

Minutes of the Work Session held February 17, 2015 at 6:00 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
Tony Woodrum, Public Works Superintendent
Paul Adams, Fire Chief
Carmen Martinez, City Clerk
Andrew McGuire, City Attorney

1 ROLL CALL BY THE CITY CLERK

2 WATER RECLAMATION FACILITY MASTER PLAN UPDATE

Tony Woodrum, Public Works Superintendent, outlined the Water Reclamation Facility Master Plan. The treatment plant was originally built in 1993. Several modifications have occurred since then. In 2002, the plant was expanded to reach a treatment capacity of six million gallons per day. In 2005, a new master plan was undertaken for further expansion of the plant. In 2010, Phase 1 of the expansion was completed, turning the plant into a nine million gallon per day facility. Phase 2 will expand capacity to 12 million gallons, and Phase 3, the ultimate build-out, will be able to handle 15 million gallons per day.

Mr. Woodrum said in 2014 the effluent flow into the plant was analyzed to determine if any modifications were necessary to ensure that the plant stays within permit limits. The study also looked at the characteristics and the flow of the wastewater entering the plant, as well as hydraulic modeling. The biochemical oxygen demand (BOD) and the total suspended solids (TSS) loading into the plant have greatly increased over time, as has the flow. The permit requires that the City must begin the planning and design stage when capacity reaches 80%, which for Avondale is 7.2 million gallons per day. Construction must begin by the time capacity reaches 90%, or 8.1 million gallons per day. In September of 2014, Avondale's plant reached a peak of nearly 6.5 million gallons per day. Flow projections based on growth trends indicate that the plant is experiencing a 4% increase each year.

Mr. Woodrum said the plant is facing challenges because of previous designs and concepts. Some components are undersized for treating high BOD and TSS loadings. Some critical components have no redundancy, and the City risks violating the permit if they should ever fail. The plant operates under harsh conditions, which requires constant maintenance of equipment. During the recession many of the requested components were cut from the budget to save money.

Mr. Woodrum said the most critical components are the primary clarifier, the aeration basins, and the secondary clarifiers. The primary clarifier, which is very important to the treatment process, lacks a secondary unit to provide redundancy. The aeration blower should be enhanced with variable speed capability and proper instrumentation. Another secondary

clarifier should be added to aid in the settling process. All RES pumps on the secondary clarifiers require upgrading. The SCADA control system has been neglected for several years and should be enhanced. The chlorination system needs to be upgraded to include some equipment that was cut out of the budget. The total project cost for upgrades as outlined in the master plan is \$11.58 million.

Mr. Woodrum reiterated that Phase 2 would expand the plant from 9 million gallons per day to 12 million. The existing facility is sound and requires no building additions or major modifications to accommodate Phase 2. Design and construction of Phase 2 would require a total of \$45 million. The Phase 3 expansion would require a total of \$20.9 million.

Council Member Iwanski inquired whether Phase 3 expansion would cover the full build-out of Avondale, or if a Phase 4 would be required after 2030. Mr. Woodrum responded that there is always the potential of a larger build-out to meet the flow needs, but the projections indicate that a maximum of 15 million gallons would be needed to accommodate full build-out of between 150,000 and 180,000 residents. If growth exceeds that number, a larger plant could be required.

Council Member Iwanski inquired whether the report contains an asset management component. Mr. Woodrum responded that the master plan does address asset management. It describes predictive and preventive maintenance measures to stay ahead of everyday failures or major breakdowns. David Fitzhugh added that asset management and plant efficiency have been a primary focus of Mr. Woodrum and his staff.

Vice Mayor Karlin asked about the effects of Avondale's growth on flows. Mr. Woodrum said that a spike in September 2014 was caused primarily by heavy rains during that month, but the average flow of 6 million gallons per day was steady throughout the year. There was no great increase in water consumption over the same period. Vice Mayor Karlin proposed that the City of Phoenix might have some surplus material that could be used for shade structures at the plant. Avondale has been able to get away with minimal plant expenditures during the recession, but that will not be the case for much longer.

Council Member McDonald inquired about the procedure for handling high strength effluent. Mr. Woodrum explained that the plant would increase the amount of dissolved oxygen to the process, but there are limitations to what adjustments can be made currently. In response to Council Member McDonald's inquiry, Mr. Woodrum said high chlorination issues are caused by the plant's restricted ability to treat higher loadings. Once the primary clarifier, aeration basins and secondary clarifier issues are properly addressed, the need for higher dosages of chlorine and other chemicals would drop, and the useful life of tertiary filters would be extended.

Council Member McDonald suggested that combining operational improvements with Phase 2 would save time and money. Mr. Fitzhugh responded that operational improvements are already programmed, as the City will be retiring a \$9 million bond shortly and anticipates issuing another bond that would be covered by the ratepayers. Phase 2 improvements are primarily dependent on growth, and would be substantially funded through development impact fees. It is a delicate balance to keep the plant capacity

operating efficiently. Building too large could lead to operational problems of a different kind.

In response to Mayor Weise's inquiry, Mr. Woodrum explained that the plant can meet the requirements of the permit, but that limitations exist. By not having system redundancy and some tools available, the plant's ability to adjust to changing circumstances is limited. Waiting a few years to implement the upgrades could jeopardize the City's ability to meet permit requirements.

3 POSSIBLE CREATION OF A COUNTY ISLAND FIRE DISTRICT WITHIN THE AVONDALE MUNICIPAL PLANNING AREA

Fire Chief Paul Adams said there are about 48 square miles of unincorporated area within the Avondale Municipal Planning Area. That includes about 1,000 real estate parcels with an assessed value of \$9.3 million. Maricopa County does not have a county fire department. Fire and medical services in these areas are provided by Rural/Metro on a subscription or fee for service basis. Avondale does respond to these areas at the request of Rural/Metro, and they are billed for that response. Billing rates are based on a 2003 letter, and Rural/Metro has requested they be significantly reduced.

Chief Adams stated that the time is opportune to explore the possibility of forming a non-contiguous county island fire district as allowed by state statute passed in 2007. Consulting service Policy Logic was retained to explore the feasibility of this idea. Assessment has been completed. The goal is to deliver an adequate level of fire and medical service throughout the entire municipal planning area, identify a sustainable and equitable funding mechanism, and consider future expansion.

Chief Adams said two considerations are cost/revenue and the service demand. Funding is based on a pro rata cost share mechanism through all the owners in the area, and considers the City's current operating budget and existing municipal primary assessed value. The rate that would be created for the county island fire district is \$3.50 per \$100 of secondary assessed value, an average about \$376 per year. The service demand calculation was based on service demand within the city. It is estimated that the area would generate approximately 139 responses per year, which is insignificant. The formation of such a fire district would be a valuable alternative, as service delivery to the area would be improved with marginal capacity demand requirements. He recommended that the City approve the fire district.

Chief Adams said the budgetary impact for Avondale would generate approximately \$328,000 in revenue for the City. Fire and medical would not need to add any resources or personnel to provide the service to the area. The annexation of Lakin Ranch would have minimal budgetary impact. The revenue base for the fire district would be relatively stable. The formation process would be the responsibility of property owners within the affected area. Fifty-one percent of the property owners within the area would have to approve the formation of the district. Should the district be formed, City Council would need to approve an intergovernmental agreement with it in order for Avondale to provide service to the area.

Council Member Nielson expressed her support for the idea. Response times in the area would improve and it would be cheaper for residents. Annexation of these areas would also be easier.

Council Member McDonald inquired about the rate differences. Chief Adams responded that the experience of other jurisdictions shows that in general the rate model is substantially less than the subscription rate through Rural/Metro, but that differences can vary widely. In response to an inquiry from Council Member McDonald, Chief Adams said the deal is all or nothing, and all county islands would have to enter at the same time. The only exception would be the unincorporated areas south of the Estrella Mountains, because of the logistical problems associated with it. Council Member McDonald felt that the district would provide better service.

Council Member Sierra inquired about the voting process. Chief Adams explained that once the Board of Supervisors authorizes the petition process, the Clerk would determine the necessary number of signatures and lock it.

Vice Mayor Karlin said the Rural/Metro bankruptcy filing has prompted this change. She expressed concern that the City would need to acquire more equipment as the population grows. She requested information on the approaches other cities have used. Chief Adams felt that no additional equipment would be needed, and that existing stations are well positioned to service the area. The increased demand would amount to only one call every three days. He said he preferred to gauge City Council's support for the fire district before exploring what other jurisdictions have done. The Rural/Metro bankruptcy means that the City might not be able to recoup due expenses. Vice Mayor Karlin said she would like more questions answered before deciding whether to support this idea.

Council Member Kilgore said he supports the plan. He inquired whether the district would have the capability of being sued and to sue. Chief Adams responded that they would be created as a legal entity, but would be very restricted in what they can and cannot do compared to a regular fire district. He knows of no lawsuits that have been filed. Mayor Weise and Council Member Iwanski indicated their support for the proposal.

4 ADJOURNMENT

There being no further business before the Council, Council Member Nielson moved to adjourn the work session. Council Member Kilgore seconded the motion, which carried unanimously.

City Council meeting adjourned at 7:10 p.m.



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 Work Session of the Council of the City of Avondale held on the 17th day of February. I further certify that the meeting was duly called and held and that the quorum was present.



City Clerk

Minutes of the Regular Meeting held February 17, 2015 at 7:00 p.m. in the Council Chambers.

MEMBERS PRESENT

Mayor Kenneth N. Weise and Council Members

Stephanie Karlin
David Iwanski (via telephone)
Bryan Kilgore
Jim McDonald
Sandi Nielson
Lorenzo Sierra

ALSO PRESENT

David Fitzhugh, City Manager
Gina Montes, Assistant City Manager
Kevin Artz, Assistant City Manager
Ken Galica, Senior Planner
Rob Gubser, Planning 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 UNSCHEDULED PUBLIC APPEARANCES

There were no requests to address the Council.

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. APPROVAL OF MINUTES

1. Work Session of January 20, 2015
2. Work Session of February 2, 2015
3. Regular Meeting of February 2, 2015

b. SPECIAL EVENT LIQUOR LICENSE - STAGS WILDCATS POKER NIGHT

A request from Mr. Nicolas Rodriguez for a special event liquor license application to be used in conjunction with a fundraiser sponsored by the STAGS Wildcats Dad's Club on Saturday, February 28, 2015 at St. Thomas Aquinas School located at 13720 W Thomas Road in Avondale.

c. APPOINTMENTS TO THE CITY'S BOARDS, COMMISSIONS AND COMMITTEES

Council Subcommittee's recommendations for appointment to the City's Boards, Commissions and Committees and a staff recommendation for the appointment of Abbe Yacoben as the Mayor's designee in the Risk Management Trust Fund Board and all the Public Safety Retirement Pension Boards (Fire, Police, Correction Officers and Volunteer Fire).

Council Member Nielson moved to approve the consent agenda as presented; 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.

4 PUBLIC HEARING ZONING EXTENSION FOR AVONDALE LIVE PAD (PL-14-0228)

A public hearing and a request by Mr. Michael J. Curley, Earl, Curley & Lagarde P.C., on behalf of Harbor Properties LLC, an Illinois Limited Liability Company, for a one year extension of the PAD zoning for Avondale Live, located on approximately 62 acres of land north of the northwest corner of 99th Avenue and McDowell Road.

Senior Planner Ken Galica reviewed the particulars of this item as more specifically described in the council report.

Mr. Galica indicated that staff recommends approval of the requested one year extension of PAD zoning, carrying over the following stipulations of the previous extension approval:

1. Development of the Avondale Live Site shall comply with the Freeway Corridor Specific Plan, excluding requirements for minimum floor area ratio (0.5). Maximum building heights of 6 stories shall be permitted on the easternmost 1,320 feet of the property; maximum building heights of 4 stories shall be permitted on the remainder of the property.
2. To achieve consistency between the PAD and the General Plan 2030's designation of Urban Commercial, the area of the PAD denoted as "Residential Village" shall be eliminated and replaced with an expanded "Commercial District", to be developed in accordance with the PAD's standards/uses for the Avondale Live PAD's "Commercial District" subarea.
3. Developers within the PAD shall be required to adhere to the terms of the City's Public Art Ordinance, Avondale Zoning Ordinance Section 11.

Council Member Nielson asked why the extension is being considered. Mr. Galica indicated the zoning ordinance allows for extensions to be requested and considered. He indicated that the development has not been developed due to the downfall in the economy.

Mayor Weise indicated he does not believe the city loses anything by granting an extension.

Mayor Weise opened the public hearing.

Fred Reyes, indicated he is a new resident of Avondale and asked what if a residential-only development could be built if there prove to be no interest in a commercial development.

Mr. Galica indicated that the PAD allows for residential on the second floor above the commercial development, however it does not allow for a stand-alone residential development. He added that it would be possible for a developer to build a stand-alone residential project but it would have to go through the city's approval process including a general plan amendment and rezoning of the property.

Mayor Weise closed the public hearing.

Council Member Nielson moved to approve the request for a one year extension of PAD zoning for Avondale Live through October 14, 2015, subject to three recommended stipulations. 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 PUBLIC HEARING AND ORDINANCE 1570-215 THREE RIVERS REZONING

A public hearing and an ordinance approving a request by Mr. Paul E. Gilbert, Beus Gilbert PLLC, on behalf of property owner SW Arizona Land LP, to amend the zoning atlas from AG (Agricultural) to CP (Commerce Park) for 39.96 gross acres of property located at the southeast corner of Roosevelt Street and 105th Avenue.

Senior Planner Ken Galica reviewed the particulars of this item as more specifically described in the council report.

Mr. Galica indicated that staff is recommending adoption of the ordinance approving application PL-14-0176, a request to rezone approximately 39.96 acres from AG (Agricultural) to CP (Commerce Park), subject to the following six conditions of approval:

1. Development of the site shall be in substantial conformance with the "Three Rivers Request for Rezoning Narrative" date stamped December 3, 2014.

2. 103rd Avenue south of Roosevelt Street is required to align with the existing segment of 103rd Avenue north of Roosevelt Street. Abandonment and/or dedication of right-of-way to/from the subject property may be required prior to development, based upon final roadway design.
3. The developer's requirements for provision of water and waste water infrastructure in arterial streets shall be determined, respectively, by the City's Water Master Plan and Waste Water Master Plan in effect at the time of Site Plan review. The developer's requirements for provision of water and waste water infrastructure in all other street classifications shall be determined by the latest version of the City of Avondale General Engineering Requirements Manual and City of Avondale Supplement to the MAG Uniform Standard Specifications and Details.
4. All perimeter off-site infrastructure improvements adjacent to a master site planned area must be completed with the first phase of development within that master site plan, prior to issuance of a Certificate of Occupancy or Certificate of Completion.
5. Additional requirements for improvements, traffic signals, and right-of-way for deceleration lanes, turn lanes, transit stops, or other traffic enhancements may be required during the site plan review process as determined after review of and approval of a site specific Traffic Impact Analysis by the City Engineer or designee.
6. To address turning conflicts, median/intersection improvements may be required at the 105th Avenue/Roosevelt Street intersection based upon review of a Traffic Impact Study submitted at the time of Site Plan review.

Mr. Galica pointed out that while the planning commission recommended approval subject to eight stipulations, staff is only recommending approval subject to six stipulations. He explained that the city attorney has incorporated the two stipulations into the standard zoning ordinance. Prompted by Council Member Nielson, Mr. Galica indicated stipulations #2 and #8 were removed:

2. Development shall be completed in accordance with the versions of the City of Avondale General Engineering Requirements Manual and City of Avondale Supplement to the MAG Uniform Standard Specifications and Details in effect at the time of Site Plan submittal.
8. Development shall adhere to all applicable provisions of the Avondale Zoning Ordinance, City of Avondale Design Manual for Commercial, Industrial, and Multi-Family Residential Development, and Freeway Corridor Specific Plan.

In response to a question from Council Member McDonald, Mr. Galica indicated staff has not seen any specific proposals for the property. He explained that unlike a PAD district, a commercial district does not expire, so the applicant will not have to request an extension. He added that staff prefers hard zoning over PADs because any updates to the zoning ordinance will apply to hard zoning areas, whereas a PAD is immune to any amendments to the zoning ordinance.

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

Council Member Sierra moved to adopt the ordinance approving Application PL-14-0176, a request to rezone approximately 39.96 acres from AG (Agricultural) to CP (Commerce Park), subject to six conditions of approval. Council Member Nielson 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.

6 PUBLIC HEARING AND ORDINANCE 1571-215 - GATEWAY VILLAGE REZONING

A public hearing and an ordinance approving a request by Mr. David Scholl, Vintage Partners, on behalf of property owners CML-AZ MC 103, LLC and Suenos Avondale LLC, to amend the zoning atlas from AG (Agricultural) to C-3 Freeway Commercial for 17.08 gross acres of property located at the southeast corner of McDowell Road and 103rd Avenue.

Mr. Gubser reviewed the particulars of this item as more specifically describe in the council report.

Mr. Gubser indicated that staff is recommending adoption of the ordinance to approve application PL-14-0224, a request to rezone approximately 17.08 gross acres from AG (Agriculture) to C-3 Freeway Commercial, subject to the following three (3) conditions of approval, as recommended by the Planning Commission:

1. Development of the site shall be in substantial conformance with the "Gateway Village Rezoning Narrative" date stamped November 20, 2014.
2. Additional requirements for improvements, traffic signals, and right-of-way for deceleration lanes, turn lanes, transit stops, or other traffic enhancements may be required during the site plan review process as determined after review of and approval of the Traffic Impact Analysis by the City Engineer or designee.
3. Additional requirements for water and sewer infrastructure improvements may be required during the site plan review process as determined after review and approval of the water and sewer technical reports by the City Engineer or designee.

Council Member Iwanski asked if the discussions with SRP regarding irrigation have concluded.

Carolyn Oberholtzer of Bergin, Frakes, Smalley & Oberholtzer spoke on behalf of the applicant and indicated that they have been able to get the thumbs up to avoid the relocation of the pipe as there is sufficient cover.

Mayor Weise indicated that he believes this project fits very well into what is happening along McDowell Road.

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

Council Member McDonald moved to adopt the ordinance approving Application PL-14-0224, a request to rezone approximately 17.08 gross acres from AG (Agricultural) to C-3 Freeway Commercial, subject to three (3) conditions of approval, as recommended by the Planning Commission. Council Member Nielson 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 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 potential economic development agreement.

Council Member Nielson moved to adjourn into executive session. Council Member McDonald seconded the motion.

6 ADJOURNMENT

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

City Council meeting adjourned at 8:48 p.m.



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 17th day of February, 2015. I further certify that the meeting was duly called and held and that the quorum was present.



City Clerk