



City of Avondale

City Council Meeting

Monday, August 19, 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

Tracy Stevens, Assistant City Manager | Katie Gregory, 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, August 19, 2024

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

Request to Speak: Anyone wishing to address the Council regarding items listed on the agenda or under unscheduled public appearance should submit a Request to Speak online at <http://www.avondaleaz.gov/requesttospeak> prior to consideration of that agenda item.

REGULAR MEETING

5:30 PM

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

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

1. ROLL CALL BY THE CITY CLERK

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

3. 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 July 1, 2024 and July 8, 2024 City Council meeting minutes. The Council will take appropriate action.

b. CITY COUNCIL MEETING SCHEDULE FOR 2025

City Council will consider a request to approve the 2025 City Council Meeting Schedule and authorize the City Clerk to execute the necessary documents. The Council will take appropriate action.

c. FISCAL YEAR 2024 END OF YEAR BUDGET TRANSFER AND FISCAL YEAR 2025 PUBLIC ART BUDGET TRANSFER

City Council will consider a request to: a) approve budget transfers as summarized in the attached Exhibit A; b) facilitate items by increasing the award authority for these items; and c) authorize Finance and Budget Department staff to take the steps necessary to execute the transfers. The Council will take appropriate action.

d. RESOLUTION 1080-0824 - CANVASS OF VOTES FOR THE JULY 30, 2024 PRIMARY ELECTION

City Council will consider a request to adopt Resolution 1080-0824, canvassing the results of the July 30, 2024 Primary Election and authorize the City Clerk to issue Certificates of Election. The Council will take appropriate action.

- e. **RESOLUTION 1081-0824 – APPROVAL OF THE INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA GAME AND FISH COMMISSION FOR THE COMMUNITY FISHING PROGRAM**
City Council will consider a request to adopt Resolution 1081-0824, authorizing a new Intergovernmental Agreement with the Arizona Game & Fish Commission to extend the Community Fishing Program for a five-year period, and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.
- f. **RESOLUTION 1082-0824 - AUTHORIZING GRANT ACCEPTANCE FROM THE ARIZONA STATE PARKS BOARD FOR THE OFF-HIGHWAY VEHICLE EDUCATION AND ENFORCEMENT GRANT**
City Council will consider a request to: a) adopt Resolution 1082-0824, approving the acceptance of the Off-Highway Vehicle Education and Enforcement Grant through the Arizona State Parks Board; b) authorize the necessary budget transfers associated with this grant; and c) authorize the Mayor or City Manager, City Attorney, and City Clerk to execute the necessary documents. The Council will take appropriate action.
- g. **RESOLUTION 1083-0824 - AUTHORIZING GRANT ACCEPTANCE FROM MARICOPA ASSOCIATION OF GOVERNMENTS (MAG) FOR ELECTRIC VEHICLE CHARGING INFRASTRUCTURE PROGRAM (SITING PLANS)**
City Council will consider a request to: a) adopt Resolution 1083-0824, accepting grant funding from Maricopa Association of Governments (MAG) for Electric Vehicle Charging Infrastructure Program (Siting Plans) in the amount of \$100,000; b) authorize and direct staff to take all steps necessary to cause the execution of the Agreement and to carry out the purpose and intent of this Resolution; and c) authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.
- h. **ORDINANCE 2018-0824 – ABANDONMENT OF A TEMPORARY WATERLINE EASEMENT AT FULTON HOMES ACCLAIM**
City Council will consider a request to adopt Ordinance 2018-0824, authorizing the abandonment of a temporary waterline easement located generally 2,600 feet north of Thomas Road and west of 99th Avenue and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.
- i. **ORDINANCE 2019-0824 – ACCEPTANCE OF DEDICATION OF A PUBLIC WATERLINE EASEMENT FROM 117 LAND LLC, RELATED TO THE DISTRICT AT CRYSTAL SPRINGS DEVELOPMENT**
City Council will consider a request to adopt Ordinance 2019-0824, authorizing the acceptance of dedication of a public waterline easement from 117 Land LLC, for Lot 1 as it relates to The District at Crystal Springs development and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.
- j. **ORDINANCE 2020-0824 – ACCEPTANCE OF DEDICATION OF A PUBLIC WATERLINE EASEMENT FROM STOTZ FARMS, INC., RELATED TO THE DISTRICT AT CRYSTAL SPRINGS DEVELOPMENT**
City Council will consider a request to adopt Ordinance 2020-0824, authorizing the acceptance of dedication of a public waterline easement from Stotz Farms, Inc., for Lot 2 as it relates to The District at Crystal Springs development and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.
- k. **ORDINANCE 2021-0824 – ACCEPTANCE OF DEDICATION OF A PUBLIC WATERLINE EASEMENT FROM STOTZ FARMS, INC., RELATED TO THE DISTRICT AT CRYSTAL SPRINGS DEVELOPMENT**
City Council will consider a request to adopt Ordinance 2021-0824, authorizing the acceptance of dedication of a public waterline easement from Stotz Farms, Inc., for Lot 3 as it relates to The District at Crystal Springs development and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

