



City of Avondale

City Council Meeting

 [**Link to Summary of Council Actions**](#)

 [**Link to Meeting Minutes**](#)



City of Avondale
City Council Meeting
Monday, June 17, 2019
Summary of Council Actions

Mayor and Council

Kenn Weise, Mayor

Pat Dennis, Vice Mayor

Tina Conde, Council Member | Bryan Kilgore, Council Member
Veronica Malone, Council Member | Curtis Nielson, Council Member
Mike Pineda, Council Member

Administration

Charles A. Montoya, City Manager
Gina Montes, Assistant City Manager
Michael Wawro, City Attorney
Marcella Carrillo, City Clerk

City Council Chambers

11465 West Civic Center Drive
Avondale, AZ 85323



Summary of Council Actions

City Council Meeting

Agenda

Monday, June 17, 2019

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

WORK SESSION

6:00 PM

CALL TO ORDER BY MAYOR

1. **ROLL CALL BY THE CITY CLERK**

2. **COMMERCIAL AND INDUSTRIAL DESIGN MANUAL UPDATE**

Staff **presented** Application PL-19-0074, a request by the City's Planning Division to update the design manual for Commercial and Industrial development. The update is intended to refine development design guidelines reflecting local best practices in design standards, new development trends, increased attention to sustainability in the development process, and changes to industry standards as well as to reflect the City's current level of expectation for quality development in Avondale.

3. **AVONDALE STREET AND UTILITY IMPROVEMENT PROJECTS**

Staff **presented** detail on scope, schedule and cost for the first three (3) years of the Avondale Street and Utility Improvement Program

4. **2019 LEGISLATIVE WRAP UP**

Staff **provided** a legislative wrap up of key bills heard during the 2019 Legislative Wrap Up.

5. **ADJOURNMENT**

Request to Speak: Anyone wishing to address the Council regarding items listed on the agenda or under unscheduled public appearance should fill out a card located at the back of the Council Chambers and hand it to the City Clerk prior to consideration of that agenda item.

REGULAR MEETING

7:00 PM

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

1. ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK

2. RECOGNITION ITEMS

a. RECOGNITION OF DR. ERNEST LARA, OUTGOING PRESIDENT OF ESTRELLA MOUNTAIN COMMUNITY COLLEGE

b. NEW EMPLOYEE INTRODUCTIONS - CITY ATTORNEY'S OFFICE

City Attorney, Michael Wawro, **introduced** new employees of the City Attorney's Office:

- Nicholle Harris, Deputy City Attorney
- Stephen (Steve) Kemp, Assistant City Attorney
- Ben Ganados, Legal Services Supervisor/Paralegal
- Bobbie Colvin, Legal Support Specialist

3. UNSCHEDULED PUBLIC APPEARANCES

(Limit three minutes 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 - RATIFICATION OF PAST MINUTES

City Council **approved** the May 3, 2018 City Council Meeting - Ratification of Past Minutes. The Council will take the appropriate action.

b. APPOINTMENT OF JUDGES PRO TEMPORE

City Council **appointed** four new judges pro tempore to two year terms expiring on June 1, 2021 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

c. ADJUSTMENTS TO FISCAL YEAR 2019 FUND TRANSFERS

City Council **modified** the approved interfund transfers for Fiscal Year 2018-19 (FY2019) budget. The Council will take appropriate action.

d. AUTHORIZATION TO THE RISK MANAGER TO PURCHASE VARIOUS INSURANCES

City Council **authorized** the Risk Manager to purchase Property, Auto, Liability, Crime, Environmental, Cyber and Workers' Compensation insurance for fiscal year 2019-2020 in the amount of \$879,172.80 and authorize the Mayor, City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

e. SERIES 12 (RESTAURANT) LIQUOR LICENSE - MOTOR CITY CONEY

City Council **approved** an application for a Series 12 (Restaurant) Liquor License submitted by Gregory Lee Dunn to sell all spirituous liquors at Motor City Coney located at 1473 N Dysart Road, #103, in Avondale and authorize the Mayor and City Clerk to execute the necessary documents. The Council will take appropriate action.

f. SERIES 12 (RESTAURANT) LIQUOR LICENSE - CLAIM JUMPER RESTAURANT

City Council **approved** an application for a Series 12 (Restaurant) Liquor License submitted by Amy S. Nations to sell all spirituous liquors at Claim Jumper Restaurant located at 10125 W McDowell Road in Avondale and authorize the Mayor and City Clerk to execute the necessary documents. The Council will take appropriate action.

g. PROFESSIONAL SERVICES AGREEMENT WITH ABACUS PROJECT MANAGEMENT FOR PROFESSIONAL CONSULTING SERVICES FOR THE SENIOR AND RESOURCE CENTER AND THE POLICE EXPANSION PROJECTS

City Council **approved** a Professional Services Agreement with Abacus Project Management for Professional Consulting Services for the Senior and Resource Center and the Police Expansion Projects in an amount not to exceed \$288,697.41, and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents and amendments. The Council will take appropriate action.

h. FIFTH AMENDMENT TO THE CONSTRUCTION MANAGER AT RISK AGREEMENT WITH PCL CONSTRUCTION, INC. FOR A GUARANTEED MAXIMUM PRICE NO. 3 FOR THE WATER RECLAMATION FACILITY

City Council **approved** Contract Amendment No. 5 to the Construction Manager at Risk Agreement with PCL Construction, Inc., to establish the Guaranteed Maximum Price (GMP) No. 3 for the Water Reclamation Facility improvement project for \$527,679.77 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

- i. THIRD AMENDMENT TO CONSTRUCTION CONTRACT WITH STANDARD CONSTRUCTION COMPANY INC. FOR CDBG STREET AND SIDEWALK IMPROVEMENT**
City Council **approved** a Third Amendment to the CDBG Streets and Sidewalk Improvement Project construction contract with Standard Construction Company, Inc. in the amount of \$503,044.56, authorize the necessary budget transfers, and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.
- j. FIRST AMENDMENT TO COOPERATIVE PURCHASING AGREEMENT WITH BOUND TREE MEDICAL, LLC FOR MEDICAL SUPPLIES**
City Council **approved** a Cooperative Purchasing Agreement with Bound Tree Medical, LLC valid until January 31, 2020 for the purchase of emergency medical supplies for a maximum amount not to exceed \$150,000 over the term of the agreement and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.
- k. COOPERATIVE PURCHASING AGREEMENT WITH EMERGENCY VEHICLE GROUP, INC., FOR A FIRE SERVICE APPARATUS**
City Council **approved** a Cooperative Purchasing Agreement through the Houston Galveston Area Council (HGAC) with Emergency Vehicle Group, Inc. for the purchase of a Fire Department Technical Support Vehicle and specified technical rescue equipment for a maximum amount not to exceed \$750,000 and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.
- l. COOPERATIVE PURCHASING AGREEMENT WITH A TO Z EQUIPMENT RENTALS FOR HEAVY EQUIPMENT AND TOOL RENTAL**
City Council **approved** a Cooperative Purchasing Agreement with A to Z Equipment Rental & Sales to provide heavy equipment rental in a maximum annual amount not to exceed \$45,000 and a maximum aggregate amount not to exceed \$225,000 over the five year contract term and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.
- m. COOPERATIVE PURCHASING AGREEMENT WITH BANK OF AMERICA FOR PURCHASING CARD (P-CARD) PROGRAM**
City Council **approved** a Cooperative Purchasing Agreement (CPA) with Bank of America to provide purchasing card services and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take the appropriate action.
- n. CONTRACT FOR SERVICES, LEASE AGREEMENT, AND ITEMIZED BUDGET - AREA AGENCY ON AGING FISCAL YEAR 2019-2020**
City Council **approved**: (a) a contract with Area Agency on Aging (AAA) for fiscal year 2019-2020 in the amount of \$335,500; (b) a Vehicle Lease Agreement in the amount of \$4; and (c) adopt an itemized budget for Senior Center Program and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

o. RESOLUTION 3558-619 - AMENDMENT NUMBER 1 TO INTERGOVERNMENTAL AGREEMENT WITH ARIZONA DEPARTMENT OF TRANSPORTATION FOR THE VAN BUREN MULTI-USE PATH PROJECT

City Council **adopted** Resolution 3558-619 authorizing Amendment Number 1 to Intergovernmental Agreement with the Arizona Department of Transportation (ADOT) to allow ADOT to oversee the construction of the Van Buren Multi-Use Path Project and authorize the Mayor, or City Manager and City Clerk, to execute the necessary documents. The Council will take appropriate action.

p. RESOLUTION 3559-619 - THIRD AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY ADMINISTERED BY THE HUMAN SERVICES DEPARTMENT

City Council **adopted** Resolution 3559-619 approving the third amendment to an Intergovernmental Agreement with the Maricopa County Human Services Board for a grant in the amount of \$79,744 for the provision of the Community Action Program (CAP) services, and authorize the Mayor, City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

q. RESOLUTION 3560-619 - INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF REVENUE FOR THE UNIFORM ADMINISTRATION OF THE CITY'S TRANSACTION PRIVILEGE TAX

City Council **adopted** Resolution 3560-619 approving an updated intergovernmental agreement with the State of Arizona Department of Revenue regarding the uniform administration, licensing, collection, and auditing of transaction privilege tax, use tax, severance tax, jet fuel excise tax, and rental occupancy tax imposed by the State or City and authorize the Mayor or City Manager and City Clerk to execute all necessary documents. The Council will take appropriate action.

r. RESOLUTION 3561-619 - GRANT AGREEMENT WITH FIRST THINGS FIRST SOUTHWEST MARICOPA REGIONAL PARTNERSHIP COUNCIL

City Council **adopted** Resolution 3561-619 authorizing the grant agreement with the First Things First Southwest Maricopa Regional Partnership Council to receive \$200,000 in funding and authorize the Mayor, City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

s. RESOLUTION 3562-619 - INTERGOVERNMENTAL AGREEMENT WITH THE GILA RIVER INDIAN COMMUNITY TO PURCHASE PROPERTY SOUTH OF ESTRELLA MOUNTAINS

City Council **adopted** Resolution 3562-619 approving an Intergovernmental Agreement (IGA) with the Gila River Indian Community (GRIC) for the purpose of acquiring approximately 17.97 acres of land for future use as right-of-way, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

t. RESOLUTION 3564-619 - INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY HUMAN SERVICES DEPARTMENT FOR SHELTER AND HOMELESS SUPPORT SERVICES

City Council **adopted** Resolution 3564-619, approving an intergovernmental agreement with the Maricopa County Human Services Department for a grant in the amount of \$100,000 for the provision of emergency shelter services, outreach, and case management to people experiencing homelessness in Avondale, and authorize the Mayor, City Manager and City Clerk to execute the necessary documents. The Council will take the appropriate action.

u. RESOLUTION 3555-619 - CABLE TELEVISION SYSTEMS - UNIFORM VIDEO SERVICE LICENSE AGREEMENTS

City Council **adopted** Resolution 3555-619, declaring the City's adoption of the Uniform License Agreement, Application, and Affidavit to comply with Arizona State law governing Video Service License Agreements by providing for a uniform license agreement and a standard form of application and affidavit and declare an emergency. The Council will take appropriate action.

v. FINAL PLAT OF PARK 10 PHASE 2 (APPLICATION PL-19-0034)

City Council **approved** a request by Mr. Jeff D. Behrana, Optimus Design Group, for approval of a Final Plat of Park 10 Phase 2. The proposed Final Plat will divide an existing 11.6-acre parcel (Lot 5 of Park 10 Phase 1) into three lots, dedicate right-of-way for a new deceleration lane, and dedicate a water easement to accommodate water meters for the Portillo's Hot Dogs building and Shops B building currently under construction. The site is located west of the southwest corner of McDowell Road and 103rd Avenue. The Council will take appropriate action.

w. MY PLACE HOTELS RE-PLAT OF LOT A, AVONDALE CITY CENTER PHASE 3 (APPLICATION PL-18-0166)

City Council **approved** a request by Mr. David Gustafson, Second Place, LLC., for approval of a Re-Plat of Lot A, Avondale City Center Phase 3 located at the northeast corner of Avondale Boulevard and Dale Earnhardt Drive. The proposed Re-Plat will subdivide 5.54-acres into two (2) lots, dedicate 315 square feet of public right-of-way, and a 30-foot shared access easement for development of the My Place Hotels site. The Council will take appropriate action.

5. REGULAR AGENDA

a. RESOLUTION 3563-619 - SETTING THE FISCAL YEAR 2019-2020 PRIMARY AND SECONDARY PROPERTY TAX LEVY

City Council **adopted** Resolution 3563-619 setting the primary and secondary property tax levy for the fiscal year ending June 30, 2020.

6. ADJOURNMENT

Council Members of the City of Avondale will attend either in person or by telephone conference call.

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

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.

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.

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
CITY COUNCIL CHAMBER
June 17, 2019

A **Work Session** of the City Council of the City of Avondale, Arizona was convened at 11465 Civic Center Drive in open and public session at 6:06 p.m.

Members Present: Mayor Kenn Weise; Vice Mayor Pat Dennis; Council Members Tina Conde, Bryan Kilgore, Veronica Malone, Curtis Nielson and Mike Pineda.

Note: Vice Mayor Pat Dennis participated by telephone.

Members Absent: None.

Other Municipal Officials Present: Charles Montoya, City Manager; Gina Montes, Assistant City Manager; Michael Wawro, City Attorney; Marcella Carrillo, City Clerk; Cindy Blackmore, Public Works Director; Jessica Blazina, Intergovernmental Affairs Administrator; Dan Davis, Economic Development Services Director; Lindsey Duncan, Finance and Budget Director; Craig Jennings, Judge; Kirk Haines, Parks, Recreation and Libraries Director; Chris Lopez, Neighborhood and Family Services Director; Dale Nannenga, Police Chief; Cherlene Penilla, Human Resources Director; Larry Rooney, Acting Fire Chief; Tracy Stevens, Development and Engineering Services Director; and Jeffrey Scheetz, Chief Information Officer.

Audience: No members of the public were present.

1 ROLL CALL BY THE CITY CLERK

2. COMMERCIAL AND INDUSTRIAL DESIGN MANUAL UPDAT

Jodie Novak, Planning Manager, presented the design manual for Commercial and Industrial development.

Presentation by Ms. Novak included:

- The plan was adopted in 2008 to help clarify the City's expectations for architecture on buildings and site layouts for commercial and industrial development.
- The manual included commercial and industrial as well as multi-family residential design guidelines which have now been separated.
- Over the past eleven years, design has evolved throughout the valley and throughout the City of Avondale.
- Since Avondale is a growing city, there is a need to set a current level of design expectation to shape the look and feel of Avondale.
- The updated manual promotes healthy active initiatives and it is relevant to current industry standards.
- The manual includes:

- Sustainability and the environment
 - Healthy design
 - Low-impact development
 - Green building
 - Commercial site and building design standards
 - Industrial site and building design standards
 - Circulation
 - Crime prevention through environmental design.
- Sustainable and healthy design includes:
 - Promotion of sustainable development.
 - Physical activity and health through inclusion of outdoor spaces, gathering areas, and plazas for both employees and customers.
 - Designed to retain water and using LID (low impact design) stormwater design, including bioretention facilities, swales, and rain harvesting.
 - Site drainage will be functional and appealing. Engineering staff will be consulted about options for permeable pavement, recyclable pavements, and other forms of engineering to capture rainwater.
- The goal is to promote a sense of place.
- Promote pedestrian activity and bicycle activity.
- Promote themed projects, through architecture, landscaping, and site amenities.
- Buildings will be appropriately scaled, creative, usable, and compatible with what is existing in surrounding areas.
- Developers to utilize sustainable building materials and a variety of colors, materials, and forms to create high-quality appearance.
- Incorporated employee refuge areas with patios and covered spaces.
- Master site design projects will consider how phasing will occur, including both traffic, pedestrian, and bicycle connectivity.
- Multimodal infrastructure will be encouraged to focus on bicycle areas, storage, and rental facilities.
- Input was been sought through public outreach. A draft was provided to developers, posted on aVOICE, and submitted to Valley Partnership for review.
- No comments were received.
- Next steps:
 - Receive City Council feedback
 - Adoption by the Planning Commission in July 2019
 - Adoption by the City Council in August 2019.
- Manual is relevant to all development citywide.

Council Member Nielson asked that the information within the Sustainability Manual be incorporated within the Commercial and Industrial Design Manual. Ms. Novak explained that she is partnering with the Environmental and Sustainability Program manager, Hether Krause, who is implementing LID standards that staff will be trained on, resulting in the incorporation of the standards for new developments.

