



City of Avondale

City Council Meeting

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

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



City of Avondale

City Council Meeting

Monday, September 9, 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, September 9, 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. 2020 CENSUS UPDATE

City Council **received** an update from staff regarding the upcoming 2020 Census. This item is for information.

3. ASSESSMENT OF HOUSING AND SERVICES FOR PERSONS EXPERIENCING HOMELESSNESS

City Council **received** an update from staff regarding the assessment of housing and services for persons experiencing homelessness conducted by Sheila D. Harris Consulting Services. This item is for information only.

4. 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. UNSCHEDULED PUBLIC APPEARANCES

(Limit three minutes 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 **approved** the June 3, 2019 and June 17, 2019 City Council Meeting Minutes. The Council will take the appropriate action.

b. FISCAL YEAR 2018-2019 YEAR END BUDGET AMENDMENTS

City Council **approved** a budget amendment utilizing contingency for certain departments which exceeded the Fiscal Year (FY) 2018-2019 amended budget appropriation. The Council will take appropriate action.

c. USE OF GENERAL CONTINGENCY FOR CONTRACTED SERVICES TO COMPLETE THE HUD FIVE-YEAR CONSOLIDATED PLAN

City Council **approved:** (a) the use of General Fund contingency funds to cover the cost of contracted services with Western Environmental Services, LLC for the preparation of Avondale's Five-Year HUD Consolidated Plan; (b) authorized all necessary budget transfers; and (c) authorized the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

- d. **FIRST AMENDMENT TO THE COOPERATIVE PURCHASING AGREEMENT WITH TRAFFICADE SERVICES, INC. FOR THE CYCLE AVONDALE SPECIAL EVENT**
City Council **approved**: (a) the First Amendment to Cooperative Purchasing Agreement with Trafficade Services, Inc. in the amount of \$60,000 with an aggregate not-to-exceed amount of \$120,000 for the Cycle Avondale Special Event; (b) authorized expense of funds from the Economic Development Department, Economic Opportunities Fund; and (c) authorized the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.
- e. **DESIGN-BUILD AGREEMENT WITH HAYDON BUILDING CORP. FOR THE AVONDALE STREET & INFRASTRUCTURE PROJECT, PHASE 1**
City Council **approved**: (a) a Design-Build Agreement with Haydon Building Corp. to provide design and pre-construction services for the Avondale Street and Utility Improvement Project Phase 1 in the amount of \$463,285.00; (b) authorized the necessary budget transfers; and (c) authorized the Mayor, or City Manager and City Clerk to execute the necessary documents and any future amendments. The Council will take appropriate action.
- f. **ORDINANCE 1702-919 DEDICATING AN IRRIGATION EASEMENT TO SALT RIVER PROJECT AT EL MIRAGE ROAD AND DURANGO STREET**
City Council **adopted** Ordinance 1702-919 dedicating an Irrigation Easement to Salt River Project (SRP) at El Mirage Road and Durango Street and authorized the Mayor or City Manager, and City Clerk to execute the necessary documents. The Council will take appropriate action.
- g. **MINOR LAND DIVISION FOR GOMEZ, APPLICATION PL-19-0136**
City Council **approved** application PL-19-0136, a request by Dejan Knezevic of Miller Land Surveying for a Minor Land Division (MLD). The 0.37-acre subject property (Exhibits A, B, C) is located approximately 38 feet north of the northeast corner of 2nd Street and Davis Lane in Historic Avondale, approximately 637 feet east of Central Avenue and 1,317 feet south of Main Street. The proposed MLD will dedicate 25' of right-of-way along 2nd Street. The Council will take appropriate action.
- h. **RESOLUTION 3587-919 AND ORDINANCE 1704-919 AMENDING CITY CODE CHAPTER 2, PERTAINING TO EMPLOYEE GROUPS AND THE MEET AND CONFER PROCESS**
City Council (a) **adopted** Ordinance 1704-919 amending Chapter 2 of the Avondale City Code pertaining to Employee Groups and the Meet and Confer process; (b) **adopted** Resolution 3587-919 expressing the continued city commitment to an open door policy with its employees; and (c) authorized the Mayor and City Clerk to execute the necessary documents. The Council will take appropriate action.

4. REGULAR AGENDA

a. PUBLIC HEARING - RESOLUTION 3584-919 GENERAL PLAN 2030 MINOR TEXT AMENDMENT AND RESOLUTION 3585-919 MINOR MAP AMENDMENT, THE BLVD SPECIFIC PLAN - APPLICATION PL-19-0151

City Council **held** a public hearing and: (a) **adopted** Resolution 3584-919 approving a Minor General Plan Text Amendment; (b) **adopted** Resolution 3585-919 approving a Minor General Plan Land Use Map Amendment related to the City's The BLVD Specific Plan (formerly City Center Specific Plan); and (c) authorized the Mayor, or City Manager and City Clerk to execute the necessary documents. The proposed Text Amendment will amend the existing City Center land use categories that reflect the six new land use "Districts" proposed as part of The BLVD Specific Plan. The proposed Map Amendment will apply the new land use designations to approximately 356 acres generally bounded by the I-10 Freeway, Coldwater Springs Boulevard, 113th Avenue, and 117th Avenue. Additionally, the proposed Map Amendment will revise the land use designation of approximately 87.6 acres located at the northeast corner of 119th Avenue and Van Buren Street to Mixed Use; this portion of land is proposed to be removed from the City Center/The BLVD area as part of the accompanying update. The Council will take appropriate action.

b. PUBLIC HEARING - RESOLUTION 3586-919 - THE BLVD SPECIFIC PLAN (CITY CENTER SPECIFIC PLAN UPDATE) - APPLICATION PL-19-0075

City Council **held** a public hearing and **adopted** Resolution 3586-919 approving The BLVD (The Boulevard) Specific Plan, previously named the City Center Specific Plan and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents. This Plan is intended to reflect evolving conditions impacting the implementation of the adopted Vision for The BLVD. The intent of the update is to reflect the City's current level of expectation for a quality, unique, and pedestrian-friendly The BLVD area that will create a place of significance in Avondale. The Council will take appropriate action.

c. PUBLIC HEARING - ORDINANCE 1703-919 - ZONING ORDINANCE TEXT AMENDMENTS, AMENDING VARIOUS SECTIONS - APPLICATION PL-19-0156

City Council **held** a public hearing and **adopted** Ordinance 1703-919 approving text amendments to the Zoning Ordinance and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents. The amendments to Avondale Zoning Ordinance Section 1 (Administration and Procedures), Section 2 (Residential Districts), Section 3 (Commercial Districts), Section 4 (Employment Districts), Section 5 (Special Districts; Overlays), Section 6 (Planned Area Development District), Section 7 (Supplementary Regulations), Section 8 (Parking), Section 9 (Signs), Section 11 (Required Public Art for New Planned Area Development (PAD), Commercial, Employment, and Municipal Construction), Section 12 (Landscape, Walls and Fences), and Section 13 (Medical Marijuana Uses) will allow for continued refinement of the Zoning Ordinance to reflect changes in policies and procedures, new development trends, address changes to industry standards, enhance the overall usability and accuracy, and allow for general housekeeping and clerical corrections. The Council will take appropriate action.

5. 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
September 9, 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 6:02 p.m.

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

Members Absent: None.

Other Municipal Officials Present: Charles Montoya, City Manager; Gina Montes, Assistant City Manager; Tracy Stevens, Deputy City Manager; Michael Wawro, City Attorney; Marcella Carrillo, City Clerk; Cindy Blackmore, Public Works Director; Jessica Blazina, Intergovernmental Affairs Administrator; Jeff Case, Fire Chief; Dan Davis, Economic Development Services Director; Lindsey Duncan, Finance and Budget Director; Chris Lopez, Neighborhood and Family Services Director; Dale Nannenga, Police Chief; Cherlene Penilla, Human Resources Director; Jeffrey Scheetz, Chief Information Officer; and Pier Simeri, Community Relations and Public Affairs Director.

Audience: Approximately 20 members of the public were present.

1. ROLL CALL BY THE CITY CLERK

Note from the City Clerk: Work Session Item 3 was presented first, followed by Work Session Item 2.

2. 2020 CENSUS UPDATE

Emily Webb, Executive Management Assistant, provided an update regarding the upcoming 2020 Census. This item is for information.

Presentation by Ms. Webb included the following:

- The Census is mandated by the constitution and serves to collect various data from the population.
- Approximately \$700 billion in federal funding will be distributed to states and communities for the next decade and \$13.5 billion is distributed within Arizona.
- Funding is used to allocate resources for job creation, housing, infrastructure and essential services.
- The goal is to ensure that Avondale receives its fair share of the federal funding.
- Accurate population counts also play a role in redistricting of state legislative districts and may determine representation in congress.
- After the 2010 census, Arizona was given an additional seat in congress and it is possible that the 2020 census could bring another additional seat.
- Key communication phases include:

- o Education phase from 2018 through 2019.
 - o Awareness phase in January 2020.
 - o Motivation phase from March through May 2020.
 - o Reminder phase from May through July 2020.
 - o Thank you phase in July 2020.
- Items sent through mail.
- Regional efforts include partnership with Maricopa Association of Governments (MAG) through bimonthly communication meetings, a contract with a public relations firm, RIESTER, and mapping assistance.
- Avondale's efforts include the creation of a Complete Count Committee to provide employee training to raise awareness and increase participation, particularly with hard-to-count demographics, such as minorities, lower income individuals, transient populations, children under age five and persons for whom English is a second language.
- In October, efforts will be made to expand the training to other trusted voices in the community to help spread the word.
- Working with Community Relations, street banners, pull-up signs Zoom bus posters, and social media efforts are being utilized to promote the event.
- The census commercial will be shown during the movie night events and staff will have census tables at upcoming events.
- The Complete Count Committee is formed to raise awareness & increase participation by using trusted voices of the community.

Mayor Weise commented that MAG is working hard on the issue with significant input from Valley cities as well as a budget increase. He stressed the importance of Avondale residents having access to the funds that the voters have paid taxes for.

Vice Mayor Dennis inquired on the new online options for census responses. Ms. Webb explained that confirmation will be based upon the address submitted. She clarified that a reminder postcard will be sent if an online response is not received by March 16th.

3. ASSESSMENT OF HOUSING AND SERVICES FOR PERSONS EXPERIENCING HOMELESSNESS

Chris Lopez, Neighborhood and Family Services Director, provided an update regarding the assessment of housing and services for persons experiencing homelessness conducted by Sheila D. Harris Consulting Services. This item is for information only.

Presentation by Mr. Lopez included:

- Purpose of the presentation to include a review of background information, summarize the efforts to date, review recommendations, explore the timeline, and discuss next steps.
- In September of 2018, staff provided City Council with an update on the status of homelessness in the community, the results of the homeless street count, as well as promising practices, including the implementation of the pilot street outreach program.

- Staff procured professional consultation services with Dr. Sheila Harris to perform an evaluation of Avondale's homeless services.
- The City was recently awarded Community Services Block Grant (CSBG) funding from Maricopa County.
- Current efforts include a variety of programs with a total investment of \$1.1 million:
 - o Contributions Assistance Program provides funding to non-profit partners.
 - o Community Action Program provides rent and utility assistance.
 - o Collaboration with food banks in the community to provide food drives.
 - o Heat Relief Network, Project Connect, and Phoenix Rescue Mission Partnership.
- New resources include expansion of the iHELP Program, addition of a Homeless Support Specialist, enhancement of the partnership with Phoenix Rescue Mission, and additional allocation of funds for emergency rental assistance.
- Recommendations by Dr. Harris:
 - o Prioritize coordinating shelter services provided by iHELP to seven days a week.
 - o Focus on long term data-driven strategies.
 - o Broad spectrum of affordable housing options for the entire community.
 - o Strengthen the partnership with the Housing Authority of Maricopa County.
 - o Partner with Low Income Housing Tax Credit developers.
 - o Explore zoning barriers to affordable housing development.
- Timeline:
 - o The remainder of 2019 goals involve a focus on expanding the shelter through iHELP seven days per week.
 - o The 2020 goals include implementation of a point-in-time summer count and identification of additional partnerships and collaborations within the City.
 - o The 2021 and beyond goals include a focus on affordable housing available at all income levels.
- Next steps:
 - o Implementation of new programs and services.
 - Expansion of the street outreach program.
 - Expansion of casework capacity.
 - Hiring of a homeless support specialist.
 - Implementation of homeless navigation services.
 - New emergency rental assistance strategies.
 - o Implement strategy to increase iHELP to seven nights
 - o Plan for a summer Point-In-Time Count
 - o Enhancement of coordination with housing partners
 - o Evaluation of progress.

Mayor Weise acknowledged Dr. Harris for her efforts and recognized dignitaries in the audience. He asked for Council Member Conde's thoughts on the progress as she took a lead on the issue.

In response to Mayor Weise, Council Member Conde noted the necessary data needed to secure resources for this issue. The process requires a joint effort of local officials,

nonprofits and community leaders. Council Member Conde recognized additional dignitaries who were in the audience. While iHELP has been very successful, she would like to see it fully operational seven days a week. She stressed the importance of iHELP as a program and not a shelter and requested everyone be mindful of how they speak regarding this topic. She noted that participants would like to have showers and an opportunity to do their laundry. Council Member Conde thanked everyone in attendance and requested staff be mindful of grant opportunities as well as resources for those with pets. If the seven nights of shelter is not possible, she would like to see a physical shelter to provide security and dignity to the homeless population.

Mayor Weise stressed the importance of joint-effort partnerships, stating that the City cannot do this alone. He stated the private sector companies moving into the city should also be included as a resource.

Council Member Malone thanked staff and commented on the positive resources available through the resource center. She concurred with the idea of extending the iHELP program to seven days a week. In response to a question from Council Member Malone, Mr. Lopez explained the additional point-in-time count will occur in the summer of 2020. To clarify, Mr. Lopez explained Maricopa County will cover the cost of training the new Homeless Services Specialist in the county platform. Council Member Malone inquired about the homeless school liaison connections in schools. Mr. Lopez acknowledged that a staff liaison resource to all schools has been a goal as well as a challenge in terms of capacity and staffing levels. The new position will assist in outreach to churches and school partners.

Mr. Montoya explained that the Mayor meets with the school superintendents on a quarterly basis and this issue was brought forward at the last meeting. He further explained that this resources in the schools will be expanded moving forward.

Council Member Malone inquired on the effective date of House Bill 2358 - a measure that will limit efforts of nonprofits in assisting low income families. Dr. Sheila D. Harris noted House Bill 2358 will be effective now or in the near future. She explained that nonprofit organizations, such as St. Vincent DePaul might be collecting funds to prevent people from being evicted from apartments and landlords now have greater ability to refuse this as a valid revenue source that they recognize.

Council Member Nielson noted that since funding is available in various, he suggested one point of contact for each source. Mr. Lopez stated that is something the new staff member would be responsible for in collaboration with the team. In closing, Council Member Nielson thanked Dr. Harris for her efforts.

Council Member Kilgore thanked everyone in attendance for humbly and nobly supporting the initiative. He thanked Mr. Lopez and his department for their wonderful work. After looking at the statistics, Council Member Kilgore stated he was impressed by the funding received thus far for homeless emergency rental assistance, homeless navigation

services, Avondale homeless support specialist, caseworker and the street outreach program. He commended the department by acknowledging that the funds will be used to the fullest. He explained how grateful he is for Vice Mayor Dennis, Council Member Malone, and Council Member Conde for taking on the initiative.

Council Member Malone noted the homeless service referral cards provided by the Neighborhood and Family Services department.

Council Member Pineda thanked Mr. Lopez for the presentation as well as the individuals in the audience. He stressed the importance of reaching out to private companies for donations. He noted the art funds that developers currently have the option to donate money towards in exchange for fees. He inquired on the summer point-in-time count. Mr. Lopez stated that the approach will not create assumptions but rather be used as an effective tool to gather data.

Vice Mayor Dennis thanked everyone for their efforts and noted how she was impressed by how much the City, staff and partners support the community. She commented how a small amount of tweaking would make the program that much better. She noted on the importance of reviewing the budget to possibly include a diversion program to help individuals connect back with family. Vice Mayor Dennis inquired on the certified intake that was referenced within the report. In response, Mr. Lopez explained that reference could be added to the department's upcoming strategies. Vice Mayor Dennis added that it would be helpful to improve knowledge regarding Medicare, Medicaid and Social Security. She expressed the importance of an expansion of the community outreach efforts. In response, Mr. Lopez explained the police department works in conjunction with Community Bridges and Intensive Treatment Systems of Arizona for substance abuse and behavioral health. Vice Mayor Dennis suggested taking a deeper dive into the City's resources in terms of affordable housing and relevant zoning issues. In closing, she thanked all the community partners who have participated in the process.

Mayor Weise stated that the Opportunity Zones provide an opportunity for investment in affordable housing. Many of the residents of Avondale are unaware of the City's efforts to address homelessness and he encouraged those present to assist in getting the message out. Data should drive the initiatives and the results will identify which approaches are working. The City will build upon what is working and improve upon what is not working. The timeline is critical, and the plan must remain flexible as information is assimilated.

4. ADJOURNMENT

There being no further business before the Council, Council Member Conde moved to adjourn the Work Session meeting; Council Member Malone seconded the motion.

Upon vote, the motion was 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 6:54 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 7:08 p.m.

Followed by a moment of silent reflection in remembrance of Austin Peck Goodyear Fire Fighter and Sergeant Ellos Ortiz, Mayor Kenn Weise led the Pledge of Allegiance.

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

Members Absent: None.

Other Municipal Officials Present: Charles Montoya, City Manager; Gina Montes, Assistant City Manager; Tracy Stevens, Deputy City Manager; Michael Wawro, City Attorney; Marcella Carrillo, City Clerk; Cindy Blackmore, Public Works Director; Jessica Blazina, Intergovernmental Affairs Administrator; Jeff Case, Fire Chief; Dan Davis, Economic Development Services Director; Lindsey Duncan, Finance and Budget Director; Chris Lopez, Neighborhood and Family Services Director; Dale Nannenga, Police Chief; Cherlene Penilla, Human Resources Director; Jeffrey Scheetz, Chief Information Officer; and Pier Simeri, Community Relations and Public Affairs Director.

Audience: Approximately 5 members of the public were present.

