



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 Wally Campbell
Councilmember Joanne Osborne
Councilmember Joe Pizzillo
Councilmember Sheri Lauritano
Councilmember Bill Stipp
Councilmember Brannon Hampton

Monday, May 14, 2018

6:00 PM

Goodyear Justice Center

AGENDA AMENDED ON MAY 10, 2018 Item 4.5 added to the Communications 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 COUNCILMEMBER OSBORNE

3. ROLL CALL

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

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

4. COMMUNICATIONS

- 4.1 [CO-2018-317](#) Mayor Lord read a proclamation recognizing Estrella Mountain Elementary School as an A+ School of Excellence.

- 4.2 [CO-2018-306](#) Mayor Lord read a proclamation recognizing National Kids to Parks Day.

Recreation Superintendent Michael Beadle recapped the background of National Kids to Parks Day and highlighted activities that will be held at the Goodyear Community Park during the National Kids to Park Day event scheduled for May 19, 2018 from 8:00 a.m. to 10:00 a.m..

- 4.3 [CO-2018-310](#) Bill Rajeski, president of the Goodyear Lions Club, presented an overview of the organization's activities and service projects completed in the city during the past year.

Council thanked the Lions Club for all that they do.

- 4.4 [CO-2018-313](#) Staff will recognize Deputy Chief of Police Paul Marzocca's retirement from the city and his selection as the El Mirage Chief of Police.

This item was administratively removed from the agenda.

- 4.5 [CO-2018-318](#) City Manager Julie Arendall will provide Council with an update regarding the city's recent Cyber Security breach.

City Manager Arendall gave an update on a cyber-attack that targeted the software that underpins the city's payment processing system. The city became aware of the situation on Monday, May 7th, and immediately activated an internal crisis team to manage the city's response.

The city's payment processing vendor conducted a forensic investigation and confirmed that the system was breached in spite of all normal cybersecurity precautions. Neither the city nor the vendor knew of the breach until Goodyear residents brought the matter to the city's attention.

The vendor's investigation has shown the breach "skimmed" credit card information beginning June 13, 2017. Anyone who has used a debit or credit card with the city of Goodyear since June 13, 2017, is advised to work with their financial institutions and/or credit card issuer to determine the most appropriate course of action.

Now that the details of the breach are known, the investigators are diligently working to identify exactly which customers' credit card information could have been compromised. Once that information is in hand, the city will notify those customers directly.

According to the external vendor, no personally identifiable information was accessed. Law enforcement agencies were notified on Monday and are now actively investigating the breach. Cybersecurity is challenging in today's internet connected world and the city remains committed to taking all precautions to ensure the security of our customer's information. We understand the distress this breach has caused our customers, and sincerely apologize for the frustration and inconvenience our customers are experiencing.

5. CITIZENS COMMENTS/APPEARANCES FROM THE FLOOR

None.

6. CONSENT

MOTION BY Vice Mayor Campbell, SECONDED BY Councilmember Lauritano, to APPROVE Consent Agenda Items 6.1 - 6.11. The motion carried by the following vote:

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

- 6.1 [MINUTES](#) **APPROVAL OF MINUTES**
 [2018-33](#) **PROPOSED ACTION:**
 Approve draft minutes from a Special Meeting held on April 16, 2018, and a Special Meeting and a Regular Meeting held on April 23, 2018.
- 6.2 [2018-6304](#) **AMENDMENT TO IGA WITH THE STATE OF ARIZONA FOR FIBER OPTIC FOR I.T.S. AND TRAFFIC SIGNAL COORDINATION**
 PROPOSED ACTION:
 Authorize the Mayor or designee to execute Amendment One to the Intergovernmental Agreement, IGA 17-0006383-I, A.G. Contract No. P001201700140 with the State of Arizona, acting by and through its Department of Transportation, to establish responsibility for funding, purchasing, installing and maintaining fiber optic conduit, cable and equipment along Elwood Street from Cotton Lane to Estrella Parkway; Cotton Lane from Estrella Parkway to Lower Buckeye Road; Estrella Parkway from Elliot Road to Cotton Lane; and Elliot Road from San Gabriel Drive to Estrella Parkway in Goodyear.
- 6.3 [2018-6325](#) **NEW SERIES 12 LIQUOR LICENSE FOR LUCKY BUDDHA ASIAN RESTAURANT**
 PROPOSED ACTION:
 Approve a request from Hai Fu Zhen, agent/applicant for Shun Fu Corporation, dba Lucky Buddha, for a new Series 12 liquor license, Application #13507, located at 14270 West Indian School Road, Goodyear, Arizona 85395 (Generally located west of the northwest corner of Litchfield Road and Indian School Road).
- 6.4 [2018-6329](#) **NEW SERIES 10 LIQUOR LICENSE FOR COBBLESTONE AUTO SPA AND MARKET**
 PROPOSED ACTION:
 Approve a request from Amy S. Nations, agent/applicant for Cobblestone Auto Spa 33 LLC, dba Cobblestone Auto Spa and Market, for a new Series 10 liquor license, Application #11836, located at 14031 West Indian School Road, Goodyear, Arizona 85395 (Generally located east of the southeast corner of Litchfield Road and Indian School Road).
- 6.5 [2018-6333](#) **FINAL PLAT FOR ESTRELLA COMMONS PHASE 1**
 PROPOSED ACTION:
 Approve the final plat of Estrella Commons Phase 1, subject to stipulations.
- 6.6 [2018-6343](#) **ACCEPTANCE OF RIGGS ROAD SPECIAL WARRANTY DEEDS**
 PROPOSED ACTION:
 Accept the donation of right of way for Riggs Road by special warranty deeds from Madeira-Maricopa, LLC, a Delaware limited liability company and NNP III-EMR 4, LLC, a Delaware limited liability company.

6.7 [2018-6349](#) CENTERRA CROSSINGS PHASE 2 WATER LINE EASEMENT**PROPOSED ACTION:**

Approve the acceptance of a water line easement associated with the development of Centerra Crossings Phase 2, Parcel 7, which will contain a portion of the water line and the system's backflow preventers.

6.8 [2018-6350](#) LUCERO DEDICATIONS RELATED TO OFFSITE INFRASTRUCTURE**PROPOSED ACTION:**

Accept the dedication from NNP III - EMR 3, LLC, a Delaware limited liability company of the following:

1. Special Warranty Deed for Star Tower Lift Station Site
2. Special Warranty Deed for Lost Lift Station Site
3. Temporary Access Easement - Lost Lift Station
4. Permanent Access Easement - Lost Lift Station
5. Sewer Line Easement for the A3 Sewer Force Main
6. Permanent Sewer Line and Access Easement - Existing Sewer Line

6.9 [2018-6353](#) FINAL PLAT FOR ESTRELLA PARCEL 11.F2**PROPOSED ACTION:**

Approve the Final Plat for Estrella Parcel 11.F2, subject to stipulations.

6.10 [2018-6354](#) FINAL PLAT FOR ESTRELLA PARCEL 11.G**PROPOSED ACTION:**

Approve the Final Plat for Estrella Parcel 11.G, subject to stipulations.

6.11 [2018-6355](#) FINAL PLAT FOR ESTRELLA PARCEL 11.C**PROPOSED ACTION:**

Approve the Final Plat for Estrella Parcel 11.C, subject to stipulations.

7. BUSINESS**7.1 [2018-6326](#) PUBLIC HEARING: REZONING OF THE APPROVED PRADERA RESIDENTIAL DEVELOPMENT**

Mayor Lord opened the public hearing at 6:34 p.m.

Planner III Karen Craver presented. The subject property is part of the West Goodyear development area, consisting of 160 acres at the northwest corner of Lower Buckeye Road and Citrus Road. It connects to the Durango Street alignment on the north end. The original PAD (Planned Area Development) was approved in 2006. The current request is to rezone 72 acres from PAD to R1-4 hard zone, and to rezone 88 acres from PAD to R1-6 hard zone. The total housing units will remain the same at 471. The developer will be utilizing the allowed reduction of the side yard setbacks.

The new R1-4 and R1-6 Zoning Districts were created in 2017 to provide lot size and setback flexibility found in PADs. Flexibility is earned by providing additional design elements. Pradera will be providing amenities, connectivity and streetscapes. Stipulations have been added to ensure that these design elements are provided. City staff and the developer will work out the details during the platting process.

Several members of the neighborhood that runs from Durango Street north to Yuma Avenue attended both of the citizen review meetings, and the Planning and Zoning Commission (P&Z) meeting.

Ms. Craver outlined the concerns voiced at the meetings, which were:

>Durango Street will be four lanes.

**Ms. Craver clarified that it will be two lanes; one in each direction.

>Concerned that their property would be condemned to build Durango Street.

**Ms. Craver clarified that the 30-foot right-of-way for Durango Street will come from the Pradera property.

>Concerned that the canal road would continue to be used as a shortcut from Lower Buckeye Road to Yuma Road.

**Pradera has agreed to install a gate as part of their RID (Roosevelt Irrigation District) canal plans.

>Concerned that the removal of tailwater from their farming operations would be hindered as Durango Street is developed.

**Ms. Craver explained that it will actually be incorporated into the RID canal, which is going to be tiled by Pradera.

Staff and Pradera are continuing to work with the area residents to ensure that their concerns are addressed through the development of the construction plans for Pradera.

Goodyear resident Art West, who resides on Durango Street, expressed concerns with the right-of-way that could potentially impact his property in the future. His property is located on the north side of Durango Street and the west side of Citrus Road on a county island. He outlined continuing concerns that the neighborhood has had with this development since 2006, and the impact that it will have on his community. Mr. West asked that the city of Goodyear remove the proposed right-of-way from the plans.

Mr. West is also concerned about the amount of dust that will be created due to travel on the dirt road throughout the construction process, which he estimates will be over one year.

Taylor Earl representing Earl, Curley & Lagarde spoke on behalf of the applicant. Mr. Earl reviewed the Pradera zoning and some of the efforts that the applicant has taken to address neighborhood concerns about the canal road along Castillo Lane that is currently being used to access property to the north. Mr. Earl explained that Pradera approached RID about this issue. Pradera recommended installation of a gate and RID has agreed to the gate. Pradera will install the gate and RID will maintain it.

Mr. Earl addressed concerns regarding tailwater collection. Mr. West previously requested that tailwater be collected in a specific location near his property and Pradera agreed to that location. This work will be done in late October or early November.

Mr. Earl addressed concerns about Durango Street being more than two lanes in the future. He explained that the two lanes with a sidewalk that Pradera is going to build will serve this area very well.

Mr. Earl clarified that the previous work that was done on Durango Street was for installation of sewer and water line infrastructure and was done according to the development agreement for West Goodyear. During construction of Pradera, none of their workers will be using Durango Street at all. They will be using a location on Citrus Road and Lower Buckeye.

Mr. Earl noted that a watering truck will be used to control dust during construction. If that does not work, milling will be added to make sure there is not a dust problem.

There being no further public comment Mayor Lord closed the public hearing at 6:51 p.m.

Council Discussion:

>Council appreciates that the developer has worked to resolve issues with the neighborhood residents.

>Council stated that milling should be done now as a proactive approach to address mud and dust concerns during the construction process.

>Council asked what the County requirement is on dust control. Engineering Director Rebecca Zook stated that Maricopa County monitors dust control and they will site the property owner if there is a dust concern.

City Attorney Roric Massey requested a five minutes recess in order to speak to the applicant.

Mayor Lord Recessed the meeting at 6:59 p.m.

Mayor Lord Reconvened the meeting at 7:07 p.m.

Mr. Massey reported that the applicant is willing to install a dust-free compacted milling surface on the roadway from Citrus Road to the western boundary of Mr. West's property line.

Council recommended that a stipulation be added to the ordinance to address this issue.

MOTION BY Councilmember Stipp, SECONDED BY Councilmember Hampton, to ADOPT ORDINANCE NO. 2018-1385 CONDITIONALLY REZONING APPROXIMATELY 160.78 GROSS ACRES LOCATED AT THE NORTHWEST CORNER OF CITRUS ROAD AND LOWER BUCKEYE ROAD, KNOWN AS PRADERA, BY REZONING APPROXIMATELY 72.50 ACRES FROM FINAL PLANNED AREA DEVELOPMENT (PAD) ZONING TO R1-4 SINGLE FAMILY DETACHED RESIDENTIAL ZONING,

AND BY REZONING APPROXIMATELY 88.28 ACRES FROM FINAL PLANNED AREA DEVELOPMENT (PAD) ZONING TO R1-6 SINGLE FAMILY DETACHED RESIDENTIAL ZONING, 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 Campbell, Councilmember Osborne, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Stipp, and Councilmember Hampton

MOTION BY Councilmember Stipp, SECONDED BY Councilmember Lauritano, to APPROVE an amendment adding the following stipulation, "The applicant shall install a dust free compacted milling surface from Citrus Road to the western boundary of Mr. West's property line as soon as reasonably possible." The motion carried by the following vote:

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

7.6 [2018-6336](#) **LIBRARY ASSISTANCE PROGRAM IGA WITH MARICOPA COUNTY LIBRARY DISTRICT**

Management Assistant Diana Camacho presented. In July of 2017, Goodyear entered into an Intergovernmental Agreement (IGA) with the Maricopa County Library District (MCLD). This contract is still in force and in effect until 2022. This IGA will complement the current IGA and will allow Goodyear to accept funding from Maricopa County for additional library materials. In return, the Goodyear Branch Library will continue to provide library services to all Goodyear residents as well as those living within Maricopa County. Ms. Camacho introduced the Maricopa County Library District Director, Cindy Kolaczynski, and the Goodyear Branch Library Manager, Beth Medley.

The purpose of the Library Assistance Program is to increase and enhance material access for all Maricopa County residents. The County Library Tax is collected from all property owners (Maricopa County). This tax is used to fund county supported libraries and enhance material collections for municipal libraries in Maricopa County.

The MCLD Board of Supervisors has budgeted \$3 million for the Library Assistance Program for FY19. Upon execution of the IGA, Goodyear's allocation for FY19 will be \$58,440. This allocation will change annually based on the County's criteria for funding allocation.

MOTION BY Vice Mayor Campbell, SECONDED BY Councilmember Hampton, to APPROVE an Intergovernmental Agreement (IGA) with the Maricopa County Library District (MCLD) for acceptance of Library Assistance Program funds for the Goodyear Branch Library. The IGA will cover the period of July 1, 2018 through June 30, 2023. The motion carried by the following vote:

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

7.2 [2018-6324](#) CRESTWOOD AT CANYON TRAILS PRELIMINARY PLAT

Planner III Karen Craver presented on the preliminary plat for Crestwood at Canyon Trails subdividing approximately 24 acres into 90 single family lots and 11 tracts. The subject property is located off the northwest corner of Yuma Road and Cotton Lane. The density of this parcel would be 3.75 and the minimum lot size is fifty feet wide by ninety-five feet long. About eighteen percent of the overall site is open space.

Per the city of Goodyear Zoning Ordinance, sound attenuation improvements are to be constructed per an approved noise study when any part of a residential development is constructed within 500 feet of the future Loop 303 planned right-of-way boundary. If it is determined by the Arizona Department of Transportation (ADOT) that they are obligated to construct the noise walls, then Crestwood at Canyon Trails is only responsible for a single boundary noise wall as identified in the noise study. If ADOT is not obligated to construct noise walls W2A and W2B, then a revised noise study shall be reviewed and approved by the city. In the latter case, no certificates of occupancy for the subdivision shall be issued until the wall has been constructed.

Council Discussion:

> **Council asked what the requirement is for noise mitigation when building close to the freeway.** Engineering Director Rebecca Zook, noted that a noise study was discussed and the model will predict what is needed. Staff feels that the proposed wall will be sufficient to address the noise. Mattamy Homes representative, Daniel Hemken, stated that there is a natural open space buffer of approximately 200-250 feet between their property and the freeway.

> **Council asked if the city requires builders to go above and beyond minimum requirements?** Development Services Director Christopher Baker discussed the city ordinance and what is required regarding decibel requirements.

> **Council asked about the open space near State Route 303?** Ms. Zook stated that the drainage channel is approximately 200-250 feet from the proposed ADOT wall.

MOTION BY Councilmember Stipp, SECONDED BY Councilmember Hampton, to APPROVE the preliminary plat for Crestwood at Canyon Trails subdividing approximately 24 acres into 90 single family lots and 11 tracts, subject to stipulations. The motion carried by the following vote:

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

Nays 1 - Councilmember Osborne

7.3 [2018-6331](#) DONATION OF A SURPLUS 2007 CHEVROLET POLICE K-9 TAHOE TO THE QUARTZSITE POLICE DEPARTMENT

This item was administratively removed from the agenda.

7.4 [2018-6344](#) **IGA WITH AGUA FRIA UNION HIGH SCHOOL DISTRICT NO. 216
FOR SCHOOL RESOURCE OFFICER SERVICES**

Chief of Police Jerry Geier presented. During the March 26, 2018 work session, Council was briefed on Goodyear Police Department's School Resource Officer (SRO) program. Currently, the city of Goodyear pays 100% of the salary and benefits for SROs within Goodyear schools. The Intergovernmental Agreement (IGA) between Agua Fria Union High School District and the city of Goodyear will provide SRO Services to the District at Millennium High School. The District funding will act as a supplement to the officer's salary and the District will reimburse the city monthly for SRO services provided. In addition, the IGA will include funding from the District to allow the SRO the opportunity to attend the National SRO Conference held in the summer. The District has funds available in which they have agreed to pay for 50% of the costs associated with SRO Services for the 10-month period covering the school year. Total reimbursement to the city is approximately \$45,000 annually.

Chief Geier reported that there has been discussion with the Agua Fria Union High School District to allow partial funding for an SRO at Desert Edge High School the next fiscal year.

Council Discussion:

- > **SROs are important in our schools and this collaboration is needed.**
- > **Council expressed appreciation for the cooperation between the Agua Fria Union High School District and the city of Goodyear.**
- > **Council thanked Chief Geier for addressing a potential agreement for SRO services with Desert Edge High School.**

MOTION BY Councilmember Pizzillo, SECONDED BY Councilmember Lauritano, to AUTHORIZE the City Manager or designee to execute the Intergovernmental Agreement (IGA) between Agua Fria Union High School District and city of Goodyear to provide School Resource Officer Services (SRO) to the District at Millennium High School. The motion carried by the following vote:

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

7.5 [2018-6335](#) **AMENDMENTS TO CITY CODE ARTICLE 6-3 AND THE
MUNICIPAL USER FEE SCHEDULE RELATED TO MUNICIPAL
COURT FEES**

Court Administrator Crystal McCreery presented. Section 6-3-6 of the Goodyear City Code regarding the Court Enhancement Fund Fee was established April 27, 1998, and has not increased in 20 years. After reviewing current Municipal court fees and needs, the revenue from the Court Enhancement Fund Fee is currently averaging \$44,000 per fiscal year. This fund is currently supporting \$40,000 to supplement the Court Security Guard position. In order to sufficiently fund the

state mandated minimum security standards established in July 2017, Ms. McCreery requested the Court Enhancement Fee be increased from \$10 to \$20.

Ms. McCreery requested that a scrivener's error within the proposed Ordinance be corrected from Section 6-3-5 to Section 6-3-6.

In 2010, a comprehensive user fee study was conducted and City Council later approved the Goodyear Municipal User Fee Schedule. At the time the User Fee Schedule was adopted, the court fees referenced in Article 6-3 were not amended to be consistent with the Municipal User Fee Schedule. In an effort to keep all court fees consistent, it is the Court's desire and recommendation that all Municipal Court Fees be authorized and maintained solely within the Goodyear City Code Article 6-3 and be removed from the Municipal User Fee Schedule.

Council Discussion:

> Mayor Lord commented on the lack of fee increases and that the proposed increase will improve service to citizens.

MOTION BY Councilmember Osborne, SECONDED BY Councilmember Hampton, to ADOPT ORDINANCE NO. 2018-1386 AMENDING GOODYEAR CITY CODE ARTICLE 6-3 RELATED TO FEES ASSESSED BY THE MUNICIPAL COURT; PROVIDING FOR CORRECTIONS, SEVERABILITY AND AN EFFECTIVE DATE. The motion carried by the following vote:

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

MOTION BY Vice Mayor Campbell, SECONDED BY Councilmember Hampton, to ADOPT RESOLUTION NO. 2018-1870 AMENDING THE MUNICIPAL USER FEE SCHEDULE BY REMOVING THE MUNICIPAL COURT FEES AND PROVIDING FOR AN EFFECTIVE DATE. The motion carried by the following vote:

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

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:
None.

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:

City Manager Arendall reported that Goodyear Fire Department hosted their annual EMS Open House on Saturday, May 12. Over 300 people attended the open house, which was hosted at Fire Station 183.

2. Update of Legislative Issues:

None.

3. Staff Summary of follow up action required:

None.

4. Council members may direct inquiries to staff:

None.

5. Future Agenda Items:

Council requested that the City Council salary be discussed, with the possible formation of a citizen ad hoc committee to study the issue.

9. FUTURE MEETINGS

May 21, 2018	CFD Meeting	4:45 p.m.
May 21, 2018	Work Session	5:00 p.m.
May 21, 2018	Regular Meeting	6:00 p.m.
June 11, 2018	CFD Meeting	4:45 p.m.
June 11, 2018	Work Session	Immediately following CFD Meeting
June 11, 2018	Regular Meeting	6:00 p.m.

10. ADJOURNMENT

There being no further business to discuss, Mayor Lord adjourned the Regular Meeting at 7:40 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 May 14, 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2018.

Darcie McCracken, City Clerk

SEAL:

