



City of Goodyear

Meeting Minutes

City Council Regular Meeting

Goodyear Municipal Court
and Council Chambers
14455 W. Van Buren St.,
Suite B101
Goodyear, AZ 85338

Monday, December 14, 2020

6:00 PM

Goodyear Municipal Court and Council
Chambers

While the Goodyear City Council meetings are open to the public, the occupancy has been reduced to implement social distancing. Seating is generally available on a first come basis, but meeting attendees will be cycled in and out if necessary to allow for speakers to speak on certain agenda items.

If you wish to speak during a Regular Meeting, please complete a speaker's card so that we may ensure you are in the room for that item.

Face Masks are required and must be worn when moving throughout the building.

CALL TO ORDER

Mayor Lord called the Regular Meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE AND INVOCATION BY VICE MAYOR STIPP

ROLL CALL

Council Present 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton, and Councilmember Kaino

Staff Present: City Manager Julie Arendall, City Attorney Roric Massey and City Clerk Darcie McCracken

CITIZENS COMMENTS/APPEARANCES FROM THE FLOOR

There were no citizen comments.

CONSENT

MOTION BY Councilmember Campbell, SECONDED BY Councilmember Hampton, to APPROVE Consent Agenda Items 1 through 8. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

1. [MINUTES](#) [2020-204](#) **APPROVE THE MINUTES**
RECOMMENDATION:
Approve the minutes of the December 7, 2020 Regular Meeting and the December 7, 2020 Special Meeting. (Darcie McCracken, City Clerk)
2. [2020-7104](#) **RECOMMEND APPROVAL OF A NEW SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR HENRY'S HAWAIIAN GRILL**
RECOMMENDATION:
Recommend approval to the Arizona Department of Liquor Licenses and Control of Application No. 123853, a request by Henry Tran, agent/applicant for a new Series 12 liquor license for Henry's Hawaiian Grill, located at 560 N. Estrella Parkway #B13 Goodyear, Arizona (Generally located on the west side of Estrella Parkway Rd., approximately one-quarter mile north of Van Buren St.) (Darcie McCracken, City Clerk)
3. [2020-7107](#) **APPROVE THE INTERGOVERNMENTAL AGREEMENT WITH THE PHOENIX POLICE DEPARTMENT TO PARTICIPATE IN THE ARIZONA INTERNET CRIMES AGAINST CHILDREN TASK FORCE**
RECOMMENDATION:
Authorize the City Manager or designee to execute the Intergovernmental Agreement (IGA) between the City of Phoenix Police Department and the City of Goodyear to participate in the Arizona Internet Crimes against Children Task Force. (Santiago Rodriguez, Chief of Police)
4. [2020-7126](#) **AUTHORIZE THE EXECUTION OF TWO (2) UTILITY EASEMENTS TO ARIZONA PUBLIC SERVICE COMPANY REQUIRED FOR DEVELOPMENT OF WELL SITE 26 LOCATED SOUTHWEST OF VAN BUREN STREET AND BULLARD WASH**
RECOMMENDATION:
Authorize the execution of (2) Utility Easement attached hereto granting Arizona Public Service Company, an Arizona corporation two (2) Utility Easements, which are required for the development of Well Site 26. (Linda Beals, Real Estate Coordinator)
5. [2020-7129](#) **APPROVE THE ONE ARIZONA OPIOID SETTLEMENT MEMORANDUM OF UNDERSTANDING**
RECOMMENDATION:
ADOPT RESOLUTION NO. 2020-2121 APPROVING THE ONE ARIZONA OPIOID SETTLEMENT MEMORANDUM OF UNDERSTANDING; FURTHER AUTHORIZING AND DIRECTING THE CITY MANAGER OR HER DESIGNEE AND THE CITY ATTORNEY; AND PROVIDING FOR AN EFFECTIVE DATE. (Roric Massey, City Attorney)
6. [2020-7130](#) **APPROVE THE TERMINATION AND RELEASE OF DRAINAGE EASEMENT ADJACENT TO LITCHFIELD ROAD, SOUTH OF**

WESTERN AVENUE**RECOMMENDATION:**

Approve the Termination and Release of the Drainage Easement (“Release”) located adjacent to Litchfield Road, south of Western Avenue. (Linda Beals, Real Estate Coordinator)

7. [2020-7132](#)

APPROVAL OF ISSUANCE OF TEMPORARY CONSTRUCTION AND ACCESS AGREEMENT FOR GOODYEAR CIVIC SQUARE PARCEL B-PHASE 2**RECOMMENDATION:**

Approve the execution of a Temporary Construction and Access Easement for the Goodyear Civic Square Parcel B-Phase 2. (Linda Beals, Real Estate Coordinator)

8. [2020-7133](#)

EMERGENCY PRO TEM JUDGE APPOINTMENT**RECOMMENDATION:**

Appoint Judge Sherri Rollison as Judge Pro Tempore of the Goodyear Municipal Court, for Fiscal Year 2021.

PUBLIC HEARINGS

9. [2020-7081](#)

MAJOR GENERAL PLAN AMENDMENT - WAGNER AREA

Mayor Lord opened the Public Hearing at 6:07 p.m.

Senior Planner Alex Lestinsky presented a request to approve a Major General Plan Amendment to the Wagner Area. Ms. Lestinsky explained that the property was located east of Bullard Avenue and south of Broadway Road. She also provided a brief history of the properties surrounding the Wagner Area.

Ms. Lestinsky discussed the details of the Major General Plan Amendment request that included a change in land use for 430 acres of land. She added that changing the land use to industrial land use would prevent a future rezoning of the property to residential land use given the nature of the site.

Ed Bull, the applicant’s representative, was present and available for any questions from the Council.

Mayor Lord closed the Public Hearing at 6:15 p.m.

Council asked if the El Rio Overlay was included in the amendment. Ms. Lestinsky said it was not included in the amendment and that the amendment was only changing the land use on the property.

Council asked for details of the public comment that was in opposition of the amendment. Ms. Lestinsky said that the public comment was in favor of preserving industrial uses north of Maricopa County Route 85 (MC85) and preserving the land between the river and MC85 for non-industrial uses.

Council responded that based on the detailed staff report and the pictures showing the power lines on the land, it made more sense for the land to be used as industrial instead of residential.

MOTION BY Councilmember Kaino, SECONDED BY Councilmember Pizzillo, TO ADOPT RESOLUTION NO. 2020-2111, APPROVING A MAJOR AMENDMENT TO THE GOODYEAR 2025 GENERAL PLAN TO AMEND THE LAND USE DESIGNATION OF APPROXIMATELY 430 ACRES GENERALLY LOCATED SOUTH OF BROADWAY ROAD AND NORTH OF THE GILA RIVER BETWEEN BULLARD AVENUE AND LITCHFIELD ROAD FROM TRADITIONAL NEIGHBORHOOD TO INDUSTRIAL AND TO REALIGN THE SR 30 TO ITS CURRENTLY APPROVED LOCATION; REQUIRING AMENDMENT TO FIGURE 5.7, GROWTH AREAS MAP, AND FIGURE 8.1, LAND USE AND TRANSPORTATION PLAN MAP IN CHAPTER 8 OF THE GENERAL PLAN OF THE GOODYEAR 2025 GENERAL PLAN; PROVIDING DIRECTION; AND PROVIDING FOR AN EFFECTIVE DATE. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

10. [2020-7109](#) **USE PERMIT FOR A DRIVE-THROUGH RESTAURANT (BOSA DONUTS AT PARKWAY VILLAGE)**

Mayor Lord opened the Public Hearing at 6:21 p.m.

Senior Planner Alex Lestinsky presented a request to approve a use permit for a drive-through restaurant located at the southwest corner of Estrella Parkway and Roosevelt Street. Ms. Lestinsky discussed the details of the project which included the conceptual site plan and conceptual elevations.

Dan Silveira, Goodyear resident and representative of the property owner's association for Parkway Village, expressed that the retail business owners were concerned with the location of the drive-through and with the possible congestion of traffic at the exit of the drive-through. He requested more time for the retail business owners to meet with the owner and the architect of Bosa Donuts to discuss an alternative to the design of the drive-through.

Mayor Lord closed the Public Hearing 6:28 p.m.

Council asked if there was a rule where the Bosa Donuts owner had to go before the business property owner's association to get approval of the drive-through. Planning Manager Katie Wilken explained that it was very common for the private commercial developments to have an owner's associations approve such things as a drive through in their CC&Rs.

Council discussed several options for the business owner and the shopping center explaining that they did not want to delay the use permit process. City Attorney Roric Massey cautioned the Council about delegating the regulatory authority to the owner's association regarding the use permit.

Ms. Wilken added that the applicant did not have their site plan approved to date and delaying the approval of the use permit would not have too much of an impact.

MOTION BY Vice Mayor Stipp, SECONDED BY Councilmember Pizzillo, to CONTINUE a request for a convenience use (drive-through restaurant), subject to stipulations. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

11. [2020-6986](#) **REZONING FROM PAD (PLANNED AREA DEVELOPMENT) AND AG (AGRICULTURAL) TO PAD (PLANNED AREA DEVELOPMENT) FOR THE INNOVATION CENTRE**

Mayor Lord opened the Public Hearing at 6:52 p.m.

Principal Planner Steve Careccia presented a rezoning request from PAD (Planned Area Development) and AG (Agricultural) to PAD (Planned Area Development) for the Innovation Centre. Mr. Careccia explained that the property consisted of 224 acres located on the southwest corner of I-10 and the Loop 303. He stated that the General Plan categorized the area as Business and Commerce Land Use and designated the area as the I-10 Transit Corridor. Mr. Careccia went on to discuss the background of the property.

Mr. Careccia provided the details of the rezone request stating that the property would be rezoned to a new PAD called Innovation Centre and would have a mix of commercial and light industrial uses. He added that some deviations were requested with the PAD such as building height up to 150 feet and a reduction to the freeway landscape setback.

Mr. Careccia discussed the 10 criteria that the zoning ordinance required staff to review for rezoning requests. He focused his discussion on two of the criteria which were consistency with the General Plan and compatibility with the surrounding uses.

Mr. Careccia stated that the Planning and Zoning Commission and staff were recommending denial of the rezoning request based on the reasons stated in the staff report.

Wendy Riddell, with the Law Firm of Berry Riddell LLC representing the applicant, stated that the applicant agreed with all the stipulations that were proposed by staff. Ms. Riddell also discussed the applicant's proposal for the rezone and where they disagreed with staff.

Jeff Levy, Goodyear resident, opposed staff's recommendation of denial and spoke in favor of the Innovation Centre. Mr. Levy also provided a list of residents who were in favor of the project.

Greg Laing, Tempe resident, was present and would speak if necessary. He indicated that he was opposed to staff's recommendations.

Mayor Lord closed the Public Hearing at 7:24 p.m.

Council expressed that the site was challenging to develop, but that it was time for the land to be productive.

Council asked if Citrus Road would remain a two-lane road north of Van Buren Street. Mr. Careccia responded that when the area is developed there would be arterial or major arterial sections throughout that portion of the road.

Council asked what the vision would be for the borrow pit. Ms. Riddell replied that the applicant is committed to processing the special use permit to establish the legal framework to fill the borrow pit over time.

Council asked that if the project was inconsistent with the General Plan, why was a General Plan amendment not required. Planning Manager Katie Wilken replied that Council could approve zoning that was not in conformance with the General Plan.

Several Councilmembers expressed being in favor of the project.

MOTION BY Vice Mayor Stipp, SECONDED BY Councilmember Campbell, to ADOPT RESOLUTION NO. 2020-2073 DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK TITLED "OFFICIAL SUPPLEMENTARY ZONING MAP NO. 19-11A"; "INNOVATION CENTRE LEGAL DESCRIPTION"; "INNOVATION CENTRE - PAD OVERLAY"; "ENHANCED DESIGN EXAMPLES"; AND "AREAS WITH OPERATIONAL LIMITATIONS." The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

MOTION BY Councilmember Kaino, SECONDED BY Vice Mayor Stipp, to ADOPT ORDINANCE NO. 2020-1472 CONDITIONALLY REZONING APPROXIMATELY 224 ACRES FROM PLANNED AREA DEVELOPMENT (PAD) AND AG (AGRICULTURAL) TO PLANNED AREA DEVELOPMENT (PAD) FOR A NEW DEVELOPMENT TO BE KNOWN AS THE INNOVATION CENTRE PLANNED AREA DEVELOPMENT; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGMENT; PROVIDING FOR CORRECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PENALTIES. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

BUSINESS

12. [2020-7122](#) 2021 SPRING TRAINING TICKET PRICES

Ballpark General Manager Bruce Kessman presented a request to approve the 2021 Spring Training Ticket Prices. Mr. Kessman discussed 2021 Spring Training, parking and ticket fees, a staff and fiscal analysis and their recommendation.

Council asked if Spring Training would start in March. Mr. Kessman replied that Spring Training was still planning to start as scheduled on February 27 through March 27.

Council asked how tickets would be sold to season ticket holders. Mr. Kessman responded that staff had ideas on how to move forward with the sale of tickets, but with having reduced crowds and social distancing, offering full season tickets may not be the best approach. He explained that the plan would be to have a pre-sale for season ticket holders to purchase first.

