



## City of Goodyear

### Meeting Minutes

#### City Council Regular Meeting

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

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

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Monday, October 5, 2015

6:00 PM

Goodyear Justice Center

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**Immediately following the Work Session that begins at 4:30 PM**

**1. CALL TO ORDER**

Mayor Lord called the Regular Meeting to order at 6:17 p.m.

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

**3. ROLL CALL**

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

Staff Present: Deputy City Manager Wynette Reed, Assistant City Attorney Sarah Chilton, and City Clerk Maureen Scott.

**4. COMMUNICATIONS**

- 4.1**     [CO 209-15](#)     Council will receive an update on the Intergovernmental Agreement with the Maricopa County Department of Transportation (MCDOT) regarding asphalt overlay of Perryville Road from Van Buren St. to the Arizona Department of Transportation (ADOT) right-of-way limit.

Engineering Director Rebecca Zook updated Council on a county funded overlay project on Perryville Road from Van Buren Street to the Arizona Department of Transportation (ADOT) right-of-way limit. Zook recapped an annexation problem involving approximately 20 properties along that roadway that involve a privately owned strip. Annexing those properties would affect the timeline of the project. ADOT agreed that this problem was unforeseen and a problem for other municipalities as well. Staff sent ADOT a letter in September that states that we will not be proceeding with this project because of this constraint.

- 4.2**     [CO 210-15](#)     Staff will discuss the strategy to re-examine the Loma Linda Park Master Plan in light of the current Parks, Recreation, Trails and Open Space Master Plan adopted in July 2014.

Parks and Recreation Director Nathan Torres reported on the Loma Linda Park Master Plan. The master plan was completed in August 2010, and was in partnership with St. John Vianney Church. They contributed \$20K toward the master plan. In April 2015, St. John Vianney informed Torres that they had secured Shea Homes as a funding partner to continue with improvements on their site. They plan to construct a multi-purpose facility that would border the park. Given this development, St. John Vianney has requested that the city revise the master plan in hopes of complementing improvements on both sides. Given this development, staff will be re-examining the master plan to confirm the benefit to the community, the stakeholders, and St. John Vianney.

Staff is planning a "Day at the Park" on Saturday, October 17, 2015 from 11:00 a.m. to 2:00 p.m. at the Loma Linda Community Park. They are hoping to get feedback from actual park users at that time. They will be doing a survey in order to get public input on shaping the future of the park. They are trying to make sure that the master plan is meeting the needs of the public and the community. Since the plan is five years old, staff wants to make sure that the public understands what is in the plan and what impact it will have. Some adjustments to the current plan may be made based on the feedback received, but there is no funding at this time to move forward with the plan.

Council wants to make sure that the public understands that there will be a fence constructed that will restrict some of their access to the park during school hours when the church is using that site.

Torres clarified that the proposed new community center to be constructed by St. John Vianney will be a shared-use facility that can be used by the public outside of church and school hours.

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

Goodyear Resident Larry Gleason spoke on the Noise Study that was discussed at the Work Session. He resides less than one-half mile from the I-10/303 Interchange. He thanked Council and staff for undertaking the re-evaluation study. He noted that the results of the study showed that the highest decibel level above the ADOT threshold was four decibels. He wanted to point out that the study was conducted during the hottest time of the year, which may have affected the results. Sound travels further and closer to the ground during the cooler months of the winter, and he feels that the decibel levels are higher during those months. He asked Council to take this into consideration.

## **6. CONSENT**

**MOTION BY Councilmember Stipp, SECONDED BY Councilmember Osborne, to APPROVE Consent Agenda Items 6.1 - 6.6. 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](#) [66-2015](#) Approve draft minutes of a Regular Meeting and a Special Meeting held on September 14, 2015, and a Special Meeting held on September 21, 2015.
- 6.2 [15-5665](#) **APPROVE 2016 CITY COUNCIL MEETING SCHEDULE**  
**RECOMMENDATION:**  
Reschedule the regular City Council meeting normally scheduled on July 25, 2016 to July 18, 2016; the regular meeting normally scheduled on August 8, 2016 to August 29, 2016; the regular meeting normally scheduled on October 10, 2016 to October 3, 2016; the regular meeting normally scheduled on November 28, 2016 to November 21, 2016; the regular meeting normally scheduled on December 26, 2016 to December 19, 2016, and to approve the 2016 City Council Meeting Calendar.
- 6.3 [15-5671](#) **ABANDONMENT OF SEWER LINE AND ASSOCIATED CONSTRUCTION EASEMENT**  
**RECOMMENDATION:**  
ADOPT RESOLUTION NO. 15-1722 AUTHORIZING THE RELEASE AND RELINQUISHMENT OF AN EASEMENT FOR AN OUTFALL SEWER AND TREATED EFFLUENT LINE, AND THE ASSOCIATED CONSTRUCTION EASEMENT LOCATED SOUTHEAST OF YUMA ROAD AND BULLARD WASH.
- 6.4 [15-5687](#) **FOURTH AMENDMENT TO AMENDED & RESTATED DEVELOPMENT AGREEMENT FOR PRADERA**  
**RECOMMENDATION:**  
ADOPT RESOLUTION NO. 15-1724 APPROVING, AUTHORIZING AND DIRECTING THE EXECUTION OF THE FOURTH AMENDMENT TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR PRADERA; PROVIDING AUTHORIZATION AND DIRECTION TO TAKE ACTIONS AND EXECUTE DOCUMENTS NECESSARY TO CARRY OUT INTENT OF RESOLUTION AND FOURTH AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE.
- 6.5 [15-5688](#) **FOURTH AMENDMENT TO AMENDED & RESTATED DEVELOPMENT AGREEMENT FOR AMBER MEADOWS**  
**RECOMMENDATION:**  
ADOPT RESOLUTION NO. 15-1725 APPROVING, AUTHORIZING AND DIRECTING THE EXECUTION OF THE FOURTH AMENDMENT TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR AMBER MEADOWS; PROVIDING AUTHORIZATION AND DIRECTION TO TAKE ACTIONS AND EXECUTE DOCUMENTS NECESSARY TO CARRY OUT INTENT OF RESOLUTION AND FOURTH AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE.
- 6.6 [15-5690](#) **FOURTH AMENDMENT TO AMENDED & RESTATED DEVELOPMENT AGREEMENT FOR LA JOLLA VISTA**  
**RECOMMENDATION:**  
ADOPT RESOLUTION NO. 15-1727 APPROVING, AUTHORIZING AND DIRECTING THE EXECUTION OF THE FOURTH AMENDMENT TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR LA JOLLA VISTA; PROVIDING AUTHORIZATION AND DIRECTION TO TAKE ACTIONS AND EXECUTE DOCUMENTS NECESSARY TO CARRY OUT THE INTENT OF THE RESOLUTION AND FOURTH AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

**7. BUSINESS****7.1 [15-5647](#) CONTRACT WITH PROFESSIONAL SPORTS CATERING FOR EXCLUSIVE CONCESSION SERVICES FOR THE GOODYEAR BALLPARK**

Ballpark General Manager Bruce Kessman presented. In July 2008, Council authorized staff to enter into an exclusive concession contract with Ovations Food Services. The Ovations contract consisted of an initial five-year term, with two one-year options and was fully exercised and expired on July 31, 2015. This contract provided the City with a \$1.3 million capital investment which paid for costs associated with complete build out of kitchens, pantries, concession stands and all capital equipment needed to establish optimum service standards within the ballpark. All capital improvements and equipment purchased from this investment has now been turned over to the city upon the completed term of the contract.

In January 2015, a formal request for proposal was issued. The process consisted of a mandatory site visit during spring training on March 13, 2015. After a thorough evaluation of all of the proposals, the evaluation team, consisting of representatives from the Cleveland Indians, Cincinnati Reds and city staff, unanimously selected Professional Sports Catering.

Professional Sports Catering (PSC) is the fastest growing brand in baseball and is considered by many in the industry to be the one of the best managed and most innovative food service companies in the field. Professional Sports Catering is the only full service food and beverage provider that focuses exclusively on minor league and spring training baseball venues. They currently operate in 20 minor league baseball stadiums nationwide and has operated in the Peoria Sports Complex for the past two years. Professional Sports Catering has a partnership with Levy Restaurants. Levy Restaurants is one of the premier event and hospitality groups in the world. They are able to combine resources and innovation with creativity and industry knowledge. Through branded concepts, a customer-friendly approach, and the power of Levy Restaurants, Professional Sports Catering is committed to bringing forth innovative concepts to enhance the fan experience and maximize revenue.

Guests visiting the ballpark will enjoy creative food selections, freshly prepared to the highest quality, at prices that are comparable to other facilities in the Cactus League. Facility users and lessees will also gain a valuable partner in creating unique food services for all occasions.

**PSC Focus Areas:**

- >Innovative food concepts with more portable food carts.
- >Maximizing revenue - they have increased revenue for every client they have worked with from 10% to 45%.
- >Guest Services - developed an employee training program to optimize fans' experience, and continually look for ways to improve.
- >Professional Sports Catering is not just a food vendor; they establish true partnerships and are committed to building long standing relationships.

The City of Goodyear will benefit from an initial capital investment, funding of an equipment replacement account, utility contribution, and commissions.

Key Elements:

- >This is a seven-year contract.
- >Investment: Professional Sports Catering will invest \$750,000 on food and beverage equipment and enhancements over the course of the agreement (amortized over ten years), and will target various areas of the ballpark to create "destination" places to enhance the ballpark experience and drive sales.
- >Replacement Fund: Professional Sports Catering proposes to establish a fund of .75% of net sales to be used for the replacement and/or repair of the City owned capital equipment (projected to generate \$11,500 annually).
- >Utility Fund: Professional Sports Catering will contribute .25% of net sales to the City for utilities (projected \$4K annually).
- >Commissions: The contract provides that Professional Sports Catering will offer the City a percentage share of net sales for certain categories. Projected annual commissions based on 2015 concessions data will be \$515,000. Projected commissions over 12 years is \$6.2M.

Kessman introduced Jason Wilson, Vice President of Operations for Professional Sports Catering. Wilson spoke about the partnership with Goodyear and showed Council examples of some of the proposed concessions. They are excited to work with Goodyear.

Council Discussion:

- >**Will there be an increase in food prices for the fans?** Kessman reported that we will continue to offer competitive prices on the lower end of the scale for the Cactus League. The city has the right to approve all concession menus and pricing.
- >**What healthy food options will be offered?** Wilson responded they offer gluten free, turkey burgers, vegan products, as well as "healthy kids" options. They will work with the city on menu options to meet the needs of the fans.
- >**Is the food cooked on site?** Wilson responded yes.
- >**Will they offer craft beer?** Wilson stated that they want to maximize their profits and enhance the fan experience. Craft beer allows them to do that, and they plan to offer a lot of craft beer options.

**MOTION BY Vice Mayor Lauritano, SECONDED BY Councilmember Stipp, to AUTHORIZE staff to enter into a contract with Professional Sports Catering to provide exclusive concession services for the Goodyear Ballpark. 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      [15-5664](#)      APPROVAL TO CONSTRUCT A TRAFFIC SIGNAL AT ELLIOT ROAD AND SAN GABRIEL DRIVE**

Engineering Project Manager Troy Tobiasson, and City Traffic Engineer Luke Albert presented. A Traffic Signal Warrant Study for the intersection of Elliot Road and San Gabriel

Drive was completed by city staff in February 2015. While the results of this study showed that a traffic signal was not warranted at that time, traffic volumes at this intersection are anticipated to increase significantly with the addition of the Taco Bell that is currently under construction in the Mountain Ranch Marketplace shopping center. Following completion of the Taco Bell in November or December, a traffic signal is anticipated to be needed to provide adequate gaps in the flow of traffic to allow San Gabriel Drive traffic to enter or cross Elliot Road. This project was submitted for funding through the City's Capital Improvement Program (CIP) prioritization process, and approved for FY 15-16 of the city's CIP.

The project is scheduled to start in October 2015. The traffic signal poles will be ordered at that time. Installation of traffic signal poles is scheduled in February 2016.

**MOTION BY Councilmember Pizzillo, SECONDED BY Vice Mayor Lauritano, to APPROVE the expenditure of previously appropriated funds for the construction of a traffic signal at Elliot Road and San Gabriel Drive in an amount not to exceed \$500,000. 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

**MOTION BY Councilmember Stipp, SECONDED BY Councilmember Campbell, to ACCEPT the dedication of public utility easements from KDCNC, LLC, an Arizona limited liability corporation and Estrella Community Association, an Arizona non-profit corporation for a traffic signal to be placed at the intersection of Elliot Road and San Gabriel Drive. 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

**7.3      [15-5674](#)      CONTRACT CHANGE ORDER NO. 3 TO THE ENGINEERING DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES CONTRACT FOR WATERWORKS ENGINEERS**

Water Resources Manager Mark Holmes, and Engineering Project Manager Brad Richards presented. Holmes reported that in June 2014, the Soil Aquifer Treatment (SAT) site was recommissioned. In the Spring of 2015, a significant backpressure was felt on the system. A system-wide investigation was initiated. Upon evaluating the entire reclaimed water system, the SAT site meter was examined. The SAT site meter screen was found to be inundated with small pieces of plastic and rubber, and it was determined that the Goodyear Water Reclamation Facility (GWRF) existing headworks screen is not sized to remove small pieces of debris. The small debris in the effluent can clog the injection well screens and potentially cause permanent damage to the Vadose Zone Wells. Even though the wells are designed to be back-flushed, the debris may become permanently stuck in the screens and not allow effective recharge.

Staff proposes that since the GWRF is currently in the design phase for capacity expansion, the Headworks Facility construction can be expedited to add a new screen to remove smaller debris from entering the WRF and Vadose Injection Wells. The existing Headworks Facility screen

will remain as a redundant back up screen for emergency use. The new screen, configured to remove smaller debris from the influent stream will be added to the existing influent channel at the existing Headworks Facility.

It was also discovered that chlorine disinfection of the reclaimed water was being added at large volumes due to the fact that there is little contact time with the reclaimed water as it is carried through the piping. The levels of disinfection byproducts are reaching high levels, which require the addition of Sodium Bisulfite to decrease the levels of byproducts in the reclaimed water to maintain compliance. Staff proposes constructing a Chlorine Contact Basin. This is currently funded in the FY 2016 CIP as part of the expansion. However, the Arizona Department of Environmental Quality will require the remediation of the on-site shooting range prior to the basin construction.

Richards reviewed the proposed schedule of the GWRF Expansion and the Vadose Zone Recharge Well project. He showed the design timeline and proposed improvements. There are many parallel activities going on. The Vadose Zone Recharge project is underway and is scheduled to be completed in March 2016. They plan to align the other projects and have them completed in sync and ready for operation in September 2016.

Financial Analysis of the projects:

The current Engineering Design Services Contract with WaterWorks Engineers, LLC for improvements to the Goodyear WRF is \$699,696., with an approved CIP budget of \$740,410.

The proposed Contract Change Order No. 3 to the existing Engineering Services with WaterWorks Engineers, LLC for improvements to the Goodyear WRF: \$343,501.

Funding for Contract Change Order No. 3 is available as indicated in the CIP Project Summary below:

- \$40,734 is available from the approved CIP Budget for the 4-6 MGD Engineering Design.
  - \$368,908.94 is available from the Disk Filter Construction Contract to fund the expedited Soil Remediation and Headworks Screen projects (FY 15 CIP carryover balance available from GWRF Expansion completed).
- |   |                     |
|---|---------------------|
| Funds from the CIP Budget for the 4-6 MGD Engineering Design: | \$40,734            |
| <u>Funds from the Disk Filter Construction Contract:</u>      | <u>\$368,908.94</u> |
| <b>Total available funds:</b>                                 | <b>\$409,642.94</b> |

The balance of the difference for the *Total Available Funds* and the *Contract Change Order* will be applied to the *Headworks Screen and Chlorine Contact Basin Construction* account:

- Total Available Funds: \$409,642.94
  - Change Order No. 3: \$343,501.00
- Balance to Headworks & Chlorine Contact Basin Construction account: \$66,141.94

Staff recommends authorizing the use of the \$40,734 in available funds from the approved CIP budget for the Engineering Design contract, and \$368,908.94 in available funds from the Disk Filter Construction Contract to fund the expedited Soil Remediation and Headworks Screen projects. Total available funds are \$409,642.94.

**Council Discussion:**

**>Concerned that there is only a total budget surplus of \$3,509.94. This is a very small buffer if something unexpected happens.** Richards responded that it will be a tight budget.

**>Asked what will happen if this project goes over budget.** Finance Director Larry Lange responded that staff has had this conversation. The Wastewater Operating Fund has a \$13M fund balance. There could be some leeway within that fund with the timing of the project. Another option is that there is another phase of this project planned in two years that is included in the CIP. That includes \$5.8M to finish the upgrading of this plant. Any overages could be balanced at that point.

**>Asked if this is the type of project that could be funded out of the City Manager's Contingency.** Lange responded yes, but they would prefer not to do that because it is an Enterprise Fund activity that they would like to keep self-sufficient.

**MOTION BY Councilmember Osborne, SECONDED BY Councilmember Hohman, to APPROVE the \$343,501 Contract Change Order No. 3 to the Engineering Design and Construction Administration Services Contract for WaterWorks Engineers, Inc. to complete work required at the Goodyear Water Reclamation Facility related to plant expansion and authorize the Purchase Order to be issued. 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

**MOTION BY Councilmember Campbell, SECONDED BY Councilmember Osborne, to APPROVE the use of the \$40,734 available funds from the Approved FY 16 Capital Improvement Plan (CIP) Budget for the 4 to 6 million gallons per day Engineering Design Contract, and the \$368,908.94 available funds from FY 15 carryover funding from the Disk Filter Construction Contract to fund the expedited Soil Remediation and Headworks Screen projects. 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 Domestic Violence Awareness Month 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:**

>The mid-decade Census count started on October 1st. We are promoting the Census with ads and signs displayed at 15 intersections across the City. The Mayor participated in a video that helps to promote the message about the Census. Reminded residents that is important to answer their doors and be counted.

>Introduced the new Public Works Director, Javier Setovich.

**2. Update of Legislative Issues:**

None.

**3. Staff Summary of follow up action required:**

None.

**4. Council members may direct inquiries to staff:**

None.

**9. FUTURE MEETINGS**

10/19/15	Work Session	5:00 p.m.
10/26/15	Work Session	5:00 p.m.
10/26/15	Regular Meeting	6:00 p.m.
11/02/15	Work Session	5:00 p.m.

**10. ADJOURNMENT**

There being no further business to discuss, Mayor Lord adjourned the Regular Meeting at 7:44 p.m.

\_\_\_\_\_  
Maureen Scott, 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 October 5, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Maureen Scott, City Clerk

SEAL: