

Minutes of the Work Session held January 19, 2016 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  
Gina Montes, Assistant City Manager  
Kevin Artz, Assistant City Manager  
Christina Underhill, Assistant Parks, Recreation and Libraries Director  
Tracy Stevens, Development and Engineering Services Director  
Andrew McGuire, City Attorney  
Carmen Martinez, City Clerk

**1 ROLL CALL BY THE CITY CLERK**

**2 EL RIO DESIGN GUIDELINES AND PLANNING STANDARDS**

Christina Underhill, Assistant Parks, Recreation and Libraries Director stated that the El Rio Watercourse Master Plan was developed in 2006. The plan covers an area stretching from the Agua Fria River near Dysart Road and Festival Fields, south to the Gila River, and out to MC-85. It passes through the cities of Avondale, Goodyear and Buckeye. Those cities, along with the Maricopa County Flood Control District, and Maricopa County Planning, entered into an intergovernmental agreement in 2013. In 2014, the Council approved a professional services agreement with J2 Engineering, who were tasked with designing two vegetation projects for this area, along with educational exhibits, design guidelines, and pilot projects. The guidelines will create cohesion throughout the development, linking the communities through a unified trail system, and connecting to the Maricopa County regional trail system.

The public outreach effort consisted of meetings with City Council, the Board of Supervisors, and City boards and commissions. Letters were sent to various stakeholders in the area. A public meeting gathered comments and concerns from citizens, and that input was used to adapt the guidelines to fit the needs of the community. The document was finalized in November of 2015 in preparation for adoption in 2016.

Jeff Engelmann, J2 Engineering & Environmental Designs, reviewed the eight chapters of the report. The plan protects access to the river for both future development and recreation. Pilot projects were developed for all three cities. He clarified that the document is not a regulatory one. It does not state mandatory requirements, does not change adjacent land uses, and is not a levy project, nor a construction document. It discusses salt cedar removal, which will be handled by the Flood Control District.

Mr. Engelmann said Chapter 1 provides background on the ten-year history of the project. Chapter 2 identifies 12 different character areas. For Avondale, the Tres Rios Scenic Confluence is of primary importance. The plan discusses using native materials mined from

the river, encourages year-round recreational use, and identifies educational opportunities for all age groups. A number of historical interpretations will trace the extensive history of human habitation along the river. The plan respects the natural setting.

Mr. Engelmann said that Chapter 3 addresses land development, including viewshed transects that will preserve views and corridors to the river so that they are not blocked off completely by future construction. A unified trail system is envisioned along the entire edge of the river, consisting of a 16-foot wide path with 12 feet of hard surface and four feet of soft surface.

Mr. Engelmann explained that Chapter 4, Open Spaces, Paths, Trails, and Edge Treatments, addresses how the porosity of the river area can be reinforced. Development would still be able to occur through a variety of different high and low density mechanisms, but access to open space would be protected. Chapter 5 details landscape guidelines, setting forth a plant palette that can be used within the floodway fringe that would blend with both natural environments as well as the type of landscaping commonly found in private developments.

Mr. Engelmann said Chapter 6 deals with signage guidelines, identifying the fonts, colors, and materials that could be used along the trail systems to link different entities together in a coherent fashion. The El Rio trail system would be linked to the regional trail system being established by the Maricopa Association of Governments. Chapter 7 covers the proven economic benefits of developing a river corridor with open space. Chapter 8 explains the three pilot projects identified by each of the cities involved in the plan. Goodyear's Rio Vista Trailhead would expand parking and provide pedestrian access to the El Rio Trail system near Estrella Mountain Regional Park. Buckeye's project, off of Miller Road, would include a demonstration wetland, an educational component, and vehicular and equestrian access. Avondale's project could potentially expand Festival Fields, creating strong links to the Agua Fria and Gila River for pedestrians and equestrians.

In response to an inquiry from Council Member McDonald, Ms. Underhill explained that the pilot project to remove salt cedar from Tres Rios is going well. The lessons learned from that experience will be applied to the invasive species eradication efforts elsewhere in El Rio. She further explained that the granite trail will run parallel to the 12-foot wide paved trail and will be available for equestrian and mountain bike use. At some points it will run in the riverbed and repairs will be required following flood events. Council Member McDonald inquired about drainage requirements into the river. Mr. Engelmann explained that the City's requirements for onsite flood retention will not change with the guidelines. Developments adjacent to the river could potentially apply the open space above the flood limits towards their retention requirements. Council Member McDonald inquired about the availability of grants. Mr. Engelmann said the federal government regularly provides grants for multi-use trail systems that link to downtown or corridor development. This planning document would provide the participating agencies with opportunities to seek additional funding for trail systems and levy protection projects.

Council Member Sierra inquired whether this project would be impacted by the proposed State Route 30 or the extension of the 303 freeway. Mr. Engelmann responded that the alignment for S.R. 30 has not been formally set yet. If it aligns north of the river, access by

the major crossroads would not be hindered or cut off. ADOT is aware that the bridge abutment for the 303 freeway could cut off east/west access if it is placed on the Salt River bank.

Vice Mayor Karlin inquired about the proposed timeline from this point. Mr. Engelmann explained that no formal timeline has been associated with these guidelines. Much will depend on how quickly development will approach the river. The flooding in Buckeye has forced the El Rio corridor to become a higher priority, and this could serve as an impetus to make this plan a reality quicker than expected. The rate at which the project can come to fruition will be heavily dependent on the relationship between private and public interests.

Council Member Iwanski said this proposal has come a long way. He inquired whether the federal government has bought into the plan. Mr. Engelmann said Fish and Wildlife have. The Corps of Engineers were not involved in developing the guidelines, but have been heavily involved in the Flood Control District's communication regarding the Buckeye Slough flooding. Council Member Iwanski asked whether the plan addresses downriver water rights. Mr. Engelmann said the guidelines do not deal with water rights at all.

Mayor Weise inquired about the ongoing salt cedar removal effort. Mr. Engelmann responded that the Flood Control District is developing an El Rio Corridor Management Plan. The District is expected to release details on its salt cedar removal effort in 2016. The invasive species will be replaced with trees that were prevalent in the corridor before they were overtaken. Mayor Weise asked how the Buckeye Slough ties into this project. Mr. Engelmann explained that the Buckeye Slough is downstream of the confluence of the Gila and the Agua Fria Rivers. It is a large area that can flood regularly, sometimes up to the railroad tracks. The District submitted revised floodplain insurance maps to FEMA, but they have yet to be formally adopted.

### **3 OFF-PREMISE BILLBOARD SIGN GUIDELINES**

David Fitzhugh, City Manager, noted that City Council directed staff to develop a set of design guidelines on the particulars of locating billboards. Tracy Stevens, Development & Engineering Services Director, said the billboards are not currently allowed along the freeway corridor in Avondale. The study area for off-premise billboards was between the Agua Fria River and 99th Avenue. The criteria for selection of potential locations included parcels adjacent to the I-10 right-of-way zoned PAD of C-3 Freeway Commercial. The area between 99th Avenue and 107th Avenue on both sides of the freeway was determined to hold the most promise for off-premise billboards, due to the separation of residential in that area. The nearest single-family residential use in the area is approximately 1,550 feet away on the north side, and about 800 feet on the south side. After consulting several other existing ordinances, staff proposes 1,320 feet as adequate separation between billboards. The guidelines were also checked for consistency with the General Plan, the Freeway Corridor Specific Plan, and any potential City branding efforts.

Ms. Stevens said the design requirements looked at incorporating the Avondale logo and City branding opportunities. They ensure that billboards are approved during the first phase of development. The distance of 50 feet from the freeway right-of-way is pretty consistent

throughout the Valley, as is the maximum of 675 square feet in area with a maximum 60-foot height. The City could benefit from branding, City-related content, emergency messaging opportunities, and the billboards could stimulate economic investment and revenue. Billboards would be considered case by case through development agreements.

Ms. Stevens said the proposal was brought before the Planning Commission on November 19. Questions were posed regarding locations north and south of the freeway. Two letters have been received, one expressing support, and one commenting on the design guidelines.

Council Member Nielson said she was impressed by the proposal to dim the lights after 11:00 p.m., and to turn the power off overnight. Council Member Kilgore suggested tightening the requirements to have abandoned signs removed after 30 days instead of 60 days. Council Member Sierra inquired whether mature trees would have to be cut to accommodate any proposed signs. Ms. Stevens said it would be hard to determine until billboards are actually placed in their locations. There are fewer trees on the north side than the south side. Council Member Sierra asked whether the branding cost would be footed by the City or the billboard owners. Ms. Stevens explained that a deal would have to be negotiated through the development agreement, but typically that is something the billboard companies would do.

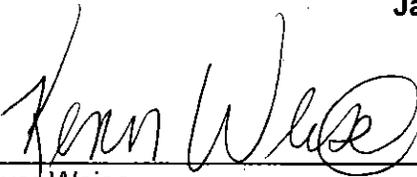
Council Member McDonald inquired whether the minimum distance to the nearest single-family home was determined by sign visibility or the potential for light pollution. Ms. Stevens said the primary concern was light pollution. When the auto mall sign was erected, some comments emerged over the light it emitted. Council Member McDonald noted that most of the signs face away from the houses and the dimming requirements should allow for the minimum distances to be reduced. Ms. Stevens agreed that it could be reduced. Some cities have it down to 1,000 feet. Council Member McDonald suggested that billboards within a certain distance of homes could also be required to have light that can only be seen from a limited direction.

Mayor Weise inquired about the number of signs companies could put up in county islands. Ms. Stevens said they are maxed out on the south side, but there is one more spot available on the north side. Mayor Weise said this proposal is a sensible compromise. There will be much development in the corridor in the near future, but a balance has to be struck so that people can still enjoy the beauty of their surroundings. It is best to handle this on a case-by-case basis. He lives near the auto mall and sees no light pollution from its sign. It is important not to approve any billboards before a building goes vertical.

#### **4 ADJOURNMENT**

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

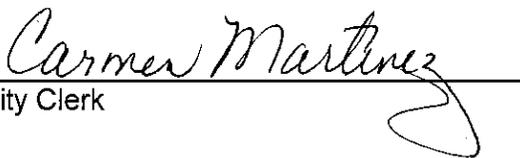
City Council meeting adjourned at 6:48 p.m.

  
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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 19th day of January, 2016. 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 January 19, 2016 at 7:06 p.m. in the Council Chambers.

**MEMBERS PRESENT**

Mayor Kenneth N. Weise and Council Members

Stephanie Karlin  
David Iwanski  
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  
Kirk Haines, Parks, Recreation and Libraries Director  
Andrew McGuire, City Attorney  
Carmen Martinez, City Clerk

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

**2 UNSCHEDULED PUBLIC APPEARANCES**

Mr. Singh addressed the Council indicating he is a new business owner in the city and invited the Council to the grand opening of Café Royale on Saturday.

**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 4, 2016
2. Regular Meeting of January 4, 2016

**b. COOPERATIVE PURCHASING AGREEMENT - POLYDYNE, INC.**

A Cooperative Purchasing Agreement with Polydyne, Inc. to purchase cationic emulsion polymers for a maximum aggregate amount not to exceed \$750,000, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

**c. FIRST AMENDMENT TO COOPERATIVE PURCHASING AGREEMENT – DELL MARKETING LIMITED PARTNERSHIP**

A request to approve the first amendment to the City's cooperative purchasing agreement with Dell Marketing LP for the purchase of computers, peripherals, maintenance, and support for City departments in an aggregate amount not exceed \$1.486 million and authorize the Mayor or City Manager and City Clerk to execute the appropriate documents.

**d. RESOLUTION 3287-116 - INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY RELATED TO THE HOME INVESTMENT PARTNERSHIPS PROGRAM**

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 Program in the amount of \$128,772 for the 2015-2016 fiscal year and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

**e. RESOLUTION 3290-116 - INTERGOVERNMENTAL AGREEMENT – MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT**

A resolution approving an Intergovernmental Agreement with Maricopa County Community College District, for Play Group Facilitator Services in the amount of \$6,000 for a six month period and the option to renew for eight additional six month terms for a aggregate maximum amount not to exceed \$54,000 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

**f. ORDINANCE 1596-116 - APPROVING AN OFFICE LEASE AGREEMENT – EPS GROUP, INC. ENGINEERS, PLANNERS & SURVEYORS**

An ordinance authorizing an agreement with EPS Groups, Inc. Engineers, Planners & Surveyors for the lease of real property located at 125 S. Avondale Boulevard and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

Council Member Nielson moved to approve the consent agenda as presented including Resolutions 3287-116 and 329-116 and Ordinance3 1596-116. 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 Kilgore	Aye
Council Member Sierra	Aye

Motion carried unanimously.

**4 PUBLIC HEARING - CONDITIONAL USE PERMIT - JACK IN THE BOX DRIVE-THRU RESTAURANT (APPLICATION PL-15-0200)**

City Council will hold a public hearing and consider a request by Mr. Jeff Looker, Looker & Cappello Architects, Inc., for approval of a Conditional Use Permit for a Jack in the Box drive-thru restaurant at the southwest corner of McDowell Road and 103rd Avenue.

Ken Galica, Senior Planner reviewed the particulars of this item explaining that a CUP is required for this type of use in the requested location. He indicated that if the CUP is

approved, the project will go into the site plan/design review followed by construction documents.

Mr. Galica indicated that the project meets the required findings as outlined in the zoning ordinance:

- Consistent with General Plan and helps to further the City's objectives.
- Compatible with adjacent land uses.
- Site is adequate in size to accommodate the proposed use.
- Site has sufficient circulation and accessibility; minimal traffic impact to surrounding streets.
- No adverse effects; two standard stipulations recommended.
- Mayor Weise opened the public hearing

Mr. Galica indicated that while the Planning Commission recommended disapproval of the application, however, staff believes that the project meets the findings outlined in the zoning ordinance and is recommending approval subject to the following stipulations:

- Conformance with provided plans
- Expiration of CUP

Mayor Weise explained that while he does not believe this is not the ideal location for this type of restaurant, it complements Main Event and believes will be a good alternative for people going into or leaving Main Event. He indicated that he respects the recommendation from the Planning Commission but unfortunately commissioners did not expand into their reasons for voting against the CUP. Mayor Weise suggested that in the future Planning Commission members provide more insight into the reasons behind their votes.

Vice Mayor Karlin indicated that without having more detail on the dimensions of the drive thru, she wondered if the proposed drive thru will be as challenging as the one at Panda Express on Avondale Blvd. Mr. Galica indicated that the design of the drive thru for this location will be different and cars should be able to get in and out easier. Regarding the landscaping, Vice Mayor Karlin suggested that an alternative to pyracantha is used for the living wall as it has thorns and cars get damaged if the drive too close to the wall. Lastly, she suggested that developers should be encouraged to have recycling containers as part of their sustainability programs. Mr. Galica indicated that there is enough distance between the parking areas and the living wall so he does not expect it will be a problem. Regarding recycling, he indicated that businesses contract with private haulers, but will pass the suggestion along.

Council Member Nielson expressed her support for approving the CUP as it provides a good alternative for families going into Main Event.

Council Member Iwanski commented it is important to know how many full time and part time jobs (full time and part time) will be created by this restaurant. Mr. Galica indicated he

did not have that information handy but will provide the information to Council Member Iwanski soon.

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

Vice Mayor Karlin moved to approve the request by Mr. Jeff Looker, Looker & Cappello Architects, Inc., for approval of a Conditional Use Permit for a Jack in the Box drive-thru restaurant at the southwest corner of McDowell Road and 103rd Avenue. 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 Kilgore	Aye
Council Member Sierra	Aye

Motion carried unanimously.

**5 PROFESSIONAL SERVICES AGREEMENT - EXERPLAY, INC.**

A request to approve a professional services agreement with Exerplay, Inc. in the amount of \$250,000 for a new playground, safety surfacing and Americans with Disabilities Act access at Fred Campbell and Friendship Parks, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

Mr. David Fitzhugh indicated that Parks, Recreation and Libraries Director, Kirk Haines, would provide information regarding items 5 and 6 in one single presentation.

Mr. Haines indicated that due to deterioration, some of the equipment at Fred Campbell and Friendship Park is no longer available for use by residents. He acknowledged the delays that have been associated with this project and recognized the Council's, staff's and residents' desire to get this project underway and completed so that residents can enjoy the amenities.

Mr. Haines explained that as part of the council's key initiative related to citizen involvement, staff set up a table during the Winterfest event on December 5, 2015 to obtain resident feedback regarding the type of equipment and play elements residents would like to see at the parks. He reported that over 500 participants provided feedback. Top choices included large slides, contemporary swings, a Ship at FriendShip Park, climbing apparatus, and other elements that are safe and adaptive for children to use. He indicated that in an effort to continue to engage residents, the vendor will create a website that will allow residents view a 360° rendition to view and provide feedback on various playground concepts. In addition, residents will be invited to Fred Campbell Park to provide feedback in person. Final design and production of equipment will follow. He added that to further engage the community, an

option being considered is to invite residents to help with the deconstruction of the current equipment and install the new equipment.

Vice Mayor Karlin asked if a head count has been taken to determine how much Fred Campbell Park is used. She commented that it is very dark at night and sometimes attracts shady characters. Mr. Haines indicated that while a head count has not been taken, earlier in the fall he rode along with evening staff and noticed there was a large number of participants between 8 and 9 pm. He added he did not witness any shady characters but rather there was an atmosphere of community. Mr. Haines indicated that he believes that by having the community participate in this process from equipment selection to building, the community will take ownership of the park and it will build into a great place to play and connect which will also contribute to monitor and deter any negative activity. Vice Mayor Karlin commented she was glad to see the equipment is safe and adaptive.

Council Member Nielson indicated she was glad to see the community engagement efforts that have been part of this project. She suggested using solar lighting for a low cost alternative to light the parks. Mr. Haines indicated they will look at that option as well as LED lighting.

Council Member Sierra asked what is the general usage life for the equipment being proposed. Mr. Haines indicated that its usage life ranges between 10 to 15 years, although some surfaces deteriorate quicker and create safety concerns. He added that he expects the proposed equipment will last a minimum of ten years as the company provides warranty for the equipment. In regards to a question from Council Member Sierra, Mr. Haines indicated that flyers will be distributed in the neighborhood around Fred Campbell Park to invite residents to provide feedback on the playground. Staff will be available at the park on several Saturdays to ensure most residents have the opportunity to participate.

Council Member McDonald indicated he likes the options being considered and is glad to see the community engagement tactics that are being used.

Council Member Kilgore commented that the proposed equipment will be a nice addition to the parks as the designs are modern, whimsical and the color pallets are nice. He added that lights at Fred Campbell will result in increased use and indicated that both solar or LED lights would be great options. Council Member Kilgore was complimentary of the community engagement efforts that have been taken thus far and are being planned. He asked if a display or computer access would be available at city hall and the libraries to provide additional options for residents to provide feedback. Mr. Haines replied that the option has been considered and the system will be ready to be rolled out soon. The vendor will have signage at the parks that will include a QR code that residents who have access to that technology can use to login and provide feedback.

Mayor Weise expressed support for continued community engagement efforts.

Council Member Nielson moved to approve a professional services agreement with Exerplay, Inc. in the amount of \$250,000 for a new playground, safety surfacing and Americans with Disabilities Act access at Fred Campbell and Friendship Parks, and

authorize the Mayor or City Manager and City Clerk to execute the necessary documents. Vice Mayor Karlin 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 Kilgore	Aye
Council Member Sierra	Aye

Motion carried unanimously.

**6 PROFESSIONAL SERVICES AGREEMENT - PLAY IT SAFE PLAYGROUNDS AND PARK EQUIPMENT, INC.**

A request to approve a professional services agreement with Play It Safe Playgrounds and Equipment Inc. in an amount not to exceed \$350,000 for new playground equipment, safety surfacing and shade at Friendship Park and authorize the Mayor or City Manager and City Clerk execute the necessary documents.

Council Member Nielson moved to approve a professional services agreement with Play It Safe Playgrounds and Equipment Inc. in an amount not to exceed \$350,000 for new playground equipment, safety surfacing and shade at Friendship Park and authorize the Mayor or City Manager and City Clerk execute the necessary documents. Council Member McDonald 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 Kilgore	Aye
Council Member Sierra	Aye

Motion carried unanimously.

**7 EXECUTIVE SESSION**

An executive session pursuant to (i) Ariz. Rev. Stat. § 38-431.03 (A) (1) for discussion regarding the City Manager's quarterly evaluation.

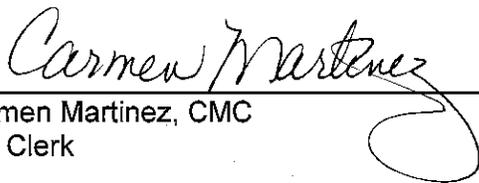
Council Member Nielson moved to adjourn to executive session; Council Member Kilgore seconded the motion. The motion was carried unanimously.

**8 ADJOURNMENT**

Council Member Nielson moved to adjourn the meeting; Council Member Kilgore seconded the motion. Motion was carried unanimously.

The meeting was adjourned at 9:59 pm.

  
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Mayor Weise

  
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Carmen Martinez, CMC  
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 19<sup>th</sup> day of January, 2016. I further certify that the meeting was duly called and held and that the quorum was present.

  
\_\_\_\_\_  
City Clerk