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

2. UNSCHEDULED PUBLIC APPEARANCES

None.

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.

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 Vice Mayor Dennis, 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

City Council approved the June 3, 2019 and June 17, 2019 City Council Meeting Minutes.

b. FISCAL YEAR 2018-2019 YEAR END BUDGET AMENDMENTS

City Council approved a budget amendment utilizing contingency for certain departments which exceeded the Fiscal Year (FY) 2018-2019 amended budget appropriation.

c. USE OF GENERAL CONTINGENCY FOR CONTRACTED SERVICES TO COMPLETE THE HUD FIVE-YEAR CONSOLIDATED PLAN

City Council (a) approved the use of General Fund contingency funds to cover the cost of contracted services with Western Environmental Services, LLC for the preparation of Avondale's Five-Year HUD Consolidated Plan; (b) authorized all necessary budget transfers; and (c) authorized the Mayor, or City Manager and City Clerk to execute the necessary documents.

d. FIRST AMENDMENT TO THE COOPERATIVE PURCHASING AGREEMENT WITH TRAFFICADE SERVICES, INC. FOR THE CYCLE AVONDALE SPECIAL EVENT

City Council (a) approved the First Amendment to Cooperative Purchasing Agreement with Trafficade Services, Inc. in the amount of \$60,000 with an aggregate not-to-exceed amount of \$120,000 for the Cycle Avondale Special Event; (b) authorized expense of funds from the Economic Development Department, Economic Opportunities Fund; and (c) authorized the Mayor, or City Manager and City Clerk to execute the necessary documents.

e. DESIGN-BUILD AGREEMENT WITH HAYDON BUILDING CORP. FOR THE AVONDALE STREET & INFRASTRUCTURE PROJECT, PHASE 1

City Council (a) approved a Design-Build Agreement with Haydon Building Corp. to provide design and pre-construction services for the Avondale Street and Utility Improvement Project Phase 1 in the amount of \$463,285.00; (b) authorized the necessary budget transfers; and (c) authorized the Mayor, or City Manager and City Clerk to execute the necessary documents and any future amendments.

f. ORDINANCE 1702-919 DEDICATING AN IRRIGATION EASEMENT TO SALT RIVER PROJECT AT EL MIRAGE ROAD AND DURANGO STREET

City Council adopted Ordinance 1702-919 dedicating an Irrigation Easement to Salt River Project (SRP) at El Mirage Road and Durango Street and authorized the Mayor or City Manager, and City Clerk to execute the necessary documents.

g. MINOR LAND DIVISION FOR GOMEZ, APPLICATION PL-19-0136

City Council approved application PL-19-0136, a request by Dejan Knezevic of Miller Land Surveying for approval of a Minor Land Division (MLD). The 0.37-acre subject property (Exhibits A, B, C) is located approximately 38 feet north of the northeast corner of 2nd Street and Davis Lane in Historic Avondale, approximately 637 feet east of Central Avenue and 1,317 feet south of Main Street. The proposed MLD will dedicate 25' of right-of-way along 2nd Street.

h. RESOLUTION 3587-919 AND ORDINANCE 1704-919 AMENDING CITY CODE CHAPTER 2, PERTAINING TO EMPLOYEE GROUPS AND THE MEET AND CONFER PROCESS

City Council (a) adopted Ordinance 1704-919 amending Chapter 2 of the Avondale City Code pertaining to Employee Groups and the Meet and Confer process; (b) adopted Resolution 3587-919 expressing the continued city commitment to an open door policy with its employees; and (c) authorized the Mayor and City Clerk to execute the necessary documents.

4. REGULAR AGENDA

Note from the City Clerk: Items 4a, 4b, and 4c were presented together. Item 4b was presented first, followed by Items 4a and 4c. Each item was voted on individually.

a. PUBLIC HEARING - RESOLUTION 3584-919 GENERAL PLAN 2030 MINOR TEXT AMENDMENT AND RESOLUTION 3585-919 MINOR MAP AMENDMENT, THE BLVD SPECIFIC PLAN - APPLICATION PL-19-0151

City Council considered a request to: (a) adopt Resolution 3584-919 approving a Minor General Plan Text Amendment; (b) adopt Resolution 3585-919 approving a Minor General Plan Land Use Map Amendment related to the City's The BLVD Specific Plan (formerly City Center Specific Plan); and (c) authorize the Mayor, or City Manager and City Clerk to execute the necessary documents. The proposed Text Amendment will amend the existing City Center land use categories that reflect the six new land use "Districts" proposed as part of The BLVD Specific Plan. The proposed Map Amendment will apply the new land use designations to approximately 356 acres generally bounded by the I-10 Freeway, Coldwater Springs Boulevard, 113th Avenue, and 117th Avenue. Additionally, the proposed Map Amendment will revise the land use designation of approximately 87.6 acres located at the northeast corner of 119th Avenue and Van Buren Street to Mixed Use; this portion of land is proposed to be removed from the City Center/The BLVD area as part of the accompanying update.

Presentation by Ken Galica, Lead Planner, included the following:

- The General Plan 2030 was adopted in April 2012 and included a City Center land use category that was based on a 2007 version of the City Center Specific Plan.
- This category included five subdistricts to include employment mixed use, residential mixed use, gateway employment, townhouse residential, and neighborhood commercial.
- Each of the subdistricts were applied in a checker pattern throughout the area.
- The general plan designated the entire 402 acres that were part of the 2008 City Center plan.
- Proposed amendments:
 - o Delete the City Center land use category from the general plan text and the land use map.
 - o Create a new "The BLVD" land use category that includes six subdistricts in conformance with the Boulevard-Specific Plan.
 - o Applies the new BLVD category with the subdistricts to the general plan land use map that is applicable to the 356 acres, subject to the proposed plan.
 - o Applies the mixed-use land use category to the 87.6 acres west of 117th Avenue that have been removed from the BLVD.

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.

Motion was made by Council Member Pineda, seconded by Council Member Malone, to accept the findings and adopt **Resolution 3584-919** approving Application PL-19-0151, a City-initiated request for a Minor Text Amendment and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

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

Motion was made by Council Member Nielson, seconded by Vice Mayor Dennis, to adopt **Resolution 3585-919** approving a Minor Land Use Map Amendment to General Plan 2030 related to the City's The BLVD Specific Plan Update and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

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

b. PUBLIC HEARING - RESOLUTION 3586-919 - THE BLVD SPECIFIC PLAN (CITY CENTER SPECIFIC PLAN UPDATE) - APPLICATION PL-19-0075

City Council considered a request to adopt Resolution 3586919 approving The BLVD (The Boulevard) Specific Plan, previously named the City Center Specific Plan and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents. This Plan is intended to reflect evolving conditions impacting the implementation of the adopted Vision for The BLVD. The intent of the update is to reflect the City's current level of expectation for a quality, unique, and pedestrian-friendly area that will create a place of significance in Avondale.

Presentation by Jodie Novak, Assistant Director of Development and Engineering Services, included the following:

- Originally adopted as a City Center Specific Plan in 2008 which resulted in the development of the American Sports Center and retail shops.
- Various onsite improvements were completed, including streets, landscaping and installation of traffic signals.
- The purpose of the update is to create a more urban, innovative, and pedestrian-friendly plan to creates a sense of place.
- The update provides a flexible environment and a framework for developers.
- It was determined that the 402 acres needed to be reduced in size.
- The identified land to be reduced on the west side will be included in the General Plan change as a re-designation of land use.
- Additional acreage is now included on the east side of the property to allow for more residential development.
- Market analysis was completed to explore plan implementation and marketing strategies to help identify land uses.
- Ad-hoc meetings were held to analyze street network, rebranding and City Council's desires for the plan.
- Land use categories are similar with some newly added uses, such as education, medical campuses and retail.
- The central district will highlight a 76-acre Park Avenue District to be the core of the area.
- An overview of the map describing the various districts was reviewed.
- The plan includes multi-modal streets, pedestrian connections, bikeways and focal points on the corners.

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.

Motion was made by Vice Mayor Dennis, seconded by Council Member Kilgore, to adopt **Resolution 3586-919** approving Application PL-19-0075 The BLVD Specific Plan (City Center Specific Plan Update) and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

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

c. PUBLIC HEARING - ORDINANCE 1703-919 - ZONING ORDINANCE TEXT AMENDMENTS, AMENDING VARIOUS SECTIONS - APPLICATION PL-19-0156

City Council considered a staff-initiated request to adopt Ordinance 1703-919 approving text amendments to the Zoning Ordinance and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents. The amendments to Avondale Zoning Ordinance Section 1 (Administration and Procedures), Section 2 (Residential Districts), Section 3 (Commercial Districts), Section 4 (Employment Districts), Section 5 (Special Districts; Overlays), Section 6 (Planned Area Development District), Section 7 (Supplementary Regulations), Section 8 (Parking), Section 9 (Signs), Section 11 (Required Public Art for New Planned Area Development (PAD), Commercial, Employment, and Municipal Construction), Section 12 (Landscape, Walls and Fences), and Section 13 (Medical Marijuana Uses) will allow for continued refinement of the Zoning Ordinance to reflect changes in policies and procedures, new development trends, address changes to industry standards, enhance the overall usability and accuracy, and allow for general housekeeping and clerical corrections.

Presentation by Mr. Galica included the following:

- Zoning updates are completed on a semiannual or annual basis.
- The purposes for the current update:
 - o Refine the current Zoning Ordinance.
 - o Reflect changes in policies and procedures.
 - o Reflect new development trends and changes to industry standards.
 - o Enhance overall clarity, accuracy and usability, and general housekeeping.
- Major changes to the update include:
 - o Prohibit reductions in minimum parking space sizes through the administrative relief process.

- o Revise home occupation regulations for home-run businesses.
 - Eliminate floor area limitation.
 - Prohibit vehicles with six square feet or larger signs from parking on streets or driveways to advertise home occupations.
 - Expressly prohibit service uses such as massage parlors, veterinary hospitals/offices.
 - Allow for beauty salons and barber shops with a limit of two customers per day.
 - Add mobile food vendor requirements to be allowed in commercial areas but not within residential areas or within 250 feet of a residential area.
- o Create new BLVD Zoning District.
- o Revise the process for PAD zoning and time expiration to reduce initial validity from four years to two years to provide for more timely development. The proposed change will allow one request to City Council for a one-year extension.
- o Revise City's wireless requirements to eliminate CUP requirement for towers over 35 feet tall, require a minimum 600-foot setback from residential properties, limit height to 65 feet, and require written documentation on why alternate sites were not chosen.
- o Require visitor parking for new single-family communities.
- o Create a new sign type for off-premise model homes.
- o Extend medical marijuana dispensary closing hours to 8 p.m.
- Amendments are beneficial in that they clarify inconsistencies and address market trends.
- A draft of the amendments was posted on the City's website and on the aVOICE platform.
- The Planning Commission gave approval last month at 5 to 0.

Mayor Weise opened the public hearing and received one request to speak by Ms. Carolyn Oberholtzer, with Bergin, Frakes, Smalley, & Oberholtzer, PLLC. Ms. Oberholtzer commended the process. She expressed concerns regarding the change to the PAD timing, particularly in its one size fits all approach and the ability to request only a one-time, one-year extension. She suggested reconsideration of the approach. Potentials include an alternative schedule and/or the ability to go beyond the parameters for PADs over 80 acres. She suggested the following language, "...or as otherwise approved by the City Council in the PAD."

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

Mayor Weise commented that the text amendment contains extensive information and many items that needed to be updated. Over the years, the Councils have seen numerous extensions, sometimes used as a delaying tactic. There should be motivation for developers, investors and builders to move forward with projects. In response to an inquiry by Mayor Weise, Mr. Montoya stated that there are numerous properties in the City that have been entitled and are simply sitting with the developer with no incentive to

proceed. Staff understands the complexities of larger developments. Staff does not argue that there is potential to make a correction to the text amendment in the future, however this proposed amendment provides a good starting position. Staff is not trying to limit Council's intentions, but rather they are providing developers with concrete timelines.

Mayor Weise expressed concern with projects reverting to original zoning at the end of year three. He stated Council should continue to have control over the outcome of a project. Mayor Weise inquired if anything prohibited City Council from allowing future extensions after an applicant made good faith efforts to complete the project. Mr. Montoya explained staff is permitted to bring back such amendments for City Council consideration.

Vice Mayor Dennis stated that she understands both sides of the process. She suggested that developers requesting a first-year extension should provide a plan and timeline for moving the process forward to provide Council with a greater understanding of the timing expectations. Vice Mayor Dennis agreed with the approval subject to certain stipulations language in the added text.

Mayor Weise commented that historically, there have been developers who have worked in good faith with the City to move projects forward and then there were others who have sat on land and sold it continuously. He is willing to be flexible on some elements and he would like to know what the stipulations are going forward.

Mr. Montoya explained that the stipulations are broad enough to allow Council flexibility to make determinations when the extension is presented.

Mr. Wawro clarified that the language provides City Council latitude to work with the terms. He quoted from Section 6.603(d), "The Zoning Administrator *may* submit the PAD to City Council for consideration of reversion of the property's prior zoning," noting the operative word is "*may*" as opposed to "*shall*."

Ms. Oberholtzer wished to clarify the City Attorney's opinion. If the flexibility is desired on the conditions by which an extension could be granted and stipulated as to new elements, there is no issue with this. However, she would like to make it clearer that such stipulations may include a different development schedule. Currently, the language does not allow for granting more than a one-time, one-year extension. Ms. Oberholtzer suggested flexibility through use of the following language, "...to allow a one-time extension subject to stipulations."

Mayor Weise commented that this may create a gray area. Mr. Montoya stated that when it comes back to Council for consideration, those stipulations should include a timeline that would allow the developer to move forward, if they have made significant progress in moving forward.

Ms. Oberholtzer asked for confirmation of the decision to strike the one-time, one-year element. Mr. Montoya clarified that it stays but each stipulation will clarify that if Council wishes to go beyond the one-year extension, there will be stipulations in the timelines. Latitude is given to the Council.

Ms. Oberholtzer asked that language be added to reflect the intent.

Mayor Weise asked Mr. Wawro if he was interested in amending any wording at this point. Mr. Wawro said he would not suggest making amendments at this point. It has been vetted through the process, including the Planning & Zoning Commission.

Mayor Weise commented that developers who have worked with and for the City understand the process. The Council has always acted in good faith on development projects. He is comfortable moving forward and asked that staff ensure stipulations are clear and that council always has the final say.

Mr. Montoya explained that staff will clarify within the documents with developers that stipulations remain at the discretion of Council.

Mayor Weise declared the public hearing closed and requested a motion on the item.

Vice Mayor Dennis referred to the Zoning Ordinance for residential home businesses, relating to allowing large vehicles with business advertising signage to be parked in residential driveways. She questioned which businesses are being categorized as home businesses and whether people who drive home large company vehicles with affixed advertising qualify to park onsite.

Mayor Weise stated that there are state and federal laws that require first responders or electric and utility workers to be able to park their vehicles, should they have to take them home. Vice Mayor Dennis stated neither of the examples she cited, a Coca-Cola vehicle nor an electrician business vehicle, are qualified under this exemption.

Mr. Galica stated that unless the Coca-Cola product was being manufactured or sold from the residence, it would be considered a for-use vehicle by the occupant and would not be differentiated in the code from any other vehicle used by a person. If the business office is operated out of the home, this would be considered a commercial vehicle and is addressed by the limiting signage requirements. The intent is to avoid advertising that a business is occurring inside the house. In addition, there are limitations to the size of work vehicle that can be taken home.

Vice Mayor Dennis pointed out that many developments have small lots and the concern of more vehicles being parked on the street. She expressed concern whether staff is available to monitor the issue and asked how many people have registered home businesses in Avondale. Mr. Galica stated that he did not have the information readily available but could be provided at a later time. In terms of changing the allowances for

vehicles, staff would need time to develop alternatives. Vice Mayor Dennis asked that this portion of the ordinance be put on hold while staff provides additional information regarding statistics and impacts to neighborhoods.

Mayor Weise stated that a 10,000-pound rated vehicle is subject to state and federal regulations. The Coca-Cola truck would be over this; however, a small box truck may not be. He asked Chief Nannenga to address enforcement. Chief Nannenga said the first option for parking violations is to contact the homeowner and have the vehicle moved. Citations can be issued for aggravated or continuing issues.

Mr. Montoya presented an option for City Council to adopt the text with the mentioned section held in abeyance. He stated additional information will then be brought forward at a later date to clarify the issue.

Vice Mayor Dennis stated she would like access to better research on the issue being discussed.

Council Member Malone expressed concern for community members' ability to bring home work vehicles. She requested staff complete the research, but also be mindful of the rights of the residents. To clarify, Vice Mayor Dennis explained she is not referring to vehicles that are covered under state law.

Mayor Weise concurred with Mr. Montoya's suggestion to pass the amendment and hold this section in abeyance for further discussion and recommendation within 45 days. Mayor Weise recognized Vice Mayor Dennis' concerns as the City moves forward with smaller residential lots.

Motion was made by Council Member Pineda, seconded by Council Member Malone, to adopt Ordinance 1703-919 Application PL-19-0075, a request for text amendments to the City of Avondale Zoning Ordinance along with the staff recommended modifications to Section 6.603.D (noted below) as well as Section 2, Residential Districts – Section G relating to home occupations being held in abeyance and to authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

“Section 6.603.D:

The PAD zoning shall be conditioned on commencement of horizontal construction for the project beginning within two (2) years from the date of City Council approval. Prior to the expiration of the two (2) year time condition, the property owner or authorized representative may submit an application for a one (1) time, one (1) year extension to the City, which the Zoning Administrator shall submit to the City Council for consideration AND APPROVAL SUBJECT TO CERTAIN STIPULATIONS. In the event the project's Site Plan or Preliminary Plat has not been approved within the applicable two (2) year time period and no request for a time extension has been received, the Zoning

Administrator may submit the PAD to the City Council for consideration of reversion to the property's prior zoning classification at a public hearing according to Section 1.110."

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

5. ADJOURNMENT

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

Upon vote, the motion was 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 8:00 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 Work Session and Regular Meeting of the Council of the City of Avondale held on the 9th day of September 2019. I further certify that the meeting was duly called and held and that the quorum was present.

Marcella Carrillo, City Clerk