



City of Goodyear

Meeting Minutes

City Council Regular Meeting

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

Mayor Georgia Lord
Vice Mayor Wally Campbell
Councilmember Joe Pizzillo
Councilmember Sheri Lauritano
Councilmember Bill Stipp
Councilmember Brannon Hampton
Councilmember Laura Kaino

Monday, February 25, 2019

6:00 PM

Goodyear Municipal Court and Council
Chambers

AGENDA AMENDED ON FEBRUARY 22, 2019

1. Corrected the event date referenced in Item 4.1.
2. Revised the proposed action and Council Action Report for Item 6.5.
3. Added the Council Action Report and supporting documents to Item 7.1.

1. CALL TO ORDER

Mayor Lord called the Regular Meeting to order at 6:14 p.m.

2. PLEDGE OF ALLEGIANCE AND INVOCATION BY MAYOR LORD

3. ROLL CALL

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

Councilmember Stipp attended the meeting via telephone.

Staff Present: Deputy City Manager Wynette Reed, City Attorney Roric Massey and City Clerk Darcie McCracken

4. COMMUNICATIONS

- 4.1 [CO-2019-345](#) Staff will present a recap of the Wildflower North Playground Build held on February 16, 2019.

David Seid, Parks and Recreation Manager, presented a recap of the Wildflower North Playground Build held on February 16, 2019. Mr. Seid said over 100 volunteers participated in the event, and thanked the various clubs and organizations for assisting with the community build.

Council Discussion:

> Council thanked all of the volunteers for their time and support of the playground build.

5. CITIZENS COMMENTS/APPEARANCES FROM THE FLOOR

Skip Strasser addressed the City Council on behalf of Hemi Gogri. Mr. Strasser said Dial a Ride does not provide service to Estrella Mountain Ranch and asked how new service areas are added.

Mayor Lord asked staff to follow up with Mr. Strasser with more information.

6. CONSENT

Councilmember Stipp commented on item 6.3. He said he received several complaints about the quality of the internet service provided in his neighborhood. Jeff Mirasola, representing CenturyLink, said that he would follow up on the service issues noted.

**MOTION BY Vice Mayor Campbell, SECONDED BY Councilmember Pizzillo, to
APPROVE Consent Agenda Items 6.1 - 6.6. The motion carried by the following vote:**

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

6.1 [MINUTES
2019-12](#)

APPROVAL OF MINUTES

PROPOSED ACTION:

Approve draft minutes from a Special Meeting and Regular Meeting held on February 11, 2019.

6.2 [2019-6545](#)

APPROVE FY2019 BUDGET TRANSFERS

PROPOSED ACTION:

Approve the budget transfers for FY2019.

6.3 [2019-6583](#)

**AUTHORIZE THE FIRST AMENDMENT OF THE CABLE LICENSE
AGREEMENT WITH QWEST BROADBAND, INC. DBA
CENTURYLINK**

PROPOSED ACTION:

ADOPT RESOLUTION NO. 2019-1936 AUTHORIZING THE FIRST AMENDMENT OF THE CABLE TELEVISION LICENSE AGREEMENT BETWEEN THE CITY OF GOODYEAR AND QWEST BROADBAND SERVICES, INC., DBA CENTURYLINK.

6.4 [2019-6584](#)

**APPROVE THE SOUTHWEST FAMILY ADVOCACY CENTER
INTERGOVERNMENTAL AGREEMENT**

PROPOSED ACTION:

Approve the Intergovernmental Agreement (IGA) among the cities of Avondale, Buckeye, Goodyear, and Maricopa County, Arizona, acting by and through the Maricopa County Sheriff's Office (MCSO); and authorize the City Manager or designee to execute the IGA to provide integrated services to children and families at the Southwest Family Advocacy Center (the "Center").

6.5 [2019-6586](#) **APPROVE THE RECOMMENDED APPOINTMENTS TO CITY
BOARDS, COMMISSIONS AND COMMITTEES**

PROPOSED ACTION:

Approve the recommended appointments to the Arts and Culture Commission and the Board of Adjustment for the terms set forth in the Council Action Report and authorize the City Clerk to administer the Oath of Loyalty to the appointees in attendance.

6.6 [2019-6591](#) **APPROVE THE ABANDONMENT OF PORTIONS OF THE STREETS
AND PUBLIC UTILITY EASEMENTS WITHIN AIRPORT
SUBDIVISION NO. 4**

PROPOSED ACTION:

ADOPT RESOLUTION NO. 2019-1939 VACATING/ABANDONING CERTAIN STREETS AND RELINQUISHING ALL INTEREST IN CERTAIN PUBLIC UTILITY EASEMENTS PREVIOUSLY DEDICATED TO THE CITY IN THE PLAT FOR AIRPORT COMMERCENTER SUBDIVISION NO. 4; PROVIDING FOR AN EFFECTIVE DATE OF THE ABANDONMENT AND IMPOSING REQUIREMENTS AND CONDITIONS FOR THE ABANDONMENT TO BECOME EFFECTIVE; AND IMPOSING A DEADLINE FOR COMPLETION OF THE ABANDONMENT.

City Clerk Darcie McCracken administered the Oath of Loyalty to Board of Adjustment Appointee David Harwell.

7. **BUSINESS**

7.1 [2019-6594](#) **RESOLUTION AND DEVELOPMENT AGREEMENT FOR
MICROSOFT**

Engineering Director Rebecca Zook presented to the Council. Ms. Zook said Microsoft is seeking an agreement that will allow commencement of construction of the Property prior to completing various requirements that would otherwise apply to the development of the Property.

Ms. Zook said the city is willing to allow the company to move forward with the construction of its first two buildings and associated on-site engineering work under a self-certification process in exchange for the company waiving any claims against the city.

Ms. Zook said staff is recommending approval of Resolution 2019-1942.

Jordan Rose of Rose Law Firm addressed the Council on behalf of the applicant. Ms. Rose thanked the city for the support and stated the company looks forward to a great relationship with the city of Goodyear.

Council Discussion:

> Council thanked all parties for working through the self-certification process and said the approach could potentially serve as a best practice moving forward.

> Council thanked Microsoft for their interest and investment in Goodyear, and commented

on the positive impact that will result.

> Council stated they were very excited and proud of all the work behind this project.

MOTION BY Councilmember Kaino, SECONDED BY Councilmember Lauritano, to ADOPT RESOLUTION NO. 2019-1942 APPROVING THE DEVELOPMENT AGREEMENT FOR MICROSOFT; DIRECTING THE CITY MANAGER TO EXECUTE THE DEVELOPMENT AGREEMENT FOR MICROSOFT; AUTHORIZING AND DIRECTING ACTIONS; AND PROVIDING FOR AN EFFECTIVE DATE. The motion carried by the following vote:

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

7.2 [2019-6557](#) PRELIMINARY PLAT FOR ESTRELLA PARCEL 11.F1

Planner II Alex Lestinsky presented a request for a preliminary plat for Estrella Parcel 11.F1. Ms. Lestinsky said the parcel consists of approximately 18 acres subdivided into 58 single family detached residential lots and six tracts and that it is consistent with the land use, development standards and density approved by the Lucero PAD Amendment. She said the preliminary plat is consistent with the technical requirements of the City's Subdivision Regulations, and that staff recommends approval of the preliminary plat subject to stipulations.

MOTION BY Councilmember Hampton, SECONDED BY Councilmember Pizzillo, to APPROVE a Preliminary Plat for Estrella Parcel 11.F1, subject to stipulations. The motion carried by the following vote:

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

7.3 [2019-6509](#) DESIGN CONCEPTS FOR THREE CITY-OWNED WESTERN AVENUE PROPERTIES

Deputy City Manager Dan Cotterman presented an update on the Western Avenue project to the Council. Mr. Cotterman said the Council provided direction to staff in May 2018 to sell the Old Evidence Building and return with a plan that retains the fire station, adds parking and green space, and considers incorporating the train station. Mr. Cotterman said staff developed three design concepts to address Council's desired property use.

Development Services Director Christopher Baker presented three design concepts to the City Council.

Mr. Cotterman reviewed the cost estimates for each option and said that staff recommends option C, to be implemented in two phases.

Mark Pelletier addressed the City Council. Mr. Pelletier said he is representing the Three Rivers

Historical Society. He said the Western Avenue project brings an opportunity to save and preserve the city's history. Mr. Pelletier said that private Western Avenue property owners are making great progress revitalizing older buildings and that the city should consider similar preservation efforts.

Sally Kiko was called, but did not wish to speak.

Joseph Kinney addressed the City Council, representing the Historical Litchfield Corridor Association. Mr. Kinney said the Western Avenue project includes the Scout Lodge and should be included in any future plans. He said that he would like to meet with staff to discuss various options related to this project.

Council Discussion:

> **Council thanked staff for their work developing the three options, however did not support any of the options presented.**

> **Council discussed working with other agencies on preservation options associated with the city-owned buildings and the train station.**

> **Council inquired about the condition of the buildings on the property.** Mr. Cotterman said an environmental assessment was conducted on each building. He said that each building has some form of remediation needed.

> **Council expressed concern transferring funds for this capital project outside of the fully funded five year CIP; it is important to see how funding this project would impact other projects.**

> **Council discussed tabling the project.**

MOTION BY Councilmember Lauritano, SECONDED BY Councilmember Pizzillo, to APPROVE a budget transfer in the amount of \$669,000 from the General Fund for the Western Avenue properties. There was no vote taken on this motion.

