

Minutes of the Work Session held January 20, 2015 at 6:30 p.m. in the Council Chambers.

**MEMBERS PRESENT**

Mayor Kenn Weise and Council Members

Stephanie Karlin, Vice Mayor  
David Iwanski  
Bryan Kilgore  
Jim McDonald  
Sandy Nielson  
Lorenzo Sierra

**ALSO PRESENT**

David Fitzhugh, City Manager  
Gina Montes, Assistant City Manager  
Kevin Artz, Assistant City Manager  
Andrew McGuire, City Attorney  
Carmen Martinez, City Clerk

**1 ROLL CALL BY THE CITY CLERK**

**2 STATE ROUTE 30 UPDATE**

Megan Griego, Public Information Officer with the Arizona Department of Transportation, announced that a public meeting is being held on January 21 at Fowler Elementary School at 67<sup>th</sup> Avenue and Van Buren in Phoenix. The purpose of the meeting is to inform the public about the potential for a new freeway corridor that will stretch for 14 miles across Avondale. Several alternative routes and a no-build option are being evaluated by ADOT. The public will be presented with information on the alternatives and will have opportunities to speak with technical consultants and ADOT staff. Citizens can submit comments online, by email, phone, or mail. Comments received by February 20 will be included in the study record.

Owen Mills, Project Manager with ADOT, provided an overview of SR-30. In 2007, two alignments were presented for public comment. The prevailing concern then was the lack of alignment options between the northern and southern extremes. Two center alignments had been proposed initially, but were dropped because they would have required the removal of an historic structure. That structure has since been demolished by the property owner, making the two center alternatives viable once again. The goal of this public outreach effort is to identify a single preferred option to move forward on.

Mr. Mills said SR-30 has eight planned traffic interchanges: Cotton Lane, Estrella Parkway, Bullard Avenue, Dysart Road, Avondale Boulevard, 107<sup>th</sup> Avenue, 91<sup>st</sup> Avenue, and 83<sup>rd</sup> Avenue. Half interchanges are also planned at Sarival Avenue to the east and 67<sup>th</sup> Avenue to the west. The project is estimated at \$800 million, is currently in the unfunded stage, and is targeted for the 2035 fiscal year. A decision on a preferred alignment would allow ADOT to pursue a Public-Private Partnership (P3) arrangement, making construction possible before 2035.

Council Member Nielson requested information on the P3 option. Mr. Mills explained that P3 is basically when a developer or a contracting agent makes financing arrangements in advance, with the expectation that they are paid back over time, either through a toll road or

other income mechanism. Mayor Weise noted that P3 developers could use right-of-way for development income, instead of relying on charging tolls.

Council Member McDonald inquired whether the option still exists for a parkway. Mr. Mills responded that there is the potential for a parkway as an interim solution. Council Member McDonald said the southern freeway alignment would cause economic development grief for Avondale because it would leave little room for development. The freeway noise would detract from any riparian area established there. A parkway option for the southern alignment would be less obtrusive and should be considered as an option.

Council Member McDonald inquired about toll road maintenance responsibilities. Mr. Mills explained that the contractor would be responsible for maintaining the road over the course of the service contract. Once it expires, ADOT would take over that responsibility. Council Member McDonald asked about the final alignment decision. Mr. Mills stated that ADOT listens to the public and each of the impacted cities while factoring in the cost of each alignment. He noted that Phoenix and Goodyear have single alignments, whereas the four options primarily affect Avondale. ADOT will partner with the City before making a final determination.

Vice Mayor Karlin expressed concern about the proximity of all four options to the riparian area and planned development in southern Avondale. She inquired why the existing SR-85 alignment along Buckeye Road was not being considered, since traffic is going to end up there west of Cotton Lane anyway. Mr. Mills said that option sits outside the study limits for this project, which requires termini at SR-85 and SR-202.

Vice Mayor Karlin said SR-85 would be cheaper since much of it already exists, even though it would have to be upgraded. She requested environmental and economic impact reports for the four proposed alignments. Mr. Mills said an environmental coordinator will be available at the January 21 meeting to answer questions.

David Fitzhugh, City Manager, noted that General Plan 2030 shows the central hybrid alignment as the preferred one. Previously, City Council supported the southern alignment. While none of the options is ideal, regional planners justify SR-30 as a way to help relieve the heavy volume of traffic projected for the I-10 corridor, and the City of Avondale has tried to be supportive. The corridor will cut through an area that is highly valued, and would impact plans to build a master-planned community in that area. Mayor Weise cautioned that the P3 option would likely result in the least costly option being built, and that could end up being disastrous for Avondale.

### **3 ADJOURNMENT**

There being no further business before the Council, Council Member Iwanski moved to adjourn the work session; Council Member Kilgore seconded the motion. The motion was carried unanimously.

City Council meeting adjourned at 6:58 p.m.

  
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Mayor Weise

  
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Carmen Martinez, MMC  
City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session of the Council of the City of Avondale held on the 20th day of January. I further certify that the meeting was duly called and held and that the quorum was present.

  
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City Clerk

Minutes of the Regular Meeting held January 20, 2015 at 7:04 p.m. in the Council Chambers.

**MEMBERS PRESENT**

Mayor Kenneth N. Weise and Council Members

David Iwanski  
Stephanie Karlin  
Bryan Kilgore  
Jim McDonald  
Sandi Nielson  
Lorenzo Sierra

**ALSO PRESENT**

David Fitzhugh, City Manager  
Gina Montes, Assistant City Manager  
Kevin Artz, Assistant City Manager  
Andrew McGuire, City Attorney  
Carmen Martinez, City Clerk

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

Carmen Martinez, City Clerk, read a statement of participation regarding public appearances.

**2 CITY MANAGER'S REPORT**

**a. NEW EMPLOYEE INTRODUCTION**

City Manager introduced the city's new Budget and Finance Director, Abbe Yacoben.

**3 UNSCHEDULED PUBLIC APPEARANCES**

There were no requests to address the council.

**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. APPROVAL OF MINUTES**

1. Work Session of December 8, 2014
2. Regular Meeting of December 15, 2014
3. Regular Meeting of January 5, 2015

**b. LIQUOR LICENSE TEMP. EXTENSION OF PREMISES - HILTON GARDEN INN**

A request from Ms. Andrea Lewkowitz for a temporary extension of premises of a Series 11 Hotel/Motel Liquor License at the Hilton Garden Inn located 11460 W. Hilton Way in Avondale to be used in conjunction with the City's Bowl Bash event on Friday, January 30th from 6 to 9 pm.

**c. LICENSE AGREEMENT - CRYSTAL GARDENS STORAGE**

A request to approve a License Agreement with Crystal Gardens Homeowners Association granting the use of a City owned outdoor walled storage area and authorize the Mayor or the City Manager and the City Clerk to execute the necessary documents.

**d. COOPERATIVE PURCHASING AGREEMENT - APPLIED DIVING SERVICES, INC.**

A request to approve a Cooperative Purchasing Agreement with Applied Diving Services, Inc. to provide commercial diving services in an annual amount not to exceed \$13,100 with an option to renew for up to four (4) successive one-year terms and a maximum aggregate amount not to exceed \$65,500, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

**e. FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT – ARCADIS U.S. INC. - PRESSURE ZONE STUDY**

A request to approve the First Amendment to the Professional Services Agreement with ARCADIS U.S., Inc. to complete further work on a Pressure Zone Study for an additional \$92,950 and a maximum total amount of \$159,450, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

**f. RESOLUTION 3235-115 INTERGOVERNMENTAL AGREEMENT WITH ARIZONA GAME AND FISH COMMISSION**

A resolution authorizing an intergovernmental agreement with the Arizona Game and Fish Commission relating to a community fishing program at Friendship Park and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

**g. RESOLUTION 3236-115 - FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH TOLLESON UNION HIGH SCHOOL DISTRICT**

A resolution amending the Intergovernmental Agreement with Tolleson Union High School District of Maricopa County relating to the installation of compound water meters and backflow prevention devices and operation and maintenance of on-site water utility infrastructure, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

**h. RESOLUTION 3237-115 - AUTHORIZING SIGNATORIES ON CITY BANK ACCOUNTS**

A resolution authorizing the Mayor, Vice-Mayor, City Manager, City Clerk, and Finance and Budget Director to execute checks for and on behalf of the City and authorizing the Assistant City Manager and the Finance and Budget Director to authorize electronic payments and transfers and declaring an emergency.

**i. RESOLUTION 3238-115 - INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY RELATING TO THE HOME INVESTMENT PARTNERSHIP ACT FUNDING**

A resolution authorizing an intergovernmental agreement with Maricopa County to allow the City to receive an allocation of federal funding under the HOME Investment Partnership Act in the amount of \$148,229 for the 2014-2015 fiscal year and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

**j. ORDINANCE 1568-115 CODE AMENDMENT TO ALLOW FISHING AT FRIENDSHIP PARK**

An ordinance amending the Avondale Municipal Code, Chapter 17 relating to designated fishing areas to allow fishing at Avondale Friendship Park.

**k. ORDINANCE 1569-115 - VAN BUREN STREET RIGHT-OF-WAY ANNEXATION**

An ordinance annexing an approximately half mile strip of right-of-way along Van Buren Street from Avondale Boulevard to 111th Avenue.

Council Member Nielson moved to approve the consent agenda as presented including Resolutions 3235-115, 3236-115, 3237-115 and 3238-115 and Ordinances 1568-115 and 1569-115. Council Member Sierra seconded the motion.

**ROLL CALL VOTE AS FOLLOWS:**

Council Member McDonald	Aye
Council Member Iwanski	Aye
Council Member Nielson	Aye
Mayor Weise	Aye
Vice Mayor Karlin	Aye
Council Member Sierra	Aye
Council Member Kilgore	Aye

Motion carried unanimously.

**5 VISTA UPDATE - INTRODUCTION OF NCCC PARTICIPANTS AND FACILITY USE AGREEMENT**

An update on the implementation of volunteer initiatives through the City's partnership with the Corporation for National and Community Service which provides capacity-building and direct services to support the City of Avondale's priorities in education, crime prevention and volunteer engagement. The National Civilian Community Corps (NCCC) program will be discussed and its members introduced to Council. The facility use agreement for the Civic Center Library will be presented for Council discussion.

Stephanie Small, Neighborhood and Family Services Director introduced the participants in this year's National Civilian Community Corps Program. She indicated the members will be working hand in hand with community partners from SRP and APS among others.

Bonnie Temme with SRP addressed the Council indicating her organization is excited about the opportunity to partner with the City of Avondale on this project to increase energy conservation awareness among Avondale's residents.

Mr. Jerry Mendoza with APS reiterated Ms. Tammy's comments indicating that through the program they look forward to making a difference in people's lives. He added that savings realized through this program do make a difference over the long term.

Ms. Small expressed appreciation for the partner organizations indicating that these organizations are valuable in helping the city provide a variety of services that government

cannot provide on its own. The partnerships are a win win because they give residents the opportunity to become engaged in their community and contribute to improve the lives of others.

Ms. Small indicated that the city has participated in the VISTA program since 2014 and added that there are currently three VISTA members working at Neighborhood and Family Services, Parks, Recreation and Libraries and the Police Departments and will recruit for two additional members in the next few months. Participants get a stipend through the Corporation for National and Community Service and the city contributes a stipend towards their housing costs. She explained that VISTA participants have contributed towards some very important projects and have provided 480 hours of service.

Ms. Small said that another program under the umbrella of the Corporation for National and Community Service is the National Civilian Community Corps Program. Nine young people between the ages of 18 and 24 are participating in this six week program from January 8 through February 19<sup>th</sup>. They quickly got to task and have already completed the Born Learning Trail at the Care 1<sup>st</sup> Center and the Avondale Civic Center Library. There will be a ribbon cutting for the trail during the Care 1<sup>st</sup> Open House on January 31<sup>st</sup>. NCCC members will also be working on a housing study to determine the state of housing in Avondale and allow staff to develop some strategies to address problems with housing. She added that members will also be working on some community service projects with SRP and APS to visit 100 homes and take an energy consumption audit, provide them with education and give them some energy saving devices.

Ms Small commented that participating agencies are required to provide housing for program participants. NCCC members are being housed at the MOSC at no cost to the city.

Mayor Weise expressed concern over the living conditions that participants are experiencing at the MOSC. Ms. Small indicated that staff has been able to provide suitable accommodations for participants and they are happy with them.

Chris Reams, Director of Parks, Recreation and Libraries, explained that one of the members participating in the VISTA program has been working on a capacity building project. He explained that since the library was first opened, the city has struggled to find a long term operator for the concession space located at the south entrance of the library. Staff has also looked at the possibility of using the space as an employment training center and has worked with a local school and EMCC to attempt to find a suitable solution but encountered problems with transportation of students. Staff came across the One Step Beyond program, a non-profit group who will operate the program from the concession space and provide job training and life skills to individuals with developmental disabilities. Mr. Reams introduced Alisa, a Vista Volunteer who has been working in the coordination of this project.

Alisa indicated that she has been working to transform the vacant space into a job training center in the form of a used bookstore as part of her volunteer service in Avondale through the VISTA program. She indicated that while the city of Avondale can offer the space, we don't have the human resources to run the program. Staff became aware of One Step Beyond, an organization based in Peoria that can facilitate the program the city envisions.

She explained that the city will outfit the space with shelving and will provide an inventory of used books. One Step Beyond will provide the staff to run the program will provide job training opportunities and transportation. It is expected there will be a total of ten trainees who will work in two job crews that will split the hours that the store will be open. The program will be launched in the next few months. Any profits realized as a result of the program will be split between One Step Beyond and the City.

Individually, the Mayor and Council Members expressed their appreciation and admiration for the contributions the participants in this program are making to the community.

**6 PUBLIC HEARING CONDITIONAL USE PERMIT FOR VERIZON WIRELESS PHO LITTLETON (PL-14-0112)**

A public hearing and consider a request by Mr. Steve Ciolek of Coal Creek Consulting, for a Conditional Use Permit for a personal wireless service facility that includes a 65' high monopalm in Donnie Hale Park, Cashion, at 10857 West Pima Street.

Eric Morgan, Planner I, indicated this is a request for approval of a Conditional Use Permit for a new personal wireless service facility that includes a 65' high monopalm to be located within Donnie Hale Park in Cashion. He indicated the proposed facility will improve wireless coverage for area residents. The request meets the findings required by the zoning ordinance including:

1. Consistent with GP and desired character of the area.
2. Compatible with adj. land uses & not detrimental to residents, property, neighborhood, or public welfare.
3. Property is adequate to accommodate the proposed use.
4. Site has appropriate street access to handle traffic generation.
5. Adequate conditions of approval have been recommended to mitigate potential adverse effects.

He indicated that the Park and Rec Board heard this item but had no comments; no residents attended the neighborhood meeting. Mr. Morgan mentioned that he did have a phone inquiry from a resident who was concerned about how the radio frequencies would affect a person wearing a pacemaker. Mr. Morgan researched the information and found that the risk is minimal. The resident indicated that she was neither in support nor against the application.

Mr. Morgan indicated that a lease agreement with Verizon Wireless will be presented to council for approval in the next few weeks.

Mr. Morgan said that staff is recommending approval of the application subject to the following conditions:

1. The Verizon Wireless PHO Littleton personal wireless service facility shall conform to the project narrative and site plan dated September 30, 2014.
2. The Conditional Use Permit approval shall expire two years from the approval date if a permit for construction is not obtained.

Council Member Nielson asked how tall was the wall and if there were any security concerns. Mr. Morgan indicated that the wall was 12 feet tall and that there was also a chain link fence to provide additional protection.

Mayor Weise opened the public hearing, there being no requests to speak, he closed the public hearing.

Council Member Nielson moved to approve the application for a conditional use permit for a new personal wireless service facility that includes a 65-foot high monopalm, subject to two recommended conditions of approval. Council Member Sierra seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member McDonald	Aye
Council Member Iwanski	Aye
Council Member Nielson	Aye
Mayor Weise	Aye
Vice Mayor Karlin	Aye
Council Member Sierra	Aye
Council Member Kilgore	Aye

Motion carried unanimously.

**7 EXECUTIVE SESSION**

An executive session: (i) pursuant to Ariz. Rev. Stat. § 38-431.03 (A) (4) for discussion or consultation with the City's Attorney in order to consider its position and instruct the City's Attorney regarding (a) settlement of a claim related to an economic development incentive agreement, and (b) a potential economic development agreement; and (ii) pursuant to Ariz. Rev. Stat. § 38-431.03 (A)(7) for discussion or consultation with City representatives in order to consider its position and instruct its representatives regarding negotiations for the sale of real property.

Council Member Nielson moved to adjourn into executive session; Council Member Kilgore seconded the motion. All ayes.

**8 ADJOURNMENT**

There being no further business before the Council, Council Member Kilgore moved to adjourn the regular meeting. Council Member Sierra seconded the motion. The motion carried unanimously.

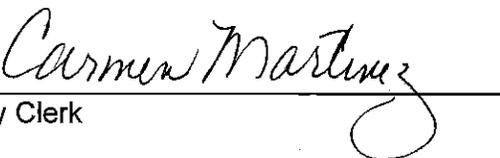
City Council meeting adjourned at 8:59 p.m.

  
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Mayor Weise

  
Carmen Martinez, MMC  
City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Council of the City of Avondale held on the 20<sup>th</sup> day of January, 2015. I further certify that the meeting was duly called and held and that the quorum was present.

  
Carmen Martinez  
City Clerk