

Minutes of the Regular Meeting held May 16, 2016 at 7:00 p.m. in the Council Chambers.

MEMBERS PRESENT

Mayor Kenn Weise and Council Members

Stephanie Karlin, Vice Mayor
David Iwanski
Bryan Kilgore
Lorenzo Sierra

ABSENT/EXCUSED

Jim McDonald
Sandi Nielson

ALSO PRESENT

David Fitzhugh, City Manager
Gina Montes, Assistant City Manager
Kevin Artz, Assistant City Manager
Darcy Lowery, Senior Human Resources Analyst
Ken Galica, Senior Planner
Abbe Yacoben, Finance and Budget Director
David Janover, City Engineer
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 RECOGNITION ITEMS (MAYOR PRESENTATIONS)

a. RECOGNITION FROM THE EMPLOYER SUPPORT OF GUARD AND RESERVE AND APPROVAL OF STATEMENT OF SUPPORT

Representatives from the Employer Support of Guard and Reserve (ESGR) will present two recognitions to the City of Avondale for its efforts in supporting veterans, and will request that the City Council approve a Statement of Support for the Guard and Reserve.

City Manager David Fitzhugh introduced Darcy Lowery, Senior HR Analyst and Patrick McDermott to present this item.

Mr. McDermott indicated that the Employer Support of Guard and Reserve is a group that works to educate employers and service members regarding applicable laws to allow service members to fulfill their responsibilities. They also recognize employers who are doing an excellent job in supporting service members.

Darcy Lowery presented the Patriot Award to her supervisor, Cherlene Penilla for the support of her as a reservist.

Mr. McDermott presented the Above and Beyond Award to the City of Avondale for the outstanding job the city has done to support guard and reservists demonstrated by the paid leave the city provides for its employees. City Manager David Fitzhugh accepted the award on behalf of the Council and the City indicating that after 9/11, the city

prepared a policy that allowed employees who are members of the armed forces to continue to serve their country.

Mayor Weise read and signed the Statement of Support. He thanked Council Members McDonald and Iwanski for their service to their country.

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. Special Meeting of April 11, 2016
2. Work Session of April 18, 2016
3. Regular Meeting of April 18, 2016
4. Special Meeting of April 25, 2016

b. THIRD AMENDMENT TO EMERGENCY BASE STATION AGREEMENT WITH BANNER HEALTH DBA: BANNER ESTRELLA MEDICAL CENTER

A request to approve a third amendment to the emergency base station agreement with Banner Health d/b/a Banner Estrella Medical Center to provide certain medical direction services for the Fire and Medical Department.

c. MINOR LAND DIVISION CARL INVESTMENTS LIMITED PARTNERSHIP APPLICATION PL-16-0037

A request by Ms. Margaret Carl, Carl Investments Limited Partnership, for approval of a Minor Land Division concerning 4.62 acres of property located approximately 111 feet south of the southeast corner of Dysart Road and Washington Street to divide an existing parcel into two lots, dedicate an access and utility easement for the benefit of the newly created lot, and dedicate public right-of-way to the City.

d. RESOLUTION 3311-516 - EL RIO DESIGN GUIDELINES AND PLANNING STANDARDS

A resolution adopting the El Rio Design Guidelines and Planning Standards relating to the land management and implementation of the El Rio Watercourse Master Plan.

e. RESOLUTION 3312-516 AMENDMENT ONE TO THE INTERGOVERNMENTAL AGREEMENT WITH ADOT

A resolution authorizing Amendment One to the Intergovernmental Agreement with the Arizona Department of Transportation for the administration of construction of the Dysart Road Fiber Optic project, and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

f. RESOLUTION 3314-516 - AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY RELATING TO JURY SERVICES

A resolution authorizing an Amendment to an Intergovernmental Agreement with Maricopa County to extend the term of the agreement for an additional two-year term to provide jury management services for the Avondale City Court, and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

g. RESOLUTION 3315-516 - INTERGOVERNMENTAL AGREEMENT WITH ADOT FOR THE UPGRADE OF PEDESTRIAN SIGNALS AND SIGNS

A resolution authorizing an Intergovernmental Agreement with Arizona Department of Transportation for the installation of pedestrian countdown signals citywide and Accessible Pedestrian Signal at four intersections, and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

h. ORDINANCE 1607-516 - AMENDMENT TO CHAPTER 6 OF THE PERSONNEL POLICIES AND PROCEDURES AND AN AMENDMENT TO THE MOU WITH THE AVONDALE PROFESSIONAL FIREFIGHTERS ASSOCIATION LOCAL 3924

An ordinance amending the City of Avondale Personnel Policies and Procedures Manual, Chapter 6 Benefits, approve an amendment to the MOU with the Avondale Professional Firefighters Association Local 3924 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

Council Member Sierra moved to approve the consent agenda as presented including Resolutions 3311-516, 3312-516, 3314-516 and 3315-516 and Ordinance 1607-516. Council Member Kilgore seconded the motion.

ROLL CALL VOTE AS FOLLOWS

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

Motion was carried 5-0.

5 PUBLIC HEARING AND ORDINANCE 1606-516 APPLICATION PL-16-0005 – REZONING FROM R1-6 (URBAN RESIDENTIAL) TO R-4 (MULTI-FAMILY RESIDENTIAL)

A public hearing and a request by property owner Mr. Bill Graves, AA Avondale Mobile Home Communities, LLC, to adopt an Ordinance amending the zoning atlas from R1-6 (Urban Residential) to R-4 (Multi-Family Residential) for 5.3 gross acres of property located approximately 940 feet south of the southwest corner of Western Avenue and 3rd Avenue.

Ken Galica, Senior Planner, gave a background on the property indicating it consists of approximately 5.3 gross acres south of the southwest corner of Western Avenue and 3rd Avenue. He explained that the property was annexed in 1959 and zoned R-4 but when the city adopted the new zoning map in 1990 it was rezoned to R1-6 – single family residential/urban residential. The property is currently vacant.

The request is for rezoning back to R-4 which would bring the property in conformance with the General Plan Land Use Map and would allow for the development of up to 30 units per acre. Mr. Galica indicated that staff believes the proposed rezoning is more compatible with surrounding uses, any future development will be subject to the applicable development standards, design and development guidelines as well as any other engineering requirements and city codes, ordinances and policies. Mr. Galica pointed out that the property owners are not looking at developing the property at this time.

Mr. Galica reviewed the public participation and noticing efforts and indicated that staff received one letter and one phone call in opposition of the rezoning. Agua Fria HSD and the Avondale ESD have provided a letter of support for the rezoning. He concluded by saying that the Planning Commission voted unanimously to recommend rezoning of the property

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

Council Member Sierra moved to accept the findings and adopt Ordinance 1606-516 approving Application PL-16-0005, a request to rezone approximately 5.3 acres from R1-6 (Urban Residential) to R-4 (Multi-Family Residential). Council Member Kilgore seconded the motion.

ROLL CALL VOTE AS FOLLOWS

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

Motion was carried 5-0.

6 RESOLUTION 3313-516 - TENTATIVE BUDGET AND ESTABLISHING THE EXPENDITURE LIMITATION FOR FY 2016-2017

A resolution setting forth the fiscal year 2016-2017 tentative budget and establish the City's annual expenditure limitation in the amount of \$204,012,519.

Finance and Budget Director Abbe Yacoben reviewed the project process and highlighted a few changes included in the tentative budget being considered tonight that were not part of the one reviewed by the council previously:

- Court Clerk III was discussed by staff but the addition did not make it to the budget book
- A supplemental for electricity was be removed
- McDowell Road ITS total project budget is \$1 million but \$800,000 are being moved to FY 2018 as it will not be needed during FY 2017. FY 2017 budget for this project is \$200,000

- The total cost of the Fairway Drive Improvement project is \$2.1 million. Only \$250,000 will be needed during FY 2017 for the design; the balance of \$685,000 will be budgeted in future years.
- The total budget for the McDowell/RSF Intersection Improvement project is \$875,000. The project is scheduled for FY 2018 and FY 2019, but it is going to start earlier so \$75,000 is being budgeted during FY 2017
- The total cost of the Dysart Road ITS Phase 2 is \$437,600; original budget over two years was \$375,600. FY 2017 budget is being increased by \$62,000 from \$80,000 to \$142,000
- The funds for the vehicle for the senior nutrition program are being carried over to FY 2017
- An increase of \$20,000 for the Contributions Assistance program

Vice Mayor Karlin requested an update on the timing of the Fairway Drive improvements. City Engineer David Janover explained that the city is moving forward with the design so as to be ready when ADOT is ready to go. Staff is hopeful that it can get started in FY 2018. Vice Mayor Karlin indicated that there are other projects that she believes have a higher need and does not want to see them delayed.