MOTION BY Vice Mayor Campbell, SECONDED BY Councilmember Pizzillo, to TABLE the Western Avenue project indefinitely. The motion carried by the following vote:

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

7.4 [2019-6568](#) CITYWIDE LANDSCAPE MAINTENANCE CONTRACT

Parks and Recreation Manager David Seid presented a proposal for landscape maintenance services and award to Mariposa Landscape Inc. Mr. Seid said staff has noted multiple areas of contractual non-compliance with the current vendor, and has worked with the current vendor to remedy performance issues. Based on the consistent non-performance from the current vendor staff is recommending to award this work to Mariposa Landscape Inc.

Mr. Seid said the anticipated expense for the remainder of FY2019 for landscape maintenance services for this work are budgeted. He said there are no additional funds being requested as part of this recommendation.

Council Discussion:

> Council thanked Park staff for their work to maintain the city landscape on a regular basis.

MOTION BY Vice Mayor Campbell, SECONDED BY Councilmember Hampton, to APPROVE the expenditure of funds in the amount of \$557,300 for landscape maintenance services of city right of way and facilities in order to award the contract to Mariposa Landscape Inc. The motion carried by the following vote:

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

7.5 [2019-6587](#) **AUTHORIZING THE USE OF CONDEMNATION FOR THE ACQUISITION OF PORTIONS OF RIGGS ROAD**

Real Estate Coordinator Linda Beals presented a proposal for the use of condemnation for the acquisition of portions of Riggs Road. Ms. Beals said in December 2016, APS and the city entered into an Emission Reduction Credit Maintenance and Cost Sharing Agreement to share the cost for roadway improvements and ongoing maintenance. She said the city and APS agreed that these obligations would continue for an additional 15 years.

Ms. Beals said there are several properties that the city is working diligently to locate the owners, conduct appraisals and make offers for the properties; however, it has been difficult to locate several of the owners and this action would only be used if the city is unable to locate the owners or come to an agreement with property owners. She said in May 2018, developers had donated approximately 90 percent of the road right-of-way required to meet the requirements of the cost sharing agreement.

Council Discussion:

> **Councilmember Stipp inquired about the actions taken by staff to date to acquire the property.** Ms. Beals explained the steps taken to date, and that staff would continue to reach out and come to an agreement with each property owner.

> **Councilmember Stipp inquired about the timing of adopting this resolution.** City Attorney Roric Massey said that staff has worked backwards from contractual obligations, project completion due dates, and related PM-10 issues and to acquire the properties by the required timeframe, the Council approval would need to take place relatively soon.

MOTION BY Councilmember Hampton, SECONDED BY Vice Mayor Campbell, to ADOPT RESOLUTION NO. 2019-1938 AUTHORIZING THE CITY ATTORNEY TO BRING ACTION(S) AS NECESSARY UNDER THE POWER OF EMINENT DOMAIN TO ACQUIRE RIGHTS-OF-WAY NEEDED FOR RIGGS ROAD IF CITY STAFF IS UNABLE TO ACQUIRE SUCH PROPERTY INTERESTS BY NEGOTIATION. The motion carried by the following vote:

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

Nays 1 - Councilmember Stipp

8. INFORMATION ITEMS

Comments, commendations, report on current events and presentations by Mayor, Councilmembers, staff or members of the public.

1. Reports from the Mayor and City Council

Council attended or reported on the following:

- > Councilmembers thanked staff for a recent follow up on an illegal dumping issue.
- > Councilmembers thanked ballpark staff for a terrific opening day and added that the field looked amazing.
- > Councilmembers attended a recent Chamber of Commerce meeting and learned about key events happening in the west valley.
- > Councilmembers commented on a great event attended called Dinner on the Diamond.

2. Report from the City Manager

- > Deputy City Manager Wynette Reed reported attendance of approximately 10,000 fans for opening day weekend at the Goodyear Ballpark.
- > Ms. Reed said Abrazo West hosted its Annual Rescue Roundup on February 23. The event included a child car seat check, police and fire static displays.
- > Ms. Reed said the Arizona Legislature will be discussing texting while driving and electronic scooters. She said that staff is planning a work session to discuss both items and recommends the sessions be scheduled following the legislative session. The City Council agreed.

9. FUTURE MEETINGS

March 4, 2019	Regular Meeting	6:00 p.m.
March 18, 2019	Work Session	5:30 p.m.
March 25, 2019	Regular Meeting	6:00 p.m.

10. ADJOURNMENT

There being no further business to discuss, Mayor Lord adjourned the Regular Meeting at 7:48 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 February 25, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 201__.

Darcie McCracken, City Clerk

SEAL: