



City of Goodyear

Meeting Agenda

City Council Regular Meeting

Meeting Location:
Goodyear Justice Center
14455 W. Van Buren St.,
Suite B101
Goodyear, AZ 85338

Mayor Georgia Lord
Vice Mayor Joe Pizzillo
Councilmember Joanne Osborne
Councilmember Sheri Lauritano
Councilmember Wally Campbell
Councilmember Bill Stipp
Councilmember Sharolyn Hohman

Monday, April 28, 2014

6:00 PM

Goodyear Justice Center

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE & INVOCATION BY VICE MAYOR PIZZILLO**

3. **ROLL CALL**

4. **COMMUNICATIONS**

- 4.1 [CO 154-14](#) Proclaim May 4, 2014 through May 10, 2014 as Municipal Clerks Week.
(Maureen Scott, City Clerk)
- 4.2 [CO 156-14](#) Recognition of three Police Department graduates. (Jerry Geier, Chief of Police)
- 4.3 [CO 157-14](#) Provide Council with an end of season report for 2014 Spring Training. (Bruce Kessman, Ballpark General Manager)

5. **CITIZENS COMMENTS/APPEARANCES FROM THE FLOOR**

Please complete a speaker card for the City Clerk, listing the subject you would like to discuss. Each speaker is limited to three (3) minutes. Before you begin to speak, identify yourself by clearly stating for the record, your name and address.

Non-Agenda items: This is the time for citizens who would like to address the City Council on any non-agenda item. The Council will listen to comments, and may take any one of the following:

1. Respond to criticism
2. Request that staff investigate and report on the matter
3. Request that the matter be scheduled on a future agenda.

6. **CONSENT**

As per City of Goodyear City Code, Section 2-4-9, Agenda; Order of Business, D., "At any regular or special meeting of city council, the City Clerk shall at the instruction of the City Manager place within the agenda an agenda of matters for the Council to act on as a "consent agenda." The council may vote upon all matters contained within the consent agenda by a unanimous single vote of all those present at the meeting entitled to vote. Any matter may be removed from the consent agenda and considered as a singular item upon the request of any member of the Council or any member of

the public in attendance at the meeting. The consent agenda shall be placed on the regular agenda for said meeting immediately after 'communications'." (Ordinance 92-451)

The City Clerk will read the Consent Agenda items by title only:

- 6.1** [MINUTES](#) **APPROVAL OF MINUTES**
 [33-2014](#) **RECOMMENDATION:**
 Approve draft meeting minutes from a Regular Meeting held on April 14, 2014.
- 6.2** [14-5237](#) **LIQUOR LICENSE FOR PALM VALLEY GOLF CLUB**
 RECOMMENDATION:
 Approve a request from Andrea D. Lewkowitz, agent/applicant for Wedgewood Beverage, Inc., doing business as Palm Valley Golf Club, for a Series 6 Person Transfer Liquor License #06070037, located at 2211 N Litchfield Road, Goodyear, Arizona. (Generally located near the southeast corner of N. Litchfield Road and W. Palm Valley Blvd).
- PURPOSE:**
 Wedgewood Beverage, Inc. purchased this liquor license from OB Sports Golf Managment (PV) LLC on February 17, 2014 for operations at the Palm Valley Golf Club. The Arizona Department of Liquor License and Control allows the applicant to continue selling spirituous liquor through an "Interim Permit" process until this application is approved. The applicant has paid the \$635.00 fee. (Sue Brungardt, Deputy City Clerk)
- 6.3** [14-5256](#) **IGA WITH ADOT FOR LANDSCAPING ALONG THE SR303**
 RECOMMENDATION:
 ADOPT RESOLUTION 14-1616 TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA, ACTING BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION TO ESTABLISH RESPONSIBILITY FOR FUNDING, INSTALLATION AND MAINTENANCE RESPONSIBILITIES OF LANDSCAPING TO BE CONSTRUCTED WITH THE SR303 - THOMAS ROAD TO CAMELBACK ROAD SEGMENT.
- PURPOSE:**
 This Intergovernmental Agreement (IGA) establishes responsibilities for funding, installation, operation, and maintenance of landscape, hardscape, granite, landform graphics, and irrigation system to be installed by ADOT during the construction of the SR303 between Thomas Road and Camelback Road. This IGA also obligates the City to pay for the monthly electrical meter costs for the landscape controllers, annual water cost for both ADOT and the City maintained areas per the maintenance exhibit attached to the IGA. In addition, the City is required to pay any water development impact fees associated with the improvements. (Troy Tobiasson, Construction Inspection Supervisor)
- 6.4** [14-5257](#) **EXCLUSIVE WATER LINE EASEMENT FOR CANTAMIA**
 RECOMMENDATION:
 Accept the dedication of an exclusive water line easement for Parcel 12 of the

CantaMia at Estrella Mountain Ranch Development from the CantaMia at Estrella Community Association Inc., an Arizona non-profit corporation.

PURPOSE:

JCH Estrella, LLC has submitted an application for the dedication of an exclusive water line easement from the CantaMia at Estrella Community Association Inc., an Arizona non-profit corporation "Association" to provide a looped water system for Parcel 12 of the CantaMia at Estrella Mountain Ranch Development "Development". The easement is required to construct a planned water line through a tract owned by the Association. (Linda R. Beals, Real Estate Coordinator)

6.5 [14-5260](#)

**INTERIM WELL SHARING AGREEMENT FOR THE FORMER
DUNCAN FARMS PROPERTY**

RECOMMENDATION:

Approve the issuance of an Interim Well Sharing Agreement "Agreement" for one year with four additional, optional, one-year terms for the non-potable well located southwest of Indian School Road and Cotton Lane.

PURPOSE:

The Interim Well Sharing Agreement provides the ability for continued use of the non-potable well water serving two properties located on the northwest side of Indian School Road and Cotton Lane, as well as the City property located on the southwest side of the intersection. The Agreement provides for payments from the Well Users for repairs to the well, along with the cost of the water delivery services. (Linda R. Beals, Real Estate Coordinator)

7. BUSINESS

7.1 [14-5230](#)

LIQUOR LICENSE FOR THE BURGER JOINT

RECOMMENDATION:

Approve a request from Jason Bates, Owner/Applicant, representing Sybarite, LLC, doing business as The Burger Joint, for a new Series 12 liquor license, #12079827, located at 525 N Estrella Parkway #105, Goodyear, Arizona. (generally located north of the northeast corner of Estrella Parkway and Van Buren Street).

PURPOSE:

Mr. Bates has applied for a Series 12 Liquor License for The Burger Joint, located at 525 N. Estrella Parkway, #105. The Burger Joint opened for business in March 2013 and the applicant purchased the restaurant in November 2013. The Burger Joint is not a franchise restaurant. The applicant has paid the \$635.00 fee. (Sue Brungardt, Deputy City Clerk)

7.2 [14-5239](#)

LIQUOR LICENSE FOR RUDY'S COUNTRY STORE & BAR-B-Q

RECOMMENDATION:

Approve a request from Randy Nations, Agent Applicant, representing Rudy's

West Bar-B-Que LLC, doing business as Rudy's "Country Store" & Bar-B-Q (Rudy's), for a Series 7 Person Transfer/Location Transfer liquor license, #07070105, located at 845 N. Litchfield Rd, Goodyear, Arizona (generally located near the Northeast corner of N. Litchfield Rd. and W. Test Drive, just south of the I-10 Interchange).

PURPOSE:

Mr. Nations has applied for a Series 7 Liquor License for Rudy's "Country Store" & Bar-B-Q, located at 845 N. Litchfield Rd. Rudy's intends to open for business in June 2014. The applicant has paid the \$635.00 fee. (Sue Brungardt, Deputy City Clerk)

7.3 [14-5229](#)

**AMEND PALM VALLEY PHASE V PLANNED AREA DEVELOPMENT
TO CHANGE THE LAND USE DESIGNATION**

RECOMMENDATION:

1. Conduct a public hearing to consider a rezoning request to amend the Palm Valley Phase V Planned Area Development (PAD) to change the land use designation on 9.70 acres at the northwest corner of Indian School Road and Falcon Drive from MUC - Mixed Use Commercial to UR/H - High Density Residential (12-18 du/ac).
 - a. Open public hearing
 - b. Staff presentation
 - c. Receive public comment
 - d. Close public hearing
2. ADOPT ORDINANCE NO. 14-1291 REZONING APPROXIMATELY 9.70 ACRES GENERALLY LOCATED AT THE NORTHWEST CORNER OF INDIAN SCHOOL ROAD AND FALCON DRIVE BY AMENDING ORDINANCE NO. 03-858 AS IT APPLIES TO THE PROPERTY BY ADOPTING THE AVILLA PLANNED AREA DEVELOPMENT (PAD) AMENDMENT DATED FEBRUARY 7, 2014 TO GOVERN THE DEVELOPMENT OF THE PROPERTY; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

PURPOSE:

This request is for an amendment to the Palm Valley Phase V PAD to change the land use designation on a vacant 9.70-acre parcel at the northwest corner of Indian School Road and Falcon Drive from MUC - Mixed Use Commercial to UR/H - High Density Residential (12-18 du/ac), as amended by the Avilla Planned Area Development (PAD) Amendment to allow development of 125 attached or detached single-story residential dwellings for lease at a density of 12.9 units per acre. The proposed Avilla development is a "leased home neighborhood" that combines the elements of single-family and multi-family residential living environments.

Since the City has received written protests against this rezoning request from owners of more than 20% of the land area within 150' directly opposite of or adjacent to the side of the subject property, pursuant to Article 1, Section

1-3-1(D) of the City's Zoning Ordinance, a favorable vote of three-fourths (3/4) of the governing body (6 out of 7 members) will be required to approve and adopt Ordinance No. 14-1291. (Joe Schmitz, Planning Manager)

7.4 [14-5241](#)

SELECTION OF FINANCIAL AUDIT FIRM

RECOMMENDATION:

Accept and approve the proposal to provide audit services for the next three fiscal years for the City of Goodyear submitted by Heinfeld, Meech & Co. P.C. and authorize the Finance Director to execute the necessary contracts.

PURPOSE:

Acceptance of the proposal and authorization of the Finance Director to execute the necessary contracts will provide for financial auditing services for the City. (Larry Lange, Finance Director)

7.5 [14-5246](#)

PRELIMINARY PLAT FOR ESTRELLA PARCEL 5.9

RECOMMENDATION:

Approve a request for a preliminary plat for Estrella Parcel 5.9 subdividing 28.1 acres into 61 single family residential lots and 23 tracts located on the west side of Golf Club Drive, south of San Miguel Drive, within the Golf Village at Estrella PAD, subject to stipulations.

PURPOSE:

The preliminary plat for Parcel 5.9 consists of 28.1 acres that will be subdivided into 61 single family residential lots and 23 tracts located on the west side of Golf Club Drive, south of San Miguel Drive, within the Golf Village at Estrella PAD. The preliminary plat is consistent with the land use, development standards, and density established by the Golf Village PAD. The preliminary plat is consistent with the technical requirements of the City's Subdivision Regulations. The proposed subdivision provides for the orderly development of the property by identifying the required infrastructure needed to serve the development. The Planning and Zoning Commission unanimously voted (6-0) to recommend approval of the item at its regular meeting of March 19, 2014. (Steve Careccia, Planner III)

7.6 [14-5263](#)

EDA GRANT APPLICATION TO US DEPARTMENT OF COMMERCE

RECOMMENDATION:

ADOPT RESOLUTION 14-1620 ACCEPTING A GRANT FROM THE U.S. ECONOMIC DEVELOPMENT AGENCY FOR THE CITY OF GOODYEAR BUSINESS INCUBATOR/ACCELERATOR PROGRAM STRATEGY; PROVIDING AUTHORIZATION AND DIRECTION TO TAKE ACTIONS AND EXECUTE DOCUMENTS NECESSARY TO CARRY OUT INTENT OF THE RESOLUTION.

PURPOSE:

The Economic Development Administration's (EDA) mission is to lead the Federal economic development agenda by promoting innovation and competitiveness and preparing American regions for growth and success in the worldwide economy. EDA implements this mission by making strategic

investments that encourage private sector collaboration and creation of higher-skill, higher wage jobs. Through this \$150,000 grant, the City will commission a detailed feasibility, real estate and implementation strategy for a business incubator/accelerator program. (Christine McMurdy, Grants Administrator)

8. INFORMATION ITEMS

1. Comments, Commendations, Report on Current Events and Presentations by Mayor, Council Members, staff or members of the public. The Council may not propose, discuss, deliberate or take any legal action on the information presented pursuant to A.R.S. 38-431.02.)

2. Manager's Summary of Current Events and Reports

The Manager may provide a brief summary of current events; however, there can be discussion only on the following matters:

- A. Manager's Update on Council Related Matters
- B. Update of Legislative Issues
- C. Staff Summary of follow up action required
- D. Council members may direct inquiries to staff

9. FUTURE MEETINGS

05/05/14	Worksession	5:00 P.M.	Goodyear Justice Center
05/12/14	Worksession	5:00 P.M.	Goodyear Justice Center
05/12/14	Regular Mtg.	6:00 P.M.	Goodyear Justice Center
05/19/14	CFD Mtg.	4:30 P.M.	Goodyear Justice Center
05/19/14	Worksession	Immediately Following CFD Mtg.	Goodyear Justice Center
05/19/14	Regular Mtg.	6:00 P.M.	Goodyear Justice Center

10. ADJOURNMENT

Council members of the Goodyear City Council will attend either in person or by telephone conference call or video communications.

Pursuant to A.R.S. 38-431.02, notice is hereby given to the members of the Goodyear City Council and to the General Public that the Council of the City Of Goodyear, Arizona, will hold meetings open to the public.

The Goodyear City Council may vote to go into Executive Session, pursuant to A.R.S 38-431.03(A3 and A4), which will not be open to the public, to discuss certain matters.

THE CITY OF GOODYEAR ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. With 48 hours advance notice, special assistance can be provided for sight and/or hearing-impaired persons at this meeting. Reasonable accommodations will be made upon request for persons with disabilities or non-English speaking residents. Please call the City Clerk (623) 932-3910 to request an accommodation to participate in this public meeting. Goodyear TDD number is (623) 932-6500.

LA CIUDAD DE GOODYEAR PROCURA HACER TODA JUNTA PUBLICA ACCESIBLE A PERSONAS CON DISCAPACIDADES. Durante la junta se puede proveer asistencia especial a personas con discapacidades visuales o auditivas con un aviso de 48 horas por adelantado. Se harán adaptaciones razonables con previa solicitud para personas con discapacidades o para residentes que no hablan inglés. Favor de llamar a la Secretaria Municipal al (623) 932-3910 para solicitar adaptaciones para participar en la junta pública. El número de TDD de Goodyear es (623) 932-6500

Maureen Scott, CMC
City Clerk

Date Posted: _____

Time Posted: _____