Council expressed that they agreed with the proposed ticket pricing.

MOTION BY Councilmember Campbell, SECONDED BY Vice Mayor Stipp, to APPROVE the 2021 Spring Training ticket prices. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

13. [2020-7116](#) APPROVE THE SOUTHWEST FAMILY ADVOCACY CENTER INTERGOVERNMENTAL AGREEMENT

Chief of Police Santiago Rodriguez presented a request to approve the Southwest Family Advocacy Center Intergovernmental Agreement. Chief Rodriguez provided an update on the Southwest Valley Advocacy Center (the Center). He stated that the agencies that were represented at the Center were police departments from Avondale, Buckeye, Goodyear and the Maricopa County Sheriff's Office along with the Department of Child Safety. Chief Rodriguez added that the services provided at the Center included forensic interviews, trauma therapy, victim advocacy and medical help.

MOTION BY Vice Mayor Stipp, SECONDED BY Councilmember Pizzillo, to APPROVE the First Amendment to Amended and Restated Southwest Family Advocacy Center Intergovernmental Agreement with the Partnering Agencies and the Department of Child Safety. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

14. [2020-7119](#) COMPREHENSIVE ANNUAL FINANCIAL REPORT PRESENTATION 2019-2020

Finance Director Doug Sandstrom presented the Comprehensive Annual Financial Report for Fiscal Year 2019-2020. Mr. Sandstrom discussed various details of the Annual Report that included the City's net position and Governmental Funds Fund Balance.

Mr. Sandstrom concluded that the independent audit determined that the City had an unmodified clean opinion; there was no significant deficiencies or material weaknesses; and the City's financial

position continued to improve.

MOTION BY Councilmember Hampton, SECONDED BY Vice Mayor Stipp, to RECEIVE the 2019-2020 Comprehensive Annual Financial Report (CAFR). The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

15. [2020-7128](#) **REQUEST FOR EXTENSION OF COVID RELATED EMERGENCY LEAVE AND EFMLA**

Human Resources Director Lyman Locket presented a request to extend COVID-19 related emergency leave and EFMLA. Mr. Locket provided the background on the Families First Coronavirus Response Act (FFCRA) that was enacted by the federal government on April 1, 2020 following the start of the pandemic. He explained that the FFCRA provided employees with emergency leave and an expansion of FMLA in connection with COVID-19 related issues.

Mr. Locket added that through the first 7 months of the pandemic, 89 employees accessed the leave. Mr. Locket believed the pandemic would continue passed the expiration of the FFCRA.

Mr. Locket requested an extension of the emergency leave which would change Policy 600 - Attendance and Leave Policy.

MOTION BY Councilmember Lauritano, SECONDED BY Councilmember Pizzillo, to APPROVE the leave provisions of the FFCRA by authorizing the City Manager to initiate emergency leave provisions during a local declaration of emergency, if necessary, for continuity of city operations as determined by the City Manager. The motion carried by the following vote:

Ayes 7 - Mayor Lord, Vice Mayor Stipp, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Campbell, Councilmember Hampton and Councilmember Kaino

INFORMATION ITEMS

Council acknowledged a generous donation for the Fill-a-Need program from the Valentine Family.

Council gave kudos to their fellow Councilmember for making Shop with a Cop a successful event.

Council thanked the Arts and Culture Commission for putting on a wonderful holiday show.

Council asked what the consequence would be if the increase in water rates fee was delayed for a year. This question was asked in response to an email received from a Goodyear resident.

Council asked for a possible Work Session on what could be done with the small corner commercial sites that most likely would not develop into commercial sites.

City Manager Julie Arendall provided the details of the 2020 Fill-a-Need program, noting that holiday presents and food boxes were provided to 30 Goodyear families in need. Ms. Arendall added that Santa for Seniors provided presents to 44 senior residents. She thanked the businesses, community partners and employees who helped support the programs. Ms. Arendall also discussed the details of the Holiday Variety Show that had 6 live acts and hosted 120 audience members across four separate shows with limited in person seating.

Ms. Arendall stated City offices would be closed Friday, December 25 in observance of Christmas and Friday, January 1 in observance of New Year's Day.

NEXT MEETING

The next meeting is a Regular Meeting on January 4, 2021.

ADJOURNMENT

There being no further business to discuss, Mayor Lord adjourned the Regular Meeting at 8:28 p.m.

Darcie McCracken, City Clerk

Georgia Lord, Mayor

Date: _____

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 December 14, 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2021.

Darcie McCracken, City Clerk

SEAL: