



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, May 13, 2019

5:00 PM

Goodyear Municipal Court and Council
Chambers

AGENDA AMENDED ON MAY 9, 2019

Item 4.2 Removed

1. CALL TO ORDER

Mayor Lord called the Regular Meeting to order at 5:02 p.m.

2. PLEDGE OF ALLEGIANCE AND INVOCATION BY COUNCILMEMBER HAMPTON

3. ROLL CALL

Council Present 6 - Mayor Lord, Vice Mayor Campbell, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Hampton, and Councilmember Kaino
Council Excused 1 - Councilmember Stipp

MOTION BY Councilmember Kaino, SECONDED BY Councilmember Lauritano, to EXCUSE Councilmember Stipp. The motion carried by the following vote:

Mayor Lord explained her vote stating that she would be voting "Nay" to excuse Councilmember Stipp as he has missed and called in for too many meetings. Councilmembers verified that this would be a discussion at a future retreat.

Ayes 5 - Vice Mayor Campbell, Councilmember Pizzillo, Councilmember Lauritano, Councilmember Hampton and Councilmember Kaino

Nays 1 - Mayor Lord

Excused 1 - Councilmember Stipp

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

4. EXECUTIVE SESSION

Council, upon roll call vote, may convene into Executive Session as posted for the following:

- 4.1 Pursuant to A.R.S. § 38-431.03(A)(3) and (4): Discussion and consultation with the City Attorney for legal advice and direction on litigation matters, Celaya v City of Goodyear.

MOTION BY Vice Mayor Campbell, SECONDED BY Councilmember Pizzillo, to CONVENE into Executive Session. The motion carried by the following vote:

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

Excused 1 - Councilmember Stipp

City Council entered into Executive Session at 5:07 p.m.

5. ADJOURNMENT OF EXECUTIVE SESSION

Mayor Lord adjourned the Executive Session at 5:39 p.m.

6. RECONVENING OF REGULAR MEETING

Mayor Lord reconvened the Regular Meeting at 5:39 p.m.

7. COMMUNICATIONS

- 7.1 [CO-2019-343](#) Parks and Recreation Department staff will provide an update on the upcoming National Kids to Parks Day, and Mayor Lord will read a proclamation recognizing May 18th as National Kids to Parks Day.

Recreation Supervisor Deanna Ortiz presented information about the upcoming National Kids to Parks Day. Mayor Lord presented a proclamation to Ms. Ortiz recognizing May 18th as National Kids to Parks Day.

8. CITIZENS COMMENTS/APPEARANCES FROM THE FLOOR

There were no citizen comments.

9. CONSENT

MOTION BY Councilmember Hampton, SECONDED BY Councilmember Pizzillo, to APPROVE Consent Agenda Items 9.1 and 9.3 through 9.6. The motion carried by the following vote:

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

Excused 1 - Councilmember Stipp

- 9.1 [2019-6574](#) **AUTHORIZE THE MUTUAL AID AGREEMENT WITH THE ARIZONA WATER AND WASTEWATER AGENCY RESPONSE NETWORK (AZWARN)**
PROPOSED ACTION:
ADOPT RESOLUTION NO. 2019-1934 AUTHORIZING THE CITY TO ENTER INTO THE AZWARN MUTUAL AID AGREEMENT AMONG MEMBERS OF THE ARIZONA WATER AND WASTEWATER AGENCY RESPONSE NETWORK AND AUTHORIZING THE MAYOR TO EXECUTE ALL NECESSARY DOCUMENTS RELATED THERETO.
- 9.3 [2019-6641](#) **ACCEPT TWO PUBLIC UTILITY, SIDEWALK AND ACCESS EASEMENTS ASSOCIATED WITH THE AZ-11 VANTAGE DATA CENTERS PROJECT**
PROPOSED ACTION:
Accept the dedication of the two Public Utility, Sidewalk and Access Easements from Peak Realty Investment 2, LLC, a Delaware limited liability company.
- 9.4 [2019-6642](#) **APPROVE THE ISSUANCE OF A TEMPORARY NONEXCLUSIVE SLOPE EASEMENT TO CONSTRUCT AND MAINTAIN BANK STABILIZATION FACILITIES IN THE BULLARD WASH**
PROPOSED ACTION:
Approve the issuance of the Temporary Nonexclusive Slope Easement to Construct and Maintain Bank Stabilization Facilities to Fulton Homes Corporation, an Arizona corporation and Estrella Commons Homeowners Association, an Arizona non-profit corporation.
- 9.5 [2019-6647](#) **ACCEPT THE RECOMMENDATION OF HINTONBURDICK, PLLC TO PERFORM THE CITY'S ANNUAL FINANCIAL AUDIT**
PROPOSED ACTION:
Accept the recommendation of the Audit Subcommittee selecting HintonBurdick, PLLC to perform the annual audit of the City's financial statements.
- 9.6 [2019-6658](#) **APPROVE THE DEVELOPMENT AGREEMENT FOR ESTRELLA PARCEL 9.31**
PROPOSED ACTION:
ADOPT RESOLUTION NO. 2019-1969 APPROVING DEVELOPMENT AGREEMENT FOR ESTRELLA PARCEL 9.31; PROVIDING AUTHORIZATION AND DIRECTION TO TAKE ACTIONS AND EXECUTE DOCUMENTS NECESSARY TO CARRY OUT THE INTENT OF THE RESOLUTION AND DEVELOPMENT AGREEMENT AND PROVIDING FOR AN EFFECTIVE DATE.
- 9.2 [2019-6635](#) **APPROVE A FINAL PLAT OF ESTRELLA PARCEL 9.31 AND A RESOLUTION OF ABANDONMENT FOR A PORTION OF WEST MOUNTAIN VISTA DRIVE**
PROPOSED ACTION:

1. Approve a final plat for Estrella Parcel 9.31 (18-520-00025), subject to stipulations.
2. ADOPT RESOLUTION NO. 2019-1958 CONDITIONALLY VACATING AND ABANDONING A PORTION OF A STREET KNOWN AS WEST MOUNTAIN VISTA DRIVE; 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.

Mr. Sterling Bell, a Goodyear resident, spoke about his view from his property being blocked by houses if this plat is approved. He added that he had been to the Planning and Zoning meeting and thought that the houses could be shifted to allow him to maintain an unobstructed view.

This item was then removed from the Consent Agenda.

Planner II Alex Lestinsky presented the map and indicated where the property in question was located. Council inquired as to what was between the subject property and Mr. Bell's property. Staff stated that it was approximately 90 feet between Mr. Bell's fenceline and the subject property and they believed the open space to be a wash. Staff added that it was up to the builder and the city had no oversight on which properties would have view fencing.

Pete Teiche, representative for Newland Communities, addressed the Council adding that the space in between the subject property and Mr. Bell's property was open space that could include walkways in the future.

MOTION BY Vice Mayor Campbell, SECONDED BY Councilmember Kaino, to APPROVE a Final Plat of Estrella Parcel 9.31 and ADOPT RESOLUTION NO. 2019-1958 CONDITIONALLY VACATING AND ABANDONING A PORTION OF A STREET KNOWN AS WEST MOUNTAIN VISTA DRIVE; 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. The motion carried by the following vote:

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

Excused 1 - Councilmember Stipp

10. BUSINESS

10.1 [2019-6580](#)

INTERGOVERNMENTAL AGREEMENT WITH CITY OF GLENDALE TO UTILIZE LANDFILL

Solid Waste Superintendent Adam Kurtz presented information to Council regarding the

intergovernmental agreement with the city of Glendale regarding Goodyear's use of the Glendale landfill.

MOTION BY Councilmember Hampton, SECONDED BY Councilmember Pizzillo, to AUTHORIZE the Mayor or designee to enter into an Intergovernmental Agreement (IGA) with the City of Glendale which would allow city staff and Goodyear residents the ability to utilize the Glendale Landfill. The motion carried by the following vote:

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

Excused 1 - Councilmember Stipp

10.2 [2019-6659](#) EXTENSION OF VISTAS AT PALM VALLEY FINAL PLAT APPROVAL

Long Range Planner Joe Schmitz presented information to Council regarding the extension of the approval of the final plat for the Vistas at Palm Valley. Council asked if 90 days was sufficient. Mr. Schmitz responded that currently the rules only allowed for a 90 day extension.

MOTION BY Vice Mayor Campbell, SECONDED BY Councilmember Lauritano, to APPROVE a 90-day extension of the Vistas at Palm Valley Final Plat approval, extending the approval date to August 11, 2019, as requested by Meritage Homes. The motion carried by the following vote:

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

Excused 1 - Councilmember Stipp

11. 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

The Council had no reports or requests.

2. Report from the City Manager

Ms. Arendall updated Council advising that since the state legislature had enacted a law regarding texting while driving, staff would no longer pursue a local ordinance.

12. FUTURE MEETINGS

13. ADJOURNMENT

There being no further business to discuss, Mayor Lord adjourned the Regular Meeting at 6:15 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 13, 2019. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2019.

Darcie McCracken, City Clerk

SEAL: