



City of Goodyear

Meeting Minutes

City Council Regular Meeting

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

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

Monday, April 25, 2016

6:00 PM

Goodyear Justice Center

1. CALL TO ORDER

Mayor Lord called the Regular Meeting to order at 6:18 p.m.

2. PLEDGE OF ALLEGIANCE AND INVOCATION BY COUNCILMEMBER PIZZILLO

3. ROLL CALL

Council Present 7 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

Staff Present: City Manager Brian Dalke, City Attorney Roric Massey, and City Clerk Maureen Scott

4. COMMUNICATIONS

4.1 [CO 208-16](#) National Adoption Awareness Month.

Neighborhood Services Coordinator Christina Plante introduced Larry Brewer. Brewer is the Foster/Adoption Ministry Leader at Palm Valley Church. Brewer's presentation promoted National Adoption Awareness Month and communicated that there is a great need for foster care host families in the Southwest Valley. Council thanked Brewer for his presentation and appreciates his involvement in this awareness outreach. Council will include this information in the next InFocus Magazine, and staff will promote it on the city's website.

4.2 [CO 223-16](#) Proclamation for National Kids to Parks Day.

Parks and Recreation Manager David Seid shared details of the sixth annual National Kids to Parks Day event that is scheduled for May 21, 2016 at the Goodyear Community Park. Mayor Lord read a proclamation that officially recognizes Goodyear as a participating community in National Kids to Parks Day.

4.3 [CO 224-16](#) Proclamation recognizing Building Safety Month.

Development Services Director Christopher Baker introduced Chief Building Official Randy Westacott. Westacott presented highlights to raise awareness about the importance of building safety. Building Safety Month has been celebrated for 36 years. Mayor Lord read a proclamation recognizing May as Building Safety Month.

5. CITIZENS COMMENTS/APPEARANCES FROM THE FLOOR

None.

6. CONSENT

MOTION BY Vice Mayor Lauritano, SECONDED BY Councilmember Hohman, to APPROVE Consent Agenda Item 6.1. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

6.1 [MINUTES](#) [APPROVAL OF MINUTES](#)
[29-2016](#) **RECOMMENDATION:**

Approve draft minutes from a Regular Meeting held on April 11, 2016.

7. BUSINESS

7.1 [16-5789](#) [FY17 ANNUAL PUBLIC ART PLAN](#)

Arts & Culture Coordinator Guylene Ozlanski, and Public Art Subcommittee Chairman Dr. Denise Bates, presented the Arts and Culture Commission's FY17 Annual Public Art Plan.

Public art creates a sense of place, establishes identity, builds community pride, fosters social interaction, and provides cultural, social, and economic value.

Bates reviewed FY16 art program highlights, which include the Veterans Tribute at the Goodyear Ballpark, the Honor Wall at the new Police Operations Facility, and the continued success of the Goodyear Mobile Museum.

Proposed FY17 projects and expenditures:

>Light pole banners - Hanging artwork designed by three local artists with a theme of "Celebration of Goodyear" that will be displayed seasonally on 114 light poles throughout the city (\$10K).

>Conservation and maintenance of existing public art throughout the city (\$5K).

>Build the foundation to display 11 Centennial Trail Markers that were built by local teens as part of the past West Valley Arts Council Gallery 7 Project. The discs are 20 inches in diameter and were initially created for the Centennial Trail that was proposed to be built at the Estrella Mountain Regional Park. The discs were created to represent the geographic and geologic history of this specific area. The West Valley Arts Council is gifting these discs to the city. They will be displayed at the Estrella Mountain Regional Park's Nature Center until they can be

relocated to the El Rio Trail, when it is completed (\$15K).

Five-Year Public Art Forecast:

- >Recreation Complex - interior and exterior spaces.
- >Bring temporary public art into the community.
- >Make a more focused effort to bring in more experiential public art.
- >Art that can memorialize the city's 75th year celebration in 2021.

Ozlsanski reviewed the fiscal analysis for the five-year forecast. The Commission's goal for the five-year plan is to build capacity in the Public Art Fund for future projects. The Commission is recommending allocating \$30K of the budget for two projects in FY17, and planning for conservation and maintenance of existing public artworks. The remaining balance of \$30K will be a carryover to build capacity in the Public Art Fund for future projects.

Council Discussion:

- >**Likes the idea for the light poles.**
- >**Questioned whether there will be enough money for art projects if we set aside \$30K each year. Ozlsanski responded that she feels the long-term plan is a good one, and provides local artists with opportunities.**
- >**Appreciates that we are keeping local artists engaged in the public art projects.**
- >**Requested clarification on how the 1% for Public Art Fund works. The recollection of the terms of the ordinance is that each capital project should have 1% of its total budget appropriated for a public art piece, and that money should not come out of the Public Art Fund that is used for other projects throughout the city.**
- >**Asked where this money comes from.** Ozlsanski explained that the Public Art Fund is funded from the CIP Budget. At this point, the money is not assigned per project. Wingenroth explained that \$60K is allocated annually from the CIP fund. The reason behind this is that a large portion of the CIP comes from impact fees, which are not eligible to be used for art. There are areas of the design that can be included in the CIP project's budget, but not the art piece itself. The \$60K per year is a number that was determined to be approximately 1% of the CIP that does not include impact fees. Dalke stated that staff will provide Council with follow-up information on the Public Art Ordinance and what it can be used for.

MOTION BY Councilmember Hohman, SECONDED BY Councilmember Pizzillo, to APPROVE the FY17 Annual Public Art Plan as recommended by the Arts and Culture Commission. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

7.2 [16-5771](#) MARCH 2016 BUDGET TRANSFERS

Budget & Research Manager Lauri Wingenroth explained the March 2016 budget transfer report to Council.

Council Discussion:

- >Asked about the \$740K amount that is associated with the Water and Wastewater projects.

Have they moved forward? Public Works Director Javier Setovich clarified that they are requesting a budget transfer so that these projects can move forward.

MOTION BY Councilmember Campbell, SECONDED BY Councilmember Osborne, to APPROVE the March 2016 budget transfers. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

Mayor Lord recessed the Regular Meeting at 7:24p.m.

Mayor Lord reconvened the Regular Meeting at 7:48 p.m.

**7.3 [16-5794](#) PROGRAMMATIC AGREEMENT WITH BUREAU OF LAND
MANAGEMENT AND STATE HISTORIC PRESERVATION OFFICE
RELATED TO THE SONORAN VALLEY PARKWAY PROJECT**

Long Term Planner Joe Schmitz presented. City staff have been working on a project to obtain a right-of-way across federal lands for the Sonoran Valley Parkway project for over nine years.

The city has been invited to sign a Programmatic Agreement (PA), along with the Bureau of Land Management (BLM) and the State Historic Preservation Office (SHPO), to facilitate the granting of a right-of-way (ROW) permit across federal lands for the Sonoran Valley Parkway which will extend south from the intersection of Rainbow Valley Road and Riggs Road to SR238 in the Mobile area.

Schmitz reviewed the timeline to date, the environmental impact statement process, and proposed parkway requirements and design.

The city, as the proponent of the project and holder of the ROW permit, will be responsible for all costs associated with preparing the Historic Properties Treatment Plan (HPTP); conducting the cultural surveys related to the project; the mitigation of any adverse effects of the project on historic or culturally significant properties; proper disposition and curation of any recovered artifacts, materials, samples and records; and proper treatment and disposition of any human remains discovered;

The term of the PA is 10 years with a requirement to consult at least annually regarding the progress of the project. The PA also contains provisions for amending the agreement, terminating the agreement, dispute resolution, variances, monitoring of the agreement, withdrawal from the agreement and confidentiality of records.

Additional design will need to be done and additional ROW will need to be acquired before the roadway can be constructed. This additional ROW will not be acquired until a development partner emerges at some point in the future.

The completion of the Environmental Impact Statement (EIS) and acquisition of a ROW permit from the BLM is the first step in a long process to develop the Sonoran Valley Parkway to

connect the Mobile area to the balance of Goodyear. BLM is committed to move forward with this project.

Costs are undetermined at this time, but would not be incurred until a funding source has been identified for the roadway project and construction of the project is imminent. There are no immediate additional costs associated with the execution of the Programmatic Agreement.

Council Discussion:

>Asked for clarification of the 10-year agreement. Schmitz responded that the 10-year term means that the agreement will be revisited at that time. If construction of the roadway does not commence during the 10-year period, another PA will be negotiated.

>Asked what the city's original preferred route was. Schmitz responded that our preferred was Alternative A, however, that route came very close to historic preservation sites where it intersected with SR238. Because of that, BLM recommended that it be relocated further to the west.

>If we sign this PA, are we obligated to spend any more money? Schmitz responded that we will complete the EIS, get it to a Record of Decision, and obtain a ROW within the funds that we have already budgeted. We are not obligated any further until we decide to build a road.

>Hopes that the new owners of the old Montage property in Mobile will work with us on this project if they can find developers to build in Mobile. Wants to see another access road for the residents in Estrella. Schmitz responded that we are setting the stage for future development.

MOTION BY Councilmember Campbell, SECONDED BY Vice Mayor Lauritano, to ADOPT RESOLUTION NO. 16-1746 APPROVING THE EXECUTION, AS AN INVITED SIGNATORY, OF A PROGRAMMATIC AGREEMENT AMONG THE DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT, ARIZONA; THE ARIZONA STATE HISTORIC PRESERVATION OFFICE; REGARDING THE SONORAN VALLEY PARKWAY PROJECT THROUGH RAINBOW VALLEY, MARICOPA COUNTY, ARIZONA, FROM RAINBOW VALLEY ROAD TO STATE ROAD 238. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

7.4 [16-5807](#) SECOND AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR LA JOLLA VISTA

Engineering Director Rebecca Zook presented items 7.3 through 7.7 together. All of these items pertain to development agreements for properties located in the West Goodyear Central Planning Area (WGCPA).

Core terms to these agreements were discussed with Council on October 5, 2015 to get approval to apply the same flexibility options that we have with other developers within the city to the West Goodyear development agreements. The core term agreements were finalized around March 1, 2016. At that time, the core terms were infused into all of the other development agreements. We started out with 16 properties in 2005. That number is now 14

because one of the properties absorbed two of the other properties.

Council Discussion:

>Clarified that the core agreement is now complete. Doesn't want to negotiate changes to the core agreement for the property owners who have not yet signed the agreements.

Zook responded that these are core terms that are part of individual agreements with each developer. She clarified that the terms are completely finished, we are just finalizing the individual agreements.

>Asked why it is necessary for the lenders to sign off on these agreements. Zook responded that the lender has to sign off on the terms that are embedded within the agreement.

>Can a developer change a lender for a project? If so, does the developer need to get the new lender to sign off on the agreement? Assistant City Attorney Sarah Chilton responded no.

>How are we going to handle the three developers that have not come to the negotiating table with the others? Zook responded that they will be required to adhere to the same standards and core terms that have been negotiated. Those developers are not ready to move forward.

>Are these developers now going to move forward with building? Zook responded that they are eager to put this into place, but there is no indication at this time which developer will start building first.

>When will the rest of final agreements be brought before Council? Zook stated she expects them to come before Council in the next 30 days.

>Appreciate the creative thinking of staff to move these agreements forward.

Stephen Earl, attorney with Earl, Curley & LaGarde, PC stated that the core provisions have been tweaked for each of the properties, which was no small feat. He commended staff for their hard work and help with moving this forward. Phil Miller, President PMC Land Entitlement & Development, will now be working on infrastructure agreements.

MOTION BY Vice Mayor Lauritano, SECONDED BY Councilmember Hohman, to ADOPT RESOLUTION NO. 16-1751 APPROVING THE SECOND AMENDED & RESTATED DEVELOPMENT AGREEMENT FOR LA JOLLA VISTA REGARDING THE DEVELOPMENT OF A 198.5 ACRE PARCEL GENERALLY LOCATED AT THE NORTHEAST CORNER OF LOWER BUCKEYE ROAD AND CITRUS ROAD; PROVIDING AUTHORIZATION AND DIRECTION TO TAKE ACTIONS AND EXECUTE DOCUMENTS NECESSARY TO CARRY OUT INTENT OF RESOLUTION AND THE SECOND AMENDED & RESTATED DEVELOPMENT AGREEMENT FOR LA JOLLA VISTA; AND PROVIDING FOR AN EFFECTIVE DATE. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

7.5 [16-5809](#) SECOND AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR AMBER MEADOWS

MOTION BY Councilmember Campbell, SECONDED BY Councilmember Hohman, to

ADOPT RESOLUTION NO. 16-1752 APPROVING THE SECOND AMENDED & RESTATED DEVELOPMENT AGREEMENT FOR AMBER MEADOWS REGARDING THE DEVELOPMENT OF AN APPROXIMATE 108.5 ACRE PARCEL GENERALLY LOCATED AT THE NORTHEAST CORNER OF PERRYVILLE ROAD AND THE FUTURE HARRISON STREET ALIGNMENT; PROVIDING FOR AUTHORIZATION AND DIRECTION TO TAKE ACTIONS AND EXECUTE DOCUMENTS NECESSARY TO CARRY OUT INTENT OF RESOLUTION AND THE SECOND AMENDED & RESTATED DEVELOPMENT AGREEMENT FOR AMBER MEADOWS; AND PROVIDING FOR AN EFFECTIVE DATE. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

7.6 [16-5810](#) SECOND AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR PRADERA

MOTION BY Councilmember Osborne, SECONDED BY Vice Mayor Lauritano, to ADOPT RESOLUTION NO. 16-1753 APPROVING THE SECOND AMENDED & RESTATED DEVELOPMENT AGREEMENT FOR PRADERA REGARDING THE DEVELOPMENT OF AN APPROXIMATE 160.4 ACRE PARCEL GENERALLY LOCATED AT THE NORTHWEST CORNER OF CITRUS ROAD AND LOWER BUCKEYE PARKWAY; PROVIDING FOR AUTHORIZATION AND DIRECTION TO TAKE ACTIONS AND EXECUTE DOCUMENTS NECESSARY TO CARRY OUT INTENT OF RESOLUTION AND THE SECOND AMENDED & RESTATED DEVELOPMENT AGREEMENT FOR PRADERA; AND PROVIDING FOR AN EFFECTIVE DATE. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

7.7 [16-5820](#) SECOND AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR LAS PALMAS

MOTION BY Councilmember Stipp, SECONDED BY Councilmember Osborne, to ADOPT RESOLUTION NO. 16-1760 APPROVING THE SECOND AMENDED & RESTATED DEVELOPMENT AGREEMENT FOR LAS PALMAS REGARDING THE DEVELOPMENT OF AN APPROXIMATE 273 ACRE PARCEL OF LAND GENERALLY LOCATED EAST OF PERRYVILLE ROAD, WEST OF CITRUS ROAD, SOUTH OF ROOSEVELT STREET AND NORTH OF VAN BUREN STREET; PROVIDING FOR AUTHORIZATION AND DIRECTION TO TAKE ACTIONS AND EXECUTE DOCUMENTS NECESSARY TO CARRY OUT INTENT OF RESOLUTION AND THE SECOND AMENDED & RESTATED DEVELOPMENT AGREEMENT FOR LAS PALMAS; AND PROVIDING FOR AN EFFECTIVE DATE. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

8. INFORMATION ITEMS

1. Comments, Commendations, Report on Current Events and Presentations by Mayor, Council Members, staff or members of the public.

Council attended or reported on the following:

>Attended the Annual Volunteer Appreciation Event.

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:

1. Manager's Update on Council Related Matters:

None.

2. Update of Legislative Issues:

None.

3. Staff Summary of follow up action required:

>Staff will add awareness information from Brewer's presentation on Foster/Adoption Month to the city's website.

>Staff will bring back information to Council to clarify how the 1% for Public Art Ordinance is designed to work.

4. Council members may direct inquiries to staff:

None.

9. FUTURE MEETINGS

05/09/16	Work Session	4:30 p.m.
05/09/16	Regular Meeting	6:00 p.m.
05/23/16	CFD Meeting	5:00 p.m.
05/23/16	Regular Meeting	6:00 p.m.

10. ADJOURNMENT

There being no further business to discuss, Mayor Lord adjourned the Regular Meeting at 8:31 p.m.

Maureen Scott, City Clerk
Date: _____

Georgia Lord, Mayor

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the CITY COUNCIL REGULAR MEETING of the City of Goodyear, Arizona, held on April 25, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of May, 2016.

Maureen Scott, City Clerk

SEAL: