area!

Do you agree?  10  0



tinkiewinkie, about 1 month ago

Alert moderator

There are way too many industrial campuses as it is in this area and not only are they an eyesore, but a lot of them are completely vacant, why don't you try using those? We don't want or need this in this neighborhood.

Do you agree? 👍 10 🗨️ 0



Artie, about 1 month ago

Alert moderator

I am absolutely against this. You are selling Avondale short. The Estrella Mountains are the single most beautiful part of Avondale and the raceway is a national attraction that brings in money. Why aren't you taking advantage of those features? We have Alamar Park, put in some shopping or restaurants or stores. Don't neglect our great attractions for something that should be relegated to I-10. We didn't invest in this community to be surrounded by concrete eyesores.

Do you agree? 👍 9 🗨️ 0



Gloria Delgado, about 1 month ago

Alert moderator

NO, No, no... we need groceries stores and restaurants.. there is nothing good in the area. What you are proposing should go close to I-10 we do t want it close to our homes.

Do you agree? 👍 10 🗨️ 0



Hector L, about 1 month ago

Alert moderator

Absolutely NOT!! Just like what everyone is saying we have enough of that in Tolleson and Goodyear. We need to be different, if you allow this all you're doing is taking up real estate in this beautiful city. Another nice grocery store with nice shopping area and restaurant would do the community right especially add job opportunity for the youth. Slam the gavel!!! The community has spoken!

Do you agree? 👍 11 🗨️ 0



alyssasanchez, about 1 month ago

Alert moderator

I think that area could be used for something more beneficial. I still love seeing land and not concrete buildings everywhere. I would love to see the city do something different with that space rather than another data center

Do you agree? 👍 11 🗨️ 0



Jess, about 1 month ago

[Alert moderator](#)

This is so incredibly unnecessary for such a beautiful community. We need grocery stores, shops and restaurants. This will only drive people away! Had I known how any of this was going to be handled I would have never moved here. Please do better ! Listen to our voices! We are crying out for better decision making!

Do you agree?  9  0



njonesmoser, about 1 month ago

[Alert moderator](#)

We need to build up a community in this area. That means grocery stores, restaurants, parks, shops, small businesses, etc. Not more warehouses and business centers.

Do you agree?  9  0



Shawn, about 1 month ago

[Alert moderator](#)

Honestly, I live nearby and walk all over. This is nothing but farmland and it's conveniently right next to the APS and SRP substations. It make sense for the location. We can use the jobs and tax base, which will help pay for the infrastructure.

Do you agree?  0  1



harellano, about 1 month ago

[Alert moderator](#)

While this may create jobs and attract additional population to reside in Avondale, I don't support this plan. That particular area is surrounded by beautiful ranches and new communities, it will take away the quality of life to those who have been living and want to continue to move to the south of Avondale. A data center will interfere with the outer city lifestyle that's currently present, it will increase traffic from all the employees, causing heavier commute times to us residents traveling northbound on Avondale to take our kids to school, go to the grocery store or eat at a restaurant. These commutes already take 15-30 minutes as-is, I can't imagine adding more traffic on Avondale boulevard. We NEED quality grocery stores such Whole Foods, Trader Joe's, Winco, possibly another Costco near the master-planned community of Alamar area. We need restaurants south of the Lower Buckeye intersection, we need shopping centers, barbershops, entertainment, etc. We don't need a data center in that region, please keep them closer to the freeway intersections near the commercial areas. We are a residential area and do NOT want a data center.

Do you agree?  10  0



April_L, about 1 month ago

Alert moderator

What improvements are planned for Avondale Blvd? It is already extremely challenging to navigate from I-10 to Buckeye/MC-85. I can imagine the increased traffic as a result of this center.

Do you agree? 👍 4 🗨️ 0



Paul L, about 1 month ago

Alert moderator

I do not feel this project is right for area. Seems very out of place and puts more trucks using Avondale to freeway. Close to High school and i know another school coming.

Do you agree? 👍 7 🗨️ 0



C. Emerson, about 1 month ago

Alert moderator

I am writing to express my strong opposition to the proposed development of a data center within our residential area. Placing such a facility in the heart of our neighborhood raises significant concerns for me. Firstly, I am deeply worried about the potential disruption this project could bring to our community. Data centers typically require heavy infrastructure and generate substantial noise, traffic, and potential safety hazards. Introducing these elements into a residential area would greatly diminish the peaceful atmosphere we currently enjoy. Furthermore, I want to emphasize the pressing need for additional shopping and dining options in our neighborhood. There is a lot of new residential areas being built especially along W Broadway. But no new shopping areas to support the resident's quality of life. While I recognize the importance of technological advancements, I believe it is crucial to prioritize developments that cater to the everyday needs and preferences of our residents. A data center, situated amidst residential homes, would not address this need and could further exacerbate the existing imbalance in our local amenities. In conclusion, I urge the board to reconsider this proposal and explore alternative locations that are better suited for a data center. Our residential area deserves thoughtful planning that preserves its character and meets the needs of its residents. Thank you for considering my perspective.

Do you agree? 👍 9 🗨️ 0



Trobles, about 1 month ago

Alert moderator

I think this would be a real bad move. Many residents already want out of this place and they just got here. We want better groceries store, a nicer gas station, or hell I'd even take another Walgreens that's how desperate I'd be to avoid a business like they're proposing. This would take so much away that Avondale has worked hard for already. I know I didn't want to live in another Miller Road /Buckeye situation and now it's becoming almost the same!!! If I had money I'd move out of Avondale if this proposal goes through.

Do you agree? 👍 7 🗨️ 0



Anna Gabertan, about 1 month ago

Alert moderator

Good golly absolutely not. Residents need more grocery stores. Fry's is constantly out of fresh produce, has expired food on the shelves, and is overcrowded. Are you planning to acknowledge residents basic need for grocery stores? Add a Safeway, Trader Joe's, Aldi's, but something that takes care of residents basic need for food.

Do you agree? 👍 9 🗨 0



CAmarillas, about 1 month ago

This is disappointing. We need grocery stores, dining, and entertainment options.

Do you agree? 👍 6 🗨 0



KRHightower, about 1 month ago

Alert moderator

This is not what we residents of South Avondale need. We need infrastructure to enrich our lives. Business that help make our lives better, places for our children to work or get together. Please do not consider this data center an option.

Do you agree? 👍 9 🗨 0



Fierros, about 1 month ago

Alert moderator

We do not need another warehouse that's going to be vacant taking away from our natural land. If this technology institute can provide details of resource consumption, career growth anticipation and tuition cost. We need grocery stores most importantly not a tech plant that consumes millions of gallons of water

Do you agree? 👍 9 🗨 0



Amy Victoria, about 1 month ago

Alert moderator

The people of Avondale desperately need, grocery stores, restaurants, parks.. etc. this is a young city that has the potential to be a beautiful, family focused community. Please consider welcoming business like grocery stores, restaurants and parks that will enrich the landscape and support the amount of families that are moving here.

Do you agree? 👍 4 🗨 0



Mia, about 1 month ago

Alert moderator

Concerned about the number of data centers already being built in Goodyear and Buckeye. Huge amounts of water and electricity are used and I don't see how that is good for Az with our drought situation. Do we have the infrastructure to support the electricity needed? The number of employees used at these centers are typically low. So not bringing a large amount of good paying jobs. Focus land use on community needs that current residents need. Why not build duplexes, condos or such as starter homes for our citizens instead of being rentals. Really tired of seeing all these apartments going up... overpriced...not filling up fast.

Do you agree?  6  0

GSaI, about 1 month ago

Alert moderator

Absolutely horrible idea! Our area needs another grocery store, safe places for our kids to hang out, and better traffic control along lower Buckeye before anything else is considered. I'd rather smell cows or have a new shopping center than whatever this means.

Do you agree?  5  0

navyaska, about 1 month ago

Alert moderator

Avondale has so much potential to be a desirable city to live in if we continue to build and cater to current and future residents. For one, Alamar is an amazing community with the potential to be as amazing as Verrado if not better. We have a new aquatic center set to open which is in a positive direction for us. How about keeping that momentum going and adding to it by adding new dining establishments and shopping centers where residents can flock to? There are lots of communities in that area alone that will bring in lots of business. Alamar, Sunset Ranch, Sunset Farms, Verde Trails, all of the new apartments along Avondale Blvd and so many more, but not enough businesses to support it. If you build it, they will come. Take for example the McDonalds on Lower Buckeye and Avondale Blvd. It is always busy. Restaurants and shopping centers in that area would significantly help us and in turn help the city thrive. The west valley needs help, but it's one city at a time. Avondale needs help and this is completely the wrong direction if we allow this data center to be built. Please please please reconsider. We love Avondale and would love to see it be one of the best cities in the west valley to live in!

Do you agree?  6  0

Jen Moresco, about 1 month ago

Alert moderator

This area needs more entertainment options, more restaurants, and more shopping areas. I think that would bring in more money to Avondale and would improve it so much more. This area has so much potential, please consider something different for this piece of land.

Do you agree?  7  0

NewAvondaleRes, about 1 month ago

Alert moderator

After purchasing our first home in the growing city of Avondale, we are very excited for the future. The new aquatic center getting ready to open, the new businesses coming up on Avondale Blvd. What we don't need is a massive commercial warehouse complex in the middle between residential areas. The area isn't convenient to freeway access, there's plenty of traffic already don't need more semis going through the neighborhood of Alamar. Please consider bringing in additional grocery options, things to do, eateries, something that will enhance the area not turn it into another massive white concrete complex like so many others down the road. So please reconsider the options for the area and how it will affect the new home sites being built South of that as there will be many new residents to consider. Building this could affect the growth of the area, and the future sales of the new homes going in as well.

Do you agree? 👍 5 🗨️ 0



Cquin, about 1 month ago

Alert moderator

We need a grocery store to support all these homes/apartments that have been built in Avondale. No warehouse needed.

Do you agree? 👍 6 🗨️ 0



Dez, about 1 month ago

Alert moderator

More big ugly buildings on the west side? I hope this is not another logistic center. There are too many. Please consider the noise that this "campus" may create for the residents in the area, as this IS a residential area. When we moved out here, we had hoped for more grocery stores, restaraunts, and venues. We have very little here to support our community. We end up driving to Goodyear and Phoenix for shopping and eating. Avondale is missing out on tax revenue. A detailed drawing of the plans would be helpful. Another consideration would be the depreciation of home values in the area surrounding this "campus".

Do you agree? 👍 6 🗨️ 0



Aweid, about 1 month ago

Alert moderator

Please don't. Alamar has so much potential. Avondale has so much potential. We need grocery stores and a nice gas station in this area.

Do you agree? 👍 6 🗨️ 0



Dhampire, about 1 month ago

Alert moderator

How much water will the proposed Data Center consume annually as part of the cooling system for the computers?

Do you agree? 👍 3 🗨️ 0



Andi8181c, about 1 month ago

Alert moderator

I have lived in Avondale for 6 years and there has been a lot of development in the area with wear houses, apartments, and new schools. What this area really needs is more shopping and grocery stores to support the surrounding communities. I believe once more income and tax revenue is coming in we then can look at adding a new tech school to the area. I vote the area should have more grocery stores and shopping centers.

Do you agree? 👍 4 🗨️ 0



WestValley22, about 1 month ago

Alert moderator

We really could use another grocery store or local shops. Not a data center. With all the new development and residential areas evolving, bring something for the families.

Do you agree? 👍 4 🗨️ 0



ALanderos, about 1 month ago

Alert moderator

Please. No. There are plenty of other areas to build these kind of buildings where there aren't new and bright future communities nearby. We could really use a new Grocery store or something that benefits our community in some other shape or form thank you!

Do you agree? 👍 7 🗨️ 0



MA, about 1 month ago

Alert moderator

A data center could benefit the area by bringing lots of jobs for IT professionals who typically have to travel east of Phoenix for work. We could also use a Target and dining options like a BJs, Red Lobster, Chipotle, Del Taco, Wendy's, In and Out, Rasin Canes, Habit, El Polo Loco, IHOP, etc.

Do you agree? 👍 1 🗨️ 5



Dhampire, about 1 month ago

How many gallons of water will be used annually for the data center's cooling systems?

Do you agree?  5  0



Lino, about 1 month ago

Alert moderator

The last thing we need in this area is another warehouse. With all these new communities built and still building as we speak, residents in the area want something to benefit surrounding neighborhoods and not benefit big corporations. How about start with a grocery store and some dining options. A Rec center would be nice as well.

Do you agree?  4  0



Lee W, about 1 month ago

Alert moderator

How about another grocery store and more restaurants/retail? The politicians sold out, to make a million apartments that sit vacant. SR-30 will run close to the area. Do these comments even get looked at? What happens when that data center goes out of business? Use your brains and don't be greedy. Think of the citizens and build another grocery store. Look at the comments, everyone agrees!

Do you agree?  4  0



Sb23, about 1 month ago

No more warehouses and no more three story "luxury" apartments. This city is ridiculously crowded as of late. The existing roads and traffic lights already cannot support the population. What makes you think bringing more people to the area is a good idea? Additionally, let's actually consider the energy usage of a data center and how it will tax the grid on top of all these new apartment complexes and homes. It's terrible planning and isn't making Avondale a place anyone enjoys anymore. I wish the community planning people would actually consider what the community wants.

Do you agree?  4  0



Manette Torres, 26 days ago

Alert moderator

Please don't build that, we need grocery stores, not warehouses out here, we have enough traffic

Do you agree?  2  0



Manette Torres, 26 days ago

Alert moderator

I have lived here for 13 years and it is growing into Southern California, we need grocery stores and local businesses and another gas station. Quit being greedy

Do you agree? 👍 3 🗨️ 0



Lisa Garcia, 25 days ago

Alert moderator

I really hope this doesn't go through! We need anything other than a warehouse .

Do you agree? 👍 3 🗨️ 0



Dez, 19 days ago

Alert moderator

Please provide a noise study in decibels at the next meeting. Also, in tonight's meeting, we were told that the buildings would be 2 stories. 50 ft tall is actually the size of 2 two-story homes. All we will see is buildings.

Do you agree? 👍 2 🗨️ 0



Sonia Contreras, 19 days ago

Alert moderator

I am so disappointed in the city of Avondale. I had high hopes that Avondale would start to cater to the citizens of this rather small community by providing options that benefit us. We need more grocery stores, dining options, retail stores, and much more entertainment for families. Please @cityofavondale do NOT build this. Please listen to the voice of this community. We do not need more warehouses or storage facilities or any more fast food options.

Do you agree? 👍 1 🗨️ 0



Dez, 18 days ago

Alert moderator

Has this already been approved without concluding public hearings? Phoenix data centers is already advertising. They are center at 11753 west lower buckeye road.

Do you agree? 👍 1 🗨️ 0



Dez, 18 days ago

Alert moderator

I had accidentally hit enter on my last comment before editing. If you google Prime Data Centers, they have advertisement for the facility, address and all. Look at the photos, their centers are huge and 50 ft is not 2 standard stories. It seems to already be a done deal. Are the public hearings just for show? How would you feel if this was built in your backyard? Seriously.<https://primedatacenters.com/phoenix-data-centers/>

Do you agree? 👍 1 🗨️ 0



Bobbie, 16 days ago

Alert moderator

We do not need another Data Center in Avodanle. Please come to Avondale City Hall at 6:00 PM April 17, 2024. they want to put several 50 foot tall buildings on the corner of Lower Buckeye and Avodale Blvd. We do not need more Data Centers or warehouses. We need Restaurants, Grocery Stores and things that will benefit the residents of Avondale. Avondale residents please stand up and let your voices be heard!!!! We want a quaint city, Let them move the data center into all the vacant warehouses in the area.

Do you agree? 👍 1 🗨️ 0



[Terms and Conditions](#)

[Privacy Policy](#)

[Moderation Policy](#)

[Accessibility](#)

[Technical Support](#)

[Cookie Policy](#)

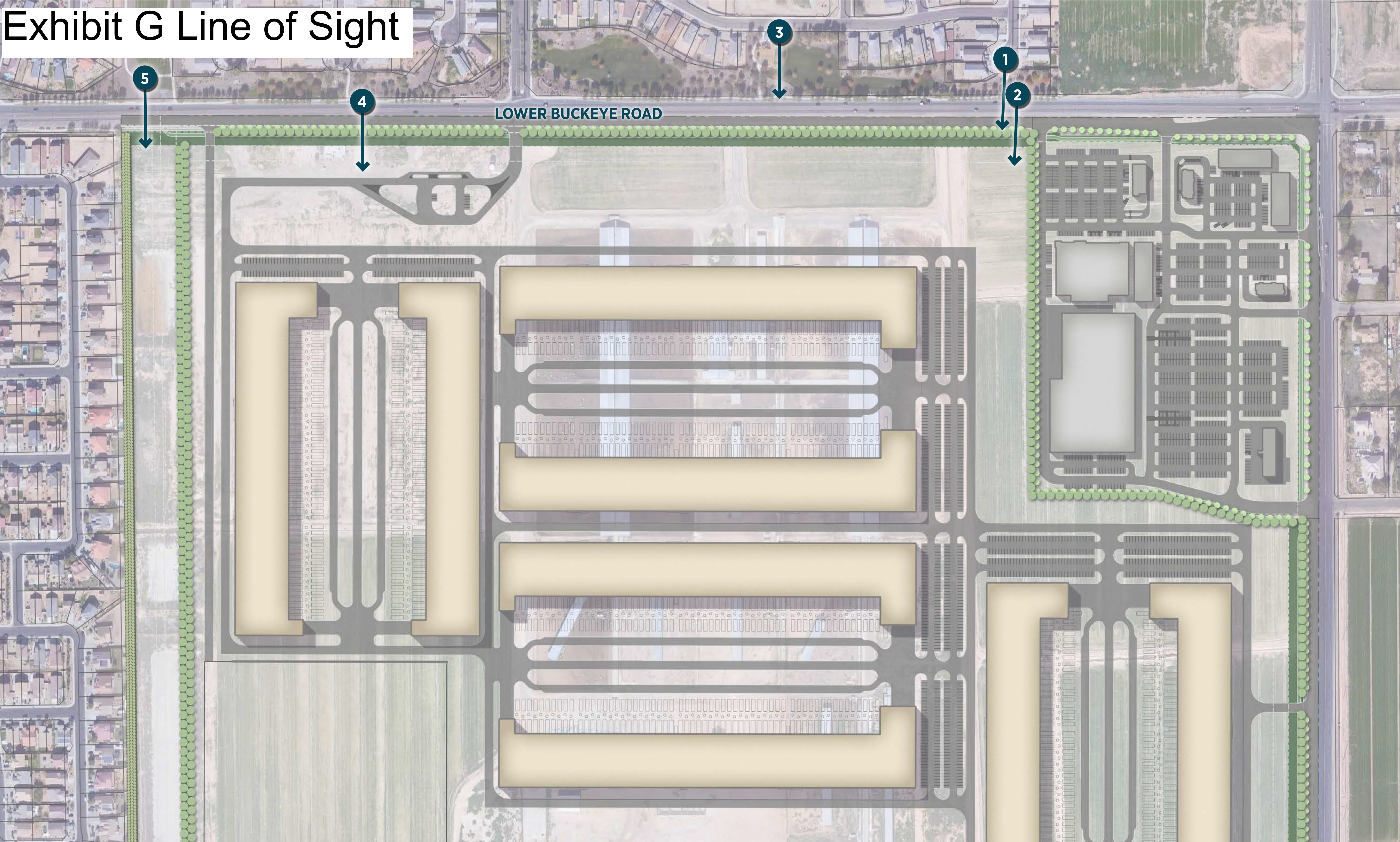
[Site Map](#)

[Avondale General Plan](#)

[Avondale Strategic Plan](#)

[AvondaleAZ.gov Website](#)

Exhibit G Line of Sight







HERMOSA RANCH TECH CAMPUS | VIEW 01

APRIL 2024



HERMOSA RANCH TECH CAMPUS | VIEW 01 - HOUSES

APRIL 2024

























ORDINANCE NO. 2010-0524

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, AMENDING THE OFFICIAL ZONING ATLAS OF THE CITY OF AVONDALE FOR APPROXIMATELY ±239 GROSS ACRES GENERALLY LOCATED AT THE SOUTHWEST CORNER OF AVONDALE BOULEVARD AND LOWER BUCKEYE ROAD, AS SHOWN IN APPLICATION PL-23-0300, AND REZONING SUCH PROPERTY FROM DIAMOND P. RANCH PLANNED AREA DEVELOPMENT (PAD), FLEMING FARMS PLANNED AREA DEVELOPMENT (PAD), AND AGRICULTURAL (AG) TO HERMOSA RANCH TECHNOLOGY CAMPUS – NORTH PLANNED AREA DEVELOPMENT (PAD), COMMERCE PARK (CP) AND COMMUNITY COMMERCIAL (C-2).

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 approximately ±239 gross acres generally located approximately at the southwest corner of Avondale Boulevard and Lower Buckeye Road, as shown in application PL-23-0300, from Diamond P. Ranch Planned Area Development (PAD), Fleming Farms Planned Area Development (PAD), and Agricultural (AG) to Hermosa Ranch Technology Campus – North Planned Area Development (PAD), Commerce Park (CP) and Community Commercial (C-2) (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 April 17, 2024, the Commission held a public hearing on the Zoning Atlas Amendment, after which hearing the Commission recommended approval by a vote of 4-1; and

WHEREAS, the City Council held an additional public hearing regarding the Zoning Atlas Amendment on May 6, 2024; 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 ±239 gross acres generally located at the southwest corner of Avondale Boulevard and Lower Buckeye Road, 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 Hermosa Ranch Technology Campus - North PAD Narrative dated April 3, 2024, except as modified by these stipulations.

2. Commencement of horizontal construction for the project shall begin within four (4) years from the date of City Council approval, per Avondale City Code Section 28-113(d) (Expiration).

3. All development shall be completed in accordance with the City of Avondale General Engineering Requirements (GER) Manual and the City of Avondale Supplement to MAG Uniform Specifications and Details, unless a standards deviation has been approved.

4. Sidewalk and landscaping improvements within the public right-of-way adjacent to Parcel A will be completed with the initial development of Parcel A and prior to issuance of a certificate of occupancy for the project. Sidewalk and landscaping improvements within the public right-of-way adjacent to Parcel B will be completed with the initial development of Parcel B and prior to issuance of a certificate of occupancy. All other infrastructure improvements within the public right-of-way will be included in the first phase of the development on the property.

5. Grandfathered groundwater rights for the property shall be extinguished and pledged to the City of Avondale's designated account (58-106097.0004) prior to issuance of any construction permits for any portion of the project.

6. Total utility demands for the proposed 240-acre project shall be limited to the maximum allowable average daily water and sewer demands calculated in the 2018 Integrated Utility Master Plan for the subject property, unless otherwise approved by the City Engineer.

7. The developer shall install the future traffic signal at the intersection of 119th Avenue and Lower Buckeye Road as per the requirements of the traffic impact study, or as otherwise agreed to by the City Engineer.

8. Prior to issuance of the first certificate of occupancy on Parcel A, the developer shall install a traffic

signal at the intersection of Avondale Boulevard and Miami Avenue, as per the requirements of the traffic impact study, or as otherwise agreed to by the City Engineer.

9. The planned development shall be subject to the requirements of Zoning Ordinance Article 11, Required Public Art for New Planned Area Developments (PAD), Commercial, Office, Employment, and Municipal Construction.

10. The developer of Parcel A and the developer of Parcel B shall each request review and approval of a Comprehensive Sign Package for all building-mounted and freestanding monument signage, prior to issuance of any sign permits for the planned development.

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.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, May 6, 2024.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Sarmiento, City Clerk

APPROVED:

Nicholle Harris, City Attorney

EXHIBIT A
TO
ORDINANCE NO. 2010-0524

[Legal Description and Map]

See following pages.

September 14, 2023

LEGAL DESCRIPTION FOR
HERMOSA RANCH
ZONING PARCEL

Fleming Farms Lot 1 as recorded in Book 989 of Maps, Page 41, Records of Maricopa County, Arizona, all of Fleming Farms, Lot 2 as recorded in Book 993 of Maps, Page 41, Records of Maricopa County, Arizona, as well as the East Half of the Northwest Quarter and that part of the Northeast Quarter of Section 24, Township 1 North, Range 1 West, of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

Beginning at the Brass Cap flush marking the Northeast Corner of said Section 24;

Thence South 00°08'14" West, along the East line of said Northeast Quarter, a distance of 2644.72 feet to the Brass Cap in Hand Hole marking the East Quarter Corner of said Section 24;

Thence North 89°33'23" West, along the South line of said Northeast Quarter, a distance of 2633.30 feet to the 1/2" Rebar with no identification marking the Center of said Section 24;

Thence North 89°31'05" West, along the South line of said Northwest Quarter, a distance of 1316.49 feet to the Southwest Corner of the East Half of said Northwest Quarter;

Thence North 00°31'31" West, along the West line of said East Half, a distance of 2621.38 feet to the Northwest Corner of said East Half;

Thence South 89°53'01" East, along the North line of said Northwest Quarter, a distance of 1326.44 feet to the PK Nail marking the North Quarter Corner of said Section 24;

Thence South 89°53'05" East, along the North line of said Northeast Quarter, a distance of 2653.61 feet to the Point of Beginning.

Containing 10,440,356 Square Feet or 239.678 Acres, more or less.



HERMOSA RANCH
REZONING PARCEL

BOUNDARY

S00°08'14.46" W 2644.72

N89°33'22.85" W 2633.30

N89°31'04.70" W 1316.49

N00°31'31.38" W 2621.38

S89°53'01.31" E 1326.44

S89°53'05.42" E 2653.61
to

Area = 10440356 239.678 AC

Closing course: 321°55'35.06" 0.018368

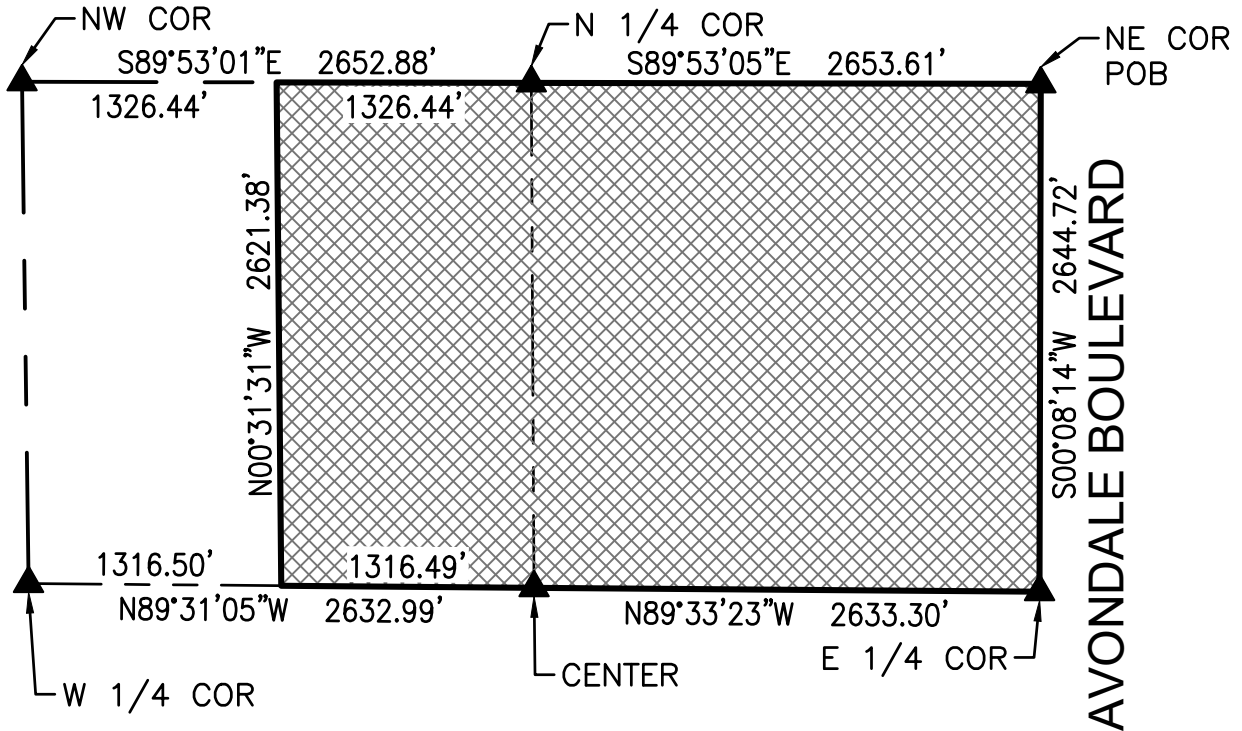
Misclosure: 1/718,403

North Error: 0.014460

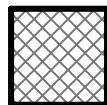
East Error: 0.011327



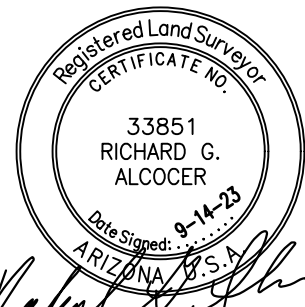
LOWER BUCKEYE ROAD



NORTH HALF, SECTION 24
TOWNSHIP 1 NORTH, RANGE 1 WEST



= HERMOSA RANCH
= ZONING PARCEL AREA



Richard G. Alcocer

SCALE 1" = 500'

EXHIBIT

4550 North 12th Street
Phoenix, Arizona 85014
Phone 602-264-6831
<http://www.cvlci.com>

HERMOSA RANCH

ZONING PARCEL



1 OF 1

ITEM NUMBER: 5.c.

SUBJECT: Public Hearing - Results of Biennial Audit of Development Impact Fees

MEETING DATE: 5/6/2024

TO: Mayor and Council

FROM: Renee Weatherless, Finance & Budget Director

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

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

STRATEGIC PLAN:

Creative and Sustainable Community Development - The city's utilization of Development Impact Fees allow infrastructure in the city to keep pace with growth without burdening current residents, businesses, and visitors.

PURPOSE:

City Council will hold a public hearing on the development impact fee biennial certified audit, as required by A.R.S. 9-463.05. This item is for a public hearing and discussion only.

BACKGROUND:

A.R.S. 9-463.05 places requirements on municipalities' development impact fees (DIF). In order to charge DIF for the development of new infrastructure, the City must adopt an Infrastructure Improvement Plan (IIP) and Land Use Assumptions (LUA). The statute also requires that the City either create an infrastructure improvements advisory committee or have a biennial certified audit on the adopted IIP and LUA by a qualified professional that is not an employee of the City.

To comply with the statutory requirements, the City has opted to contract with Heinfeld, Meech & Co., P.C. (Heinfeld Meech) to conduct the biennial certified audit for the period of July 1, 2020 to June 30, 2022. Within 60 days of the release of the biennial audit to the public, the City must hold a public hearing on the results of the biennial audit. The biennial certified audit was posted on March 27, 2024.

DISCUSSION:

Heinfeld, Meech & Co., P.C. performed agreed upon procedures that were in compliance with the requirements set forth in A.R.S. 9-463.05 for the biennial certified audit. The report examined the following procedures: the progress of the infrastructure improvement plan, the collection and expenditure of development impact fees for each project in the plan, and evaluating any inequities in implementing the plan or imposing the development impact fee. The biennial certified audit examined the two year period between July 1, 2020 and June 30, 2022.

The report cited one finding. Variances were noted for growth projections related to population, residential housing units, nonresidential square footage, and employment. A full copy of the report is attached to this Council Agenda item.

There is no action for the City to take regarding the finding of the report.

BUDGET IMPACT:

There is no impact to the budget.

RECOMMENDATION:

Hold a public hearing on the biennial certified audit for development impact fees collected between July 1, 2020 and June 30, 2022 as required by A.R.S. 9-463.05.

Contact person for document distribution:

City of Avondale, Arizona
Report on Applying Agreed-Upon Procedures
Biennial Certification of Land Use Assumptions,
Infrastructure Improvement Plan
and Development Impact Fees
For the Period July 1, 2020 through June 30, 2022

**CITY OF AVONDALE, ARIZONA
TABLE OF CONTENTS**

<u>CONTENTS</u>	<u>PAGE</u>
Independent Accountant's Report on Applying Agreed-Upon Procedures	1
Summary of Findings	3
Appendix A – Progress of Infrastructure Improvement Plan Projects	4

INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED-UPON PROCEDURES

Honorable Mayor and Members of the City Council

We have performed this agreed-upon procedures engagement to assist management of the City of Avondale, Arizona (City), with the requirement set forth in Arizona Revised Statutes (A.R.S.) 9-463.05.G.2 “to provide for a biennial certified audit of the municipality’s land use assumptions, infrastructure improvements plan and development fees”. As such, we have performed the procedures identified below, solely to assist users in evaluating the City’s compliance with the progress reporting requirements of the infrastructure improvement plan for the period from July 1, 2020 through June 30, 2022, as specified in A.R.S. 9-463.05.G.2. City of Avondale, Arizona’s management is responsible for its compliance with those requirements.

City of Avondale, Arizona’s management has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of assisting users in determining whether the City complied with the specified requirements. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes.

We have applied the following procedures:

The progress of the infrastructure improvements plan.

- a. Compared growth projections for 2021 and 2022 related to population, employment, number of housing units, and nonresidential square footage, as reported in the Infrastructure Improvement Plan (IIP) to actual results. A list of all variances are reported in the Summary of Findings.
- b. Obtained City-prepared report (see Appendix A) documenting the progress of each project identified in the Infrastructure Improvement Plan (IIP) and performed the following procedures:
 - i. Agreed expenditures as of June 30, 2022 to the underlying accounting records.
 - ii. Agreed amounts reported as estimated cost to complete to underlying accounting records.

The collection and expenditures of development impact fees for each project in the plan.

- c. Selected a sample of 120 building permits issued and determined fees were charged in accordance with authorized fee schedules and that each permit holder was charged the same rate as another equivalent permit holder.
- d. Selected a sample of 25 expenditures and determined that the expenditures were associated with an approved project in the City's IIP.

Evaluating any inequities in implementing the plan or imposing the development impact fee.

- e. Determined each developer/unit was charged the same rate as another equivalent developer/unit by recalculating impact fees at the transaction level for the sample mentioned in step c. above.
- f. Determined that there were no instances in which the City waived development impact fees, except as allowed for under A.R.S. 9-499.10.B and A.R.S. 9-500.18.

The accompanying Summary of Findings describes the findings we noted.

We were engaged by City of Avondale, Arizona's management to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on compliance with the specified requirements. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of City of Avondale, Arizona and to meet our other ethical responsibilities, in accordance with relevant ethical requirements related to our agreed-upon procedures engagement.

This report is intended solely for the information and use of the management of City of Avondale, Arizona, and is not intended to be and should not be used by anyone other than these specified parties.

Heinfeld Meech & Co. PC

Heinfeld, Meech & Co., P.C.
Scottsdale, Arizona
March 26, 2024

**CITY OF AVONDALE, ARIZONA
SUMMARY OF FINDINGS**

FINDING NO. 1

Variances were noted for growth projections related to population, residential housing units, nonresidential square footage, and employment as reported in the Land Use Assumptions when compared to actual results. All variances are reported below.

2021				
	<u>Projected</u>	<u>Actual</u>	<u>Variance</u>	<u>Variance %</u>
Population	89,704	90,755	1,051	1%
Residential Housing Units	31,039	29,532	(1,507)	-5%
Nonresidential Square Footage (1,000 sf)	11,507	9,699	(1,808)	-19%
Employment	18,377	19,900	1,523	8%

2022				
	<u>Projected</u>	<u>Actual</u>	<u>Variance</u>	<u>Variance %</u>
Population	91,360	92,324	964	1%
Residential Housing Units	31,639	30,042	(1,597)	-5%
Nonresidential Square Footage (1,000 sf)	11,746	10,610	(1,136)	-10%
Employment	18,832	20,560	1,728	8%

**APPENDIX A
PROGRESS OF INFRASTRUCTURE IMPROVEMENT PLAN PROJECTS**

Project Description	IIP Fund	Estimated Cost ^a	Expenditures 8/1/2019 - 6/30/2020 ^b	Expenditures 7/1/2021 - 6/30/2022 ^b	Estimated Cost to Complete ^c	FY Budget Plan
Additional apparatus (Incremental) - pg 18 (Split between 1040/S0013 (1040) & S0056)	Fire	\$ 1,587,088	\$	\$	\$ 1,587,088	Split between Lakin Project (S0013) (765k) and separate project (S0056) (948k) (FY22). Apparatus associated with S0056 delivered in FY2023
Additional Fire Stations (Lakin) - pg 13 (1040/S0013, fire portion)	Fire	3,138,239			\$ 15,913,000	In Progress, Design FY24/25, Construction FY26
Library Debt - growth share - pg 26 (8110)	Library	625,586	280,100	155,000		Completed FY22
Future Park (Incremental) - pg 37 (P0171)	Parks	7,885,825		7,652,939	8,467,000	Completed FY24
Police Stations (Incremental / Lakin) - pg 40 (1040/S0013, police portion)	Police	2,780,695			10,805,000	In Progress, Design FY24/25, Construction FY26
Police Property and Evidence - pg 41 (1161) (S0100)	Police	789,917	551,391		9,497,000	Completed
Vehicles and Equipment (incremental) - pg 42	Police	1,106,009			1,106,009	Project not defined
Communications Equipment (incremental) pg 43	Police	381,680			381,680	Project not defined
Dysart Road Extension (1021) (Linked to U0047)	Streets	1,810,000			3,170,000	FY30
Avondale Blvd - McDowell and Thomas (1125) (T0016)	Streets	1,708,000	61,907		1,708,000	Work in Process
Van Buren St - Fairway to 121st Ave (1146)	Streets	974,500			975,000	Project not in 10 year plan
Avondale Blvd - Lower Buckeye to Miami (1166)	Streets	280,800			2,096,000	Project not in 10 year plan
El Mirage - Lower Buckeye to Calle Hermosa (1172)	Streets	468,500			469,000	FY30
107th Ave/McDowell (1224) (T0002)	Streets	2,735,000	162,489	2,532,626	3,710,000	Completed FY23 (still active in questica)
Van Buren - 107th to Avondale (1334) (T0210)	Streets	1,863,000			7,825,000	Design FY29, Land Acq FY30, Construction FY31
Fairway Drive - Van Buren to Garfield (1336) (T0052)	Streets	3,029,000	518,473	2,494,918	3,500,000	Pending ADOT closing project (FY24)
McDowell Road & 107th Ave - Dual Turn Lanes (1382) (T0079)	Streets	400,000	150,000	250,000	500,000	Completed FY23
El Mirage & Buckeye - NBR Turn Lane (1459) (T0049)	Streets	240,000	176,479		700,000	Completed
Dysart Rd Widening - Whyman to Buckeye (1600)	Streets	1,029,800			2,600,000	Project not in 10 year plan
Traffic Signal - 107th and Pierce (1127) (T0207)	Streets	475,000			525,000	FY29/FY30
Traffic Signal - Avondale and Lower Buckeye (1170) (T0173)	Streets	600,000			3,300,000	Design FY22, Construction FY23, Includes arterial improvements, Anticipated Completion FY24
Traffic Signal - El Mirage and Lower Buckeye (1171) (T0138)	Streets	575,000		12,547	625,000	Construction FY23 and FY24
Traffic Signal - 107th Ave and Dealer Dr (1180)	Streets	475,000				Project not in 10 year plan
Traffic Signal - 107th Ave and Roosevelt (1181) (T0213)	Streets	475,000			525,000	FY25
Traffic Signal - 119th Ave and McDowell (1187) (T0135)	Streets	475,000		258,396	747,000	Completed FY22
Traffic Signal 119th Ave and Lower Buckeye (1188) (T0134)	Streets	475,000			525,000	FY29
Traffic Signal - Central and Lower Buckeye (1195) (T0137)	Streets	475,000			1,125,000	Design FY30, Land Acq FY31, Construction FY32
Traffic Signal - Dysart and Lower Buckeye (1248)	Streets	475,000				Project not in 10 year plan
Traffic Signal - Maricopa and Avondale Blvd (1381) (T0141)	Streets	470,000	465,456			Completed FY2021
Traffic Signal - Broadway and Avondale Blvd (1383) (T0136)	Streets	730,000			1,300,000	Developer constructing
Traffic Signal - Thomas and 137th Ave (1437) (T0139)	Streets	475,000				Completed FY20
Charles M Wolf Phase 1 Expansion (pg 67)	Sewer	18,733,120				Collection for previous expansion
Wastewater Collection Cost Recovery (pg 68) (9200)	Sewer	8,949,047				Collection for previous expansion
99th Avenue Waterline Thomas-McDowell (1133) (U0006)	Water	800,000			878,000	FY23/24
Future Well (1318) (U0061)	Water	2,700,000			2,700,000	Design FY27, Construction FY28
Dysart Rd Waterline, Roser Align-Southern (1302) (U0326)	Water	1,000,000			1,000,000	FY28
Dysart Rd Waterline, Whyman-Lower Buckeye (1231) (U0047)	Water	400,000			450,000	FY25
Future Well, North of I10 (1131) (U0156)	Water	4,400,000		14,165	4,300,000	Land Acq FY24, Design FY27, Construction FY 28/29
Future Well, North of Van Buren (1142) (U0131)	Water	2,900,000		49,096	2,880,000	FY23/24
McDowell Road Waterline, 117th - Avondale (1135) (U0077)	Water	300,000			300,000	Project deactivated (developer may build)
Well #27 Corporate/El Mirage (1214) (U0159)	Water	2,500,000			1,630,566	FY24 Anticipated Completion
Wellhead Treatment (1068) (U0160)	Water	1,500,000				Complete FY20
Nitrate Removal System for Coldwater Booster Station (1340) (U0087)	Water	5,545,000			5,545,000	Design FY27, Construction FY28
McDowell Rd 16 inch Waterline Avondale to 99th (1468) (U0080)	Water	2,650,000			2,650,000	Design FY24, Construction FY25
Phoenix Water Connection to Garden Lakes Booster (1469) (U0088)	Water	6,860,000			8,890,361	Complete FY21, bond funded, repayment shown below
Repayment of Debt for Phoenix Water Connection to Garden Lakes Booster	Water			766,000		
10th and Roosevelt Treatment Site (1470) (U0073)	Water	600,000			600,000	FY27
Garden Lakes Site - 2nd Reservoir and Booster (1471)	Water	8,358,000			8,358,000	FY25-FY26
Northside Booster Well Site (1472) (U0090)	Water	75,000			75,000	FY24
Water Recharge (Incremental) (U0220)	Water	1,649,599			5,700,000	U0220 - Completed FY23

a) The source of the information in the City of Avondale 2019 Infrastructure Improvements Plan and reflects the impact fee eligible portion in IIP

b) The source of the information is the City's financial records and includes expenditures of impact fees collected after August 1, 2019.

c) The source of the information is the City's CIP Budget and includes expected expenditures from all funding sources.

ITEM NUMBER: 5.d.

SUBJECT: Resolution 1044-0524 - Adoption of the Fiscal Year 2025 Tentative Budget

MEETING DATE: 5/6/2024

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:

This agenda item supports all Avondale Strategic Outcome Areas. The Strategic Plan guides the allocation of funding to the highest priorities.

PURPOSE:

City Council will consider a request to adopt Resolution 1044-0524, setting forth the fiscal year (FY) 2025 tentative budget and establishing the city's annual expenditure limitation and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

Budget discussions informing the development and presentation of the recommended budget for FY2025 were held with Council on December 18, 2023, March 25, 2024, and April 8, 2024. Feedback from those discussions have been incorporated into the tentative budget. In conformance with state law and the City Charter, the tentative budget must be adopted prior to the third Monday in July. The adoption of the tentative budget will set the maximum limit of expenditures for FY2025. The total budget from tentative adoption may be reduced or reallocated but cannot be increased.

DISCUSSION:

A summary of the tentative budget and a notice of public hearing on the budget and property tax levy will be published as required by A.R.S. 42-17103. Additionally, the tentative budget will be posted to the City of Avondale website. The following list shows the proposed timeline for all actions required for formal adoption of the city's annual budget:

- May 6, 2024 - Adopt tentative budget
- May 17, 2024 - 1st publication of tentative budget and Truth in Taxation Notice
- May 24, 2024 - 2nd publication of tentative budget and Truth in Taxation Notice
- June 3, 2024- Truth in Taxation & Final Budget Hearing. Special meeting adopting final budget
- June 17, 2024 - Adopt property tax levy.

BUDGET IMPACT:

This action will set the maximum expenditure limit for FY2025. Revisions can be made to decrease or reallocate, but not increase the total expenditure amount for the final budget.

RECOMMENDATION:

Staff recommends that Council adopt Resolution 1044-0524 setting forth the FY2025 tentative budget and annual expenditure limitation and authorizing staff to proceed with the required publication process.

Contact person for document distribution: Renee Weatherless; Robert Baer

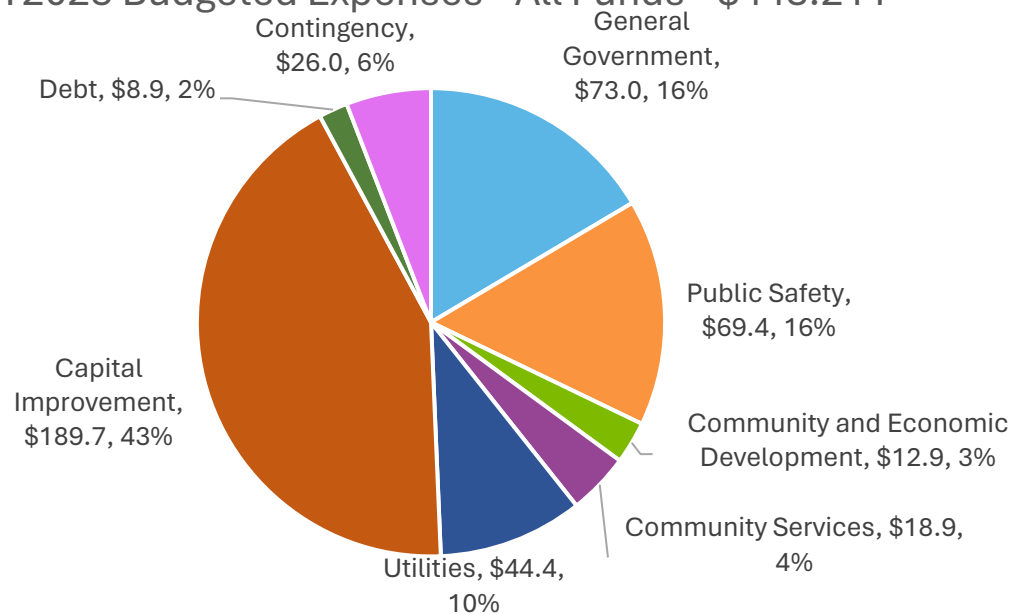
Tentative Budget Summary

The FY2025 Tentative Budget continues to show the City of Avondale's commitment to providing high-quality services to residents, businesses, and visitors in a fiscally sustainable manner. The FY2025 Tentative Budget is balanced, with revenues and resources greater than planned expenditures. Additionally, the General Fund, which provides the funding for the majority of services and employees in the city, is structurally balanced, with on-going revenues greater than or equal to on-going expenses over the next five fiscal years. This structural balance was achieved despite the loss of Residential Rental Sales Tax, which starts in January 2025, and the implementation of the state's flat income tax, which reduces Urban Revenue Sharing.

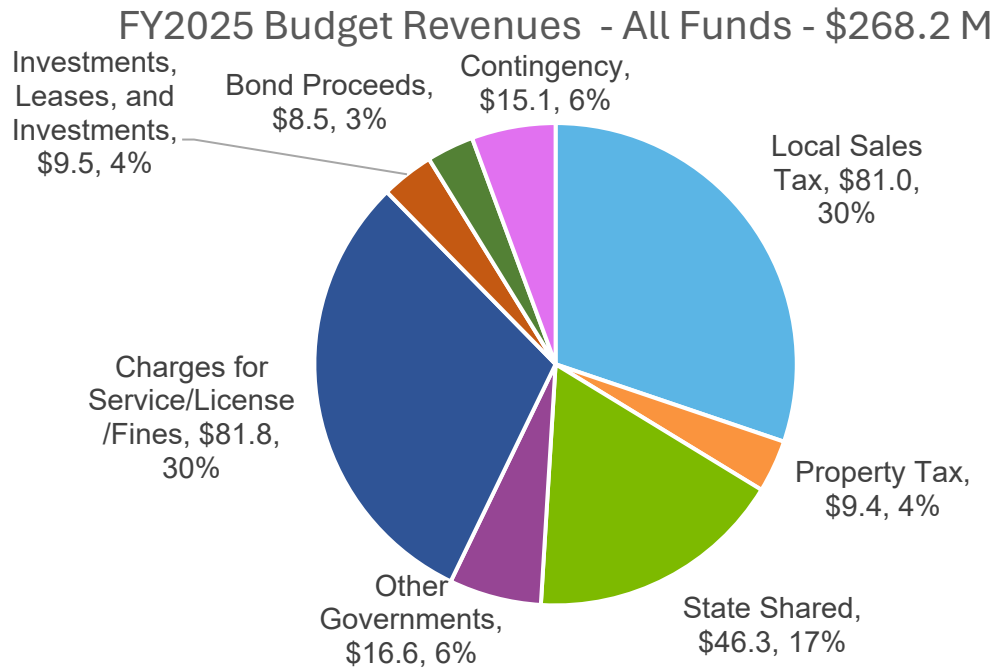
Per State Statute, the Tentative Budget sets the expenditure limit for FY2025. The budget may be reduced or reallocated, but the total budget adopted by City Council cannot be increased from the adopted Tentative Budget.

The following graphs show the composition FY2025 Tentative Budget.

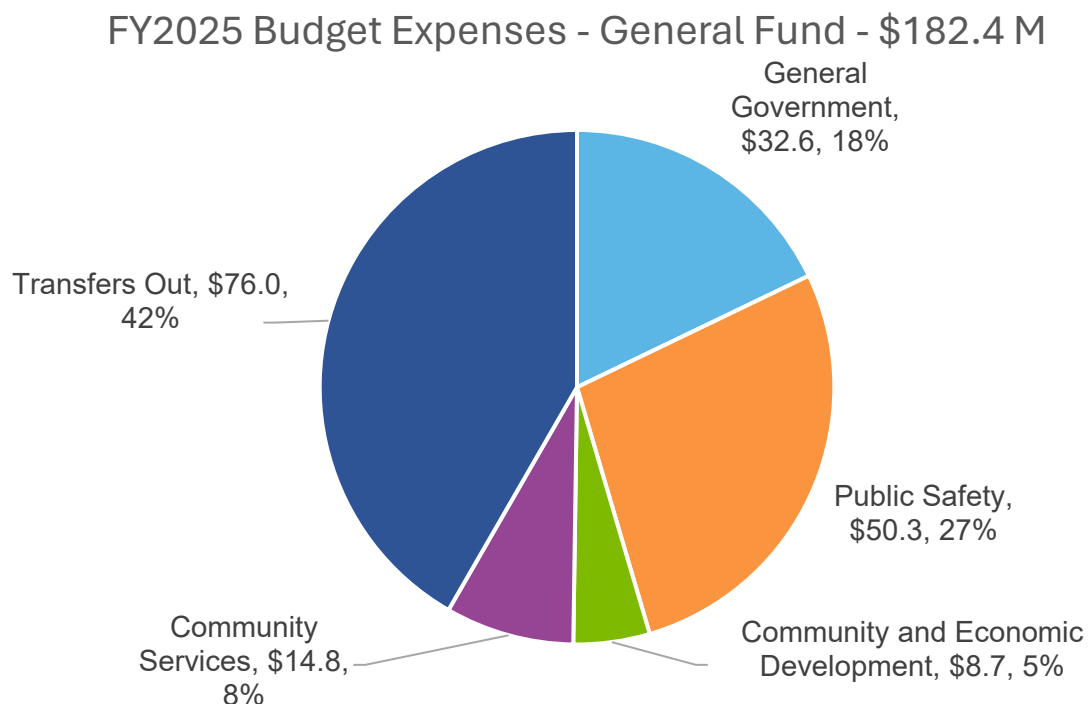
FY2025 Budgeted Expenses - All Funds - \$443.2 M



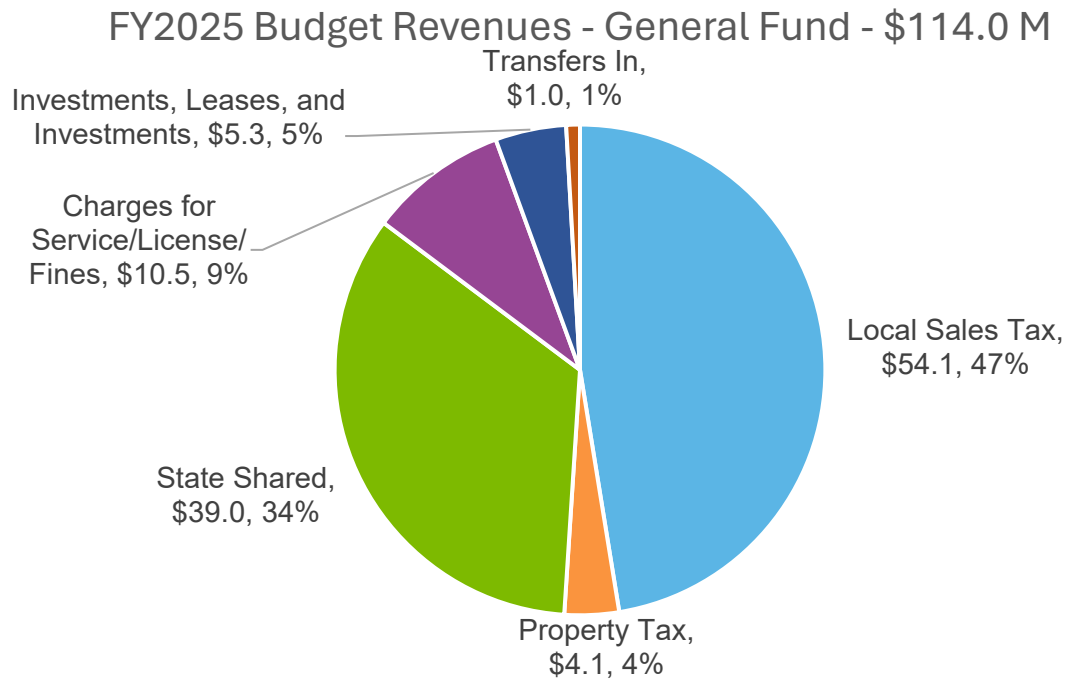
The graph above shows the \$443.2 million proposed FY2025 Tentative Budget by function. The largest portion of the FY2025 budget is Capital Improvement at \$189.7 million. Most of that budget is carryover of projects from the FY2025 budget. The city's operating budget is \$218.6 million in total, not including contingency or debt service.



This graph shows the \$268.2 million budgeted revenues in the proposed FY2025 Tentative Budget. The largest sources of revenue for the city are local sales tax and charges for services. The largest portions of charges for services water, sewer, and solid waste utility revenues; planning and permitting fees; and development impact fees. The revenue budget is less than the expenditure budget, due to the carryover of one-time capital improvement projects which are utilizing the city's fund balance.

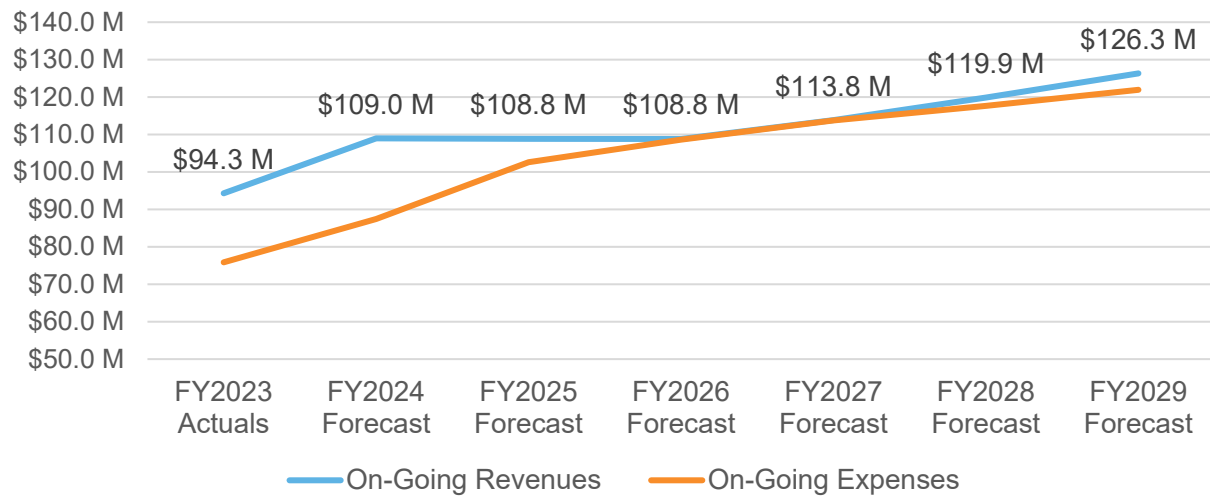


This graph shows the proposed \$182.4 million proposed General Fund budget. The General Fund is the largest fund in the city. The General Fund consists of the resources available to the city that have the least restrictions on their use. The majority of employees are budget to the General Fund. The largest use of the General Fund are Transfers Out, which support one-time capital improvement projects.



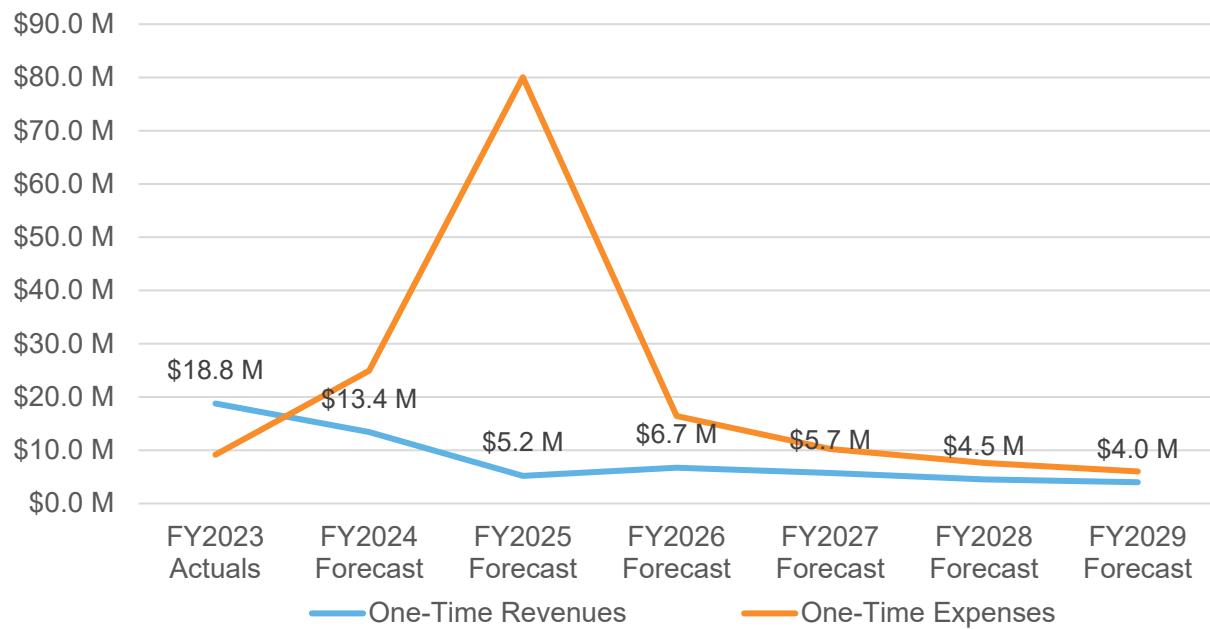
This graph shows the proposed \$114 million revenues in the proposed General Fund Budget. The two largest sources of revenue for the General Fund are Local Sales Tax and State Shared Revenues. The revenue budget is less than the expenditure budget, due to the carryover of one-time capital improvement projects which are utilizing the city's General Fund fund balance.

General Fund On-Going Revenue & Expenses (in Millions)



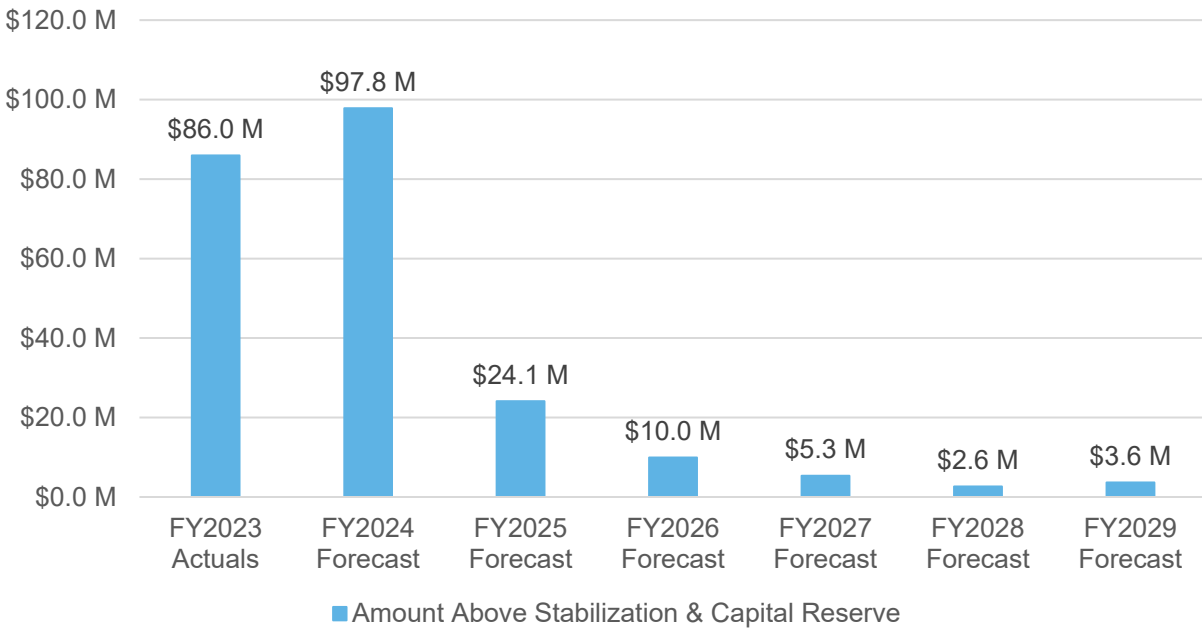
The graph above shows the projected on-going balance for the General Fund. On-going revenues are projected to be equal to or greater than on-going expenses through the forecast period. The on-going balance is considered when staff recommends supplemental requests for funding. A full list of recommended Supplemental Requests can be found in Appendix A. The Financial Policies of the city state that the city should maintain a structural balance, where on-going revenues are equal to or greater than on-going expenses in the General Fund.

General Fund One-Time Revenue & Expenses (in Millions)



The next graph shows the one-time expenses versus one-time revenues in the General Fund. One-time expenses in the General Fund mostly consist of transfers for one-time capital improvement projects. A full list of included capital projects in the Tentative Budget can be found in Appendix B. One-time revenues include sales tax above the on-going baseline, planning and permitting revenues above the on-going baseline, leases of city property, and land sales. One-time expenses are higher than one-time revenues in the FY2025 Tentative Budget and through the forecast. When expenses are higher than revenues, the city utilizes fund balance to bridge the difference.

General Fund Balance Above Stabilization (in Millions)



The next graph shows the General Fund balance above the stabilization and capital reserve amounts. The stabilization amount is equal to 35% of adopted budgeted General Fund expenditures from the prior year, excluding interfund transfers and contingency appropriation. This reserve amount can be utilized to mitigate the impact of disasters, address emergency situations, and sudden or unexpected declines of revenues. The Capital Reserve amount is equal to \$5 million and is available for unexpected increases in the costs of capital projects. The city is planning to spend the accumulated balance over these reserve amounts on capital projects, reinvesting the city's resources into the city. A full list of included capital projects in the Tentative Budget can be found in Appendix B.

Appendix A – Recommended Supplemental Requests

FY2025 Supplementals

Yes					
Department	Request	FTE	On-Going	One-Time	Vacancy Savings
City Administration	New City Manager's Office Vehicle		1,500	48,000	
City Attorney	Attorney II - 1.0 FTE	1.0	197,200	17,900	
City Auditor	Consultant Assisted Audits			100,000	
City Clerk	2024 Election			60,000	
Development Services	Senior Plans Examiner - 1.0 FTE	1.0	147,900	10,600	
Development Services	Senior Management Analyst - 1.0 FTE	1.0	149,000	31,000	
Development Services	Building Services Positions Grade Change		24,400		
Economic Development	Economic Development Opportunities Fund			400,000	
Economic Development	Position reclassification		29,500		
Engineering Services	Engineering Module Development in Permitting Program			200,000	
Engineering Services	Engineering Plan Review Increase			100,000	
Engineering Services	Project Manager (CIP) - 1.0 FTE	1.0	170,900	3,100	
Engineering Services	Signal Re-Timing Assessments			50,000	
Facilities	Additional On Call Assignment		20,000		
Facilities	Generator Assessment			20,000	
Finance and Budget	Outside Consultant for Payroll System			175,000	
Finance and Budget	Finance Administrative Assistant Reclassification		5,600		
Finance and Budget	Biennial Impact Fee Audit			15,000	
Fire and Medical	Additional Light Duty Vehicles		25,000	306,000	
Fire and Medical	Fund Two Overhire Positions		325,600		(325,600)
Fire and Medical	Overtime for Fire and Medical Critical Programming			348,000	
Human Resources	Positions Reclassifications		37,000		
Human Resources	Increase Tuition Reimbursement			37,700	
Human Resources	Risk Insurance Premium Increase		400,000		
Human Resources	Risk Management Vehicle		2,000	45,000	
Human Resources	Compensation Study			95,000	
Information Technology	Cybersecurity Threat Mitigation		100,000		
Information Technology	Enterprise Asset Management Software System			100,000	
Information Technology	IT Senior Systems Engineer Contracted Service			153,900	
Information Technology	Managed Services for Permitting System			221,600	
Information Technology	Virtualization Software Licensing Increase		150,000		
Information Technology	Website Upgrade and Redesign		50,000	150,000	
Marketing & Public Relations	Position reclassification		6,200		
Neighborhood and Family Service	Contributions Assistance Program (ARPA funded FY2025)			86,700	
Neighborhood and Family Service	Education Support Funding			50,000	
Neighborhood and Family Service	Homeless Services Coordinator - Change to General Fund		117,700		
Neighborhood and Family Service	Homeless Services Division Operating Budget		333,100		
Neighborhood and Family Service	Homeless Services Expanded Programming			150,000	
Neighborhood and Family Service	Public Safety Homebuyer Program			100,000	
Neighborhood and Family Service	Senior Services Coordinator - Temp Position			85,300	
Non-Departmental	Arbitrage Payment			93,000	
Non-Departmental	Arizona Department of Transportation Payments			240,600	
Office of Public Safety	Additional software for the internal investigation and commendation tracking		6,500		
Office of Public Safety	Security Services			25,000	
Office of Public Safety	New Equipment and Maintenance Increases for the Glendale Regional Public		4,800	62,000	
Office of Public Safety	Operating Costs for the Threat Liaison Officer assignment		14,500		
Office of Public Safety	Workforce cloud-based software for use in the Emergency Operations Center		10,000		
Parks & Recreation	Facility Rental Support			95,600	
Parks & Recreation	Parks Vehicles & Equipment		14,000	190,000	
Parks & Recreation	Sports Programming Needs		85,000		
Parks & Recreation	Create a Summer Camp Program - 3.9 FTE	3.9		410,800	
Parks & Recreation	Special Event Cost Increases			95,000	
Police	Change Part-Time Dispatser to Full-time - 0.5 FTE	0.5	62,600	5,600	(59,800)
Police	Senior Officer Program		38,600		(38,600)
Police	Take Home Vehicle Program		385,800	3,409,700	
Police	Two Detention Officers - 2.0 FTE	2.0	212,300	32,000	(198,500)
Public Works	Increased Recycling Landfill Costs		204,000		
Public Works	Water Resources Studies and Regulatory Requirement Updates			300,000	
Public Works	Grant Writing Services			50,000	
Public Works	Increased Landscape Maintenance Costs and Palm Trees		40,000	60,000	
Public Works	Lead & Copper Rule Contractor/Consultant			100,000	
Public Works	Management Analyst - 1.0 FTE	1.0	131,400	3,100	
Public Works	Wastewater Collections Operator - 1.0 FTE	1.0	105,900	52,000	
Public Works	Water Metering and Locating Supervisor - 1.0 FTE	1.0	145,500	55,100	
Public Works	Water Production Electricity Increases		280,000		
Public Works	Water Purchase Increases		565,000		
Public Works	Water Reclamation Facility Electricity Increases		208,700		
Public Works	Increased WeRide Service Adjustments		1,246,000		

Appendix B – Recommended Capital Projects

FY25 Proposed Project Funding										
Funded / Planned										
Project Number	Project Title	Total Project Budget	FY2024	Carryover	FY2025	FY2026	FY2027	FY2028	FY2029	
Asset Replacement		121,885,003	18,930,003	12,175,000	23,329,000	13,951,000	13,135,000	11,639,000	11,163,000	
A0014	Facilities Asset Replacement	657,230	657,230	575,000	575,000	0	0	0	0	0
A0115	SCADA Security Asset Replacement	82,052	82,052	68,000	68,000	0	0	0	0	0
A0123	Streets Asset Replacement	920,062	920,062	318,000	318,000	0	0	0	0	0
A0147	Vehicle Replacement	750,490	750,490	498,000	498,000	0	0	0	0	0
A0148	Water Asset Replacement	204,724	204,724	149,000	149,000	0	0	0	0	0
A0169	Computer and Equipment Asset Replacement	408,104	408,104	413,000	413,000	0	0	0	0	0
A0233	Fleet Equipment Replacement Program	260,000	210,000	210,000	260,000	0	0	0	0	0
A0234	City Hall Break Room Asset Replacement	55,000	55,000	18,000	18,000	0	0	0	0	0
A0267	Facilities Asset Replacement FY2024	253,000	253,000	174,000	174,000	0	0	0	0	0
A0268	Facilities Asset Replacement FY2026 and Beyond	2,054,000		0	0	224,000	85,000	698,000	179,000	
A0269	Fire Equipment and Asset Replacement FY2024	382,000	382,000	310,000	310,000	0	0	0	0	0
A0270	Fire Equipment and Asset Replacement FY2026 and Beyond	4,066,000		0	0	311,000	104,000	536,000	136,000	
A0271	Lift Station Rehabilitation Program FY2024	200,000	200,000	200,000	200,000	0	0	0	0	0
A0272	Lift Station Rehabilitation Program FY2026 and Beyond	2,100,000		0	0	200,000	200,000	200,000	250,000	
A0273	Parks and Recreation Asset Replacement Plan 2024	250,000	250,000	226,000	226,000	0	0	0	0	0
A0274	Parks and Recreation Asset Replacement Plan 2026 and Beyond	483,000		0	0	375,000	0	0	0	0
A0275	Police Asset Replacement Program FY2024	75,000	75,000	75,000	75,000	0	0	0	0	0
A0276	Police Asset Replacement Program FY2026 and Beyond	781,000		0	0	41,000	418,000	161,000	161,000	
A0277	SCADA Security Asset Replacement FY2024	376,000	376,000	376,000	376,000	0	0	0	0	0
A0278	SCADA Security Asset Replacement FY2026 and Beyond	3,584,000		0	0	376,000	376,000	376,000	376,000	
A0279	Streets Asset Replacement FY2024	2,093,000	2,093,000	1,764,000	1,764,000	0	0	0	0	0
A0280	Streets Asset Replacement FY2026 and Beyond	10,637,000		0	0	1,043,000	1,043,000	1,043,000	1,043,000	
A0281	Vehicle Replacement 2024	1,720,000	1,720,000	1,007,000	1,007,000	0	0	0	0	0
A0282	Vehicle Replacement 2026 and Beyond	39,467,000		0	0	5,692,000	6,229,000	6,003,000	5,902,000	
A0284	Water Meter Replacement FY2026 and Beyond	5,375,000		0	0	550,000	575,000	575,000	575,000	
A0285	Computer and Equipment Asset Replacement FY2024	839,000	839,000	326,000	326,000	0	0	0	0	0
A0286	Computer and Equipment Asset Replacement FY2026 and Beyond	3,477,000		0	0	1,938,000	377,000	257,000	437,000	
A0289	Library Asset Replacement FY2024	186,000	186,000	160,000	160,000	0	0	0	0	0
A0290	Library Asset Replacement FY2026 and Beyond	259,000		0	0	16,000	54,000	10,000	68,000	
A0291	Randel McDaniel Sports Complex Asset Replacement FY2024	176,000	176,000	176,000	176,000	0	0	0	0	0
A0292	Randel McDaniel Sports Complex Asset Replacement FY2026 and Beyond	436,000		0	0	286,000	0	0	150,000	
A0324	Water Asset Replacement FY2026 and Beyond	4,500,000		0	0	500,000	500,000	500,000	500,000	
A0328	Avondale Campus Painting Project	500,000	160,000	36,000	126,000	160,000	90,000	0	0	0
A0329	American Sports Center Painting and Surfacing	330,000	330,000	254,000	254,000	0	0	0	0	0
A0351	City Hall Interior Paint	214,000	214,000	195,000	195,000	0	0	0	0	0
A0357	Water Meter Replacement FY2025	550,000		0	550,000	0	0	0	0	0
A0358	Lift Station Rehabilitation Program FY2025	200,000		0	200,000	0	0	0	0	0
A0359	Vehicle Replacement FY2025	2,510,000		0	2,510,000	0	0	0	0	0
A0371	Water Asset Replacement FY2025	450,000		0	450,000	0	0	0	0	0
A0381	Police Asset Replacement Program FY2025	158,000		0	158,000	0	0	0	0	0
A0390	Parks and Recreation Asset Replacement Plan FY2025	360,000		0	360,000	0	0	0	0	0
A0391	Library Asset Replacement FY2025	24,000		0	24,000	0	0	0	0	0
A0394	Communication Systems and Data Center Asset Replacement FY2025	1,186,000		0	1,186,000	0	0	0	0	0
A0395	Computer and Equipment Asset Replacement FY2025	3,188,000		0	3,188,000	0	0	0	0	0
A0396	SCADA Security Asset Replacement FY2025	376,000		0	376,000	0	0	0	0	0
A0397	Fire Apparatus Replacement FY2025	2,660,000	2,660,000	2,660,000	2,660,000	0	0	0	0	0
A0400	Fire Equipment and Asset Replacement FY2025	276,000		0	276,000	0	0	0	0	0
A0403	Facilities Asset Replacement FY2025	693,000		0	693,000	0	0	0	0	0
A0426	Streets Asset Replacement FY2025	1,043,000		0	1,043,000	0	0	0	0	0
M0168	Communication Systems and Data Center Asset Replacements	1,382,341	1,382,341	1,110,000	1,110,000	0	0	0	0	0
M0297	Communication Systems and Data Center Asset Replacements FY2024	608,000	608,000	608,000	608,000	0	0	0	0	0
M0298	Communication Systems and Data Center Asset Replacements FY2026 and Beyond	10,428,000		0	0	1,339,000	1,315,000	1,280,000	1,386,000	
S0225	Fire Apparatus Replacement	3,738,000	3,738,000	269,000	269,000	0	0	0	0	0
S0302	Fire Apparatus Replacement FY2026 and Beyond	3,904,000		0	0	900,000	1,769,000	0	0	0
General Government		10,799,000	4,794,000	4,200,000	10,205,000	0	0	0	0	
B0191	New Park & Ride at BLVD Parking Garage	764,000	764,000	764,000	764,000	0	0	0	0	0
M0021	City Hall Modular Furniture Replacement	750,000	750,000	357,000	357,000	0	0	0	0	0
M0101	Public Wi-Fi Enhancements	57,000	57,000	57,000	57,000	0	0	0	0	0
M0176	Bridge Housing	2,423,000	2,423,000	2,374,000	2,374,000	0	0	0	0	0
M0177	City Fiber Backbone - Sam Garcia Library to MOSC	700,000	700,000	576,000	576,000	0	0	0	0	0
M0354	Citywide Fiber Mapping	175,000	100,000	72,000	147,000	0	0	0	0	0

M0393	Resource Center Expansion Study	150,000		0	150,000	0	0	0	0
M0401	Opportunity Tree Parking Lot Improvements	40,000		0	40,000	0	0	0	0
M0402	Friendship Park Restroom Painting	40,000		0	40,000	0	0	0	0
M0425	Design Concept for New Operational Warehouse	500,000		0	500,000	0	0	0	0
M0427	Lower Buckeye North Yard Fence	160,000		0	160,000	0	0	0	0
M0432	Southwest Family Advocacy Center Building Purchase	5,040,000		0	5,040,000	0	0	0	0
Parks and Recreation		42,458,369	17,024,369	12,551,000	18,682,000	9,608,000	4,646,000	2,050,000	2,409,000
M0325	Sam Garcia Library and Sernas Plaza Improvements	646,000	646,000	507,000	507,000	0	0	0	0
P0012	Agua Fria Trail Phase II (Pedestrian Bridge) Design	1,800,000	1,800,000	295,000	295,000	0	0	0	0
P0015	Recharge Park Study and Design	1,205,214	1,205,214	810,000	810,000	0	0	0	0
P0032	Mountain View Community Center	0		134,000	134,000	0	0	0	0
P0055	Fiber Optic Connectivity in Parks	88,000	88,000	88,000	88,000	0	0	0	0
P0083	Mountain View Park Expansion	1,156,313	1,156,313	840,000	840,000	0	0	0	0
P0084	Multi-Modal Trail System FY2026 and Beyond	4,783,842	424,842	381,000	381,000	200,000	0	1,900,000	2,259,000
P0113	Sand Volleyball Courts at the BLVD	2,859,000	2,859,000	2,326,000	2,326,000	0	0	0	0
P0120	Sport Field Lighting Friendship Park	1,564,000	875,000	33,000	722,000	0	0	0	0
P0174	Civic Center Park	4,132,000	3,932,000	3,628,000	3,828,000	0	0	0	0
P0193	Deconcini Park Enhancements	2,800,000	2,800,000	2,423,000	2,423,000	0	0	0	0
P0299	Crystal Gardens Trail Improvements FY2024	480,000	480,000	356,000	356,000	0	0	0	0
P0300	Crystal Gardens Trail Improvements FY2025	500,000		0	500,000	0	0	0	0
P0327	Sport Field Lighting Festival Fields Park	1,119,000		0	0	1,119,000	0	0	0
P0330	Donatela Park	5,210,000	220,000	208,000	208,000	2,570,000	2,420,000	0	0
P0331	Cashion Pocket Park	540,000	80,000	80,000	80,000	0	20,000	0	0
P0332	Dog Park Enhancements at Friendship Park	884,000	44,000	44,000	884,000	0	0	0	0
P0333	Pickleball Court Construction at Friendship Park	442,000	32,000	32,000	442,000	0	0	0	0
P0334	Softball Field Enhancements at Friendship Park	442,000	32,000	32,000	32,000	410,000	0	0	0
P0335	Festival Fields Upgrades	1,858,000		0	81,000	1,696,000	81,000	0	0
P0347	Parks Master Plan	300,000	300,000	284,000	284,000	0	0	0	0
P0356	Parcel Adjacent to Aquatic Center Study	50,000	50,000	50,000	50,000	0	0	0	0
P0382	ADA Transition Plan	900,000		0	150,000	150,000	150,000	150,000	150,000
P0383	Trail Improvements in the BLVD Area	2,041,000		0	1,409,000	632,000	0	0	0
P0384	Agua Fria Multi-Use Path - Buckeye Rd/MC 85 Underpass	2,398,000		0	44,000	1,386,000	968,000	0	0
P0385	Agua Fria Multi-Use Path - Lower Buckeye Rd Underpass	2,498,000		0	46,000	1,445,000	1,007,000	0	0
P0386	Dysart & Western Ave Pocket Park	770,000		0	770,000	0	0	0	0
P0387	Base and Meridian Wildlife Area Restoration	500,000		0	500,000	0	0	0	0
P0388	Base and Meridian Wildlife Area Master Plan	300,000		0	300,000	0	0	0	0
P0389	Dessie Lorenz Park Improvements	117,000		0	117,000	0	0	0	0
P0429	Performing Arts Center Needs Assessment	75,000		0	75,000	0	0	0	0
Public Safety		84,810,000	42,138,000	34,915,000	48,477,000	120,000	27,155,000	1,140,000	0
S0013	Alamar Public Safety Substation	27,350,000	300,000	1,730,000	3,230,000	0	25,550,000	0	0
S0056	Additional Fire Apparatus	948,000		86,000	86,000	0	0	0	0
S0104	Fire Station #171 Replacement	15,314,000	13,414,000	12,478,000	14,378,000	0	0	0	0
S0105	Relocate Detention Center and Police Substation	21,300,000	21,300,000	14,913,000	14,913,000	0	0	0	0
S0142	Training Center Site Improvements and Upgrades	330,000	330,000	36,000	36,000	0	0	0	0
S0182	Ladder Tender Equipment	100,000	100,000	59,000	59,000	0	0	0	0
S0194	BLVD Police Substation	1,315,000		0	0	45,000	130,000	1,140,000	0
S0198	Police Communications Bureau Remodel	4,516,000	2,116,000	2,054,000	4,454,000	0	0	0	0
S0228	Avondale Boulevard and Broadway Road Fiber	1,600,000	1,600,000	1,556,000	1,556,000	0	0	0	0
S0344	K-9 Training Facility	3,960,000	600,000	583,000	3,943,000	0	0	0	0
S0345	EMT Paramedic Simulation Labs	50,000	50,000	50,000	50,000	0	0	0	0
S0346	Incident Command Simulation Lab	50,000	50,000	40,000	40,000	0	0	0	0
S0392	Regional Wireless Cooperative (RWC) Tower	1,845,000		0	0	75,000	1,075,000	0	0
S0398	Training Tower	4,302,000		0	4,302,000	0	0	0	0
S0399	New Fire Apparatus	1,330,000	1,330,000	1,330,000	1,330,000	0	0	0	0
S0428	Courtrooms and Jury Deliberation Audio/Video System Refresh	400,000		0	0	0	400,000	0	0
S0430	City Court Expansion Phase 2 - Design of City Court Assembly Area	100,000		0	100,000	0	0	0	0
Transportation		153,128,071	33,192,071	27,714,000	46,207,000	22,458,000	13,713,000	10,725,000	14,297,000
T0031	Communication Conduit and Fiber Backbone Program	1,400,000	1,400,000	825,000	825,000	0	0	0	0
T0046	Dysart Road Traffic Flow Improvement Project	586,000	586,000	157,000	157,000	0	0	0	0
T0052	Fairway Drive Improvements - Van Buren Street to Garfield Street	3,204,000	3,204,000	20,000	20,000	0	0	0	0
T0067	Gateway Program	200,000	200,000	96,000	96,000	0	0	0	0
T0122	Street Light Infill Program	84,950	84,950	79,000	79,000	0	0	0	0
T0138	Traffic Signal and Roadway Improvements at El Mirage Road and Lower Buckeye Road	2,000,000	1,788,000	1,518,000	1,730,000	0	0	0	0
T0161	Western Avenue - Central Avenue to 4th Avenue - Improvements	2,025,000	2,025,000	1,986,000	1,986,000	0	0	0	0
T0162	Western Avenue Decorative String Lights	320,000	320,000	320,000	320,000	0	0	0	0

T0163	Western Avenue Pedestrian Streetlights	895,000	695,000	695,000	895,000	0	0	0	0
T0200	Old Town Avondale Phase III Improvement	13,827,121	13,827,121	13,540,000	13,540,000	0	0	0	0
T0201	Old Town Avondale Phase IV Improvement	8,730,000	500,000	396,000	2,528,000	6,098,000	0	0	0
T0203	Old Town Avondale Phase V Improvement	5,299,000	232,000	162,000	1,503,000	3,726,000	0	0	0
T0206	Traffic Signal - 99th Avenue and Encanto Boulevard	600,000	375,000	369,000	594,000	0	0	0	0
T0213	Traffic Signal - 107th Avenue and Roosevelt Street	600,000		0	600,000	0	0	0	0
T0240	Old Town Avondale Phase VI Improvement	4,516,000		0	391,000	1,087,000	3,038,000	0	0
T0244	Sidewalk Along El Mirage Road from Calle Hermosa to Lower Buckeye Road	200,000	200,000	200,000	200,000	0	0	0	0
T0247	Traffic Signal - Van Buren Street and Park Avenue	600,000		0	0	0	0	0	50,000
T0250	Traffic Signal - 99th Avenue and Clarendon Avenue	600,000		0	0	0	0	0	50,000
T0251	Traffic Signal - Roosevelt Parkway and Van Buren Street	600,000		0	0	0	0	0	50,000
T0252	Traffic Signal - Roosevelt Street and 107th Avenue	600,000		0	0	50,000	550,000	0	0
T0253	Traffic Signal - 111th Avenue and Van Buren Street	600,000		0	50,000	550,000	0	0	0
T0259	Sidewalk Accessibility Improvement Program FY2024	400,000	400,000	245,000	245,000	0	0	0	0
T0260	Sidewalk Accessibility Improvement Program FY2026 and Beyond	1,000,000		0	0	200,000	200,000	200,000	200,000
T0303	Bike Retrofit Program FY2026 and Beyond	50,000		0	0	0	0	0	50,000
T0305	Bridge Repairs FY2026 and Beyond	400,000		0	0	0	100,000	0	100,000
T0306	Communication Conduit and Fiber Backbone Program FY2024	450,000	450,000	450,000	450,000	0	0	0	0
T0307	Communication Conduit and Fiber Backbone Program FY2026 and Beyond	2,250,000		0	0	450,000	300,000	300,000	300,000
T0308	Entry Monument Signage and Gateway Program	300,000	300,000	295,000	295,000	0	0	0	0
T0309	Gateway Program FY2026 and Beyond	500,000		0	0	100,000	100,000	100,000	100,000
T0310	Pavement Management Program FY2024	3,000,000	3,000,000	3,000,000	3,000,000	0	0	0	0
T0311	Pavement Management Program FY2026 and Beyond	66,000,000		0	0	3,000,000	9,000,000	9,000,000	9,000,000
T0312	Street Drainage Issues FY2024	300,000	300,000	300,000	300,000	0	0	0	0
T0313	Street Drainage Issues FY2026 and Beyond	1,000,000		0	0	200,000	200,000	200,000	200,000
T0314	Street Light Infill Program FY2024	200,000	200,000	191,000	191,000	0	0	0	0
T0316	Wayfinding Signage FY2024	140,000	140,000	140,000	140,000	0	0	0	0
T0317	Wayfinding Signage FY2026 and Beyond	75,000		0	0	25,000	25,000	25,000	0
T0318	Traffic Signal Re-Timing Program FY2024	100,000	100,000	100,000	100,000	0	0	0	0
T0320	Citywide Sidewalk Expansion and Improvements Program FY2024	200,000	200,000	200,000	200,000	0	0	0	0
T0321	Citywide Sidewalk Expansion and Improvements Program FY2026 and Beyond	1,000,000		0	0	200,000	200,000	200,000	200,000
T0336	HAWK Signal on Avondale Boulevard at Palm Lane	280,000	280,000	267,000	267,000	0	0	0	0
T0338	HAWK Signal on El Mirage Road at Pima Street	240,000	240,000	227,000	227,000	0	0	0	0
T0339	HAWK Signal on Coldwater Springs Boulevard on the west side of 118th Avenue	290,000	290,000	277,000	277,000	0	0	0	0
T0341	HAWK Signal on Central Avenue at Holly Lane	275,000	275,000	262,000	262,000	0	0	0	0
T0342	HAWK Signal on El Mirage Road at the Northern Alamar Park Access	280,000	280,000	267,000	267,000	0	0	0	0
T0343	Transportation Master Plan Update	200,000	200,000	200,000	200,000	0	0	0	0
T0352	Avondale Blvd Lighting Project	150,000	150,000	150,000	150,000	0	0	0	0
T0365	New Transit Shelters (14)	490,000		0	490,000	0	0	0	0
T0375	Sidewalk Inventory and Condition Assessment	250,000		0	250,000	0	0	0	0
T0376	Lower Buckeye Corridor Study	400,000		0	400,000	0	0	0	0
T0377	Pavement Management Program FY2025	3,000,000		0	3,000,000	0	0	0	0
T0378	Citywide Sidewalk Expansion and Improvements Program FY2025	215,000		0	215,000	0	0	0	0
T0379	Resurfacing Coldwater Springs to 114th Ave	650,000		0	0	650,000	0	0	0
T0380	Asphalt Resurface Avondale Blvd from I-10 to Whyman Ave	2,000,000		0	2,000,000	0	0	0	0
T0404	Improvements to El Mirage Road - Lower Buckeye Road to Calle Hermosa	4,997,000		0	0	0	0	700,000	3,947,000
T0405	Dysart Road/McDowell Road Intersection	3,172,000		0	240,000	2,932,000	0	0	0
T0406	Dysart Road Median Offsets	500,000		0	0	0	0	0	50,000
T0407	Communication Conduit and Fiber Backbone Program FY2025	450,000		0	450,000	0	0	0	0
T0408	Traffic Signal - 116th Ave and McDowell	700,000		0	700,000	0	0	0	0
T0409	Wayfinding Signage FY2025	200,000		0	200,000	0	0	0	0
T0410	Van Buren Bridge Lighting Project	450,000		0	50,000	400,000	0	0	0
T0411	Bridge Repairs FY2025	128,000		0	128,000	0	0	0	0
T0412	Gateway Program FY2025	300,000		0	300,000	0	0	0	0
T0413	Sidewalk Accessibility Improvement Program FY2025	200,000		0	200,000	0	0	0	0
T0414	Street Drainage Issues FY2025	200,000		0	200,000	0	0	0	0
T0415	McDowell Rd and 99th Ave Improvements	1,597,000		0	1,597,000	0	0	0	0
T0416	Safety Action and Demonstration Plan	700,000		0	700,000	0	0	0	0
T0417	Cellular Communication Equipment and CCTV Intersection Cameras	427,000		0	427,000	0	0	0	0
T0418	Improvements at Western Avenue and Central Avenue	985,000		0	335,000	650,000	0	0	0
T0419	Traffic Signal - Thomas Road and 111th Avenue	600,000		0	600,000	0	0	0	0
T0420	Intersection Improvement Dysart Road and Coldwater Plaza	500,000		0	500,000	0	0	0	0
T0421	Intersection Improvement Avondale Boulevard and MC85	1,500,000		0	150,000	1,350,000	0	0	0
T0422	Designs for Priorities Identified in the Active Transportation Plan	100,000		0	100,000	0	0	0	0
T0423	Park Avenue Roadway Near The BLVD	300,000		0	50,000	250,000	0	0	0

T0424	Intersection Improvements at Encanto Boulevard and Santa Fe Trail	600,000		0	60,000	540,000	0	0	0
U0172	Irrigation Pipe Replacement on Thomas Road West of 99th Avenue Intersection	950,000	950,000	780,000	780,000	0	0	0	0
Utilities		231,693,592	42,122,592	37,892,000	42,787,000	48,921,000	79,560,000	23,680,000	11,100,000
U0044	Dysart Road Sewer Replacement - Corral Street to Lower Buckeye Road	2,520,000	2,070,000	1,986,000	2,436,000	0	0	0	0
U0062	Garden Lakes Nitrate Equipment Replacement	4,280,000		0	0	4,280,000	0	0	0
U0076	Lift Station Security Upgrades	439,592	139,592	140,000	240,000	100,000	100,000	0	0
U0078	McDowell Recharge Basin Improvements	1,115,000	870,000	745,000	745,000	245,000	0	0	0
U0090	Northside Booster Well Site - Land Purchase & DCR	175,000	175,000	158,000	158,000	0	0	0	0
U0131	The BLVD Well (#33) & Transmission Line	3,338,000	3,088,000	2,303,000	2,553,000	0	0	0	0
U0150	Water Reclamation Facility Odor Control System Improvements	8,468,000	8,468,000	7,413,000	7,413,000	0	0	0	0
U0153	Water System Line Replacements and Expansions FY2024	1,671,000	1,671,000	1,668,000	1,668,000	0	0	0	0
U0156	Well 22 and Transmission Line	5,100,000	100,000	73,000	73,000	0	430,000	1,790,000	2,780,000
U0157	Well 7 Site Development	2,200,000	2,000,000	1,932,000	2,132,000	0	0	0	0
U0159	Well at 107th Avenue & Encanto Boulevard - Shared Well	1,926,000	1,631,000	455,000	750,000	0	0	0	0
U0164	White Mountain Apache Tribe Water Settlement	3,000,000	3,000,000	3,000,000	3,000,000	0	0	0	0
U0218	Well #26 Replacement	3,600,000	3,100,000	2,975,000	3,475,000	0	0	0	0
U0219	Water Reclamation Facility - Phase II Expansion	133,750,000	8,500,000	8,500,000	8,500,000	40,250,000	70,000,000	15,000,000	0
U0238	Site Security at Well and Booster Stations	116,000	90,000	49,000	49,000	26,000	0	0	0
U0257	New Well #25B	3,825,000	3,625,000	3,611,000	3,811,000	0	0	0	0
U0262	City Wide Sewer Improvements FY2026 and Beyond	2,185,000		0	0	170,000	180,000	200,000	220,000
U0264	Water System Line Replacements and Expansions FY2026 and Beyond	9,000,000		0	0	1,000,000	1,000,000	1,000,000	1,000,000
U0322	Large Diameter Sewer Line Repair FY2026 and Beyond	10,300,000		0	0	1,500,000	1,300,000	1,400,000	1,600,000
U0323	3 New Rear Load Garbage Trucks	1,095,000	1,095,000	463,000	463,000	0	0	0	0
U0326	Dysart Road Waterline - Roeser Alignment to Southern	1,250,000		0	0	0	0	1,250,000	0
U0340	Sediment Removal - Crystal Gardens & McDowell Recharge Basins	2,050,000	2,050,000	2,050,000	2,050,000	0	0	0	0
U0348	New Redundant Stair Screen	200,000	200,000	121,000	121,000	0	0	0	0
U0350	Update the Integrated Utility Master Plan	500,000	250,000	250,000	500,000	0	0	0	0
U0360	Nitrate Removal System for Coldwater Booster Station	6,000,000		0	0	0	0	0	500,000
U0361	Dysart Road Waterline - Whyman to Lower Buckeye	730,000		0	0	0	0	730,000	0
U0362	Land Purchase - Water Treatment & Storage Site	600,000		0	0	0	600,000	0	0
U0363	Garden Lakes Site - Construct 2nd Reservoir & Improve Booster Capacity	10,750,000		0	0	0	0	750,000	5,000,000
U0364	Rancho Santa Fe Reservoir & Booster Electrical and Control Upgrades	1,500,000		0	0	200,000	1,300,000	0	0
U0366	Harrison Drive Sewer Reversal	1,000,000		0	0	100,000	900,000	0	0
U0367	7th Street Sewer Replacement	1,500,000		0	0	150,000	1,350,000	0	0
U0368	Northside Booster Station Tank Rehabilitation	700,000		0	0	700,000	0	0	0
U0369	10th Street Lift Station Electrical Upgrades	2,400,000		0	100,000	200,000	2,100,000	0	0
U0370	Gateway Booster Station Electrical and Control Updates	1,860,000		0	0	0	300,000	1,560,000	0
U0372	City Wide Sewer Improvements FY2025	500,000		0	500,000	0	0	0	0
U0373	Large Diameter Sewer Line Repair FY2025	1,000,000		0	1,000,000	0	0	0	0

RESOLUTION NO. 1044-0524

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE,
ARIZONA, SETTING FORTH THE TENTATIVE BUDGET AND
ESTABLISHING THE EXPENDITURE LIMITATION FOR THE CITY OF
AVONDALE FOR FISCAL YEAR 2024-2025.

WHEREAS, pursuant to the provisions of the laws of the State of Arizona and the City Charter, the Council of the City of Avondale (the “City Council”) is required to adopt a budget; and

WHEREAS, in accordance with ARIZ. REV. STAT. § 42-17102, the City Manager has prepared and filed with the City Council the City Manager’s Budget estimates for the fiscal year beginning July 1, 2024 and ending June 30, 2025; and

WHEREAS, the qualified electors of the City of Avondale (the “City”) did, on August 4, 2020, approve the Home Rule Option for expenditure limitations pursuant to the Arizona Constitution Article IX, Section 20; and

WHEREAS, the Home Rule Option requires that an expenditure limitation must be established each year as part of the annual budget.

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 statements and schedules attached hereto as Exhibit A and incorporated herein by reference are hereby adopted as the City’s official tentative budget for the fiscal year beginning July 1, 2024, and ending June 30, 2025, including the establishment of the expenditure limitation for such fiscal year in the amount of \$443,221,000.

SECTION 3. Upon approval of the City Council, the City Manager or designee shall publish in the official City newspaper once per week for two consecutive weeks (i) the official tentative budget and (ii) a notice of the public hearing of the City Council to hear taxpayers and make tax levies at designated times and places. The notice shall include the physical addresses of the Avondale Civic Center Library, the Sam Garcia Western Avenue Library and the Avondale City Hall, and the website where the tentative budget may be found. If a truth in taxation notice is required under ARIZ. REV. STAT. § 42-17107, it may be combined with such hearing notice.

SECTION 4. The City Manager or designee shall, not later than seven business days following consideration of this Resolution by the City Council, make available at the Avondale Civic Center Library, the Sam Garcia Western Avenue Library and the Avondale City Hall a complete copy of the tentative budget, and shall post the tentative budget on the City's website.

SECTION 5. 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 Resolution.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, May 6, 2024.

Kenneth N. Weise, Mayor

ATTEST:

Marcella Sarmiento, City Clerk

APPROVED AS TO FORM:

Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION NO. 1044-0524

[Statements and Schedules]

See following pages.

City of Avondale
Summary Schedule of Estimated Revenues and Expenditures/Expenses
Fiscal Year 2025

Fiscal Year	S c h		FUNDS							
			General Fund	Special Revenue Fund	Debt Service Fund	Capital Projects Fund	Trust & Agency Fund	Enterprise Funds Available	Internal Service Funds	Total All Funds
2024	Adopted/Adjusted Budgeted Expenditures/Expenses*	E 1	179,052,955	129,247,670	8,295,000	22,378,427	12,050,500	102,913,048	10,959,000	464,896,600
2024	Actual Expenditures/Expenses**	E 2	156,052,955	129,247,670	8,295,000	22,378,427	5,774,149	93,313,048	10,959,000	426,020,249
2025	Fund Balance/Net Position at July 1***	3	125,341,772	60,804,730	772,060	32,405,722	2,340,642	112,867,392	8,704,491	343,236,809
2025	Primary Property Tax Levy	B 4	4,041,254							4,041,254
2025	Secondary Property Tax Levy	B 5			5,407,729					5,407,729
2025	Estimated Revenues Other than Property Taxes	C 6	110,093,100	65,050,400	22,000	6,018,000	11,247,000	46,860,000	11,069,000	250,359,500
2025	Other Financing Sources	D 7	483,000	0	0	8,500,000	0	0	0	8,983,000
2025	Other Financing (Uses)	D 8	0	0	0	(483,000)	0	0	0	(483,000)
2025	Interfund Transfers In	D 9	71,837,000	2,963,800	2,444,000	2,696,000	0	42,785,000	0	122,725,800
2025	Interfund Transfers (Out)	D 10	(76,024,800)	(2,496,000)	0	0	0	(44,205,000)	0	(122,725,800)
2025	Reduction for Amounts Not Available:	11								
LESS:	Amounts for Future Debt Retirement:									0
	Future Capital Projects									0
	Maintained Fund Balance for Financial Stability									0
										0
										0
2025	Total Financial Resources Available	12	235,771,326	126,322,930	8,645,789	49,136,722	13,587,642	158,307,392	19,773,491	611,545,292
2025	Budgeted Expenditures/Expenses	E 13	202,477,900	102,516,500	7,868,000	21,373,000	13,456,700	85,229,800	10,299,100	443,221,000

EXPENDITURE LIMITATION COMPARISON

1	Budgeted expenditures/expenses
2	Add/subtract: estimated net reconciling items
3	Budgeted expenditures/expenses adjusted for reconciling items
4	Less: estimated exclusions
5	Amount subject to the expenditure limitation
6	EEC expenditure limitation or voter-approved alternative expenditure limitation

2024	2025
\$ 457,106,600	\$ 443,221,000
457,106,600	443,221,000
\$ 457,106,600	\$ 443,221,000
\$ 457,106,600	\$ 443,221,000



* Includes Expenditure/Expense Adjustments Approved in the current year from Schedule E.

** Includes actual amounts as of the date the proposed budget was prepared, adjusted for estimated activity for the remainder of the fiscal year.

*** Amounts on this line represent Fund Balance/Net Position amounts except for amounts not in spendable form (e.g., prepaids and inventories) or legally or contractually required to be maintained intact (e.g., principal of a permanent fund).

City of Avondale
Tax Levy and Tax Rate Information
Fiscal Year 2025

	<u>2024</u>	<u>2025</u>
1. Maximum allowable primary property tax levy. A.R.S. §42-17051(A)	\$ <u>3,736,624</u>	\$ <u>4,041,254</u>
2. Amount received from primary property taxation in the current year in excess of the sum of that year's maximum allowable primary property tax levy. A.R.S. §42-17102(A)(18)	\$ _____	
3. Property tax levy amounts		
A. Primary property taxes	\$ <u>3,736,624</u>	\$ <u>4,041,254</u>
B. Secondary property taxes	<u>4,811,641</u>	<u>5,407,729</u>
C. Total property tax levy amounts	\$ <u>8,548,265</u>	\$ <u>9,448,983</u>
4. Property taxes collected*		
A. Primary property taxes		
(1) Current year's levy	\$ <u>3,736,624</u>	
(2) Prior years' levies	<u>(30,500)</u>	
(3) Total primary property taxes	\$ <u>3,706,124</u>	
B. Secondary property taxes		
(1) Current year's levy	\$ <u>4,811,641</u>	
(2) Prior years' levies	<u>(40,800)</u>	
(3) Total secondary property taxes	\$ <u>4,770,841</u>	
C. Total property taxes collected	\$ <u>8,476,965</u>	
5. Property tax rates		
A. City/Town tax rate		
(1) Primary property tax rate	<u>0.6373</u>	<u>0.6241</u>
(2) Secondary property tax rate	<u>0.8222</u>	<u>0.8351</u>
(3) Total city/town tax rate	<u>1.4595</u>	<u>1.4592</u>
B. Special assessment district tax rates		
Secondary property tax rates - As of the date the proposed budget was prepared, the city/town was operating <u>1</u> special assessment districts for which secondary property taxes are levied. For information pertaining to these special assessment districts and their tax rates, please contact the city/town.		

* Includes actual property taxes collected as of the date the proposed budget was prepared, plus estimated property tax collections for the remainder of the fiscal year.

City of Avondale
Revenues Other Than Property Taxes
2025

SOURCE OF REVENUES	ESTIMATED REVENUES 2024	ACTUAL REVENUES* 2024	ESTIMATED REVENUES 2025
GENERAL FUND			
Local taxes			
Local Sales Tax	\$ 53,966,000	\$ 55,349,700	\$ 54,088,000
SRP Payment in lieu of property tax	43,000	0	43,000
Other Taxes	7,000	0	7,000
Licenses and permits			
Franchise Fees	1,070,000	1,038,000	1,245,000
Building & Development Permits	4,041,000	3,214,000	2,586,000
Licenses	53,000	53,000	53,000
Other Permits	0	0	0
Intergovernmental			
State Urban Revenue Sharing	24,286,000	24,286,000	19,676,000
City's Share of St. Sales Tax	13,663,000	13,668,000	14,255,000
Auto Lieu Tax	4,348,000	4,348,000	4,435,000
Other State Sources	592,000	636,000	636,000
Other Cities & Towns	1,506,500	1,516,800	1,536,300
Other Governments	734,200	440,500	842,400
Charges for services			
Development Charges for Service	1,557,000	1,449,600	1,065,600
Other Charges for Service	337,000	518,500	502,500
Recreation Charges for Service	683,000	590,400	862,400
Internal Service Charges	0	0	0
Fines and forfeits			
Court Fines	927,000	825,000	875,000
Other Fines	2,000	4,400	500
Interest on investments			
Interest	1,833,000	4,865,000	4,129,000
Miscellaneous			
Sale of Assets	9,000	3,069,000	5,000
Other Revenue	852,000	586,788	955,900
Operating Lease	1,278,800	1,125,000	1,200,500
	\$ 111,788,500	\$ 117,583,688	\$ 108,999,100
General Fund Capital			
Development Charges for Service	\$ 0	\$ 0	\$ 0
	\$ 0	\$ 0	\$ 0
Developer Contributions			
Development Charges for Service	\$ 0	\$ 0	\$ 1,094,000
	\$ 0	\$ 0	\$ 1,094,000
Volunteer Firefighter's Pension			
Interest	\$ 4,000	\$ 6,000	\$ 0
	\$ 4,000	\$ 6,000	\$ 0
Total General Fund	\$ 111,792,500	\$ 117,589,688	\$ 110,093,100

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

SPECIAL REVENUE FUNDS

City of Avondale
Revenues Other Than Property Taxes
2025

SOURCE OF REVENUES	ESTIMATED REVENUES 2024	ACTUAL REVENUES* 2024	ESTIMATED REVENUES 2025
Highway User Revenue Fund			
Highway User Revenue Fees	\$ 6,923,000	\$ 6,923,000	\$ 7,061,000
Other Revenue	0	0	0
Recycling Fees	0	3,000	0
Interest	0	0	0
	6,923,000	6,926,000	7,061,000
Senior Nutrition			
Federal Sources	404,900	404,900	413,200
Other Cities & Towns	0	19,200	0
Interest	3,000	3,000	0
Other Revenue	34,300	15,100	37,700
Donations	0		0
	442,200	442,200	450,900
Community Action Program			
Federal Sources	453,800	453,800	300,000
Other Charges for Service	0	0	0
Other Grants	0	25,000	0
Interest	1,000	1,000	1,000
Other Cities and Towns	25,000	0	25,000
	479,800	479,800	326,000
HOME Grant			
Federal Sources	1,212,400	1,212,400	675,000
	1,212,400	1,212,400	675,000
Other Grants			
Other State Sources	766,000	1,137,000	916,000
Other Federal Sources	4,696,000	6,180,900	7,648,000
Other Grants		0	0
Other Grants and Donations	420,500	811,950	441,200
Other Revenue	16,698,300	655,000	15,100,000
	22,580,800	8,784,850	24,105,200
Other Interest Bearing Grants			
Other Revenue	650,000	15,000	602,000
Other Federal Sources	0	21,100	0
	22,580,800	36,100	602,000
Cemetery Maintenance Fund			
Interest	4,000	6,000	8,000
Franchise Fees	0	1,100	0
	4,000	7,100	8,000
Transit Fund			
Other Revenue	0	11,500	0
Other Grants	0	0	0
Other Grants and Donations	800,000	800,000	1,000,000
Interest	0	0	0
Arizona Lottery Fund	225,800	225,800	225,800
	1,025,800	1,037,300	1,225,800
Court Enhancements			
Court Fines	21,000	32,000	32,000
Interest	0	0	0
	21,000	32,000	32,000
Judicial Collection Enhancement			
Court Fines	21,000	7,000	17,000
Other State Sources	0	17,000	0

City of Avondale
Revenues Other Than Property Taxes
2025

SOURCE OF REVENUES	ESTIMATED REVENUES 2024	ACTUAL REVENUES* 2024	ESTIMATED REVENUES 2025
Interest	5,000	0	0
	26,000	24,000	17,000
Fill the Gap			
Court Fines	10,200	8,000	8,000
Interest	2,000	0	0
	12,200	8,000	8,000
Regional Family Advocacy			
Federal Sources	110,900	110,900	0
Other Cities and Towns	1,291,000	200,000	1,445,200
Other Grants	0	1,091,000	0
	1,401,900	1,401,900	1,445,200
0.5% Dedicated Sales Tax			
City Sales Tax	13,624,000	14,048,500	13,465,000
Interest	0	0	0
	13,624,000	14,048,500	13,465,000
Public Safety Dedicated Sales Tax			
City Sales Tax	13,624,000	14,048,500	13,465,000
Interest	0	0	0
	13,624,000	14,048,500	13,465,000
Community Development Block Grant			
Other Federal Sources	3,082,500	3,082,500	1,245,000
	3,082,500	3,082,500	1,245,000
Environmental Programs Fund			
Environmental Fee	300,000	305,000	305,000
Interest	29,000	0	0
	329,000	305,000	305,000
Wildland Fire Deployment			
Other State Sources	250,000	250,000	250,000
	250,000	250,000	250,000
Tow Impound Fund			
Other Fines	49,000	50,000	50,000
	49,000	50,000	50,000
American Rescue Plan Act			
Federal Sources	0	9,647,601	0
	0	9,647,601	0
Employee Assistance			
Interest	0	2,000	0
	0	2,000	0
One AZ Opioid Settlement			
Other State Sources	0	250,000	192,300
Federal Sources	250,000	0	0
Interest	2,000	0	2,000
	252,000	250,000	194,300
Tourism Fund			
Other State Sources	120,000	120,000	120,000
Interest	0	0	0
	120,000	120,000	120,000
Total Special Revenue Funds	\$ 66,109,600	\$ 62,195,751	\$ 65,050,400

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

DEBT SERVICE FUNDS

General Obligation

Interest	\$ 1,000	\$ 4,000	\$ 1,000
----------	----------	----------	----------

City of Avondale
Revenues Other Than Property Taxes
2025

SOURCE OF REVENUES	ESTIMATED REVENUES 2024	ACTUAL REVENUES* 2024	ESTIMATED REVENUES 2025
Other Revenue	0	0	0
	\$ 1,000	\$ 4,000	\$ 1,000
Dysart Road MDC			
Interest	\$ 14,000	\$ 15,000	\$ 21,000
	\$ 14,000	\$ 15,000	\$ 21,000
Total Debt Service Funds	\$ 15,000	\$ 19,000	\$ 22,000
CAPITAL PROJECTS FUNDS			
Landscaping Landfill Remediation			
Other Revenue	70,000	70,000	65,000
Interest	30,000	40,000	70,000
	100,000	110,000	135,000
Streets Development Impact Fee Fund			
Development Impact Fees	1,806,000	1,806,000	1,211,000
Interest	120,000	210,000	214,000
	1,926,000	2,016,000	1,425,000
Police Development Impact Fee Fund			
Development Impact Fees	1,389,000	1,389,000	932,000
Interest	83,000	114,000	253,000
	1,472,000	1,503,000	1,185,000
Fire Development Impact Fee Fund			
Development Impact Fees	2,263,000	2,263,000	1,519,000
Interest	67,000	93,000	276,000
	2,330,000	2,356,000	1,795,000
Parks Development Impact Fee Fund			
Development Impact Fees	1,408,000	1,408,000	1,256,000
Interest	19,000	83,000	62,000
	1,427,000	1,491,000	1,318,000
Vehicle Replacement			
Sale of Assets	62,000	160,000	160,000
Interest	0	0	0
	62,000	\$ 160,000	\$ 160,000
Total Capital Projects Funds	\$ 7,317,000	\$ 7,636,000	\$ 6,018,000

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

Trust and Agency

125 Plan

Interest	2,000	0	0
	2,000	\$ 0	\$ 0

Employee Benefit Trust

Contributions	\$ 9,854,000	9,854,000	\$ 10,852,000
Interest	81,000	118,000	95,000
Other Revenue	300,000	300,000	300,000
	\$ 10,235,000	\$ 10,272,000	\$ 11,247,000

Total Permanent Funds	\$ 10,237,000	\$ 10,272,000	\$ 11,247,000
------------------------------	---------------	---------------	---------------

ENTERPRISE FUNDS

City of Avondale
Revenues Other Than Property Taxes
2025

SOURCE OF REVENUES	ESTIMATED REVENUES 2024	ACTUAL REVENUES* 2024	ESTIMATED REVENUES 2025
Water Fund			
Water Sales	\$ 19,800,000	\$ 19,139,688	\$ 19,468,000
Interest	479,000	1,208,000	118,000
Operating Lease	39,000	39,000	0
Sale of Assets	0	2,500	0
Other Revenue	70,000	15,000	15,000
Other Fines	0	8,000	5,000
	<u>\$ 20,388,000</u>	<u>\$ 20,412,188</u>	<u>\$ 19,606,000</u>
Sewer Operations			
Sewer Fees	\$ 11,106,000	\$ 12,200,000	\$ 13,950,000
Interest	362,000	692,000	533,000
	<u>\$ 11,468,000</u>	<u>\$ 12,892,000</u>	<u>\$ 14,483,000</u>
Solid Waste			
Sanitation Fees	7,098,000	7,540,000	8,304,000
Interest	175,000	204,000	310,000
Other Revenue	8,000	0	0
Licenses	25,000	0	0
Recycling Fees	0	117	0
Other Cities and Towns	0	0	0
	<u>7,306,000</u>	<u>7,744,117</u>	<u>8,614,000</u>
Water Equipment Replacement			
Interest	16,000	0	0
	<u>16,000</u>	<u>0</u>	<u>0</u>
Water Development Impact Fees			
Development Fees	2,559,000	2,559,000	1,717,000
Interest	52,000	290,000	271,000
	<u>2,611,000</u>	<u>2,849,000</u>	<u>1,988,000</u>
Sewer Development Impact Fees			
Development Fees	1,942,000	1,942,000	1,303,000
Interest	485,000	529,000	866,000
	<u>2,427,000</u>	<u>2,471,000</u>	<u>2,169,000</u>
Total Enterprise Funds	<u>\$ 44,216,000</u>	<u>\$ 46,368,305</u>	<u>\$ 46,860,000</u>

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

INTERNAL SERVICE FUNDS

Risk Management

Internal Service Charges	\$ 6,052,000	\$ 6,052,000	\$ 5,325,000
Other Revenue	13,500	44,000	40,500
Interest	118,000	177,000	212,000
	<u>\$ 6,183,500</u>	<u>\$ 6,273,000</u>	<u>\$ 5,577,500</u>

Fleet Services Management

Internal Service Charges	\$ 4,650,000	\$ 4,720,382	\$ 4,650,000
Other Cities and Towns	0	0	15,000
Other Cities and Towns	20,000	20,000	0
	<u>0</u>	<u>0</u>	<u>0</u>
	<u>\$ 4,670,000</u>	<u>\$ 4,740,382</u>	<u>\$ 4,665,000</u>

Worker's Compensation

Internal Service Charges	\$ 780,500	\$ 690,000	\$ 780,500
Interest	33,000	69,000	46,000
	<u>\$ 813,500</u>	<u>\$ 759,000</u>	<u>\$ 826,500</u>

City of Avondale
Revenues Other Than Property Taxes
2025

SOURCE OF REVENUES	ESTIMATED REVENUES 2024	ACTUAL REVENUES* 2024	ESTIMATED REVENUES 2025
Total Internal Service Funds	\$ 11,667,000	\$ 11,772,382	\$ 11,069,000
TOTAL ALL FUNDS	\$ 251,354,100	\$ 255,853,126	\$ 250,359,500

* Includes actual revenues recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated revenues for the remainder of the fiscal year.

City of Avondale
Other Financing Sources/(Uses) and Interfund Transfers
Fiscal Year 2025

FUND	OTHER FINANCING 2025		INTERFUND TRANSFERS 2025	
	SOURCES	(USES)	IN	(OUT)
GENERAL FUND				
Operating Transfers	\$	\$	\$ 1,029,000	\$ (1,126,800)
Capital Transfers			0	(74,898,000)
Interfund Loans	483,000	0		
General Fund Asset Replacement			6,001,000	
General Fund Capital			64,207,000	0
Economic Opportunities - from General Fund			600,000	0
Total General Fund	\$ 483,000	\$ 0	\$ 71,837,000	\$ (76,024,800)
SPECIAL REVENUE FUNDS				
Dedicated Sales Tax - Debt	\$	\$	\$ 0	\$ (2,496,000)
Transit Fund			2,437,000	0
Regional Family Advocacy - Operating Transfers			426,800	0
Public Arts Fund - Operating Transfers			100,000	0
Total Special Revenue Funds	\$ 0	\$ 0	\$ 2,963,800	\$ (2,496,000)
DEBT SERVICE FUNDS				
0.5% Dedicated Sales Tax Debt- Debt Transfer	\$	\$	\$ 0	\$ 0
2019 PRO Debt Service - Debt Transfer			950,000	0
2021 PRO Debt Service			1,494,000	
Total Debt Service Funds	\$ 0	\$ 0	\$ 2,444,000	\$ 0
CAPITAL PROJECTS FUNDS				
Parks Development Impact Fee - Interfund Loan	0	(483,000)		
General Obligation - Bond Proceeds	8,500,000			
Vehicle Replacement - Capital			2,696,000	0
Total Capital Projects Funds	\$ 8,500,000	\$ (483,000)	\$ 2,696,000	\$ 0
ENTERPRISE FUNDS				
Water Fund - Operating Transfers	\$	\$ 0	\$ 0	\$ (598,000)
Sewer Fund - Operating Transfers			0	\$ (431,000)
Sewer Fund - Interfund Loan		0		
Water Fund - Capital Transfers			0	(27,650,000)
Sewer Fund - Capital Transfers			0	(13,778,000)
Water Construction			24,755,000	0
Water Impact Fees	0			(391,000)
Water Equipment Replacement - Capital			2,895,000	0
Sewer Construction			12,022,000	0
Sewer Equipment Replacement - Capital			1,161,000	0
Sewer Bond Construction	0			
Sewer PRO Debt			595,000	
Solid Waste			0	(1,357,000)
Solid Waste Equipment Replacement - Capital			894,000	0
Solid Waste Fund - Capital Transfers			463,000	0
Total Enterprise Funds	\$ 0	\$ 0	\$ 42,785,000	\$ (44,205,000)
TOTAL ALL FUNDS	\$ 8,983,000	\$ (483,000)	\$ 122,725,800	\$ (122,725,800)

City of Avondale
Expenditures/Expenses by Fund
Fiscal Year 2025

FUND/DEPARTMENT	ADOPTED BUDGETED EXPENDITURES/ EXPENSES	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED	ACTUAL EXPENDITURES/ EXPENSES*	BUDGETED EXPENDITURES/ EXPENSES
	2024	2024	2024	2025
GENERAL FUND				
City Administration	\$ 2,220,800	\$ 0	\$ 2,220,800	\$ 2,253,500
City Attorney	2,072,800	0	2,072,800	2,322,300
City Auditor	247,300	0	247,300	369,000
City Clerk	1,059,200	0	1,059,200	1,024,000
City Council	409,600	(20,378)	389,222	402,800
City Court	1,495,800	0	1,495,800	1,598,400
Contingency	23,000,000	0	0	23,000,000
Development Services	3,110,000	(97,500)	3,012,500	3,292,300
Economic Development	1,668,900	0	1,668,900	1,711,600
Engineering Services	3,281,400	0	3,281,400	3,742,300
Facilities	6,022,400	(273,000)	5,749,400	5,720,500
Finance & Budget	6,194,300	0	6,194,300	6,568,900
Fire and Medical	13,049,100	(15,900)	13,033,200	16,250,800
Human Resources	1,943,400	0	1,943,400	2,163,400
Indirect Costs	(4,855,300)	0	(4,855,300)	(5,475,100)
Information Technology	11,269,100	(141,400)	11,127,700	11,017,800
Marketing & Public Relations	1,277,400	0	1,277,400	1,312,500
Neighborhood and Family Services	2,693,200	(16,600)	2,676,600	3,670,900
Non-Departmental	5,710,000	(1,190,900)	4,519,100	5,132,400
Office of Public Safety	3,674,800	(9,200)	3,665,600	3,969,000
Parks & Recreation	9,584,100	290,300	9,874,400	10,758,800
Police	22,538,600	(32,000)	22,506,600	28,482,800
Public Works	516,200	(142,000)	374,200	343,000
Economic Opportunities Fund				
Economic Development	1,600,000	0	1,600,000	600,000
Volunteer Firefighter's Pension				
Non-Departmental	5,000	0	5,000	0
General Fund Capital				
City Administration	0	0	0	75,000
City Court	781,000	(148,598)	632,402	100,000
Engineering Services	5,847,000	(45,836)	5,801,164	7,797,000
Facilities	330,000	0	330,000	334,000
Fire and Medical	136,000	31,089	167,089	15,416,000
Information Technology	351,000	654,802	1,005,802	780,000
Office of Public Safety	8,869,000	(232,706)	8,636,294	1,800,000
Neighborhood and Family Services				150,000
Parks & Recreation	29,132,000	(536,823)	28,595,177	13,137,000
Police	10,065,000	(187,077)	9,877,923	20,556,000
Public Works	761,600	44,998	806,598	4,696,000
Developer Contributions				
Engineering Services	375,000	0	375,000	1,094,000
General Fund Asset Replacement				
Engineering Services	28,000	0	28,000	28,000
Facilities	1,988,000	(172,770)	1,815,230	1,957,000
Fire and Medical	490,000	(3,349)	486,651	586,000
Information Technology	2,020,000	(114,071)	1,905,929	2,970,000
Neighborhood and Family Services	0	0	0	0
Parks & Recreation	451,000	(826)	450,174	770,000
Total General Fund	\$ 181,412,700	\$ (2,359,745)	\$ 156,052,955	\$ 202,477,900
SPECIAL REVENUE FUNDS				
0.5% Dedicated Sales Tax				
Engineering Services	19,391,000	(4,822,250)	14,568,750	13,416,000
Public Works	0	0	0	9,555,000
Public Safety Dedicated Sales Tax				

**City of Avondale
Expenditures/Expenses by Fund
Fiscal Year 2025**

FUND/DEPARTMENT	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2024	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2024	ACTUAL EXPENDITURES/ EXPENSES* 2024	BUDGETED EXPENDITURES/ EXPENSES 2025
City Court	560,100	0	560,100	598,900
Contingency	495,000	0	495,000	495,000
Fire and Medical	3,939,700	(5,280)	3,934,420	8,399,500
Information Technology	198,000	(27,195)	170,805	2,866,000
Office of Public Safety	4,810,700	(1,200)	4,809,500	96,200
Police	14,785,900	(106,940)	14,678,960	15,676,500
Environmental Programs Fund				
Public Works	398,000	(10,000)	388,000	317,200
Public Arts Fund				
Parks & Recreation	0	582,400	582,400	94,900
Marketing & Public Relations	582,400	(582,400)	0	0
Tow Impound Fund				
Police	49,000	0	49,000	50,000
Court Enhancements				
City Court	31,000	0	31,000	31,000
Cemetery Maintenance Fund				
Parks & Recreation	15,700	0	15,700	15,700
Highway User Revenue Fund				
Engineering Services	12,750,200	(527,803)	12,222,397	10,435,300
Information Technology	75,000	0	75,000	150,000
Non-Departmental	214,000	0	214,000	220,000
Public Works	2,228,200	192,000	2,420,200	2,701,000
Transit Fund				
Public Works	2,826,200	0	2,826,200	3,662,700
Court Payments				
Judicial Collection Enhancement				
City Court	67,500	21,000	88,500	67,500
Fill the Gap				
City Court	10,200	0	10,200	10,200
Wildland Fire Deployment Fund				
Fire and Medical	250,000	0	250,000	250,000
Tourism Fund				
Economic Development	120,000	0	120,000	120,000
One AZ Opioid Settlement				
Non-Departmental	250,000	(250,000)	0	0
Office of Public Safety	0	250,000	250,000	669,300
Co. RICO With Mar. Co. Atty				
Police	0	380,200	380,200	0
Senior Nutrition				
Neighborhood and Family Services	439,400	15,400	454,800	450,900
Community Action Program				
Neighborhood and Family Services	479,000	0	479,000	324,700
Home Grants				
Neighborhood and Family Services	1,212,400	0	1,212,400	675,000
Community Development Block Grant				
Information Technology	0	0	0	0
Neighborhood and Family Services	2,932,500	(487,897)	2,444,603	1,244,200
Parks & Recreation	150,000	552,057	702,057	514,000
American Rescue Plan Act				
Economic Development	700,000	0	700,000	0
Engineering Services	613,000	0	613,000	0
Fire and Medical	1,000,000	0	1,000,000	0
Information Technology	745,000	(745,000)	0	0

**City of Avondale
Expenditures/Expenses by Fund
Fiscal Year 2025**

	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2024	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2024	ACTUAL EXPENDITURES/ EXPENSES* 2024	BUDGETED EXPENDITURES/ EXPENSES 2025
FUND/DEPARTMENT				
Neighborhood and Family Services	1,622,300	0	1,622,300	328,100
Parks & Recreation	1,164,000	622,624	1,786,624	2,500,000
Police	4,000,000	0	4,000,000	0
Other Grants				
Engineering Services	3,543,000	(800)	3,542,200	5,513,000
Finance & Budget	0	0	0	0
Fire and Medical	550,000	0	550,000	0
Neighborhood and Family Services	1,190,700	3,096,500	4,287,200	711,200
Non-Departmental	16,698,300	25,272,754	41,971,054	15,000,000
Parks & Recreation	163,000	625,000	788,000	564,000
Police	486,000	892,000	1,378,000	1,717,000
Public Works	600,000	136,800	736,800	600,000
Regional Family Advocacy				
Indirect Costs	0	0	0	129,900
Non-Departmental	136,700	0	136,700	0
Police	1,629,100	37,400	1,666,500	1,744,600
Other Interest Bearing Grants				
Neighborhood and Family Services	0	15,000	15,000	602,000
Police	0	21,100	21,100	0
Total Special Revenue Funds	\$ 104,102,200	\$ 25,145,470	\$ 129,247,670	\$ 102,516,500
DEBT SERVICE FUNDS				
General Obligation				
Non-Departmental	\$ 4,904,000	\$ 0	4,904,000	\$ 5,424,000
0.5% Dedicated Sales Tax Debt Service				
Non-Departmental	895,000	0	895,000	0
2019 PRO Debt Service				
Non-Departmental	948,000	0	948,000	950,000
2021 PRO Debt Service				
Non-Departmental	1,495,000	0	1,495,000	1,494,000
Dysart Road				
Non-Departmental	53,000	0	53,000	0
Total Debt Service Funds	\$ 8,295,000	\$ 0	8,295,000	\$ 7,868,000
CAPITAL PROJECTS FUNDS				
Streets Development Impact Fee				
Engineering Services	6,535,000	(929,642)	5,605,358	943,000
Fire Development Impact Fee				
Fire and Medical	94,000	(815)	93,185	86,000
Office of Public Safety	0	0	0	1,430,000
Parks Development Impact Fee				
Parks & Recreation	1,892,000	0	1,892,000	1,892,000
General Obligation Bond Construction 2021				
Police	8,355,000	0	8,355,000	2,616,000
General Obligation Bond Construction 2024				
Public Works	0	0	0	8,500,000
PRO Bond Construction 2019				
Engineering Services	2,625,000	(382,872)	2,242,128	0
2021 PRO Bond Construction				
Parks & Recreation	8,946,000	(6,236,483)	2,709,517	0
Vehicle Replacement				
Fire and Medical	331,000	(34,200)	296,800	2,929,000
Public Works	1,198,000	(238,973)	959,027	2,977,000

**City of Avondale
Expenditures/Expenses by Fund
Fiscal Year 2025**

FUND/DEPARTMENT	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2024	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2024	ACTUAL EXPENDITURES/ EXPENSES* 2024	BUDGETED EXPENDITURES/ EXPENSES 2025
Equipment Replacement				
Information Technology	251,000	(25,588)	225,412	0
Parks & Recreation	0	0	0	0
Total Capital Projects Funds	\$ 30,227,000	\$ (7,848,573)	\$ 22,378,427	\$ 21,373,000
ENTERPRISE FUNDS				
Water Operations				
Information Technology	\$ 180,600	\$ 0	180,600	\$ 85,200
Non-Departmental	231,000	0	231,000	181,000
Public Works	13,812,000	0	13,812,000	15,271,900
Indirect Costs	1,545,800	0	1,545,800	2,231,000
Contingency	1,000,000	(900,000)	0	1,000,000
Water Capital				
Engineering Services	7,230,000	(59,311)	7,170,689	8,669,000
Public Works	28,514,000	(2,063,251)	26,450,749	16,086,000
Water Asset Replacement				
Information Technology	957,000	(21,145)	935,855	1,075,000
Public Works	1,135,000	(219,276)	915,724	1,820,000
Water Development Impact Fee				
Public Works	13,079,000	(7,200,130)	5,878,870	5,680,000
Sewer Operations				
Information Technology	126,800	0	126,800	85,200
Non-Departmental	101,000	0	101,000	88,000
Public Works	6,749,300	0	6,749,300	7,348,500
Indirect Costs	1,753,100	0	1,753,100	1,674,500
Contingency	1,000,000	0	0	1,000,000
Sewer Capital				
Engineering Services	200,000	0	200,000	150,000
Public Works	19,738,000	(4,393,452)	15,344,548	12,112,000
Sewer Asset Replacement				
Information Technology	572,000	(29,874)	542,126	680,000
Public Works	877,000	0	877,000	481,000
Sewer Asset Replacement				
Finance & Budget	0	0	0	50,000
Sewer Bond Construction				
Public Works	8,500,000	0	0	0
Sewer PRO Debt Service				
Non-Departmental	626,000	0	626,000	595,000
Solid Waste Operations				
Information Technology	86,800	0	86,800	86,800
Non-Departmental	245,000	0	245,000	172,000
Public Works	6,146,300	0	6,146,300	6,318,700
Indirect Costs	1,038,300	0	1,038,300	1,040,000
Contingency	500,000	0	500,000	500,000
Solid Waste Capital				
Public Works	1,167,000	(44,976)	1,122,024	463,000
Solid Waste Asset Replacement				
Information Technology	0	0	0	0
Public Works	734,000	(537)	733,463	286,000
Total Enterprise Funds	\$ 117,845,000	\$ (14,931,952)	\$ 93,313,048	\$ 85,229,800
INTERNAL SERVICE FUNDS				
Risk Management Fund				
Human Resources	4,252,100	(5,200)	4,246,900	4,580,000
Information Technology	69,100	0	69,100	55,000
Indirect Costs	88,400	0	88,400	140,000

**City of Avondale
Expenditures/Expenses by Fund
Fiscal Year 2025**

FUND/DEPARTMENT	ADOPTED BUDGETED EXPENDITURES/ EXPENSES 2024	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED 2024	ACTUAL EXPENDITURES/ EXPENSES* 2024	BUDGETED EXPENDITURES/ EXPENSES 2025
Contingency	0	0	0	0
Fleet Services Fund				
Information Technology	0	0	0	0
Non-Departmental	0	0	0	0
Public Works	4,160,400	0	4,160,400	4,167,300
Indirect Costs	293,000	0	293,000	260,600
Contingency	0	0	0	0
Workers' Compensation Fund				
Human Resources	2,101,200	0	2,101,200	1,096,200
Non-Departmental	0	0	0	0
Contingency	0	0	0	0
Total Internal Service Funds	\$ 10,964,200	\$ (5,200)	\$ 10,959,000	\$ 10,299,100
TRUST AND AGENCY FUND				
Employee Benefit Trust				
Indirect Costs	0	0	0	(900)
Human Resources	\$ 12,050,500	\$ 0	5,774,149	\$ 13,457,600
Total Trust and Agency Funds	\$ 12,050,500	\$ 0	\$ 5,774,149	\$ 13,456,700
TOTAL ALL FUNDS	\$ 464,896,600	\$ 0	\$ 426,020,249	\$ 443,221,000

* Includes actual expenditures/expenses recognized on the modified accrual or accrual basis as of the date the proposed budget was prepared, plus estimated expenditures/expenses for the remainder of the fiscal year.

City of Avondale
Expenditures/Expenses by Department
Fiscal Year 2025

	ADOPTED BUDGETED EXPENDITURES/ EXPENSES	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED	ACTUAL EXPENDITURES/ EXPENSES*	BUDGETED EXPENDITURES/ EXPENSES
DEPARTMENT/FUND	2024	2024	2024	2025
City Administration				
General Fund	\$ 2,220,800	\$ 0	\$ 2,220,800	\$ 2,253,500
General Fund Capital	0	0	0	75,000
Department Total	\$ 2,220,800	\$ 0	\$ 2,220,800	\$ 2,328,500
List Department:				
City Attorney				
General Fund	\$ 2,072,800	\$ 0	\$ 2,072,800	\$ 2,322,300
Department Total	\$ 2,072,800	\$ 0	\$ 2,072,800	\$ 2,322,300
List Department:				
City Auditor				
General Fund	\$ 247,300	\$ 0	\$ 247,300	\$ 369,000
Department Total	\$ 247,300	\$ 0	\$ 247,300	\$ 369,000
List Department:				
City Clerk				
General Fund	\$ 1,059,200	\$ 0	\$ 1,059,200	\$ 1,024,000
Department Total	\$ 1,059,200	\$ 0	\$ 1,059,200	\$ 1,024,000
List Department:				
City Council				
General Fund	\$ 409,600	\$ (20,378)	\$ 389,222	\$ 402,800
Department Total	\$ 409,600	\$ (20,378)	\$ 389,222	\$ 402,800
List Department:				
City Court				
General Fund	\$ 1,495,800	\$ 0	\$ 1,495,800	\$ 1,598,400
General Fund Capital	781,000	(148,598)	632,402	100,000
Court Enhancement	31,000	0	31,000	31,000
Judicial Collection Enhancement	67,500	21,000	88,500	67,500
Fill the Gap	10,200	0	10,200	10,200
Public Safety Dedicated Sales Tax	560,100	0	560,100	598,900
Department Total	\$ 2,945,600	\$ (127,598)	\$ 2,818,002	\$ 2,406,000
List Department:				
Development Services				
General Fund	\$ 3,110,000	\$ (97,500)	\$ 3,012,500	\$ 3,292,300
Department Total	\$ 3,110,000	\$ (97,500)	\$ 3,012,500	\$ 3,292,300
List Department:				
Economic Development				
General Fund	\$ 1,668,900	\$ 0	\$ 1,668,900	\$ 1,711,600
Economic Opportunities Fund	1,600,000	0	1,600,000	600,000
American Rescue Plan Act	700,000	0	700,000	0
Tourism Fund	120,000	0	120,000	120,000
Department Total	\$ 4,088,900	\$ 0	\$ 4,088,900	\$ 2,431,600
List Department:				
Engineering Services				
General Fund	3,281,400	0	3,281,400	3,742,300
General Fund Capital	5,847,000	(45,836)	5,801,164	7,797,000
Developer Contributions	375,000	0	375,000	1,094,000
General Fund Asset Replacement	28,000	0	28,000	28,000
0.5% Dedicated Sales Tax	19,391,000	(4,822,250)	14,568,750	13,416,000
Highway User Revenue Fund	12,750,200	(527,803)	12,222,397	10,435,300
American Rescue Plan Act	613,000	0	613,000	0
Other Grants	3,543,000	(800)	3,542,200	5,513,000
Streets Development Impact Fee	6,535,000	(929,642)	5,605,358	943,000
PRO Bond Construction 2019	2,625,000	(382,872)	2,242,128	0
Water Capital	7,230,000	(59,311)	7,170,689	8,669,000
Sewer Capital	200,000	0	200,000	150,000
Department Total	\$ 62,418,600	\$ (6,768,514)	\$ 55,650,086	\$ 51,787,600

City of Avondale
Expenditures/Expenses by Department
Fiscal Year 2025

	ADOPTED BUDGETED EXPENDITURES/ EXPENSES	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED	ACTUAL EXPENDITURES/ EXPENSES*	BUDGETED EXPENDITURES/ EXPENSES
DEPARTMENT/FUND	2024	2024	2024	2025
List Department:				
Facilities				
General Fund	\$ 6,022,400	\$ (273,000)	\$ 5,749,400	\$ 5,720,500
General Fund Capital	330,000	0	330,000	334,000
General Fund Asset Replacement	1,988,000	(172,770)	1,815,230	1,957,000
Department Total	\$ 8,340,400	\$ (445,770)	\$ 7,894,630	\$ 8,011,500
List Department:				
Finance & Budget				
General Fund	\$ 6,194,300	\$ 0	\$ 6,194,300	\$ 6,568,900
Sewer Asset Replacement	0	0	0	50,000
Department Total	\$ 6,194,300	\$ 0	\$ 6,194,300	\$ 6,618,900
List Department:				
Fire and Medical				
General Fund	\$ 13,049,100	\$ (15,900)	\$ 13,033,200	\$ 16,250,800
General Fund Capital	8,605,000	31,089	167,089	15,416,000
General Fund Asset Replacement	490,000	(3,349)	486,651	586,000
American Rescue Plan Act	1,000,000	0	1,000,000	0
Other Grants	550,000	0	550,000	0
Public Safety Dedicated Sales Tax	8,659,700	(5,280)	3,934,420	8,399,500
Wildland Fire Deployment Fund	250,000	0	250,000	250,000
Fire Construction	0	0	0	0
Fire Development Impact Fee	94,000	(815)	93,185	86,000
Vehicle Replacement	331,000	(34,200)	296,800	2,929,000
Department Total	\$ 33,028,800	\$ (28,455)	\$ 19,811,345	\$ 43,917,300
List Department:				
Human Resources				
General Fund	\$ 1,943,400	\$ 0	\$ 1,943,400	\$ 2,163,400
Employee Benefit Trust	12,050,500	0	5,774,149	13,457,600
Risk Management Fund	4,252,100	(5,200)	4,246,900	4,580,000
Workers' Compensation Fund	2,101,200	0	2,101,200	1,096,200
Department Total	\$ 20,347,200	\$ (5,200)	\$ 14,065,649	\$ 21,297,200
List Department				
Indirect Costs				
General Fund	(4,855,300)	0	(4,855,300)	(5,475,100)
Regional Family Advocacy	136,700	0	0	129,900
Water Operations	1,545,800	0	1,545,800	2,231,000
Sewer Operations	1,753,100	0	1,753,100	1,674,500
Solid Waste Operations	1,038,300	0	1,038,300	1,040,000
Risk Management Fund	88,400	0	88,400	140,000
Employee Benefits	0	0	0	(900)
Fleet Services Fund	293,000	0	293,000	260,600
Department Total	0	0	(136,700)	0
List Department:				
Information Technology				
General Fund	\$ 11,269,100	\$ (141,400)	\$ 11,127,700	\$ 11,017,800
General Fund Capital	351,000	654,802	1,005,802	780,000
General Fund Asset Replacement	2,020,000	(114,071)	1,905,929	2,970,000
Highway User Revenue Fund	75,000	0	75,000	150,000
Public Safety Dedicated Sales Tax	198,000	(27,195)	170,805	2,866,000
Community Development Block Grant	0	0	0	0
American Rescue Plan Act	745,000	(745,000)	0	0
Equipment Replacement	251,000	(25,588)	225,412	0
Water Operations	180,600	0	180,600	85,200
Sewer Operations	126,800	0	126,800	85,200
Solid Waste Operations	86,800	0	86,800	86,800
Water Equipment Replacement	957,000	(21,145)	935,855	1,075,000
Sewer Equipment Replacement	572,000	(29,874)	542,126	680,000
Solid Waste Equipment Replacement	0	0	0	0
Fleet Services Fund	0	0	0	0

City of Avondale
Expenditures/Expenses by Department
Fiscal Year 2025

	ADOPTED BUDGETED EXPENDITURES/ EXPENSES	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED	ACTUAL EXPENDITURES/ EXPENSES*	BUDGETED EXPENDITURES/ EXPENSES
DEPARTMENT/FUND	2024	2024	2024	2025
Risk Management Fund	69,100	0	69,100	55,000
Department Total	\$ 16,901,400	\$ (449,471)	\$ 16,451,929	\$ 19,851,000
List Department:				
Marketing & Public Relations				
General Fund	\$ 1,277,400	\$ 0	\$ 1,277,400	\$ 1,312,500
Public Arts Fund	582,400	(582,400)	0	0
Department Total	\$ 1,859,800	\$ (582,400)	\$ 1,277,400	\$ 1,312,500
List Department:				
Neighborhood and Family Services				
General Fund	\$ 2,693,200	\$ (16,600)	\$ 2,676,600	\$ 3,670,900
General Fund Capital	0	0	0	150,000
General Fund Asset Replacement	0	0	0	0
Senior Nutrition	439,400	15,400	454,800	450,900
American Rescue Plan Act	1,622,300	0	1,622,300	328,100
Community Action Program	479,000	0	479,000	324,700
Home Grants	1,212,400	0	1,212,400	675,000
Other Grants	540,700	3,096,500	4,287,200	711,200
Community Development Block Grant	2,359,500	(487,897)	2,444,603	1,244,200
Other Interest Bearing Grants	650,000	15,000	15,000	602,000
Park Construction	0	0	0	0
Department Total	\$ 9,996,500	\$ 2,622,403	\$ 13,191,903	\$ 8,157,000
List Department:				
Non-Departmental				
General Fund	\$ 5,710,000	\$ (1,190,900)	\$ 4,519,100	\$ 5,132,400
Volunteer Firefighter's Pension	5,000	0	5,000	0
Highway User Revenue Fund	214,000	0	214,000	220,000
One AZ Opioid Settlement	250,000	(250,000)	0	0
Other Grants	16,698,300	25,272,754	41,971,054	15,000,000
Cemetery Maintenance Fund	0	0	0	0
Regional Family Advocacy	0	0	136,700	0
General Obligation	4,904,000	0	4,904,000	5,424,000
Dysart Road	53,000	0	53,000	0
0.5% Dedicated Sales Tax Debt Service	895,000	0	895,000	0
PRO Debt Service	948,000	0	948,000	950,000
2021 PRO Debt Service	1,495,000	0	1,495,000	1,494,000
Streets Construction	0	0	0	0
Water Operations	231,000	0	231,000	181,000
Sewer Operations	101,000	0	101,000	88,000
Solid Waste Operations	245,000	0	245,000	172,000
Sewer PRO Debt Service	626,000	0	626,000	595,000
Fleet Services Fund	0	0	0	0
Workers' Compensation Fund	0	0	0	0
Department Total	\$ 32,375,300	\$ 23,831,854	\$ 56,343,854	\$ 29,256,400
List Department:				
Office of Public Safety				
General Fund	\$ 3,674,800	\$ (9,200)	\$ 3,665,600	\$ 3,969,000
General Fund Capital	400,000	(232,706)	8,636,294	1,800,000
Public Safety Dedicated Sales Tax	90,700	(1,200)	4,809,500	96,200
Fire Development Impact Fee	0	0	0	1,430,000
One AZ Opioid Settlement	0	250,000	250,000	669,300
Department Total	\$ 4,165,500	\$ 6,894	\$ 17,361,394	\$ 7,964,500
List Department:				
Parks & Recreation				
General Fund	\$ 9,584,100	\$ 290,300	\$ 9,874,400	\$ 10,758,800
General Fund Construction	29,132,000	(536,823)	28,595,177	13,137,000
General Fund Asset Replacement	451,000	(826)	450,174	770,000
Cemetery Maintenance Fund	15,700	0	15,700	15,700
American Rescue Plan Act	1,164,000	622,624	1,786,624	2,500,000

City of Avondale
Expenditures/Expenses by Department
Fiscal Year 2025

	ADOPTED BUDGETED EXPENDITURES/ EXPENSES	EXPENDITURE/ EXPENSE ADJUSTMENTS APPROVED	ACTUAL EXPENDITURES/ EXPENSES*	BUDGETED EXPENDITURES/ EXPENSES
DEPARTMENT/FUND	2024	2024	2024	2025
Community Development Block Grant	723,000	552,057	702,057	514,000
Public Arts	0	582,400	582,400	94,900
Other Grants	163,000	625,000	788,000	564,000
2021 PRO Bond Construction	8,946,000	(6,236,483)	2,709,517	0
Park Construction	0	0	0	0
Streets Construction	0	0	0	0
Parks Development Impact Fee	1,892,000	0	1,892,000	1,892,000
Department Total	\$ 52,070,800	\$ (4,101,751)	\$ 47,396,049	\$ 30,246,400

List Department:

Police

General Fund	\$ 22,538,600	\$ (32,000)	\$ 22,506,600	\$ 28,482,800
General Fund Construction	10,065,000	(187,077)	9,877,923	20,556,000
American Rescue Plan Act	4,000,000	0	4,000,000	0
Regional Family Advocacy	1,629,100	37,400	1,666,500	1,744,600
Public Safety Dedicated Sales Tax	14,785,900	(106,940)	14,678,960	15,676,500
Police Construction	0	0	0	0
Other Grants	486,000	892,000	1,378,000	1,717,000
Tow Impound Fund	49,000	0	49,000	50,000
General Obligation Bond Construction 2021	8,355,000	0	8,355,000	2,616,000
Other Interest Bearing Grants	0	21,100	21,100	0
Co. RICO With Mar. Co. Atty	0	380,200	380,200	0
Department Total	\$ 61,908,600	\$ 1,004,683	\$ 62,913,283	\$ 70,842,900

List Department:

Public Works

General Fund	\$ 516,200	\$ (142,000)	\$ 374,200	\$ 343,000
General Fund Capital	761,600	44,998	806,598	4,696,000
Environmental Programs	398,000	(10,000)	388,000	317,200
0.5% Dedicated Sales Tax	0	0	0	9,555,000
Highway User Revenue Fund	2,228,200	192,000	2,420,200	2,701,000
Transit Fund	2,826,200	0	2,826,200	3,662,700
Other Grants	600,000	136,800	736,800	600,000
General Obligation Bond Construction 2024	0	0	0	8,500,000
Vehicle Replacement	1,198,000	(238,973)	959,027	2,977,000
Water Operations	13,812,000	0	13,812,000	15,271,900
Water Capital	28,514,000	(2,063,251)	26,450,749	16,086,000
Water Asset Replacement	1,135,000	(219,276)	915,724	1,820,000
Water Development Impact Fee	13,079,000	(7,200,130)	5,878,870	5,680,000
Sewer Operations	6,749,300	0	6,749,300	7,348,500
Sewer Capital	19,738,000	(4,393,452)	15,344,548	12,112,000
Sewer Asset Replacement	877,000	0	877,000	481,000
Sewer Bond Construction	8,500,000	0	0	0
Solid Waste Operations	6,146,300	0	6,146,300	6,318,700
Solid Waste Capital	1,167,000	(44,976)	1,122,024	463,000
Solid Waste Asset Replacement	734,000	(537)	733,463	286,000
Fleet Services Fund	4,160,400	0	4,160,400	4,167,300
Department Total	\$ 113,140,200	\$ (13,938,797)	\$ 90,701,403	\$ 103,386,300

List Department:

Contingency

General Fund	\$ 23,000,000	\$ 0	\$ 0	\$ 23,000,000
Public Safety Dedicated Sales Tax	495,000	0	495,000	495,000
Water Operations	1,000,000	(900,000)	0	1,000,000
Sewer Operations	1,000,000	0	0	1,000,000
Solid Waste Operations	500,000	0	500,000	500,000
Department Total	\$ 25,995,000	\$ (900,000)	\$ 995,000	\$ 25,995,000

TOTAL ALL DEPARTMENTS

	\$ 464,896,600	\$ 0	\$ 426,020,249	\$ 443,221,000
--	----------------	------	----------------	----------------

includes actual expenditures/expenses

* recognized on the modified accrual or

City of Avondale
Full-Time Employees and Personnel Compensation
Fiscal Year 2025

	Full-Time Equivalent (FTE)	Employee Salaries and Hourly Costs	Retirement Costs	Healthcare Costs	Other Benefit Costs	Total Estimated Personnel Compensation
FUND	2025	2025	2025	2025	2025	2025
GENERAL FUND	543.87	\$ 55,096,300	\$ 13,706,500	\$ 6,908,000	\$ 1,951,000	\$ 77,661,800
SPECIAL REVENUE FUNDS						
Highway User Revenue Fund	25.59	\$ 2,236,200	\$ 424,800	\$ 358,200	\$ 76,800	\$ 3,096,000
Senior Nutrition	6.47	324,100	54,200	47,900	9,400	435,600
Community Action Program	1.29	91,600	18,600	25,800	2,800	138,800
Other Grants	5.71	1,019,500	74,100	81,200	3,100	1,177,900
American Rescue Plan Act	0.00	128,100	0	0	0	128,100
Regional Family Advocacy	7.00	630,900	126,500	86,800	9,700	853,900
Public Safety Dedicated Sales Tax	92.00	9,114,300	3,017,000	1,320,700	560,500	14,012,500
Community Development Block Grant	1.91	251,000	32,500	23,600	1,900	309,000
Environmental Programs Fund	1.45	117,600	23,400	8,800	2,700	152,500
Wildland Fire Deployment	0.00	217,500	0	0	0	217,500
Transit Fund	1.50	198,400	39,200	23,900	2,000	263,500
Tow Impound Fund	0.41	35,600	7,300	2,800	2,000	47,700
Total Special Revenue Funds	143.33	\$ 14,364,800	\$ 3,817,600	\$ 1,979,700	\$ 670,900	\$ 20,833,000
ENTERPRISE FUNDS						
Water Operations	41.20	\$ 3,506,000	\$ 687,600	\$ 558,500	\$ 98,200	\$ 4,850,300
Sewer Operations	25.70	2,222,100	436,000	409,300	62,100	3,129,500
Sanitation	27.50	2,098,700	408,000	414,200	81,900	3,002,800
Total Enterprise Funds	94.40	\$ 7,826,800	\$ 1,531,600	\$ 1,382,000	\$ 242,200	\$ 10,982,600
INTERNAL SERVICE FUND						
Fleet Services Fund	10.35	\$ 918,000	\$ 182,700	\$ 151,400	\$ 19,800	\$ 1,271,900
Worker's Compensation Fund	1.20	117,200	23,200	23,000	700	164,100
Employee Benefit Trust	2.00	160,500	32,500	27,400	3,200	223,600
Risk Management Fund	0.80	103,300	20,400	15,500	700	139,900
Total Internal Service Fund	14.35	\$ 1,299,000	\$ 258,800	\$ 217,300	\$ 24,400	\$ 1,799,500
TOTAL ALL FUNDS	795.95	\$ 78,586,900	\$ 19,314,500	\$ 10,487,000	\$ 2,888,500	\$ 111,276,900

ITEM NUMBER: 5.e.

SUBJECT: Avondale's Public Transit Program Update

MEETING DATE: 5/6/2024

TO: Mayor and Council

FROM: Kirk Beaty, Public Works 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:

- Innovative Program and Service Delivery - Avondale will continue to serve as a model of innovative, efficient, and responsive government. Meeting the demands of the City of Avondale's transit customers requires innovative solutions and partnerships. Combining new transit options like microtransit with traditional fixed route buses can provide the City with a cost-effective and efficient transit program that better meets the demands of the customers.

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. A successful public transit program will provide mobility options for city residents that allow them to connect to city services and private businesses. A successful public transit program that can facilitate the transportation of workers and customers to business locations will aid to attract future businesses which are considering locating in Avondale.

PURPOSE:

City Council will receive an update from the Public Works Department on the current status and recent developments within Avondale's Public Transit Program, including upcoming projects and initiatives. This item is for discussion only.

BACKGROUND:

On November 1st, 2021 and February 22, 2022, Public Works staff presented a proposed future for Avondale's Public Transit Program to Mayor and Council. During these meeting sessions, city leadership provided feedback and had questions about the proposed changes, including the results of a regional study that recommended implementing a microtransit program in Avondale north of Interstate 10 to replace an under

performing segment of the Zoom neighborhood service. This led to the introduction of the WeRIDE microtransit program and reconfiguration of the Zoom neighborhood circulator in October 2022. By March 2023, staff reported on the successful implementation of WeRIDE and the continued challenges with the Zoom service, prompting discontinuation of Zoom and expansion of WeRIDE to serve Avondale south of Interstate 10 down to Lower Buckeye Road in October 2023.

DISCUSSION:

With the expansion of WeRIDE Microtransit into South Avondale, WeRIDE continues to see higher than expected ridership numbers and a greater adoption rate by residents compared to bus service.

Since the launch of WeRIDE in late October 2022, the service has provided a total of over 52,500 passenger trips in Avondale. Of this total, residents in South Avondale have accounted for more than 37,000 trips since the expansion of WeRIDE to that area. This expansion coincided with the retirement of the Zoom neighborhood circulator, which had been providing around 3,500 trips per month in its final month of operation (October 2023). In its first month of service (November 2023), WeRIDE achieved over 5,800 trips per month, which represents approximately 60% more passenger trips than the previous Zoom service.

WeRIDE's performance metrics have been consistently strong, with on-time performance hovering around 95% and passenger ride ratings exceeding 4.9 out of 5. The program is operating efficiently, with over 63% of trips being shared rides. On average, WeRIDE provides 315 passenger trips per day and serves 22.2 square miles of the city, with access to over 560 virtual stops across all neighborhoods north of Lower Buckeye Road. The program cost per rider trip for WeRIDE is in the high \$20 to low \$30 range, a significant improvement over the Zoom circulator's cost of around \$55 per rider trip for service only in the immediate vicinity of the Zoom circulator's fixed route.

Upcoming WeRIDE FY25 expansion and Summer 2024 promotional programs will help residents with mobility concerns affordably access the city.

One of the key advantages of WeRIDE is the ability to quickly receive and respond to resident feedback. Through customer comments collected via the app and city surveys, the community has expressed a desire for expanded weekday morning and evening service hours, as well as the introduction of Saturday service. In response, the FY25 budget requests include plans to extend WeRIDE's weekday operations from 6:00 AM to 8:00 PM, aligning with the service hours offered by the neighboring Goodyear WeRIDE program. Additionally, Saturday service will be introduced starting in November, providing residents more flexibility to utilize the microtransit system for weekend errands, dining, and entertainment throughout the city.

To further enhance the WeRIDE experience, the city is planning several promotional initiatives for the summer of 2024, which will be implemented across all three WeRIDE service areas (Avondale, Goodyear, and Surprise). This includes offering half-price fares on Mondays and Fridays from Memorial Day to early August, as well as the development of free trips to school locations providing free summer meal programs. These promotional efforts aim to encourage greater microtransit ridership and support the community's transportation needs during the summer months.

A new transit center has recently been completed at The BLVD, providing a hub for residents to access regional express bus services to downtown Phoenix.

The new Avondale Transit Center is the result of a collaborative effort between Valley Metro and the City of Avondale utilizing local, regional, and federal funds. The facility is located on the east side of The BLVD parking garage on Park Avenue. Construction commenced in late March 2024 and will be completed in May 2024. This new transit center is part of the city's broader commitment to developing a modern, efficient public transportation hub that offers multimodal options for residents. The center connects various modes, including Valley Metro Express Route 563 and a virtual stop for the WeRIDE microtransit service. Key elements of the project include the construction of a custom transit shelter, two bus pullout areas, and a dedicated walkway connecting the parking garage to the transit center's bus pickup location along Park Avenue. Staff is currently working with the Parks and Recreation Department to utilize existing art funds dedicated to the project to further enhance the transit center.

The Valley Metro transit shelter replacement program is scheduled to begin in fiscal year 2025, which will replace all outdated advertisement-equipped transit shelters throughout the city.

Beginning in fiscal year 2025, the city will initiate a program to replace aging transit advertising shelters across Avondale, including those located along the active Valley Metro bus routes on McDowell Road and Van Buren Street. These shelter replacements will provide a much-needed aesthetic upgrade, modernizing the city's public transit infrastructure to better reflect Avondale's current identity. The city has secured \$500,000 in regional Proposition 400 public transportation funds to facilitate this shelter replacement project. Staff have prioritized 15 key locations along these bus routes to receive the new shelters. Concurrent with the shelter upgrades, the city will also commence the process of selecting a new advertising vendor, as the existing contract is set to expire at the end of fiscal year 2025.

BUDGET IMPACT:

No budget impacts as a result of this discussion.

RECOMMENDATION:

This item is for information and discussion only.

Contact person for document distribution: Harold Siguenza, Matt Dudley