Vice Mayor Dennis stated that the information on the WIFA Green Project Reserve section include encouragement and suggestions but do not outline requirements. She

also commented on the allowable amount of the façade treatments, requesting the number be increased. She also inquired on the enforcement ability on behalf of the city. Ms. Novak explained that the document serves as a guideline to encourage developers to provide high-quality design and is not a specific code like the Zoning Ordinance. She explained staff negotiates and advises developers on projects to create designs that are in the best interest of Avondale. In reference to the façade treatment guidelines, Ms. Novak explained the requirement could be increased by two in each category.

Vice Mayor Dennis inquired on the current requirements for providing public art. Ms. Novak explained that the public art requirement can be met in a variety of ways, such as custom piece placed on the building, a design on benches, or decorative pavement. Since it is in the code to incorporate public art, the developers can either submit proposals that are reviewed by staff and then it moves forward to the Art Committee or they pay a fee in lieu of installing the art as part of their project. Vice Mayor Dennis inquired about how the document impacts existing development's aesthetics. Ms. Novak explained that the design manual is intended to address new development that is coming in. Existing development would be encouraged to follow the manual if doing site renovations. Vice Mayor Dennis requested staff encourage the inclusion of four-sided architecture considerations for added amenities such as neighborhood connectivity and seating areas where appropriate. Ms. Novak agreed, explaining planners learn from experience as projects are being designed and implement best practices to address lean design and functionality of projects.

Mayor Weise asked what types of best practice information is shared between Valley cities. Ms. Novak said that it depends on the individual planner. Some planners are interested in what is going on in other communities and some focus within the city. She explained the planning team of Avondale are made aware through several avenues by use of news articles, postings online, or through colleagues. The planning team strives to be aware of current trends. Mayor Weise recommended City Council drive around to see the development designs of the other communities.

Council Member Pineda expressed his appreciation that the Commercial and Industrial Design Manual is a guideline rather than a requirement, providing flexibility for a design that both parties can agree with.

Mayor Weise agreed with Council Member Pineda, commenting that the manual will provide flexibility and character, especially for the development in the City Center.

3. AVONDALE STREET AND UTILITY IMPROVEMENT PROJECTS

Dave Janover, City Engineer, presented the Avondale Street and Utility Improvement Program.

Presentation by Mr. Janover included:

- Details on first three years of the Avondale street and utility improvement program, including schedule, scope, and costs.
- Three phases are to be completed in the first three years.

- Phase 1 includes:
 - Historic Avondale area roads and utilities off 3rd Avenue and Holly Lane, Argonne Lane, Ely Lane, and Rhodes Avenue.
 - Design build contracts were solicited on June 5th, 2019.
 - Proposals are anticipated to be submitted no later than June 26th, 2019.
 - City Council is anticipated to award a contract in August 2019.
 - Design, utility coordination, and right-of-way acquisition will take place from August 2019 through October of 2020.
 - Construction is expected to begin in November of 2020.
 - Project completion in August of 2021.
- Phase 2 includes:
 - Area north of Phase 1 which consists of Dooley Drive, Goold Boulevard, Riley Drive, Kinderman Drive, Hill Drive, Madden Drive, 1st Avenue, 2nd Place, 3rd Avenue, and 3rd Place.
 - Design build proposals are expected to be received no later than May of 2020.
 - City Council is anticipated to award a contract in July of 2020.
 - Design, utility coordination, and right-of-way acquisition will take place from July 2020 through November of 2021.
 - Construction is expected to begin in December of 2021.
 - Project completion in September of 2022.
- Phase 3 includes:
 - Cashion area in the east part of the city which consists of Joblanca Road, Yuma Street, Cocopah Street, Mohave Street, Apache Street, Hopi Street, 111th Drive, 112th Avenue, and 112th Drive.
 - Design build proposals are expected to be received no later than May of 2021.
 - City Council is anticipated to award a contract in July of 2021.
 - Design, utility coordination, and right-of-way acquisition will take place from July of 2021 through November of 2022.
 - Construction is expected to begin in December of 2022.
 - Project completion in September of 2023.
- The scope of all phases will be similar to include:
 - Replacement of asphalt roadways.
 - Sidewalk improvements to meet ADA guidelines, including the relocation of utility poles.
 - Streetlight adjustments in areas that do not meet the streetlight specifications.
 - Upgrading water lines to match the 8-inch diameter minimums.
 - Fire hydrant replacements.
 - Sewer line replacements.
- Project Schedule and Funding 2019 through 2027:
 - Phase 1 - design cost of \$313,750 and construction cost of \$2.7 million
 - Phase 2 - design cost of \$481,500 and construction cost of \$4.35 million
 - Phase 3 - design cost of \$895,000 and construction costs is outside of the three-year window being considered at this time.
- Currently within the procurement process for a design-build vendor for phase 1 and requesting City Council approval of a contract award in August.

Council Member Malone inquired on the timeline in communicating this information to the residents and businesses. Mr. Janover assured that residents will have ongoing notice of construction closures through a variety of notification methods during the process. He explained the projects will be completed in sections to avoid roadway closures. Charles Montoya, City Manager, explained staff will over-communicate by placing notices within water bills and the RAVE magazine.

Council Member Malone inquired on communications with the utility companies regarding the relocation of the powerlines. Mr. Janover explained as soon as the design-build contract is complete, the consultation will be in contact with the utility companies to have them relocate the utilities.

Vice Mayor Dennis inquired on the type of utility poles to be added if not placed underground. Mr. Janover explained the intent is not to have the utilities underground but relocated as needed. He explained if a different type of pole is selected, it may look out-of-place. Vice Mayor Dennis requested that a report on options be provided to Council during the decision-making period so that each neighborhood can be considered individually. Vice Mayor Dennis referenced a parking facility that utilizes the parking lot for sidewalk uses near Madden Drive off Central Avenue and asked if that would be addressed within the projects. Mr. Janover stated that was something they could look at and explained staff will be cognitive of the aesthetics during each project, while staying cognitive of the scope and budget. Vice Mayor Dennis requested the projects be addressed each year to allow for additional projects to be added through the scope of work.

Council Member Nielson inquired if the 8-inch water lines would be connected to individual homes. Mr. Janover explained that the process will include all new water services, which will require new lines to each affected home. Council Member Nielson inquired if there were any natural gas lines in the area. Mr. Janover answered yes, Southwest Gas is within the area. Council Member Nielson inquired if there were any septic tanks within the area. Mr. Janover explained there is sewer in the roadway and any sewer lines will be repaired as needed.

Council Member Kilgore thanked Mr. Janover and staff for taking the time to listen to the community and Council to address the issues. He stated he liked the timeline and phases and that staff will try to work with the budget. Council Member Kilgore suggested staff ensure they have good clean maps of what is surveyed. Mr. Janover explained that mapping will be included as part of the scope, explaining that they will have an excellent record of what is underground. Mr. Janover said that ongoing updates to the utility maps will be made during the process and a complete map of all utility lines will be available once the project is completed.

Piggy backing off Council Member Kilgore's comment, Mayor Weise commenting that there will likely be items underground that staff does not expect to find. He stated a better idea of where staff are at with the project will be determined once they get started.

4. 2019 LEGISLATIVE WRAP UP

Jessica Blazina, Intergovernmental Affairs Administrator, provided a legislative wrap up of key bills heard during the 2019 Legislative Wrap Up.

Presentation by Ms. Blazina included:

- Highlights of the legislative session:
 - More than 1,300 bills were introduced.
 - 331 bills were passed by the legislature and sent to the Governor.
 - Governor Ducey signed 320 bills into law and vetoed 11.
 - Legislature adjourned sine die on Sunday, May 28, 2019 at 12:58 a.m. after 134 days in session.
 - Legislation that was passed will go into effect on August 27, 2019, unless there was an emergency clause affiliated.
- Highlights of the state budget:
 - \$11.8 billion budget was signed on June 6, 2019.
 - The budget provides \$18 million to be divided equally among all cities and towns for infrastructure improvements, which is approximately \$198 thousand each.
 - The League of Cities and Towns is working with the Department of Revenue to determine the method in which those funds will be released.
 - The highway safety \$32 fee will begin to be phased out in fiscal year 2022. Funding to the Department of Public Safety will revert to General Fund funding.
 - \$15 million provided to the water quality assurance revolving fund.
- Defeated legislation:
 - HB2638 - tax exemption on food to prevent municipalities from taxing food for home consumption.
 - HB2201 - requirement for candidates for city or town office to announce a party affiliation.
 - SB1147 - strike everything bill related to tobacco and vapor products. The bill would have restricted municipalities from regulating the location of those businesses.
- Vetoed legislation:
 - SB1558 - per diem increase for the legislators, which would allow the legislature to increase their per diem mileage rate, providing for a pay raise without approval of the voters. This bill could come back for discussion during the next legislative session.
 - HB2473 - state liquor board membership, which was a league resolution to give cities and towns a seat on the state liquor board. As part of his veto message, Governor Ducey noted that he was not vetoing because he opposed having a municipal representative serving on the board, but because the legislation included an appointment process that was burdensome and unnecessary.
- Signed legislation:
 - HB2319 - wireless communication device prohibition (texting while driving) bill provides for an education component of one year before the bill is effective. This bill gives law enforcement officers the ability to pull over individual who are

- texting or using the phone while driving. Bluetooth devices and hand-free devices are permitted.
- HB2027 - online lodging marketplace local taxation bill allows the Department of Revenue to administer, collect, enforce, and distribute taxes levied by a city/town or other jurisdiction on an online lodging marketplace.
- HB2672 - vacation rentals/short-term rental regulation bill allows municipalities to regulate and requires properties to have a single point of contact for purposes of levying fines for repeated infractions.
- HB2757 - tax provisions omnibus bill got resolved at the end of the session.
- SB1227 - Colorado River drought contingency amendment bill.
- SB1154 - primary election date moved to the first Tuesday in August.
- SB1451 - statewide ballot measures, circulators procedures bill requires that a candidate for office file a statement of interest, including the name of the person running, and name of office being sought.
- The Arizona League of Cities and Towns annual conference will be held August 20 through 23rd at JW Marriot Starr Pass Resort in Tucson.
- The Resolutions Committee will meet during the conference on August 20th.

Mayor Weise inquired if SB1451 is for statewide office only. Ms. Blazina explained this bill impacts local officials.

Vice Mayor Dennis requested a presentation on Phoenix's Prop 105 that is going to the voters to address funding for light rail and boundaries and how that might affect other cities as well as a transit update.

Mayor Weise noted that he attended a West Valley City Managers and Mayors meeting last week where Mayor Gallego spoke passionately about Phoenix propositions affecting pensions of future councils and how Prop 105 would affect Phoenix's ability to support a Prop 400 extension. Mayor Weise said that he has asked staff to communicate with other cities to put together a letter in support of Phoenix in its opposition to Prop 105. Mayor Weise asked Ms. Blazina on a timeline on sending a requested letter of support. Ms. Blazina replied, within the next couple of weeks.

Vice Chair Dennis requested an update on transportation in relation to Valley Metro and the future Prop 400 extension. Mr. Montoya stated an update will be brought forward within the next 45 days.

Council Member Conde inquired on HB2319. Ms. Blazina explained that police officers now have the ability to pull a driver over if they are seen driving distracted while texting. Police will be issuing warnings at this point and an education piece was included within the bill.

5 ADJOURNMENT

Motion was made by Council Member Malone, seconded by Council Member Nielson, to adjourn the Work Session meeting.

Upon vote, the motion carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Kilgore	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Dennis	Aye
Mayor Weise	Aye

Meeting adjourned at 7:02 p.m.

A **Regular Meeting** of the City Council of the City of Avondale, Arizona was convened at 11465 Civic Center Drive in open and public session at 7:11 p.m.

Mayor Weise led the Pledge of Allegiance followed by a moment of silent reflection for a member of the Avondale family who was involved in an incident the previous Friday.

Members Present: Mayor Kenn Weise; Vice Mayor Pat Dennis; Council Members Tina Conde, Bryan Kilgore, Veronica Malone, Curtis Nielson and Mike Pineda.

Note: Vice Mayor Pat Dennis participated by telephone.

Members Absent: None.

Other Municipal Officials Present: Charles Montoya, City Manager; Gina Montes, Assistant City Manager; Michael Wawro, City Attorney; Marcella Carrillo, City Clerk; Cindy Blackmore, Public Works Director; Jessica Blazina, Intergovernmental Affairs Administrator; Dan Davis, Economic Development Services Director; Lindsey Duncan, Finance and Budget Director; Craig Jennings, Judge; Kirk Haines, Parks, Recreation and Libraries Director; Chris Lopez, Neighborhood and Family Services Director; Dale Nannenga, Police Chief; Cherlene Penilla, Human Resources Director; Larry Rooney, Acting Fire Chief; Tracy Stevens, Development and Engineering Services Director; and Jeffrey Scheetz, Chief Information Officer.

Audience: Approximately five members of the public were present.

1 ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK

2 RECOGNITION ITEMS

a. RECOGNITION OF DR. ERNEST LARA, OUTGOING PRESIDENT OF ESTRELLA MOUNTAIN COMMUNITY COLLEGE

Dan Davis, Economic Development Services Director, introduced Dr. Ernest Lara.

Mayor Weise read a proclamation by the City of Avondale Arizona honoring Dr. Ernest "Ernie" Lara for his years of leadership and dedicated service to Estrella Mountain Community College:

"Proclamation Honoring Dr. Ernest "Ernie" Lara

A proclamation of the council of the City of Avondale, Arizona, honoring Dr. Ernest "Ernie" Lara for his years of leadership and dedicated service to Estrella Mountain Community College.

Whereas, Dr. Ernest "Ernie" Lara answered the call to public service, serving in the capacity of President of Estrella Mountain Community College (EMCC) after being appointed in July of 2007; and

Whereas, he has served the Southwest Valley with exceptional leadership in higher education for more than 37 years; and

Whereas, Dr. Lara served as a strong advocate of education and served the Southwest Valley in a number of ways in addition to serving as EMCC President such as a High School Counselor, College Faculty Member, Dean of Students, Student Services Director and Division Chair; and

Whereas, he served with honor and integrity, not only as president of EMCC but also on various boards such as the West Valley Hospital, Estrella Rotary, West Valley Think Tank and Valle Del Sol; and

Whereas, he has remained dedicated to the community and served on the Hispanic Leadership Forum del Oeste Advisory Board, Leadership West and the Luke Air Force – Honorary Commandeers Program; and

Whereas, under Dr. Lara's leadership, EMCC has been nominated 4 times for the Aspen Prize for Community College Excellence; and

Now, therefore, be it resolved by the Council of the City of Avondale, Arizona, that the City of Avondale hereby wishes to express its sincere gratitude and appreciation to Dr. Ernest "Ernie" Lara for his years of leadership and dedication to education and the Southwest Valley and congratulates him on the occasion of his retirement."

Dr. Lara thanked the City of Avondale for the privilege of serving in the community. He introduced the incoming president, Dr. Rey Rivera, and assured the community that there will be a seamless transition.

b. NEW EMPLOYEE INTRODUCTIONS - CITY ATTORNEY'S OFFICE

City Attorney, Michael Wawro, introduced new employees of the City Attorney's Office:

- Nicholle Harris, Deputy City Attorney
- Stephen (Steve) Kemp, Assistant City Attorney

- Ben Ganados, Legal Services Supervisor/Paralegal
- Bobbie Colvin, Legal Support Specialist

City Attorney Wawro introduced each department member and reviewed their credentials.

City Council welcomed the City Attorney's Office employees to the Avondale family.

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, Mayor Weise made a comment on agenda item 4s. Resolution 3562-619 Intergovernmental Agreement with the Gila River Indian Community to purchase property south of Estrella mountains. He stated that the item will change the direction for the City of Avondale, providing for future access to the planning area to the south of the mountains. He noted how rare this type of agreement is between the Gila River Indian Community and expressed his excitement for the partnership.

Motion was made by Council Member Nielson, seconded by Council Member Malone, to approve the Consent Agenda.

Upon vote, the motion carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Kilgore	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Dennis	Aye
Mayor Weise	Aye

a. MINUTES - RATIFICATION OF PAST MINUTES

City Council approved the May 3, 2018 City Council Meeting - Ratification of Past Minutes.

b. APPOINTMENT OF JUDGES PRO TEMPORE

City Council appointed four new judges pro tempore to two-year terms expiring on June 1, 2021 and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

c. ADJUSTMENTS TO FISCAL YEAR 2019 FUND TRANSFERS

City Council approved a request to modify the approved interfund transfers for Fiscal Year 2018-19 (FY2019) budget.

d. AUTHORIZATION TO THE RISK MANAGER TO PURCHASE VARIOUS INSURANCES

City Council authorized the Risk Manager to purchase Property, Auto, Liability, Crime, Environmental, Cyber and Workers' Compensation insurance for fiscal year 2019-2020 in the amount of \$879,172.80 and authorized the Mayor, City Manager and City Clerk to execute the necessary documents.

e. SERIES 12 (RESTAURANT) LIQUOR LICENSE - MOTOR CITY CONEY

City Council approved an application for a Series 12 (Restaurant) Liquor License submitted by Gregory Lee Dunn to sell all spirituous liquors at Motor City Coney located at 1473 N Dysart Road, #103, in Avondale and authorized the Mayor and City Clerk to execute the necessary documents.

f. SERIES 12 (RESTAURANT) LIQUOR LICENSE - CLAIM JUMPER RESTAURANT

City Council approved an application for a Series 12 (Restaurant) Liquor License submitted by Amy S. Nations to sell all spirituous liquors at Claim Jumper Restaurant located at 10125 W McDowell Road in Avondale and authorized the Mayor and City Clerk to execute the necessary documents.

g. PROFESSIONAL SERVICES AGREEMENT WITH ABACUS PROJECT MANAGEMENT FOR PROFESSIONAL CONSULTING SERVICES FOR THE SENIOR AND RESOURCE CENTER AND THE POLICE EXPANSION PROJECTS

City Council approved a Professional Services Agreement with Abacus Project Management for Professional Consulting Services for the Senior and Resource Center and the Police Expansion Projects in an amount not to exceed \$288,697.41, and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents and amendments.

h. FIFTH AMENDMENT TO THE CONSTRUCTION MANAGER AT RISK AGREEMENT WITH PCL CONSTRUCTION, INC. FOR A GUARANTEED MAXIMUM PRICE NO. 3 FOR THE WATER RECLAMATION FACILITY

City Council approved Contract Amendment No. 5 to the Construction Manager at Risk Agreement with PCL Construction, Inc., to establish the Guaranteed Maximum Price (GMP) No. 3 for the Water Reclamation Facility improvement project for \$527,679.77 and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

i. THIRD AMENDMENT TO CONSTRUCTION CONTRACT WITH STANDARD CONSTRUCTION COMPANY INC. FOR CDBG STREET AND SIDEWALK IMPROVEMENT

City Council approved a Third Amendment to the CDBG Streets and Sidewalk Improvement Project construction contract with Standard Construction Company, Inc. in

the amount of \$503,044.56, authorized the necessary budget transfers, and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents.

j. FIRST AMENDMENT TO COOPERATIVE PURCHASING AGREEMENT WITH BOUND TREE MEDICAL, LLC FOR MEDICAL SUPPLIES

City Council approved a Cooperative Purchasing Agreement with Bound Tree Medical, LLC valid until January 31, 2020 for the purchase of emergency medical supplies for a maximum amount not to exceed \$150,000 over the term of the agreement and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents.

k. COOPERATIVE PURCHASING AGREEMENT WITH EMERGENCY VEHICLE GROUP, INC., FOR A FIRE SERVICE APPARATUS

City Council approved a Cooperative Purchasing Agreement through the Houston Galveston Area Council (HGAC) with Emergency Vehicle Group, Inc. for the purchase of a Fire Department Technical Support Vehicle and specified technical rescue equipment for a maximum amount not to exceed \$750,000 and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents.

l. COOPERATIVE PURCHASING AGREEMENT WITH A TO Z EQUIPMENT RENTALS FOR HEAVY EQUIPMENT AND TOOL RENTAL

City Council approved a Cooperative Purchasing Agreement with A to Z Equipment Rental & Sales to provide heavy equipment rental in a maximum annual amount not to exceed \$45,000 and a maximum aggregate amount not to exceed \$225,000 over the five-year contract term and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents.

m. COOPERATIVE PURCHASING AGREEMENT WITH BANK OF AMERICA FOR PURCHASING CARD (P-CARD) PROGRAM

City Council approved a Cooperative Purchasing Agreement (CPA) with Bank of America to provide purchasing card services and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents.

n. CONTRACT FOR SERVICES, LEASE AGREEMENT, AND ITEMIZED BUDGET - AREA AGENCY ON AGING FISCAL YEAR 2019-2020

City Council approved: (a) a contract with Area Agency on Aging (AAA) for fiscal year 2019-2020 in the amount of \$335,500; (b) a Vehicle Lease Agreement in the amount of \$4; and (c) adopt an itemized budget for Senior Center Program and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

o. RESOLUTION 3558-619 - AMENDMENT NUMBER 1 TO INTERGOVERNMENTAL AGREEMENT WITH ARIZONA DEPARTMENT OF TRANSPORTATION FOR THE VAN BUREN MULTI-USE PATH PROJECT

City Council adopted Resolution 3558-619 authorizing Amendment Number 1 to Intergovernmental Agreement with the Arizona Department of Transportation (ADOT) to allow ADOT to oversee the construction of the Van Buren Multi-Use Path Project and authorized the Mayor, or City Manager and City Clerk, to execute the necessary documents.

p. RESOLUTION 3559-619 - THIRD AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY ADMINISTERED BY THE HUMAN SERVICES DEPARTMENT

City Council will consider a request to adopt Resolution 3559-619 approving the third amendment to an Intergovernmental Agreement with the Maricopa County Human Services Board for a grant in the amount of \$79,744 for the provision of the Community Action Program (CAP) services, and authorized the Mayor, City Manager and City Clerk to execute the necessary documents.

q. RESOLUTION 3560-619 - INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF REVENUE FOR THE UNIFORM ADMINISTRATION OF THE CITY'S TRANSACTION PRIVILEGE TAX

City Council adopted Resolution 3560-619 approving an updated intergovernmental agreement with the State of Arizona Department of Revenue regarding the uniform administration, licensing, collection, and auditing of transaction privilege tax, use tax, severance tax, jet fuel excise tax, and rental occupancy tax imposed by the State or City and authorized the Mayor or City Manager and City Clerk to execute all necessary documents.

r. RESOLUTION 3561-619 - GRANT AGREEMENT WITH FIRST THINGS FIRST SOUTHWEST MARICOPA REGIONAL PARTNERSHIP COUNCIL

City Council adopted Resolution 3561-619 authorizing the grant agreement with the First Things First Southwest Maricopa Regional Partnership Council to receive \$200,000 in funding and authorized the Mayor, City Manager and City Clerk to execute the necessary documents.

s. RESOLUTION 3562-619 - INTERGOVERNMENTAL AGREEMENT WITH THE GILA RIVER INDIAN COMMUNITY TO PURCHASE PROPERTY SOUTH OF ESTRELLA MOUNTAINS

City Council adopted Resolution 3562-619 approving an Intergovernmental Agreement (IGA) with the Gila River Indian Community (GRIC) for the purpose of acquiring approximately 17.97 acres of land for future use as right-of-way and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

t. RESOLUTION 3564-619 - INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY HUMAN SERVICES DEPARTMENT FOR SHELTER AND HOMELESS SUPPORT SERVICES

City Council adopted Resolution 3564-619, approving an intergovernmental agreement with the Maricopa County Human Services Department for a grant in the amount of \$100,000 for the provision of emergency shelter services, outreach, and case management to people experiencing homelessness in Avondale, and authorized the Mayor, City Manager and City Clerk to execute the necessary documents.

u. RESOLUTION 3555-619 - CABLE TELEVISION SYSTEMS - UNIFORM VIDEO SERVICE LICENSE AGREEMENTS

City Council adopted Resolution 3555-619, declaring the City's adoption of the Uniform License Agreement, Application, and Affidavit to comply with Arizona State law governing

Video Service License Agreements by providing for a uniform license agreement and a standard form of application and affidavit and declare an emergency.

v. FINAL PLAT OF PARK 10 PHASE 2 (APPLICATION PL-19-0034)

City Council approved a request by Mr. Jeff D. Behrana, Optimus Design Group, for approval of a Final Plat of Park 10 Phase 2. The proposed Final Plat will divide an existing 11.6-acre parcel (Lot 5 of Park 10 Phase 1) into three lots, dedicate right-of-way for a new deceleration lane, and dedicate a water easement to accommodate water meters for the Portillo's Hot Dogs building and Shops B building currently under construction. The site is located west of the southwest corner of McDowell Road and 103rd Avenue.

w. MY PLACE HOTELS RE-PLAT OF LOT A, AVONDALE CITY CENTER PHASE 3 (APPLICATION PL-18-0166)

City Council approved a request by Mr. David Gustafson, Second Place, LLC., for approval of a Re-Plat of Lot A, Avondale City Center Phase 3 located at the northeast corner of Avondale Boulevard and Dale Earnhardt Drive. The proposed Re-Plat will subdivide 5.54-acres into two (2) lots, dedicate 315 square feet of public right-of-way, and a 30-foot shared access easement for development of the My Place Hotels site.

5 REGULAR AGENDA

a. RESOLUTION 3563-619 - SETTING THE FISCAL YEAR 2019-2020 PRIMARY AND SECONDARY PROPERTY TAX LEVY

Lindsey Duncan, Finance and Budget Director, presented a request to adopt Resolution 3563-619 setting the primary and secondary property tax levy for the fiscal year ending June 30, 2020.

Presentation by Ms. Duncan included the following:

- The item is required by City Charter and State Statute.
- The adoption of the recommended budget, the tentative budget, as well as the public notices for both the budget adoption and the truth in taxation as required in state statutes have been completed.
- Final budget adoption and the truth and taxation hearings were held on June 3, 2019.
- The property tax rate is decreasing from \$1.7618 to \$1.6543 overall, with the primary and secondary combined.
- Staff recommends adoption of the levies through a roll call vote, as required by State Statute.

Mayor Weise expressed his appreciation to Vice Mayor Dennis for taking the lead on this item as he was out-of-town during the previous meeting. He expressed his appreciation to City Council for clarifying that the new tax levy decreases the amount residents are taxed. Mayor Wiese explained how current and past councils have always weighed the needs of the city to the needs of the residents. He thanked staff for their diligence in achieving a decrease in the property tax rate.

Vice Mayor Dennis stated the decrease in the tax rate shows the amount of work that staff has put into the item, the direction of City Council, and having a positive economy.

Motion was made by Mayor Weise, seconded by Council Member Pineda, to adopt Resolution 3563-619 setting the primary and secondary property tax levy for the fiscal year ending June 30, 2020.

Upon roll call vote, the motion carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Kilgore	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Dennis	Aye
Mayor Weise	Aye

6 ADJOURNMENT

Motion was made by Council Member Kilgore, seconded by Council Member Malone, to adjourn the regular meeting.

Upon roll call vote, the motion carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Kilgore	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Dennis	Aye
Mayor Weise	Aye

Meeting adjourned at 7:34 p.m.

Mayor Kenn Weise

CERTIFICATION AND ATTESTATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session and Regular Meeting of the Council of the City of Avondale held on the 17th day of June 2019. I further certify that the meeting was duly called and held and that the quorum was present.

Marcella Carrillo, CMC
City Clerk