I. ORDINANCE 2022-0824 – ACCEPTANCE OF DEDICATION OF A PUBLIC WATERLINE EASEMENT FROM ENCOMPASS HEALTH ARIZONA REAL ESTATE, LLC, RELATED TO THE DISTRICT AT CRYSTAL SPRINGS DEVELOPMENT

City Council will consider a request to adopt Ordinance 2022-0824, authorizing the acceptance of dedication of a public waterline easement from Encompass Health Arizona Real Estate, LLC, for Lot 4 as it relates to The District at Crystal Springs development and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

m. ORDINANCE 2023-0824 – ACCEPTANCE OF DEDICATION OF A PUBLIC WATERLINE EASEMENT FROM STOTZ FARMS, INC., RELATED TO THE DISTRICT AT CRYSTAL SPRINGS DEVELOPMENT

City Council will consider a request to adopt Ordinance 2023-0824 authorizing the acceptance of dedication of a public waterline easement from Stotz Farms, Inc., for Lot 5 as it relates to The District at Crystal Springs development and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

n. ORDINANCE 2024-0824 - LOWER BUCKEYE ROAD RIGHT-OF-WAY ANNEXATION

City Council will consider a request to adopt Ordinance 2024-0824, authorizing the annexation of a portion of Lower Buckeye Road right-of-way and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

o. FINAL PLAT FOR FULTON HOMES ACCLAIM - PHASE 2B - APPLICATION PL-23-0366

City Council will consider a request to: a) approve Application PL-23-0366, a request by Meikle Garrett with EPS Group, Inc., on behalf of Fulton Homes Corporation, for approval of the Final Plat for Fulton Homes Acclaim - Phase 2B, generally located at the northwest corner of 99th Avenue and Thomas Road; and b) authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

p. BOARD AND COMMISSION APPOINTMENTS AND BOARD MEMBER REMOVAL FROM THE BOARD OF ADJUSTMENT

City Council will consider a request to: a) remove Margarita Barron from the Board of Adjustment due to being non-responsive; b) approve the following appointments to the City's Boards, Commissions, and Committees as recommended by the City Council Subcommittee on Boards, Commissions, and Committees; and c) authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

- Rhonda Bell as a Regular Member to the Municipal Art Committee with a partial term to expire on 12/31/2026.
- Deanna Sapata as an Alternate Member to the Municipal Art Committee with a partial term to expire on 12/31/2026.
- Nicole List as a Regular Member to the Board of Adjustment with a partial term to expire on 12/31/2024.
- Natosha Edmonds as a Regular Member to the Board of Adjustment with a partial term to expire on 12/31/2026.
- Zahra Muhidin as a Regular Member to the Sustainability Commission with a partial term to expire on 12/31/2026.
- Diana Estrada as a Regular Member to the Sustainability Commission with a partial term to expire on 12/31/2025.
- Ramon Sanchez as a Regular Member to the Sustainability Commission with a partial term to expire on 12/31/2025.
- Ben Ruoti as an Alternate Member to the Sustainability Commission with a partial term to expire on 12/31/2024.

4. REGULAR AGENDA

a. PUBLIC HEARING - EXTRA SPACE STORAGE – APPEAL OF CONDITIONAL USE PERMIT – APPLICATION PL-23-0303

City Council will hold a public hearing and consider an appeal by Adam Baugh of Withey Morris Baugh (on behalf of Extra Space Storage) to consider an appeal of the Planning Commission's denial of a conditional use permit to allow for a mini-storage warehouse and personal storage development. The 2.28 net-acre subject property is located at the southwest corner of Indian School Road and Osborn Road. This project was previously approved as a conditional use permit by the City Council on June 21, 2021, zoning case PL-21-0003. The previous conditional use permit has expired, and the appellant filed an application for a new conditional use permit to move forward with the development. The Planning Commission denied the application. The City Council may affirm, reverse, or modify the decision of the Planning Commission.

Pursuant to Ariz. Rev. Stat. 38-431.03(A)(3), City Council may move and vote to go into executive session for discussion with the City's Attorneys for legal advice on the appeal of the denial of Extra Space Storage Conditional Use Permit Application PL-23-0303.

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

6. ADJOURNMENT

Council Members of the City of Avondale will attend either in person or by telephone or video conference call. Individuals with special accessibility needs, including sight or hearing impaired, large print, or interpreter, should contact the City Clerk at 623-333-1200 or TDD 623-333-0010 at least two business days prior to the Council Meeting.

Los miembros del Concejo de la Ciudad de Avondale participaran ya sea en persona o por medio de llamada telefonica o por 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.