



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

Monday, May 9, 2016

6:00 PM

Goodyear Justice Center

AGENDA AMENDED 05/06/16

Item 6.8 was added to the Consent Agenda.

1. CALL TO ORDER

Mayor Lord called the Regular Meeting to order at 6:00 P.M.

2. PLEDGE OF ALLEGIANCE AND 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

Councilmember Stipp attended the meeting telephonically.

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

4. COMMUNICATIONS

- 4.1 [CO 222-16](#) Arizona Public Service will discuss plans for the closure of the Goodyear office as well as customer service options going forward.

Goodyear Customer Service Supervisor John Gaio, introduced Arizona Public Service (APS) supervisor Claudia Newdigate. Newdigate reported that APS will close its Goodyear office, which is located in the lobby of City Hall, at the close of business on August 26, 2016. APS strategy includes closing seven business offices throughout Arizona due to the increase of customers utilizing self-service and technology to conduct their business. Face-to-face service is very costly. None of the APS employees are losing their jobs. They have been given the option to transfer to another physical location, or to work from home. There will be two offices remaining open in the Phoenix Metro area: The North Valley office at Tatum Blvd. and Bell Road, and the Copper Square office located downtown at 1st Street and Jefferson in the Talking Stick Arena. APS has a communications plan and will be conducting customer

outreach to people who have utilized the Goodyear location to pay their bill in the last three months. They will be promoting other options for payment of their bill. APS will work closely with the city during this transition.

Council thanked Newdigate for the informative presentation.

- 4.2** [CO 226-16](#) Recognition of volunteers who recently completed the Community Emergency Response Team (CERT) Training.

Emergency Manager Othell Newbill and Community Education Coordinator Tanja Tanner recognized the 21 graduates of the Spring 2016 CERT Class. Dalke announced that this is Othell Newbill's last official presentation to Council. He will be retiring on August 1st.

- 4.3** [CO 227-16](#) Proclamation recognizing the week of May 16, 2016 as "Infrastructure Week."

Engineering Director Rebecca Zook gave a brief presentation depicting infrastructure improvements that have been completed in Goodyear in recognition of Infrastructure Week. Mayor Lord read a proclamation recognizing the week of May 16, 2016 as "Infrastructure Week".

- 4.4** [CO 229-16](#) Proclamation recognizing the week of May 15-21, 2016 as "EMS Week" in the city of Goodyear.

Fire Chief Paul Luizzi reported that the fire service has a rich history of protecting the health and safety of our communities. Firefighters have the training and resources to respond and mitigate virtually any type of emergency. Over 72% of calls for service from the fire department are EMS related. Mayor Lord read a proclamation recognizing the week of May 15-21, 2016 as "EMS Week".

5. CITIZENS COMMENTS/APPEARANCES FROM THE FLOOR

Michael Jones, Goodyear resident, stated that he lives in Goodyear and is retired from the military. He is a snowbird and returns to Iowa for six months out of the year. Last year, he tried to suspend his trash service for the summer, but was told he couldn't do so unless he also shut off his water service. This would mean that their outside plants would most likely die over the summer. He asked if Council would consider a change in policy so there is a way to suspend trash service without shutting off water. City Manager Dalke responded that staff will follow-up with Mr. Jones about how our program works.

6. CONSENT

Council questioned Consent Agenda Item 6.3 as to why the rest of the Development Agreements for the West Goodyear properties are not on the agenda for approval tonight. Asked when the remaining Development Agreements will be on the agenda for approval, and why they aren't being presented all at once. Engineering Director Rebecca Zook responded that she hopes to have the remaining agreements on the May 23rd Agenda. It comes down to finalizing some of the points of the individual agreements, as well as coordinating the signatures from the owners and the lenders. Zook is working diligently with the owners and staff to acquire all signatures and coordinate all documents so they are ready to submit to

Council for approval.