Mr. Fitzhugh indicated that there is still interest in moving this project forward on the part of ADOT, but there several issues and interests that are being played out. Staff wants to be ready to move forward with the design in the event that it is decided to expedite the timing of construction. He added that ADOT is also moving forward with the design and it is important that both designs are prepared concurrently and complement each other.

Mayor Weise commented that the TCP is looking at projects related to safety. He expects to be named vice chair of the TCP in July and will be part of a coalition that will advocate for the west valley.

Vice Mayor Karlin indicated she was pleased to see that the Contributions Assistance program was increased by \$20,000

Council Member Sierra moved to adopt Resolution 3313-516 setting forth the fiscal year 2016-2017 tentative budget and establish the City's annual expenditure limitation in the amount of \$204,012,519. Council Member Kilgore seconded the motion.

ROLL CALL VOTE AS FOLLOWS

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

Motion was carried 5-0.

7 PROFESSIONAL SERVICES AGREEMENT - J2 ENGINEERING AND ENVIRONMENTAL DESIGN, LLC - FESTIVAL FIELDS CONCEPTUAL DESIGN

A Professional Services Agreement with J2 Engineering and Environmental Design, LLC to provide conceptual design services for the Festival Fields Conceptual Design Project in the amount of \$82,484 and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

Kirk Haines, Parks, Recreation and Libraries Director reviewed the area that staff is including in the conceptual design. He indicated the property is bound by the Agua Fria River on the south and some of the area is within the flood area. No vertical infrastructure will be constructed within the flood plain area, but it is possible to locate fields within that area because any inundation that may occur could be treated as irrigation.

Mr. Haines reviewed the proposed schedule. Data and input from stakeholders will take place from May to July. The conceptual design will be prepared and shared with the stakeholders for additional input between May and September of this year. Staff expects to have a final plan before the end of the calendar year. He added that the goal is to identify the total cost of the project to determine if the construction can be done in a single phase or if the project will need to be phased.

Council Member Iwanski asked if there has been environmental assessment done on Festival Fields. Mr. Haines replied that a phase one environmental assessment was done, and a subsequent one will be done to identify any impediments to the project.

Vice Mayor Karlin asked if there is anything being done to mitigate the impact of the flood plain. Mr. Haines replied that staff has not yet identified a course of action. The decision as to either extend the embankment to protect the site or allow flows to potentially come into the site will depend on the site and the total potential cost. Vice Mayor Karlin indicated that she would think that the Army Corps of Engineers has already prognosticated the potential impact of a flood. Mr. Haines replied that the final determination will be made in partnership with the Flood Control District.

Mayor Weise asked Mr. Haines if he had a similar experience with the development of Rio Vista Park in Peoria. Mr. Haines indicated that staff knew there were buried treasures which were removed and mitigated by the contractor. He explained that cobblestone was abundant due to being a river bottom so it was moved around to use as fill material. He added that for Festival Fields he would likely choose to use hardy grass and turf to withstand the water and ensure that any structures are built on solid ground.

Council Member Sierra moved to approve the Professional Services Agreement with J2 Engineering and Environmental Design, LLC for preparation of the conceptual design for Festival Fields. Vice Mayor Karlin seconded the motion.

ROLL CALL VOTE AS FOLLOWS

Council Member McDonald	Excused
Council Member Iwanski	Aye
Council Member Nielson	Excused
Mayor Weise	Aye
Vice Mayor Karlin	Aye

Council Member Kilgore
Council Member Sierra

Aye
Aye

Motion was carried 5-0.

8 ADJOURNMENT

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

The meeting was adjourned at 7:42 pm.



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 16th day of May, 2016. I further certify that the meeting was duly called and held and that the quorum was present.



City Clerk