MOTION BY Councilmember Pizzillo, SECONDED BY Councilmember Osborne, to APPROVE Consent Agenda Items 6.1 - 6.8. 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**
 [32-2016](#) **RECOMMENDATION:**
 Approve draft minutes from a Regular Meeting held on April 25, 2016.
- 6.2 [16-5813](#) **APPLICATION FOR A SERIES 12 LIQUOR LICENSE FOR BLACK BEAR DINER**
 RECOMMENDATION:
 Approve a request from Andrea Lewkowitz, agent for Bear Tracks Holdings, LLC, dba Black Bear Diner #44, for a new Series 12 liquor license, #1207A606, located at 980 North Dysart Road, Goodyear, Arizona (Generally located near the southwest corner of Dysart Road and the I-10 interchange).
- 6.3 [16-5838](#) **SECOND AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR LAS BRISAS PHASE 2**
 RECOMMENDATION:
 ADOPT RESOLUTION NO. 16-1766 APPROVING A SECOND AMENDED & RESTATED DEVELOPMENT AGREEMENT FOR LAS BRISAS PHASE 2 REGARDING THE DEVELOPMENT OF A PARCEL OF LAND GENERALLY LOCATED NEAR THE NORTHEAST CORNER OF PERRYVILLE ROAD AND BROADWAY ROAD; 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 BRISAS PHASE 2; AND PROVIDING FOR AN EFFECTIVE DATE.
- 6.4 [16-5821](#) **ACCEPTANCE OF THE ASSIGNMENT RIDER FOR THE UNION PACIFIC RAILROAD PIPELINE CROSSING AGREEMENT AT MC 85 AND LITCHFIELD ROAD**
 RECOMMENDATION:
 Accept the Assignment Rider of the Union Pacific Railroad Pipeline Crossing Agreement for the 30-inch water line crossing located just north of MC 85 and west of Litchfield Road.
- 6.5 [16-5824](#) **90-DAY EXTENSION OF THE ESTRELLA MOUNTAIN RANCH PARCEL 9.8 FINAL PLAT APPROVAL**
 RECOMMENDATION:
 Approve a 90-day extension of the Estrella Mountain Ranch Parcel 9.8 Final Plat approval, extending the approval date to August 9, 2016.
- 6.6 [16-5825](#) **90-DAY EXTENSION OF THE WEST CALISTOGA DRIVE MAP OF DEDICATION APPROVAL**

RECOMMENDATION:

Approve a 90-day extension of the West Calistoga Drive Map of Dedication approval, extending the approval date to August 9, 2016.

6.7 [16-5829](#)**MAP OF DEDICATION FOR NORTH 159TH AVENUE AND WEST MCDOWELL ROAD****RECOMMENDATION:**

Approve the Map of Dedication (MOD) for North 159th Avenue and West McDowell Road, subject to stipulations.

6.8 [16-5843](#)**RESOLUTION TO AMEND RESOLUTION NO. 16-1744 DUE TO SCRIVENER'S ERROR****RECOMMENDATION:**

ADOPT RESOLUTION 16-1768 AMENDING RESOLUTION NO 16-1744, DATED MARCH 28, 2016, TO CORRECT A SCRIVENER'S ERROR; DELEGATING CERTAIN AUTHORITY TO THE FINANCE DIRECTOR AND OTHER OFFICERS OF THE CITY TO EFFECTUATE SUCH AMENDMENT; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY RESOLUTION NO. 16-1744, AS AMENDED; AND DECLARING AN EMERGENCY.

7. BUSINESS7.1 [16-5818](#)**MARICOPA COUNTY FLOOD CONTROL DISTRICT TRANSFER OF I-10 BASINS**

City Manager Brian Dalke presented. The City is proposing an Intergovernmental Agreement (IGA) with the Maricopa County Flood Control District (FCD) that would transfer ownership of six parcels in the 100-year flood plain to the city. Three of the parcels are water retention basins.

This is the first step in a long process, and will provide a central recreation corridor, as well as a health and wellness area. This area along I-10 is currently only being used as a flood control feature. The goal is to turn it into an attractive area that can be used by the public. Dalke reviewed the history of the basins and their locations, which are north of I-10 between Dysart Road and Bullard Avenue.

The basins are being acquired for use as a Wellness Park. Key stakeholders in this project are Abrazo West Campus, Cancer Treatment Centers of America (CTCA), and Adelante Healthcare. Components of the Wellness Park are a future recreation corridor, multi-use trail connector, Corporate Wellness Village, family health amenities, and gardens.

Dalke introduced Abrazo West Hospital Chief Executive Officer Stan Holm. Holm stated that this project will be a step forward and a vision for the future. John Kuhn with Wellness Place Concepts approached Holm with this idea a couple of years ago. It will promote health and wellness within the community. One advantage to this area is that Abrazo West Campus will be connected to CTCA via an underpass that connects the north and south side of I-10, and promote a medical corridor.

Dalke showed concepts of possible areas to be included within the Community Wellness Park.

Dalke introduced Maricopa County Board of Supervisors Chairman Clint Hickman. Hickman thanked the city and the FCD. This project speaks well for all stakeholders and will benefit our citizens. He thanked the city for their leadership.

The FCD agreed to sell 129.2 acres to Goodyear at fair market value, which was determined to be \$233.00. Closing costs are estimated at \$10K, which will be paid out of the \$75K budgeted for the Park Master Plan in the 2016 Fiscal Year budget. The city will assume all maintenance, which is estimated to be \$35K annually.

A Public-Private Partnership (PPP) will determine how to organize the structure of the Wellness Park. Dalke reported that a group of Arizona State University (ASU) students from the ASU DeBolske Graduate Course on Local Governance conducted a valuable study for us regarding wellness park governance models that will assist in this project. This could be a world class project. If approved, Goodyear will take ownership of the basins on August 30, 2016.

Council Discussion:

- >Appreciates all the efforts of everyone involved in this project.
- >Looks forward to seeing the Master Plan to see what this will look like.
- >Thanked the Maricopa County Board of Supervisors, Abrazo West, and CTCA.
- >Sees this as a model of what other cities can do with their retention areas.
- >Loves this vision and the PPP.
- >This will be an asset to our city and our citizens, which will improve our quality of life.
- >This is a win-win situation for all involved.

MOTION BY Vice Mayor Lauritano, SECONDED BY Councilmember Campbell, to ADOPT RESOLUTION NO. 16-1758 APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE FLOOD CONTROL DISTRICT OF MARICOPA COUNTY, ACCEPTING CERTAIN EASEMENTS, LEASES, AND OTHER REAL ESTATE CONVEYANCES RELATED TO THE ACQUISITION OF CERTAIN PROPERTY. 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 [16-5828](#) PUBLIC HEARING TO CONSIDER A REZONING FOR SARIVAL EAST

Mayor Lord opened the public hearing at 7:14 p.m.

Planner III Steve Careccia presented a request to rezone approximately six acres of property located north of I-10, between Pebble Creek Parkway and Sarival Avenue, to facilitate the development of the property for commercial use. The six acres are a part of a larger 51-acre development called Sarival East. The proposed Sarival East project is approximately 51.33

acres of commercial development generally located south of McDowell Road and East of Sarival Avenue to the 159th Avenue Road alignment bounded by I-10 to the South.

The developer has recently acquired 4.03 acres of property from the Maricopa County FCD adjacent to the Sarival East project. This property provides additional project frontage along I-10. The Maricopa County Flood District property is currently zoned Agricultural. The developer is requesting a rezoning of approximately six acres of land to a Mixed Use Commercial (C-2) zoning with an Automotive and Related Commercial (ARC) overlay. Under the proposed zoning, special events outside the building on the property related to retail sales may be periodically held on a monthly basis between the hours of 9:00 a.m. to 7:00 p.m. These events may be added as accessory uses permitted on the property.

There being no public comment, Mayor Lord closed the public hearing at 7:18 p.m.

Council Discussion:

>Asked about the possibility of swap meets being held on the property as mentioned in the staff report. Careccia responded that this is just an example of what types of accessory use events could be held on the property.

MOTION BY Councilmember Campbell, SECONDED BY Vice Mayor Lauritano, to ADOPT ORDINANCE NO. 16-1332 REZONING APPROXIMATELY SIX ACRES GENERALLY LOCATED NORTH OF INTERSTATE 10 BETWEEN PEBBLE CREEK PARKWAY AND SARIVAL AVENUE AS FOLLOWS: 3.8 ACRES FROM AGRICULTURAL TO PLANNED AREA DEVELOPMENT/MIXED USE COMMERCIAL WITH AN AUTOMOTIVE AND RELATED COMMERCIAL OVERLAY, 2.2 ACRES FROM PLANNED AREA DEVELOPMENT/MIXED USE COMMERCIAL TO PLANNED AREA DEVELOPMENT/MIXED USE COMMERCIAL WITH AN AUTOMOTIVE AND RELATED COMMERCIAL OVERLAY, AND 0.1 ACRE FROM AGRICULTURAL TO PLANNED AREA DEVELOPMENT/MIXED USE COMMERCIAL; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR SEVERABILITY; 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

7.3 [16-5826](#) PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE CANYON TRAILS FINAL PLANNED AREA DEVELOPMENT FOR LA VENTILLA PHASE 3

Planner III Steve Careccia presented Items 7.3 and 7.4 together. Both items will be voted on separately.

Mayor Lord opened the public hearing at 7:23 p.m.

Canyon Trails is a mixed-use Planned Area Development (PAD) consisting of approximately 2,000 acres located south of I-10, from Estrella Parkway west to Citrus Road, and south to

Lower Buckeye Road. La Ventilla is comprised of parcels 7B-1, 7B-2, and 7B-3 of the Canyon Trails PAD dated April 29, 1999, and is located at the southwest corner of I-10 and Sarival Avenue. These three parcels make up the three phases of the La Ventilla development. For the purposes of this document parcels 7B-1, 7B-2, and 7B-3 are referred to as Phases 2, 1, and 3, respectively. All three phases combined equal approximately 49.21 acres of "Court Home" style house.

A previous La Ventilla minor PAD amendment dated October 30, 2013 was approved on November 25th, 2013 for Phases 1 & 2. This changed the "Townhouse" classification in the Canyon Trails PAD to "Court Home" classification. In order to accommodate this transition, the amendment also allowed for the modification of specific standards within the approved PAD and Design Guidelines. This enabled the developer, KB Home to begin developing court style homes on the property. Both the Townhouse and the Court Home uses are considered Medium-High Density within the Canyon Trails PAD and the City of Goodyear 2025 General Plan. The surrounding parcels are developed as traditional single family residential.

Due to the rapid success of the existing Phases 1 & 2 of the La Ventilla development, KB Home requests to expand the development to add an additional Phase 3 (Canyon Trails PAD parcel 7B-3) to the development which will require a similar change from "Townhouse" to "Court Homes" for Phase 3. In addition, in order to accommodate this product, certain development standards that have been approved for Phases 1 & 2 will need to be utilized for Phase 3. Through the uses of these standards, KB Home will be better able to provide a unique and creative development that meets the goals and objectives of the City of Goodyear and those of the approved Canyon Trails PAD.

There being no public comment, Mayor Lord closed the public hearing at 7:28 p.m.

Council Discussion:

>Questioned that there is only one road in and out of Phase 3, and there is a restricted "no left out", meaning residents will not be able to turn left out of the subdivision.

Careccia confirmed that there is only one point of access in and out. A traffic study recommended the left-turn restriction for this area rather than a traffic signal. Zook added that a traffic signal would not be a good option due to the proximity to I-10, and the Portland Street signal located nearby. If there becomes an issue with illegal turns, staff will look at options to deal with it. Safety is our primary concern.

>Concerned about having only one entrance in and out for emergency service vehicles.

Zook responded that there is an emergency access location north of the main entrance.

MOTION BY Councilmember Hohman, SECONDED BY Councilmember Pizzillo, to ADOPT ORDINANCE NO. 16-1331 APPROVING AN AMENDMENT TO THE CANYON TRAILS FINAL PLANNED AREA DEVELOPMENT (PAD) TO CHANGE THE LAND USE ON 14.79 ACRES FROM PAD TOWN HOME TO PAD COURT HOME TO FACILITATE THE DEVELOPMENT OF LA VENTILLA PHASE 3, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF INTERSTATE 10 AND SARIVAL AVENUE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. The motion carried by the following vote:

Ayes 6 - Mayor Lord, Vice Mayor Lauritano, Councilmember Pizzillo, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

Nayes 1 - Councilmember Osborne

7.4 [16-5827](#) PRELIMINARY PLAT FOR LA VENTILLA PHASE 3

MOTION BY Councilmember Campbell, SECONDED BY Councilmember Hohman, to APPROVE a request for a preliminary plat for La Ventilla Phase 3, subject to stipulations. The motion carried by the following vote:

Ayes 6 - Mayor Lord, Vice Mayor Lauritano, Councilmember Pizzillo, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

Nayes 1 - Councilmember Osborne

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:

>Solar Impulse 2 VIP Event at the Phoenix-Goodyear Airport.

>Reported that Paul Smiley recently received a Small Business Award at a luncheon held at the Biltmore Hotel.

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:

Announced that the Westbound I-10 Freeway at Dysart Road will be closed from Friday, May 13 to Saturday, May 14 from 10:00 p.m. to 12:00 p.m. for the installation of message signs and loop detectors. Traffic will be detoured to Van Buren Street and McDowell Road from Dysart Road to Litchfield Road.

2. Update of Legislative Issues:

None.

3. Staff Summary of follow up action required:

>Staff will follow-up with Michael Jones on his question related to suspending trash service temporarily, separate from water service.

4. Council members may direct inquiries to staff:

None.

9. FUTURE MEETINGS

05/23/16	CFD Meeting	5:00 p.m.
05/23/16	Regular Meeting	6:00 p.m.
06/13/16	Work Session	5:00 p.m.
06/13/16	Regular Meeting	6:00 p.m.
06/13/16	Special Meeting	Immediately following the Regular Meeting

10. ADJOURNMENT

There being no further business to discuss, Mayor Lord adjourned the Regular Meeting at 7:37 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 May 09, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2016.

Maureen Scott, City Clerk

SEAL: